

HARBOUR EAST COMMUNITY COUNCIL
MINUTES

January 14, 2010

PRESENT: Councillor Gloria McCluskey, Chair
 Councillor Lorelei Nicoll
 Councillor Bill Karsten
 Councillor Jackie Barkhouse
 Councillor Jim Smith
 Councillor Darren Fisher

STAFF: Ms. Melody Campbell, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 6:02 p.m.

2. APPROVAL OF MINUTES - December 3, 2009

MOVED BY Councillor Nicoll, seconded by Councillor Smith, that the minutes of December 3, 2009, as presented, be approved. MOTION PUT AND PASSED.

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

Addition:

1. Information Item #1 - Case 01363 - Dartmouth Land Use By-law Amendment - Excluding Tattoo Businesses as Home Occupations to be added to the agenda

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

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Review

4.1.1 Street Parking Close to Nova Scotia Community College

No update, to remain on status sheet.

4.1.2 Planning Process for Group Homes

No update, to remain on status sheet.

4.1.3 Tattoo Business - Home Occupations

Information report received, to be removed from the status sheet.

4.1.4 Sound Barrier Fence - Woodland Avenue

Information report received, to be removed from the status sheet.

5. MOTIONS OF RECONSIDERATION - NONE

- 6. MOTIONS OF RESCISSION - NONE
- 7. CONSIDERATION OF DEFERRED BUSINESS - NONE
- 8. HEARINGS - NONE
- 9. CORRESPONDENCE AND DELEGATIONS
 - 9.1 Correspondence - None
 - 9.2 Petitions - None
- 10. REPORTS
 - 10.1 Staff Reports
 - 10.1.1 Case 01346: Development Agreement - 657 Portland Street, Dartmouth

- A staff report dated December 16, 2009 was before Council.

MOVED BY Councillor Fisher, seconded by Councillor Smith, that Harbour East Community Council give Notice of Motion to consider the proposed development agreement as set out in Attachment A of the report dated December 16, 2009 and schedule a public hearing. MOTION PUT AND PASSED.

- 10.1.2 Case 01291: Cole Harbour Road Planning and Street Improvement Process

- A staff report dated December 18, 2009 was before Council.

MOVED BY Councillor Nicoll, seconded by Councillor Karsten, that Harbour East Community Council recommend to Regional Council that:

1. Staff initiate a review of the Planned Unit Development policies and regulations within the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law upon receiving a request from the Province; and
2. Not initiate a community visioning or streetscape design process as this time for Cole Harbour Road, Cole Harbour.

Mr. Mitch Dickey, Planner, provided the following clarification to Council.

Councillor Karsten requested clarification on the number of planned unit developments that are looking to be released from the Province. The Councillor indicated that there are four planned unit developments in the Cole Harbour area not just the one noted in the staff report. Mr. Dickey advised that there are more planned unit developments involved. He added that the most recent phase of Forest Hills developments estimate four hundred lots under the planned unit developments.

In response to a question by Councillor Karsten, Mr. Dickey advised that the recommendation needs to be in writing from Council in preparation for a request from the Province.

Councillor Karsten advised that he supports moving ahead with Part B of the recommendation on the staff report adding that it will take millions of dollars for the Municipality to complete the streetscape plans already approved.

Councillor McCluskey stated that she had an issue with the Cole Harbour street scape from the beginning as there are no funds to support the initiative

Councillor Nicoll advised that there are issues in the area that could not be dealt with as the property is not zoned residential. She added the businesses along the Cole Harbour Road indicated an interest in starting a business association.

Councillor Smith raised concern regarding consideration of mixing commercial and residential along Cole Harbour Road. He added that areas need compatibility. Mr. Dickey advised that Cole Harbour Road zoning is much more restrictive than some other areas, for example, Wyse Road in Dartmouth.

MOTION PUT AND PASSED.

10.2 Members of Council

10.2.1 Harbour East Community Council donation to District 2 Community Centre Fire - Councillor Smith

Councillor Smith advised that the members of Harbour East Community Council agreed to assist the rebuild of the Beaver Bank Kinsac Community Centre by providing a donation of the Councillors' available funding. It was noted that Councillors McCluskey, Smith, Karsten, Nicoll and Fisher will donate \$2500.00 each in funding; Councillor Barkhouse will donate \$1000.00 in funding. Councillor Smith added the funding provided must meet the criteria as specified.

