

HARBOUR EAST COMMUNITY COUNCIL
AND
MARINE DRIVE COMMUNITY COUNCIL
JOINT MEETING MINUTES
November 2, 2006

PRESENT: Councillor Jim Smith, Chair
Councillor Harry McInroy
Councillor Gloria McCluskey
Councillor Becky Kent
Councillor Bill Karsten
Councillor Krista Snow
Councillor David Hendsbee

REGRETS: Councillor Andrew Younger
Councillor Steve Streach

STAFF: Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Legislative Assistant

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HALIFAX REGIONAL MUNICIPALITY
HARBOUR EAST & MARINE DRIVE
COMMUNITY COUNCIL MINUTES

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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. APPROVAL OF MINUTES - October 5, 2006

MOVED by Councillor McCluskey, seconded by Councillor , that the minutes of October 5, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Additions

- 12.1 Case 00905 - Substantive Amendments to Development Agreement - Willow Ridge (Parcel's B & C, Woodland Avenue)
- 12.2 Case 00966 - Amendment to Russell Lake West Development Agreement
- 12.3 Election of Chair and Vice Chair

MOVED by Councillor McInroy, seconded by Councillor Karsten, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 STATUS SHEET ITEMS

4.1.1 Accessible Playground - Dartmouth

No information received. To remain on status sheet.

4.1.2 Public Participation in Planning Process

An information report dated October 12, 2006, on the above noted, was before the Community Council. No further action necessary. To be removed from status sheet.

4.1.3 Beazley Field Stands

No information received. To remain on status sheet.

4.1.4 Three Way Stop at Intersection of Pleasant and Prince Albert Road

No information received. To remain on status sheet.

4.1.5 Installation of Speed Bumps or Two Sets of Stop Signs at Kingston Crescent and Birchwood Terrace and at Frederic Street and Birchwood Terrace

No information received. Councillor McCluskey requested this item be addressed under added items.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Case 00844: Land Use By-Law Amendment - Accessory Buildings, Planning Districts 14 & 17 (Shubenacadie Lakes)

- A report dated July 20, 2006, on the above noted, was before Community Council.

Mr. Andrew Bone, Planner, presented the staff report.

Councillor Smith called for those wishing to speak either in favour of or in opposition to the proposed amendments.

Mr. Ernie Brennan, Ketch Harbour, spoke against the amendments.

Councillor Smith called three times for any additional speakers. Hearing none, the following motion was placed.

MOVED by Councillor McCluskey, seconded by Councillor Snow, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

DECISION OF MARINE DRIVE COMMUNITY COUNCIL

MOVED by Councillor Snow, seconded by Councillor Hendsbee, that the Marine Drive, Valley and Canal Community Council approve Item 1 of Attachment D - (adding the definition of Human Habitation) of the staff report dated July 20, 2006 and not support the staff recommendation. MOTION PUT AND PASSED UNANIMOUSLY.

DECISION OF HARBOUR EAST COMMUNITY COUNCIL

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the Harbour East Community Council approve Item 1 of Attachment D - (adding the definition of

Human Habitation) of the staff report dated July 20, 2006 and not support the staff recommendation. **MOTION PUT AND PASSED UNANIMOUSLY.**

8. HEARINGS

8.1 Appeal of the Development Officers Decision to Refuse an Application for a Variance at 60 Attwood Crescent, Cole Harbour

- A report dated October 24, 2006, on the above noted, was before Community Council.

A request from the property owner for a deferral was received by the Community Council. Community Council agreed to proceed with the hearing.

Mr. Sean Audas, Development Officer, presented the staff report advising the variance application was received after the shed was constructed as the result of a complaint on the property.

Councillor Smith called three times for those abutting property owners wishing to speak either for or against the variance. Hearing none, the following motion was placed.

MOVED by Councillor McInroy, seconded by Councillor Karsten, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor McInroy, seconded by Councillor Karsten, that Community Council uphold the decision of the Development Officer and refuse the variance. MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

Councillor McCluskey served a petition containing 237 names in opposition to the redevelopment of the former Dartmouth Marine Slips and adjacent waterlots as residential and commercial.

