



**HARBOUR EAST- MARINE DRIVE COMMUNITY COUNCIL  
SPECIAL MEETING  
MINUTES  
June 3, 2021**

**PRESENT:** Councillor David Hendsbee, Chair  
Councillor Becky Kent, Vice Chair  
Councillor Trish Purdy  
Councillor Sam Austin  
Councillor Tony Mancini

**STAFF:** Josh Judah Q.C., Solicitor  
Ben Sivak, Program Manager of Community Policy Regional Planning  
Maggie Holm, Principle Planner  
Jamy-Ellen Klenavic, Planner II  
Simon Ross Siegel, Legislative Assistant  
Liam MacSween, Legislative Support

*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](http://halifax.ca).*

*The meeting was called to order at 6:00 p.m. and adjourned at 7:36 p.m.*

**1. CALL TO ORDER**

Councillor Hendsbee, Chair called the meeting to order at 6:00 p.m.

**2. APPROVAL OF MINUTES – May 6 & 20, 2021 Special Meetings**

MOVED by Councillor Kent, seconded by Councillor Purdy

**THAT the minutes of the May 6 & May 20, 2021 Special Meetings be approved as circulated.**

**MOTION PUT AND PASSED.**

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

Additions: None

MOVED by Councillor Kent, seconded by Councillor Purdy

**THAT the agenda be approved as presented.**

**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 the Committee.

For a detailed list of correspondence received refer to the specific agenda item.

**11.2 Petitions – NONE**

**11.3 Presentation – NONE**

**12. INFORMATION ITEMS BROUGHT FORWARD – NONE**

**13. REPORTS**

**13.1 STAFF**

**13.1.1 Case 22797: Rezoning and Development Agreement for 95 Caledonia Road, Dartmouth**

The following was before Community Council:

- A staff recommendation report dated January 22, 2021
- A staff presentation dated June 3, 2021

Jamy Ellen Klenavic, Planner II provided a presentation on Case 22797: Rezoning and Development Agreement for 95 Caledonia Road. A copy of the presentation is on file.

In response to a question from Community Council, Klenavic advised of a fence along the east elevation of the property that will not be immediately visible due to the grade.

Responding to a question from Community Council, Klenavic clarified that the narrow strip of land owned by HRM between the subject property and the park which contains several large mature trees that will not be impacted due to the development. Klenavic further noted that the landscaping plans requires vegetation to be planted in the front yard and along Kennedy Drive.

In response to a follow up question, Klenavic noted that the development agreement allows for commercial uses on the ground level and advised that the applicant has been consistent with their intention to maintain the commercial uses on the ground level.

MOVED by Councillor Mancini, seconded by Councillor Kent

**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 B of the January 22, 2021 report; and**
- 2. Require that the development agreement be signed by the property owner within 240 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 PUT AND PASSED.**

**13.1.2 Draft Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Land Use By-law (RCLUB) Review**

The following was before Community Council:

- A staff recommendation report dated May 7, 2021
- A staff presentation dated June 3, 2021
- Correspondence from J. D. Graham, Executive Director, Affordable Housing Association of Nova Scotia

Ben Sivak, Program Manager of Community Policy Regional Planning provided a presentation on the Draft Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Land Use By-law (RCLUB) Review. A copy of the presentation is on file.

MOVED by Councillor Austin, seconded by Councillor Mancini

**THAT Harbour East-Marine Drive Community Council recommend that Halifax Regional Council:**

- 1. Give First Reading and schedule a public hearing to consider the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as set out in Attachments A and B of the May 7, 2021 report.**
- 2. Give First Reading and schedule a public hearing to consider the proposed amendments to the Dartmouth Municipal Planning Strategy and the Dartmouth Land Use By-law, as set out in Attachments C and D of the report.**
- 3. Adopt the Regional Centre Secondary Municipal Planning Strategy, and the Regional Centre Land Use By-law, as set out in Attachments A and B of the report, including repealing the Regional Centre Secondary Municipal Planning Strategy (Package A), the Regional Centre Land Use By-law (Package A), the Secondary Municipal Planning Strategy for Downtown Dartmouth, and the Land Use By-law for Downtown Dartmouth.**
- 4. Adopt the proposed amendments to the Dartmouth Municipal Planning Strategy and Dartmouth Land Use By-law, as set out in Attachments C and D of the report.**

In response to questions from Community Council, Sivak advised that the special provisions for landmark buildings contemplated in package B are not registered heritage properties but those that are currently zoned institutional, like places of worship. The provisions would allow for the conversion of former institutional properties to residential or commercial uses as the needs of the community change.

In terms of public engagement and communication, Sivak noted that the Centre Plan process has been ongoing for many years. Sivak noted that planning staff are working diligently to engage the public in a transparent manner on the provisions within package B. Sivak noted some challenges with respect to the COVID-19 public health restrictions noting that staff have been relying heavily on virtual public engagement sessions and the Centre Plan website in the absence of in person public engagement activities.

In response to a follow up question, Sivak noted that after package B of the Centre Plan is approved, staff will be moving forward with a Suburban Planning Strategy that will update the planning processes for communities that abut the Centre Plan area.