MOVED BY Councillor Smith, seconded by Councillor Karsten that Harbour East

Community Council send a letter to Councillor Dalrymple advising of Harbour East Community Council's available funds, in the amount of \$13,500.00 to assist with the rebuild of the Beaver Bank Kinsac Community Centre. MOTION PUT AND PASSED.

10.2.2 Tax Reform - Councillor McCluskey

The members of Harbour East Community Council expressed their support of the news release of January 14, 2010 - Harbour East Community Council against current proposals for Tax Reform.

Tonight, at its regular monthly meeting, members of Harbour East Community Council, which is comprised of Councillors Gloria McCluskey - Chair, Jim Smith, Bill Karsten, Jackie Barkhouse, Lorelei Nicoll, and Darren Fisher will discuss Tax Reform. It is expected that they will issue a public statement announcing that they have unanimously decided against moving forward on any of the current proposals for Tax Reform. After many meetings, much consideration and due process which have been advanced as a result of the work done by the Tax Reform Committee over the past several years, the like-minded Councillors feel it is time to speak out publicly.

The opinion of the Municipally elected group is that the proposals put forward by the tax committee shift the tax burden from a small segment of the population with high priced properties, to those with middle priced and lower priced properties. They are not supportive of substituting one method of taxation to any of the ones proposed that are deemed to have their own inequities.

Councillor Karsten stated that the Harbour East Community Council has made a united decision. He added that the Community Council's decision is a bold move with a strong statement. He noted that the decision reached is beneficial for their communities. He advised that this may not be a popular decision but it is best thing to do what is right for those residents they serve. He stated that there is an inequity in the system based on assessments. He added that one of the problematic issues is how the assessments are done. The Councillor added that it became apparent to him early on that this reform could cause incredible harm to those most vulnerable in the community. He added that some residents will be disappointed in the decision as those in the four hundred to five hundred thousand dollar homes could benefit from tax reform. He stated that no reform could benefit those in one hundred sixty to one seventy dollar homes.

Councillor Barkhouse stated that the decision on tax reform is the single, largest decision she has made since she joined Council. She added that she is very proud of the decision reached by Harbour East Community Council as it is the right thing to do.

Councillor Smith stated that there is a flaw in the tax process and that the Tax Reform Committee looked at tax reform and came up with a plan. He advised that he cannot support the tax reform recommendation in principle. He noted that the assessment based system is not the best system either. He added that Council, in the case of the tax reform recommendation, cannot penalize the less wealthy.

Councillor McCluskey stated the assessment tax model is used across the Country. She advised that tax reform notes that if taxes are too high, assistance can be provided. She questioned where that assistance will come stating that when you take the burden from one you shift it to another. She advised that the assessment system is not perfect but, at this time, it is the best there is. She added that she appreciates that Harbour East Community Council is making this decision.

Councillor Fisher advised that he agrees with the comments made and is in agreement with the statement made by Harbour East Community Council.

Councillor Nicoll stated that those who will pay more in taxes, if tax reform is approved, are those in the middle class. She added that she agrees with the decision of Harbour East Community Council.

10.2.3 Revised 2010 Meeting Schedule

MOVED BY Councillor Fisher, seconded by Councillor Karsten, that the 2010 Harbour East Community Council reschedule the June meeting to June 10, 2010 at 6:00 p.m. and the September meeting to September 16, 2010 at 6:00 p.m. MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Case 01363 - Dartmouth Land Use By-law Amendment - Excluding Tattoo Businesses as Home Occupations

Councillor Karsten advised that he was in contact with Mr. Joudrey, Planner, regarding whether a public information meeting will be required on the issue of tattoo parlours as home based businesses. He added that Council requested a legal interpretation on the matter. The Councillor advised that it is his understanding that those exceptions can be granted through the Land Use By-law. Mr. Dickey, Planner, advised that it is staff perspective that as long as the intention is clearly defined as part of the Community Council that legal issues have been addressed.

Councillor Fisher advised that he not against tattoos or tattoo parlours. He stated that his concern is in that some types of the services provided by tattoo parlours biowaste can result and he questioned how this type of waste is disposed of.

The members of Harbour East Community Council agreed that staff move forward with the Public Information meeting as presented in the Information Report.

- 13. NOTICES OF MOTION**
- 14. PUBLIC PARTICIPATION**
- 15. NEXT MEETING - February 4, 2010**
- 16. ADJOURNMENT**

The meeting adjourned at 6:46 p.m.

Melody Campbell
Legislative Assistant