

HARBOUR EAST COMMUNITY COUNCIL
MINUTES

April 7, 2011

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

STAFF: Ms. Jennifer Weagle, Legislative Assistant

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1. CALL TO ORDER

Councillor Gloria McCluskey, Chair, called the meeting to order at 6:00 p.m., with the invocation being led by Deputy Mayor Smith.

2. APPROVAL OF MINUTES

MOVED by Councillor Nicoll, seconded by Councillor Barkhouse, that the February 8, 2011 HECC special meeting minutes, the March 3, 2011 HECC regular meeting minutes and the March 8, 2011 MDVCC/HECC joint special meeting minutes be approved as circulated. MOTION PUT AND PASSED.

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

Additions:

12.1 Case 16619: Telecommunication Tower, Laura Drive, Cow Bay

Item 12.1 was moved to immediately follow item 10.1.2.

MOVED by Councillor Karsten, seconded by Councillor Nicoll, that the agenda be approved as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet

4.1.1 Dartmouth LUB Amendments

Mr. Kurt Pyle, Supervisor, Planning Applications, Eastern Region, clarified that this matter was presented to Community Council at the March meeting, and that a report will be coming forward at the May meeting.

4.1.2 Case 16411, Downtown Dartmouth Sign Requirements

This matter was addressed later in the meeting. See Item 7.2.

4.1.3 Staff report re: Ball Hockey Rink Leaman Drive

No update provided on this matter. This item to remain on the status sheet.

4.1.4 Staff report re: Accessory Shelters

No update provided on this matter. This item to remain on the status sheet.

4.1.5 Councillor Fisher Motion – Urban Gardening

This item was addressed later in the meeting. See Item 11.1.

4.1.6 Information Report – Development Agreement Timelines

This item was addressed later in the meeting. See Item 7.1. This item can be deleted from the status sheet.

4.1.7 Applications for Beverage Rooms, Lounges and Cabarets

Mr. Pyle indicated that a case has been opened on this matter. This item to remain on the status sheet.

4.1.8 Staff report re: Sculpture Park, Dartmouth Waterfront

No update provided on this matter. This item to remain on the status sheet.

5. MOTIONS OF RECONSIDERATION – NONE

6. MOTIONS OF RESCISSION – NONE

7. CONSIDERATION OF DEFERRED BUSINESS – Date

7.1 Information Report – Development Agreement Timelines (Deputy Mayor Smith)

This matter was deferred from the March 3, 2011 meeting.

An information report dated January 18, 2011 was before Community Council.

Mr. Darrell Joudrey, Planner, reviewed the information report with Community Council.

Deputy Mayor Smith indicated that he understood the commencement time for Basinview Drive to be 2 years, not 5 years as listed in Attachment B of the report.

Community Council agreed that there is no further action required on this matter.

7.2 Case 16411 – Downtown Dartmouth Sign Requirements

This matter was deferred from the March 3, 2011 meeting.

A report dated February 4, 2011 was before Community Council.

Mr. Mitch Dickey, Planner, reviewed the report with Community Council.

MOVED by Councillor Nicoll, seconded by Councillor Karsten, that Harbour East Community Council give First Reading to the proposed amendments to the Land Use By-law for Downtown Dartmouth regarding commercial signs, as set out in Attachment A of the February 4, 2011 report, and schedule a public hearing. MOTION PUT AND PASSED.

The public hearing is scheduled for May 5, 2011.

8. HEARINGS

8.1 Public Hearings - None

8.2 Variance Appeal Hearings - None

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Presentation - None

10. REPORTS

10.1 Staff

10.1.1 Case 16601 Harbour Isle Development Agreement, Dartmouth

MOVED by Deputy Mayor Smith, seconded by Councillor Fisher, that Harbour East Community Council give Notice of Motion to consider the proposed development agreement as set out in Attachment A of the March 16, 2011 report, and schedule a Public Hearing. MOTION PUT AND PASSED.

The public hearing is scheduled for May 5, 2011.

10.1.2 Case 16618 Telecommunication Tower, Caldwell Rd, Eastern Passage

A staff report dated March 28, 2011 was before Community Council.

Mr. Joudrey presented the report to Community Council.