The following amendment was proposed:

MOVED by Councillor Austin, seconded by Councillor Mancini

**THAT Harbour East-Marine Drive Community Council amend the motion to add:**

**“5. Consider the following amendments:**

- (a) Apply ER-2 zone to properties with frontage on Charles Street;**
- (b) Apply Higher Order Residential zone to 79 Crichton Avenue (Edgemere);**
- (c) Zone properties with frontage on Portland Street from Old Ferry Road/Maynard Street to Hawthorne Street, ER-1 instead of ER-2 and ER-3 and adjust the proposed Five Corners Heritage Conservation District identified in Map 20 to include those properties;**
- (d) Increase the permitted height for 48 Rodney Road and PID 41430869 to 20 meters;**
- (e) Increase the permitted height for 317, 321 and 325 Prince Albert Road from 20 meters to 26 meters;**
- (f) Reduce the permitted height for HR portion of 10 Maple Street to 11 meters;**
- (g) Zone properties at the corner of Pine and Myrtle Streets, including 38 Pine, 34 Myrtle, and PID 41463712, ER-3;**
- (h) Zone 29 Victoria Road as either Downtown Dartmouth or Higher Order Residential with a low FAR value or low height limit to enable the property to be used for accessory surface parking for the adjacent multi-unit building or modest future redevelopment;**
- (i) Include the undeveloped rear portion of 1 Research Drive (PID 40432924) in the Southdale Future Growth Node and zone that portion of the property CDD-1;**
- (j) Include PID 41280546 at the top of Mount Hope Avenue in the Southdale Future Growth Node and apply the CDD-1 zone;**
- (k) Create site specific policies for 7 and 11 Mount Hope Avenue to allow corridor zone uses through development agreement;**
- (l) Apply PCF zone to PID 41208059;**
- (m) Apply PCF zone to 209 Green Village Lane and corresponding walkway property on Marilyn Drive;**
- (n) Apply ER-3 zone to PID 41028531 Green Village Lane;**
- (o) Apply Higher Order Residential zone to 25 Arthur Street;**
- (p) Apply ER-2 zoning to the portion of 10 Lancaster that fronts on Cannon Terrace between 74 Cannon and 4 and 8 Viridian Drive. The ER-2 portion should align with the rear property line of 74 Cannon;**

In response to a follow-up question, Sivak advised that staff have had a chance to briefly review the proposed amendments which staff categorized as minor in nature. Sivak added that there will be a comprehensive review by staff of all the proposed amendments put forward by Committees, Standing

Committees and Community Councils before they are considered by Regional Council. This will be in the form of a supplementary report.

Councillor Mancini proposed amending the zone on 64, 67, 80, and 91 on True North Crescent in Dartmouth from Establish Residential-3 (ER-3) to Higher-Order Residential -1 (HR-1) with a maximum height of 11 meters. As set out in Section 53 (2) of Administrative Order One, *Respecting the Procedures of the Council*, the amendment was accepted as friendly.

The amendment as amended now reads:

**THAT Harbour East-Marine Drive Community Council amend the motion to add:**

**“5. Consider the following amendments:**

- (a) Apply ER-2 zone to properties with frontage on Charles Street;**
  - (b) Apply Higher Order Residential zone to 79 Crichton Avenue (Edgemere);**
  - (c) Zone properties with frontage on Portland Street from Old Ferry Road/Maynard Street to Hawthorne Street, ER-1 instead of ER-2 and ER-3 and adjust the proposed Five Corners Heritage Conservation District identified in Map 20 to include those properties;**
  - (d) Increase the permitted height for 48 Rodney Road and PID 41430869 to 20 meters;**
  - (e) Increase the permitted height for 317, 321 and 325 Prince Albert Road from 20 meters to 26 meters;**
  - (f) Reduce the permitted height for HR portion of 10 Maple Street to 11 meters;**
  - (g) Zone properties at the corner of Pine and Myrtle Streets, including 38 Pine, 34 Myrtle, and PID 41463712, ER-3;**
  - (h) Zone 29 Victoria Road as either Downtown Dartmouth or Higher Order Residential with a low FAR value or low height limit to enable the property to be used for accessory surface parking for the adjacent multi-unit building or modest future redevelopment;**
  - (i) Include the undeveloped rear portion of 1 Research Drive (PID 40432924) in the Southdale Future Growth Node and zone that portion of the property CDD-1;**
  - (j) Include PID 41280546 at the top of Mount Hope Avenue in the Southdale Future Growth Node and apply the CDD-1 zone;**
  - (k) Create site specific policies for 7 and 11 Mount Hope Avenue to allow corridor zone uses through development agreement;**
  - (l) Apply PCF zone to PID 41208059;**
  - (m) Apply PCF zone to 209 Green Village Lane and corresponding walkway property on Marilyn Drive;**
  - (n) Apply ER-3 zone to PID 41028531 Green Village Lane;**
  - (o) Apply Higher Order Residential zone to 25 Arthur Street;**
  - (p) Apply ER-2 zoning to the portion of 10 Lancaster that fronts on Cannon Terrace between 74 Cannon and 4 and 8 Viridian Drive. The ER-2 portion should align with the rear property line of 74 Cannon; and**
- 6. Amend the zone on 64, 67, 80, and 91 on True North Crescent in Dartmouth from Establish Residential-3 (ER-3) to Higher-Order Residential -1 (HR-1) with a maximum height of 11 meters.**

