



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
May 3, 2018**

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

STAFF: Meg MacDougall, Solicitor
Phoebe Rai, 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. and adjourned at 7:30 p.m.

1. CALL TO ORDER

Councillor Mancini, Chair called the meeting to order in the Harbour East-Marine Drive Community Council Meeting Space, Main Floor, 40 Alderney Drive, Dartmouth.

2. APPROVAL OF MINUTES – April 5, 2018

MOVED by Councillor Karsten, seconded by Councillor Nicoll

THAT the minutes of April 5, 2018 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions:

16.1 Councillor Hendsbee - Purchase of Equipment to upgrade the Musquodoboit Harbour Ballfields

MOVED by Councillor Hendsbee, seconded by Councillor Austin

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

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS

10.1 PUBLIC HEARINGS

10.1.1 Case 20395: LUB Amendment and Development Agreement for Multi-unit Residential Buildings in Dartmouth Crossing, Dartmouth

The following was before Community Council:

- *A staff recommendation report dated March 14, 2018*
- *A staff presentation dated May 3, 2018*
- *An applicant presentation dated May 3, 2018*
- *Correspondence from E. Grant MacDonald dated April 16, 2018*

First Reading was given at the Harbour East-Marine Drive Community Council meeting held April 5, 2018.

Jennifer Chapman, Planner III, Urban Enabled Applications provided the staff presentation on the application from EDM on behalf of North American Development Group to rezone land in Dartmouth Crossing to Burnside Comprehensive Development District (BCDD) Zone and to enter into a development agreement to allow for two multi-unit buildings.

Responding to questions of clarification from Community Council members, Chapman noted the following:

- HRM-owned streets in the vicinity include Wright, Findlay, Commodore, and Countryview. Other streets are privately-owned driveways;
- The proposal identifies Area A and Area B for residential development, while Area C is identified for future commercial uses;
- A future landscaping plan will be required; and
- According to Halifax Regional School Board policy, a school bus would be provided to any children in the neighbourhood based on distance from public schools.

The Chair invited the applicant to come forward to address the Community Council.

Margo Young, Planner, EDM delivered the presentation on behalf of the applicant. Young highlighted the site's proximity to the Regional Centre, major employment centres, and trails, and spoke to the original vision of the Dartmouth Crossing development to include residential uses to make a mixed-use community.

Councillor Mancini stepped down from the Chair at 6:33 p.m. and Councillor Austin assumed the Chair.

Responding to questions of clarification from Community Council members, Young noted the following:

- Residents of Lake Charles would be able to view the portion of the buildings above the tree buffer; and
- There is no plan to include affordable housing in the first phase of development.

Councillor Austin reviewed the rules of procedure for public hearings and opened the public hearing for anyone wishing to speak on the matter.

Matt Spurway, Dartmouth, spoke against the proposed rezoning, suggesting the location was not appropriate for residential development. Spurway noted that the draft Centre Plan identifies areas nearby for higher order development and future growth nodes. Chief concerns included walkability, adding buses to accommodate students, and isolation from other residential communities.

John Woods, North Dartmouth, suggested that Community Council should request a photographic rendering of the proposed buildings from different viewpoints to better understand the visual impact.

The Chair called three times for any other members of the public wishing to speak on the matter. There being none, it was MOVED by Councillor Karsten, seconded by Councillor Mancini

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Mancini, seconded by Councillor Karsten

THAT Harbour East Marine Drive Community Council adopt the amendment to the Dartmouth Land Use By-law, which shall be substantially in the same form as set out in Attachment A of the staff report dated March 14, 2018.

Community Council entered into a brief discussion. Key highlights include:

- Members of Community Council would like to see affordable housing in future phases;
- The area is not currently what could be considered a "complete community" but there is potential;
- While it is unusual for commercial uses to be developed before residential uses when establishing a community, there is nothing in the policy that would prevent this;
- Integration with neighbouring communities is an important consideration

MOTION PUT AND PASSED.

Councillor Mancini resumed the Chair at 7:08 p.m.

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant noted that correspondence was received regarding item 10.1.1 and this was circulated to Community Council members.

11.2 Petitions – NONE

11.3 Presentations – NONE

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Fence Permit #163369 – 40 Elmwood Avenue, Dartmouth

The following was before Community Council:

- *A staff recommendation report dated April 13, 2018*

MOVED by Councillor Austin, seconded by Councillor Nicoll

That Harbour East-Marine Drive Community Council approve the request to construct fencing in excess of 6.5 feet in height at 40 Elmwood Avenue, Dartmouth.