At the request of members, Mr. Joudrey advised that Industry Canada allows 120 days for municipalities to carry out a public consultation process on a proposed telecommunications towers, and approximately 90 days have already passed for this and the following proposal.

MOVED by Councillor Barkhouse, seconded by Councillor Karsten, that Harbour East Community Council forward a positive recommendation to Industry Canada in relation to the proposal by Bragg Communications Inc. for a proposed 39 metre self supporting telecommunication tower and associated equipment shelters at 1668 Caldwell Road, Eastern Passage.

Councillor Nicoll inquired how the tower would be fenced. Mr. Joudrey clarified that there would be steel fencing around the tower, and that the tower has an anti-climb apparatus incorporated into the design.

Mr. Joudrey also clarified that staff are currently working on a functional plan for telecommunication towers which will be brought to Council for approval in the near future.

MOTION PUT AND PASSED.

12.1 Case 16619: Telecommunication Tower, Laura Drive, Cow Bay

A staff report dated March 28, 2011 was before Community Council.

Mr. Joudrey presented the report to Community Council.

Councillor Barkhouse noted concern with the proximity of the proposed tower to an existing playground on the site.

At the request of members, Mr. Joudrey reviewed that Eastlink chose the proposed location for the tower to not disturb a DNR pathway, and to not impede future development of the site.

At the further request of members, Mr. Pyle indicated that there would not be sufficient time to hold another public information meeting on this matter and get back to Community Council within the time period allowed by Industry Canada.

MOVED by Councillor Barkhouse, seconded by Deputy Mayor Smith, that Harbour East Community Council forward a positive recommendation to Industry Canada in relation to the proposal by Bragg Communications Inc. for the proposed 50 metre self supporting telecommunication tower and associated equipment shelter behind 14 Laura Drive, Cow Bay, with the request that the tower be located further to the North-East of the property in order to be located further from the adjacent playground.

Mr. Joudrey clarified that the lease for the property has already been signed. Mr. Pyle added that Community Council's direction would be a request for their consideration only, although Industry Canada does take the Municipality's input very seriously.

MOTION PUT AND PASSED.

11. MOTIONS

11.1 Councillor Fisher

This matter was deferred from the March 3, 2011 meeting.

MOVED by Councillor Fisher, seconded by Deputy Mayor Smith, that Harbour East Community Council request staff to undertake Public Consultation and determine the appropriate amendments to consider urban gardening and the sale of urban gardening produce in residential zones.

Councillor Fisher commented that HRM has been ranked low in terms of local food production, which is a growing trend. He asked that the staff report on this matter consider any possible drawbacks to permitting such an activity.

At the request of Councillor Karsten, it was clarified that “public consultation” would take the direction outlined in the conclusion of the January 18, 2011 information report.

Mr. Mitch Dickey, Planner, clarified at the request of Councillor Karsten that one public consultation would be undertaken for each of the plan areas. Staff may call upon the Ecology Action Centre to assist with research.

Deputy Mayor Smith suggested that in some municipalities provisions for urban gardening are included in planning applications.

MOTION PUT AND PASSED.

12. ADDED ITEMS

12.1 Case 16619: Telecommunication Tower, Laura Drive, Cow Bay

This item was moved to immediately follow item 10.1.2. See page 6.

13. NOTICES OF MOTION - None

14. PUBLIC PARTICIPATION

Mr. Bob Morash, Dartmouth, noted concern with a proposed anti-idling policy he heard discussed earlier today. Mr. Morash also commented that he thinks the speed-skating oval would be better located on the Wanderer’s Grounds, and questioned whether any locations in Dartmouth were considered.

Councillor Fisher clarified that the anti-idling policy was a matter that was discussed at the Environment & Sustainability Standing Committee earlier today, and assured Mr. Morash that it is only in the very preliminary stages and will involve public consultation.

Members of Council also noted that staff had considered the Wanderer's Grounds for the oval, but determined that it was not a suitable location for speed-skating competitions because of the slope of the property.

15. NEXT MEETING DATE – Thursday, May 5, 2011

The next meeting is scheduled for Thursday, May 5, 2011 at 6:00 p.m. at 90 Alderney Drive, Dartmouth. The Annual Meeting will also be held at this time.

16. ADJOURNMENT

The meeting was adjourned at 6:57 p.m.

Jennifer Weagle
Legislative Assistant