



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
May 4, 2017**

PRESENT: Councillor Bill Karsten, Chair
 Councillor Tony Mancini, Vice Chair
 Councillor David Hendsbee
 Councillor Lorelei Nicoll
 Councillor Sam Austin

STAFF: Krista Vining, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to Community Council are available online: <http://www.halifax.ca/Commcoun/east/170504hemdcc-agenda.php>

The meeting was called to order at 6:00 p.m., and Community Council adjourned at 6:55 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

2. APPROVAL OF MINUTES – April 6, 2017

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT the minutes of April 6, 2017 be approved as circulated.

MOTION PUT AND PASSED.

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT the In Camera (In Private) minutes of April 6, 2017 be approved as circulated.

MOTION PUT AND PASSED.

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

MOVED by Councillor Mancini, seconded by Councillor Austin

THAT the agenda be approved as presented.

Two-third majority vote required.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS – NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant noted that correspondence was received for item 13.1.2. This correspondence was circulated to Community Council.

11.2 Petitions – None

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Fence Permit Application #151787 – 11 Cleary Drive, Dartmouth

The following was before Community Council:

- A staff recommendation report dated March 21, 2017

Rick Brown, Supervisor, Building Standards spoke to the permit application by Classic Roofing and Siding (Grant Cadeau) to construct a fence in excess of 6.5 feet, as outlined in the staff report dated March 21, 2017.

The Chair called for the applicant and any abutting property owners to come forward at this time to speak on the matter.

Grant Cadeau, applicant explained that the fence was built in 1998 and was put up to keep garbage out from the abutting property. The applicant clarified that sections of the fence were reinforced after Hurricane Juan and that Pentox is used on the fence every two years, and there have been no issues with vandalism.

The Chair called three times for any abutting property owners wishing to speak for or against the application to come forward; there were none.

MOVED by Councillor Austin, seconded by Councillor Nicoll

THAT the Harbour East-Marine Drive Community Council approve Permit Application #151787 for construction of fencing in excess of 6.5 feet at 11 Cleary Drive, Dartmouth.

Members discussed the motion, noting that abutting property owners had been notified of this case and no complaints were received. Members expressed concern with other property owners constructing fences over six and a half feet without a permit and then seeking approval. They also recognized that this matter was under legal review in relation to the violation of By-law 201 and that it would be the solicitors' discretion whether to take action.

MOTION PUT AND PASSED.

13.1.2 Case 19602: Rezoning Old Miller Road, Cole Harbour (First Reading)

The following was before Community Council:

- A staff recommendation report dated April 20, 2017
- Correspondence from Peter Estey

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT Harbour East-Marine Drive Community Council give first reading to consider the proposed amendment to the Land Use By-law for Cole Harbour/Westphal, as set out in Attachment A of the staff report dated April 20, 2017, to rezone a portion of lands abutting Old Miller Road, Cole Harbour from the UR (Urban Reserve) Zone to the R-1 (Single Unit Dwelling) Zone, and schedule a public hearing.

Staff responded to questions on the application, clarifying that the proposed amendment is a rezoning of a portion of the subject lands and not a Municipal Planning Strategy policy re-designation of the lands.

MOTION PUT AND PASSED.

13.1.3 Case 20260: Non-Substantive Amendments to the Development Agreement for Evergreen Drive, Cole Harbour

The following was before Community Council:

- A staff supplementary report dated March 24, 2017

MOVED by Councillor Nicoll, seconded by Councillor Austin

THAT Harbour East-Marine Drive Community Council:

- 1. Approve the proposed second amending development agreement, which shall be substantially of the same form as set out in Attachment B of the supplementary staff report dated March 24, 2017, to enable an extension of the date of commencement of development, and allow the development of the 8 townhouse units in Phase 2 to occur without the need for a non-substantive amendment at Evergreen Drive, Cole Harbour; and**
- 2. Require that the second amending development agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Darrell Joudrey, Planner I, Development Approvals presented Case 20260 respecting the proposed second amending development agreement, to enable an extension of the date of commencement of development, and allow the development of the eight (8) townhouse units in Phase 2 to occur without the need for a non-substantive amendment at Evergreen Drive, Cole Harbour. A copy of the presentation is on file.

Members discussed the motion with staff responding to questions on the registration of the development agreement and obtaining engineering approval. It was noted that stormwater management would be done onsite.

MOTION PUT AND PASSED.

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE)

Community Council may rise and go into a private In Camera session, in accordance with Section 19 of the Halifax Regional Municipality Charter, for the purpose of dealing with the following:

15.1 In Camera (In Private) Minutes – April 6, 2017

This matter was dealt with during the approval of the public minutes, see page 2 for details.

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

Tom Marr, Woodlawn raised concerns with pedestrian and cyclists safety around crosswalks the need for more education.

Tom Swanson spoke on behalf of Mark Jerrard, applicant of Case 20260 and extended appreciation to the Community Council for their decision on the matter. It was also noted that they would discuss stormwater management with the neighbouring church.

19. DATE OF NEXT MEETING – June 8, 2017, 6:00 p.m. HEMDCC Meeting Space Main Floor, Alderney Gate, 60 Alderney Drive, Dartmouth

20. ADJOURNMENT

The meeting was adjourned at 6:55 p.m.

Krista Vining
Legislative Assistant