



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
August 3, 2017**

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

STAFF: Claire Gillivan, Solicitor
Krista Vining, Legislative Assistant

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

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

The meeting was called to order at 6:00 p.m. Community Council adjourned at 6:31 p.m.

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES – June 8, 2017

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT the minutes of June 8, 2017 be approved as circulated.

MOTION PUT AND PASSED.

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

Addition:

Information Item 2 – Memorandum from the Director of Parks, Recreation and Communities dated July 25, 2017 re: North Star Rowing Club Facility Expansion

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT the agenda be approved as amended.

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

Councillor Karsten stepped down as chair at this time and Councillor Mancini assumed the chair.

8. CONSIDERATION OF DEFERRED BUSINESS – June 8, 2017

8.1 Case 19626: Development Agreement for Multiple Unit Residential Dwelling and Commercial Development at 836 and 842 Portland Street, Dartmouth

The following was before Community Council:

- A supplementary information report June 21, 2017
- An extract of June 8, 2017 HEMDCC Draft Minutes
- A staff memorandum dated June 6, 2017
- A supplementary staff report dated June 1, 2017
- A staff recommendation report dated August 16, 2016

The following motion was before Community Council for consideration:

MOVED by Councillor Karsten, seconded by Councillor Hendsbee

THAT Harbour East-Marine Drive Community Council:

1. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A of the supplementary report dated June 1, 2017, to permit two

commercial buildings and a multiple unit residential dwelling at 836 and 842 Portland Street, Dartmouth;

2. Require that the proposed 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.

3. Approve, by resolution, the discharge of the existing development agreement that applies to the lands as shown in Attachment D of the staff recommendation report dated August 16, 2016, to take effect upon the registration of the new development agreement; and

4. Require the discharge 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.

Councillor Karsten spoke to the removal of the right-in driveway access from Portland Street by including an additional provision of not permitting vehicle access along Portland Street, as outlined in the supplementary information report dated June 21, 2017.

MOVED by Councillor Karsten, seconded by Councillor Nicoll

THAT the motion be amended to include the additional provision that vehicle access shall not be permitted along Portland Street.

In response to questions raised, Tyson Simms Planner II explained that the amendment would allow staff to make the change to remove the driveway access from Portland Street and all other aspects of the site would remain as proposed. Claire Gillivan, Solicitor explained the Development Agreement contains a clause that states that minor changes to the building would need to come back to Community Council for approval as non-substantive amendments.

MOTION TO AMEND PUT AND PASSED.

The motion before Community Council now reads:

MOVED by Councillor Karsten, seconded by Councillor Hendsbee

THAT Harbour East-Marine Drive Community Council:

1. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A of the supplementary report dated June 1, 2017, to permit two commercial buildings and a multiple unit residential dwelling at 836 and 842 Portland Street, Dartmouth, with the additional provision that vehicle access shall not be permitted along Portland Street;

2. Require that the proposed 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.

3. Approve, by resolution, the discharge of the existing development agreement that applies to the lands as shown in Attachment D of the staff recommendation report dated August 16, 2016, to take effect upon the registration of the new development agreement; and

4. Require the discharge 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.

MOTION AS AMENDED PUT AND PASSED.

Councillor Karsten returned as chair and Councillor Mancini took their seat.

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS – NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence – None

11.2 Petitions – None

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS – NONE

14. MOTIONS

14.1 Councillor Hendsbee

The following was before Community Council:

- A Request for Community Council Consideration Form from Councillor Hendsbee

MOVED by Councillor Hendsbee, seconded by Councillor Mancini

THAT Harbour East Marine Drive Community Council approve funding in the amount of \$1,750.00 from the Musquodoboit Harbour Common Area Rate account for the purchase of five seven-foot long picnic tables.

MOTION PUT AND PASSED.

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 Personnel Matter

Citizen and Councillor appointments to boards and committees in keeping with the Public Appointment Policy adopted by Regional Council in August 2011, to be found at <https://www.halifax.ca/city-hall/boards-committees-commissions/volunteer-boards-committees/public-appointment-policy>

15.1.1 Appointments to the Public Participation Committee for the CDD lands at 651 Portland Hills Drive, Dartmouth – *Private and Confidential Report*

The following was addressed in public.

MOVED by Councillor Mancini, seconded by Councillor Nicoll

THAT Harbour East Marine Drive Community Council:

1. Appoint the two applicants, outlined in the discussion section of the private and confidential staff report dated July 24, 2017, to the Harbour East-Marine Drive Community Council Planning Advisory Committee until their mandate is complete and that the identity of the appointees be released to the public following ratification and notification of the successful candidates.

2. Not release this report to the public.

MOTION PUT AND PASSED.

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

Phil Mathews, District 6, expressed concern with the increased volume of off-leash dogs at Sunrise Beach in Dartmouth. They suggested the inner-city or Burnside Park would not be as much of a concern, allowing for larger volumes of dogs and noise levels. The resident was also concerned with motorists speeding on Locks Road, pointing out that the street is narrow, there are no sidewalks, and is largely used by pedestrians and cyclists. They were concerned that speeding and off-leash dogs were putting the characteristics of Locks Road at risk.

Stephanie LeGrow, District 6, echoed similar concerns as the previous speaker respecting off-leash dogs at Sunrise Beach, suggesting off-leash be moved to another area so the lake can be accessed and used by people. The speaker suggested that dogs were being put first over people to enjoy the beach.

Councillor Mancini noted that a staff report on off-leash parks is projected to go to Regional Council by the end of 2017. It was also noted that Speed Century had been setup on Locks Road and little speeding was recorded going into the park.

Tim Chesnutt, Event Director of Epic Dartmouth spoke to the events that took place over Canada Day weekend, noting that the Epic Dartmouth Run was the largest running event in Canada. A handout was circulated and submitted for the record showing partnership opportunities for other racing events around the world to take part in the Epic Dartmouth Run in 2018 and the promotional and tourism benefits. The speaker also thanked Councillor Austin for assisting with the flag raising on the MacDonald Bridge.

19. DATE OF NEXT MEETING – September 7, 2017, 6:00 p.m. HEMDCC Meeting Space Main Floor, Alderney Gate 60 Alderney Drive, Dartmouth

20. ADJOURNMENT

The meeting was adjourned at 6:31 p.m.

Krista Vining
Legislative Assistant