



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
December 8, 2016**

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

STAFF: Ms. Claire Gillivan, Solicitor
Ms. 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/161208hemdcc-agenda.php>

The meeting was called to order at 6:00 p.m. and adjourned at 7:06 p.m.

1. CALL TO ORDER

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

2. TABLING OF 2016 ANNUAL REPORT

The following was before the Community Council:

- Staff recommendation report dated November 24, 2016

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT Harbour East-Marine Drive Community Council accept and table the 2016 Annual Report as presented.

MOTION PUT AND PASSED.

PUBLIC PARTICIPATION: 2016 ANNUAL REPORT

Councillor Karsten called three times for members of the public to speak on the annual report. There were no speakers.

3. APPROVAL OF MINUTES – September 8th, October 11th (special) and November 10, 2016

MOVED by Councillor Nicoll, seconded by Councillor Austin

THAT the minutes of September 8th, October 11th (special) and November 10, 2016 be approved as circulated.

MOTION PUT AND PASSED.

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

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT the agenda be approved as presented.

Two-third majority vote required.

MOTION PUT AND PASSED.

- 5. BUSINESS ARISING OUT OF THE MINUTE – NONE**
- 6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE**
- 7. MOTIONS OF RECONSIDERATION – NONE**
- 8. MOTIONS OF RESCISSION – NONE**
- 9. CONSIDERATION OF DEFERRED BUSINESS – NONE**
- 10. NOTICES OF TABLED MATTERS – NONE**

11. HEARINGS

11.1 PUBLIC HEARINGS

11.1.1 Case 19599: Development Agreement for 335 and 337 Portland Street, Dartmouth

The following was before Community Council:

- A staff recommendation report dated October 21, 2016
- Correspondence from Alan J. Silverman, Sunset Towers Apartments Ltd. dated December 6, 2016

Mr. Darrell Joudrey, Planner II gave a presentation on the application of Sunset Towers Apartments Ltd. to enter into a development agreement with the Municipality to permit the renovation of the existing two (2) unit dwelling at 335 Portland Street into a three (3) unit residential dwelling, and the existing two (2) unit dwelling with commercial office space at 337 Portland Street into a four (4) unit residential dwelling. A copy of the staff presentation is on file.

Mr. Joudrey responded to questions of clarification respecting the parking and the official site plan as outlined in the October 21, 2016 staff report.

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

Mr. Alan Silverman, representing Sunset Towers Apartment Ltd. explained that this process started in 2014 as a result of a severe fire at 337 Portland Street, Dartmouth and having to gut and rebuild the building. He noted that the insurance company had insisted the building be rebuilt to the state it was before the fire took place and how he was informed that the occupancy was only for two (2) apartments and office space. Mr. Silverman spoke to the office space being vacant for two (2) years and his request to convert these spaces into apartments. Mr. Silverman further spoke on the existing parking in place at 335 Portland Street and how he did not anticipate any upset to the neighbours as there would be no changes to the parking or exterior of the buildings. Mr. Silverman commented on the abundance of landscaping that was already in place and how there would be no changes. He asked the Community Council to approve the development agreement as submitted by Mr. Joudrey.

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

Mr. Chandler Haliburton, District 5 supported the application as there are no changes to the footprint and density. Mr. Haliburton explained that he had been concerned with parking but it is better than he had expected.

Mr. Charles Stellard, District 5 expressed concern with on street parking, noting the Brenton Street is very narrow. He was concerned with traffic increasing, commenting that people already park on both sides of the street, which takes away from the aesthetic of the neighbourhood.

Ms. Rhonda Roche, District 5 echoed concern with Brenton Street being very narrow, vehicles parking illegally and people parking on the street to access Maynard Lake. She pointed out that families often have more than one (1) vehicle and questioned how the vehicles would get in and out of the parking lot. She also questioned the process as she understood the apartment units already existed.

Ms. Claire Gillivan, Solicitor clarified that the Community Council would not be making decisions based on a compliance issue and that parking on Brenton Street was outside the scope of the public hearing.

Mr. Donnie Roche, District 5 was not in support of the application, echoing points made about Brenton Street being narrow and questioned how tenants would access the parking lot and where the snow would go from the lot.

Mr. Linda Langille, District 5 spoke about the parking issues and commented on how the landscaping at the applicant's property has been ignored for years.

Ms. Mandy Roche, District 5 questioned the need for additional parking based on the amenities available to the tenants, and if the apartments were already being rented at its maximum of the three (3) units there should already be adequate parking.

The Chair called three times for any other members of the public wishing to speak on the matter. There being none, the applicant was invited to respond.

Mr. Silverman suggested that the issues with parking on Brenton Street were not from his buildings but people coming to fish at Maynard Lake. He reconfirmed there was adequate parking in place for his tenants, noting that the current parking ratio is approximately 10 vehicles for the 35 units and that he did not charge for parking. Mr. Silverman pointed out that there is also parking behind his office building at 341 Portland Street, with 15 to 18 vacant spots for tenants who may have more than one (1) vehicle or for overflow. He explained that tenants would access the parking lot off Brenton Street and that there is an existing 30 foot wide cut in the sidewalk. In response to snow removal, Mr. Silverman confirmed the snow from the parking lot would remain on the property and be pushed back to the gravel area.

Mr. Silverman responded to additional questions of clarification from the Community Council respecting the parking lot.

