



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL  
SPECIAL MEETING  
MINUTES  
April 1, 2021**

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

**STAFF:** Joshua Judah Q.C., Solicitor  
Jamy-Ellen Klenavic, Planner III, Urban Enabled Applications  
Carl Purvis, Planning Applications Program Manager, Current Planning  
Richard Harvey, Manager of Policy and Planning, Parks & Recreation  
Simon Ross-Siegel, Legislative Assistant  
Alicia Wall, 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 6:08 p.m., and Community Council adjourned at 7:05 p.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 6:08 p.m.

**2. APPROVAL OF MINUTES – Special Meeting March 4, 2021**

MOVED by Councillor Kent, seconded by Councillor Purdy

**THAT the minutes of the special meeting March 4, 2021 be approved as circulated.**

**MOTION PUT AND PASSED.**

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

Community Council agreed to consider item 11.1 after item 9.

Addition:

Item 16.1: New Access Point to Silver Sands Beach

MOVED by Councillor Kent, seconded by Councillor Purdy

**THAT the Order of Business be approved as amended.**

**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 HEARING**

**10.1.1 Case 22847: Development Agreement for PIDs 00374652 and 41466160 Main Road at Silvers Lane, Eastern Passage**

The following was before Community Council:

- Staff recommendation report dated January 13, 2021
- Staff presentation dated April 1, 2021

Jamy-Ellen Klenavic, Planner III, Urban Enabled Applications, presented case 22847. The applicant is requesting to discharge the existing development agreement and enter into a new one. Modest changes are being requested, including a reduction in height and changing some of the landscaping and amenity space. The lands are zoned C-2 and the site is currently vacant.

Public engagement was achieved through a mailout notification and webpage, there was no Public Information Meeting. A copy of the staff presentation is on file.

The Chair opened the Public Hearing and invited the applicant to come forward and address Community Council.

J.P. Chater, Applicant stated that phasing has been eliminated to assist in mitigating construction impacts and that the proposal is not much different than the one previously presented.

MOVED by Councillor Kent, seconded by Councillor Purdy

**THAT the public hearing be closed.**

**MOTION PUT AND PASSED.**

Community Council stated the development was a good fit for the area and that it will provide much needed housing.

MOVED by Councillor Kent, seconded by Councillor Austin

**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 with the exception that the second recital deletes the words "The Developer" and replaces them with "Garmar Investments Limited";**
- 2. Approve, by resolution, the Discharging Agreement, which shall be substantially of the same form as set out in Attachment B with the exception that the second recital deletes the words "The Developer" and replaces them with "Garmar Investments Limited" and**
- 3. Require that both the Development Agreement and Discharging 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.**

#### **10.1.2 Case 22748: Amending Development Agreement for 30 and 38 Silvers Lane, Eastern Passage**

The following was before Community Council:

- Staff recommendation report dated February 12, 2021
- Staff Presentation dated April 1, 2021
- Correspondence from Gary Edwards

Carl Purvis, Planning Applications Program Manager presented case 22748. The Applicant is seeking an amendment to the development agreement to allow for subdivision of the lands. The lands are zoned c-2 and existing uses include a commercial workshop and a single-family dwelling. The original development agreement was approved in 2016, and an amendment was approved in 2018.

Public engagement was achieved through a mailout notification, signage on the site and a webpage. Minimal feedback was received. A copy of the staff presentation is on file.

The Chair opened the Public Hearing and invited the applicant to come forward and address Community Council.

Gary Edwards, Applicant would like to see this project completed and asked for Community Council's support. Edwards also noted the development would provide much need housing.

MOVED by Councillor Kent, seconded by Councillor Mancini

**THAT the public hearing be closed.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Kent, seconded by Councillor Mancini

**THAT Harbour East-Marine Drive Community Council:**

- 1. Approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A; and**
- 2. Require the amending 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.**

## **10.2 VARIANCE HEARINGS – NONE**

## **11. CORRESPONDENCE, PETITIONS & DELEGATIONS**

### **11.1 Correspondence**

Correspondence was received for item 10.1.2, this correspondence was circulated to Community Council.

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

Correspondence was received from Laura Masching, Armco Capital Inc. regarding case 22651, this correspondence was circulated to Community Council.

### **11.2 Petitions – None**

### **11.3 Presentations – None**

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

## **13. REPORTS/DISCUSSION – NONE**

## **14. MOTIONS – NONE**

## **15. IN CAMERA (IN PRIVATE)**

### **15.1 Approval of In Camera (In Private) Minutes – March 4, 2021**

MOVED by Councillor Mancini, seconded by Councillor Kent

**THAT Harbour East-Marine Drive Community Council approve the March 4, 2021 In Camera (In Private) minutes as circulated.**

**MOTION PUT AND PASSED.**

## **16. ADDED ITEMS**

### **16.1 New Access Point to the Silver Sands Beach**

Councillor Kent indicated this beach has a lot of historical and cultural value. Access to the beach is on private property and is deteriorating. A second access is needed.

MOVED by Councilor Kent, seconded by Councilor Mancini

**THAT Harbour East Marine Drive Community Council recommend that Regional Council direct the Chief Administrative Officer (CAO) to explore the acquisition of lands for an improved or alternative access to Silver Sands Beach, pursuant to Real Property Transactions Policy Administrative Order, 2018-004-ADM.**

**MOTION PUT AND PASSED.**

**17. NOTICES OF MOTION – NONE**

**18. DATE OF NEXT MEETING – May 6, 2021**

**19. ADJOURNMENT**

The meeting was adjourned at 7:05 p.m.

Alicia Wall  
Legislative Support