**MOTION TO AMEND PUT AND PASSED.**

Community Council considered the following additional amendment to the main motion:

MOVED by Councillor Austin, seconded by Councillor Kent

**THAT Harbour East Marine Drive Community Council amend the motion to recommend that Halifax Regional Council initiate a process to develop site specific CDD development agreement requirements and an associated development agreement for the Southdale Lands Future Growth Node for inclusion in the Regional Centre Secondary Municipal Planning Strategy (SMPS) immediately following the completion of the Centre Plan Package B review and adoption process.**

Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.

**MOTION TO AMEND PUT AND PASSED.**

The motion before Community Council now reads:

**THAT Harbour East-Marine Drive Community Council recommend that Halifax Regional Council:**

- 1. Give First Reading and schedule a public hearing to consider the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as set out in Attachments A and B of the May 7, 2021 report.**
- 2. Give First Reading and schedule a public hearing to consider the proposed amendments to the Dartmouth Municipal Planning Strategy and the Dartmouth Land Use By-law, as set out in Attachments C and D of the report.**
- 3. Adopt the Regional Centre Secondary Municipal Planning Strategy, and the Regional Centre Land Use By-law, as set out in Attachments A and B of the report, including repealing the Regional Centre Secondary Municipal Planning Strategy (Package A), the Regional Centre Land Use By-law (Package A), the Secondary Municipal Planning Strategy for Downtown Dartmouth, and the Land Use By-law for Downtown Dartmouth.**
- 4. Adopt the proposed amendments to the Dartmouth Municipal Planning Strategy and Dartmouth Land Use By-law, as set out in Attachments C and D of the report.**
- 5. Consider the following amendments:**
  - (a) Apply ER-2 zone to properties with frontage on Charles Street;**
  - (b) Apply Higher Order Residential zone to 79 Crichton Avenue (Edgemere);**
  - (c) Zone properties with frontage on Portland Street from Old Ferry Road/Maynard Street to Hawthorne Street, ER-1 instead of ER-2 and ER-3 and adjust the proposed Five Corners Heritage Conservation District identified in Map 20 to include those properties;**
  - (d) Increase the permitted height for 48 Rodney Road and PID 41430869 to 20 meters;**
  - (e) Increase the permitted height for 317, 321 and 325 Prince Albert Road from 20 meters to 26 meters;**
  - (f) Reduce the permitted height for HR portion of 10 Maple Street to 11 meters;**
  - (g) Zone properties at the corner of Pine and Myrtle Streets, including 38 Pine, 34 Myrtle, and PID 41463712, ER-3;**
  - (h) Zone 29 Victoria Road as either Downtown Dartmouth or Higher Order Residential with a low FAR value or low height limit to enable the property to be used for accessory surface parking for the adjacent multi-unit building or modest future redevelopment;**
  - (i) Include the undeveloped rear portion of 1 Research Drive (PID 40432924) in the Southdale Future Growth Node and zone that portion of the property CDD-1;**
  - (j) Include PID 41280546 at the top of Mount Hope Avenue in the Southdale Future Growth Node and apply the CDD-1 zone;**
  - (k) Create site specific policies for 7 and 11 Mount Hope Avenue to allow corridor zone uses through development agreement;**
  - (l) Apply PCF zone to PID 41208059;**
  - (m) Apply PCF zone to 209 Green Village Lane and corresponding walkway property on Marilyn Drive;**
  - (n) Apply ER-3 zone to PID 41028531 Green Village Lane;**
  - (o) Apply Higher Order Residential zone to 25 Arthur Street;**
  - (p) Apply ER-2 zoning to the portion of 10 Lancaster that fronts on Cannon Terrace between 74 Cannon and 4 and 8 Viridian Drive. The ER-2 portion should align with the rear property line of 74 Cannon;**
- 6. Amend the zone on 64, 67, 80, and 91 on True North Crescent in Dartmouth from Establish Residential-3 (ER-3) to Higher-Order Residential -1 (HR-1) with a maximum height of 11 meters; and**
- 7. Initiate a process to develop site specific CDD development agreement requirements and an associated development agreement for the Southdale Lands Future Growth Node for inclusion in**

the Regional Centre Secondary Municipal Planning Strategy (SMPS) immediately following the completion of the Centre Plan Package B review and adoption process. Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.

**MOTION AS AMENDED PUT AND PASSED.**

**14. MOTIONS – NONE**

**15. IN CAMERA (IN PRIVATE) – NONE**

**16. ADDED ITEMS – NONE**

**17. NOTICES OF MOTION – NONE**

**18. PUBLIC PARTICIPATION**

There were no registered speakers present.

**19. DATE OF NEXT MEETING – June 24, 2021**

**20. ADJOURNMENT**

The meeting was adjourned at 7:37 p.m.

Liam MacSween  
Legislative Support