10. REPORTS

10.1 Case 00922: Non Substantive Amendment to Development Agreement - The Summit (10 Horizon Court)

- A report dated October 18, 2006, on the above noted was before Community Council.

Ms. Hanita Koblents, Planner, presented the staff report.

MOVED by Councillor McCluskey, seconded by Councillor Kent, that Harbour East Community Council:

1. **Approve, by resolution, the non-substantive amendment to Can-Euro Investments Ltd's development agreement with the Municipality for a multi-unit residential building at 10 Horizon Court, as shown on Attachment A of the October 18, 2006 staff report (the amending development agreement) to allow for changes to a requirement to consolidate all lots.**
2. **Require the amending agreement to be signed within 120 days or any extension thereof granted by council on request of the applicant from the date of final approval by Council and any other bodies as necessary whichever approval is later, including applicable appeal periods, otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Ratification of Appointments to the Downtown Dartmouth Business Commission

MOVED by Councillor McCluskey, seconded by Councillor Kent, that Harbour East Community Council ratify the appointments to the Downtown Dartmouth Business Commission. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that Councillor Smith be appointed to the Board as a member. MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Case 00905 - Substantive Amendment to Development Agreement - Willow Ridge (Parcels B&C, Woodland Avenue)

- A report dated October 18, 2006, on the above noted was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Kent, that the Harbour East Community Council give Notice of Motion to consider the proposed Amending Development Agreement and schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Case 00966 - Amendment to Russell Lake West Development Agreement

- A report dated October 27, 2006, on the above noted, was before Council.

MOVED by Councillor Karsten, seconded by Councillor McInroy, that the Harbour East Community Council enter into the amending agreement, presented as Attachment A to the October 27, 2006 staff report, which would:

- 1. Grant Clayton Developments Ltd. an extension from October 31, 2006 until December 31, 2006 to complete primary services associated with the extension of Baker Drive to the new interchange at Mount Hope Avenue and Highway 111 (the Circumferential Highway);**
- 2. Give the company until July 1, 2007 to complete all other required work associated with this road extension in accordance with the terms of the Russell Lake West development agreement provided that financial security for completion of the work is provided in a form and amount acceptable to the Development Officer;**
- 3. Require the amending agreement be signed within 120 days or any extension thereof granted by Council on request of the applicant from the date of final approval by Council and any other bodies as necessary whichever approval is later, including applicable appeal periods, otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Election of Chair and Vice Chair

MOVED by Councillor McInroy, seconded by Councillor Karsten, that Councillor Smith be nominated as Chair.

MOVED by Councillor McInroy, seconded by Councillor Karsten, that nominations cease. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor McCluskey, seconded by Councillor McInroy, that Councillor Kent be appointed as Vice Chair. MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Item 4.1.5 Installation of Speed Bumps or Two Sets of Stop Signs at Kingston Crescent and Birchwood Terrace and at Frederic Street and Birchwood Terrace

Councillor McCluskey stated that since her request she has been receiving calls from residents who are seeking the status of the request. The Councillor requested the request be resubmitted and a report be brought forward for the December meeting.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. McInnis, Dartmouth, spoke in support of the petition submitted by Councillor McCluskey and outlined the history of the proposed development.

Mr. Ernie Brennan, Ketch Harbour, commented that Dartmouth was being rapidly developed.

Mr. Don Mason, Dartmouth, spoke in support of the petition and opposition to the proposed development.

Mr. Dan Britton, Dartmouth, noted the holes in the fence along the Circumferential Highway by Penhorn Mall have not been fixed. He noted that in the area of Tantiling Crescent and Valkyrie Drive the walkways have shrubs growing through the fence and across the walkway. He noted the light at Sabra Court is completely blocked by a tree and the trees are growing over the chain link fence and make it dark for anyone using the pathway. Further, the ground is broken making for an uneven walking surface. He stated the trees and shrubs need to be cleared.

Ms. Marjorie Gibbons, Dartmouth, spoke in support of the petition presented by the residents of Admiralty Place.

15. NEXT MEETING

The next meeting is scheduled for Thursday, December 7, 2006.

16. ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

Julia Horncastle
Legislative Assistant