MOTION PUT AND PASSED.

Councillor Mancini stepped down from the Chair at 7:13 p.m. and Councillor Austin assumed the Chair.

13.1.2 Case 21583 – Discharging Agreement on 77 Lakecrest Drive, Dartmouth

The following was before Community Council:

- *A staff recommendation report dated April 10, 2018*

MOVED by Councillor Mancini, seconded by Councillor Nicoll

That Harbour East-Marine Drive Community Council:

- 1. Approve, by resolution, the proposed Discharging Agreement, which shall be substantially of the same form as set out in Attachment A of the report dated April 10, 2018; and**
- 2. Require the Discharging 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, otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Brittney MacLean, Planner II, Urban Enabled Applications provided the history of the lot, noting that the existing Development Agreement was for a senior citizens complex that was never built. If the existing agreement is discharged, the property will be able to be developed according to the existing zoning and Main Street Secondary Planning Strategy.

MOTION PUT AND PASSED.

Councillor Mancini resumed the Chair at 7:16 p.m.

13.1.3 Case 20653 – Non-substantive development agreement amendments, Civic 1 Horizon Court, Dartmouth

The following was before Community Council:

- *A staff recommendation report dated April 4, 2018*

MOVED by Councillor Austin, seconded by Councillor Karsten

THAT Harbour East-Marine Drive Community Council:

- 1. Approve, by resolution, the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A of the report dated April 4, 2018, to extend the commencement and completion dates contained within the existing development agreement at 1 Horizon Court, Dartmouth; and**
- 2. Require the 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.**

MOVED by Councillor Austin, seconded by Councillor Hendsbee

THAT the motion be amended as follows:

- a) replace the text in section 7.3.1 with the text “by July 18, 2021” and**
- b) replace the text in section 7.5 with the text “by July 18, 2025”; and**

A brief discussion ensued. It was noted that with the Centre Plan nearly complete, it may be difficult for Community Council to support future time extension requests for Development Agreements.

MOTION TO AMEND PUT AND PASSED.

AMENDED MOTION PUT AND PASSED.

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS

16.1 Councillor Hendsbee - Purchase of Equipment to upgrade the Musquodoboit Harbour Ballfields

The following was before Community Council:

- *A request for Community Council consideration form from Councillor Hendsbee*

MOVED by Councillor Hendsbee, seconded by Councillor Nicoll

THAT Harbour East Marine Drive Community Council:

- 1. Suspend the rules of procedure for sections 16 and 17 of Administrative Order One, the Procedures of Council Administrative Order, and**
- 2. Recommend that Halifax Regional Council approve a grant to the Porter’s Lake Baseball Association in the amount of \$7,000 from the Musquodoboit Harbour Common Area Rate account for the purchase of recreational and field equipment required to upgrade the Musquodoboit Harbour ballfields for Baseball / Hardball use.**

The motion was separated for voting purposes as per Section 90 of Administrative Order One.

THAT Harbour East Marine Drive Community Council:

1. Suspend the rules of procedure for sections 16 and 17 of Administrative Order One, the Procedures of Council Administrative Order, and

Two-third majority vote required.

MOTION PUT AND PASSED.

2. Recommend that Halifax Regional Council approve a grant to the Porter's Lake Baseball Association in the amount of \$7,000 from the Musquodoboit Harbour Common Area Rate account for the purchase of recreational and field equipment required to upgrade the Musquodoboit Harbour ballfields for Baseball / Hardball use.

MOTION PUT AND PASSED.

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

Warren Wesson, District 5, spoke to the need for "Dartmouth" signs in the community.

Paul Arnold, Woodlawn, circulated a handout entitled "Petition to Consider WSF Organics Pilot Study at Otter Lake" and spoke in favour of a pilot study to evaluate the capacity of the Otter Lake facility for composting. Arnold spoke positively regarding the security of the waste stabilization facility that reduces leeching and biogas, and noted that the Community Monitoring Committee has expressed no objection to the proposed pilot study.

Vic Matthews, Dartmouth, requested more "Welcome to Dartmouth" signs and expressed appreciation for the "Welcome to HRM" sign.

Councillor Mancini called three times for members of the public to address Harbour East - Marine Drive Community Council. There were no further speakers.

19. DATE OF NEXT MEETING – June 7, 2018

20. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Phoebe Rai
Legislative Assistant