In response to a question on the units, Mr. Silverman explained that he owns the properties from 335 to 353 Portland Street and all his units are fully furnished. He noted that many tenants fly in on business matters and don't have a vehicle. A one (1) bedroom furnished unit is \$975 and a two (2) bedroom unit is \$1,250, and parking is free for tenants who have a vehicle.

MOVED by Councillor Mancini, seconded by Councillor Austin

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Austin, seconded by Councillor Mancini

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 staff report dated October 21, 2016; and**
- 2. Require the 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, which is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Members agreed that Brenton Street is narrow, but spoke in support of the application as there were no changes to the existing use, the buildings were appropriate for the area and the onsite parking for tenants was sufficient. Members suggested that if residents have parking or compliance concerns they should contact 311 HRM Citizen Contact Centre or their area Councillor.

In response to a question raised, Mr. Joudrey clarified that no additional buffering was needed for this application.

MOTION PUT AND PASSED.

11.2 VARIANCE APPEAL HEARINGS – NONE

12. CORRESPONDENCE, PEITIONS & DELGATIONS

12.1 Correspondence

The Legislative Assistant noted that correspondence was received for item 11.1.1. This correspondence was circulated to the Community Council.

12.2 Petitions

12.2.1 Councillor Austin

Councillor Austin submitted a petition containing 55 signatures from a group of seniors and retirees who skate at the Bowels and Grey rinks requesting the Harbour East-Marine Drive Community Council's support and effort in continuing the free adult/senior skating program when the new 4 pad facility in Dartmouth is completed.

Councillor Austin asked that the petition be forwarded to staff for response.

12.3 Presentations – None

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS

14.1 STAFF

14.1.1 Case 20540: Amendments to an Existing Development Agreement for the Harbour Isle development, Marketplace Drive, Dartmouth

The following was before Community Council:

- A staff recommendation report dated November 18, 2016

MOVED by Councillor Mancini, seconded by Councillor Nicoll

THAT Harbour East-Marine Drive Community Council give notice of motion to consider the proposed amending development agreement, as set out in Attachment A of this report, to allow for subdivision to create three (3) lots, to change the number of townhouse units permitted, and to permit alterations to parkade entrances for the development located at 39 Seapoint Road, Dartmouth, and to schedule a public hearing.

MOTION PUT AND PASSED.

14.1.2 Review of Report Requests

The following was before Community Council:

- A staff recommendation report dated October 30, 2016 with revised Attachment 1

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT Harbour East-Marine Drive Community Council review the attached list of report requests, as outlined in Attachment 1 of the staff report dated October 30, 2016 and bring forward any items recommended to be withdrawn.

Councillor Austin requested Item 1 Sculpture Park, Dartmouth Waterfront be removed from the list, to which the Community Council accepted the amendment as a friendly.

The motion now reads:

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT Harbour East-Marine Drive Community Council review the attached list of report requests, as outlined in Attachment 1 of the staff report dated October 30, 2016 and bring forward any items recommended to be withdrawn. Item 1 Sculpture Park, Dartmouth Waterfront was removed from the list.

MOTION PUT AND PASSED.

14.1.3 Case 20136: Rezoning 26 Bissett Road, Cole Harbour

The following was before the Community Council:

- A staff recommendation report dated November 25, 2016

MOVED by Councillor Nicoll, seconded by Councillor Austin

THAT Harbour East-Marine Drive Community Council give first reading to consider the proposed amendment to the Cole Harbour/ Westphal Land Use By-law, as set out in Attachment A, to rezone 26 Bissett Road from the R-2 (Two Unit Dwelling) zone to the R-4 (Multiple Unit Dwelling) Zone, and schedule a public hearing.

MOTION PUT AND PASSED.

14.2 BOARD & COMMITTEE – NONE

14.3 MEMBERS OF COMMUNITY COUNCIL – NONE

15. MOTIONS – NONE

16. IN CAMERA (IN PRIVATE) – NONE

17. ADDED ITEMS – NONE

18. NOTICES OF MOTION – NONE

19. PUBLIC PARTICIPATION

Ms. Dana Landry, Dartmouth expressed concern with hydrofluoric acid (fluoride) being added to the Halifax Regional Municipality's water supply. She referenced many Canadian municipalities that have removed this "toxic" substance from their water services and suggested HRM do the same.

Mr. Dave Carson, District 5 and representing the Destination Dartmouth Association spoke to the investment to Dartmouth tourism, reminding the Community Council of the Association's request to have Dartmouth included on the Centre Plan, calling it the 'Halifax Dartmouth Centre Plan'. As well, their requested to include Subenacadie Canal conservation district in the Centre Plan in order to create a full heritage and cultural story leading to new tourism assets. He asked that if the requests are not included in the next draft Centre Plan that the Community Council intervene as part of their deliberations.

Mr. John Woods, District 6 indicated a desire to have the best of HRM planning staff assigned to the reconfiguration of the Gray Arena.

Mr. Gerry Berman, Cole Harbour wished everyone a Merry Christmas and Happy New Year.

20. DATE OF NEXT MEETING – January 5, 2017, 6:00 p.m. HEMDCC Meeting Space Main Floor, Alderney Gate 60 Alderney Drive, Dartmouth

21. ADJOURNMENT

The meeting was adjourned at 7:06 p.m.

Krista Vining
Legislative Assistant