



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
September 5, 2019**

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

STAFF: Claire Gillivan, Solicitor
 Liam MacSween, 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 moved into an In Camera (In Private) session at 6:43 and reconvened at 7:08 p.m. Community Council adjourned at 7:12 p.m.

1. CALL TO ORDER

Councillor Austin, Chair, called the meeting to order in the Harbour East-Marine Drive Community Council Room, 40 Alderney Drive, Dartmouth.

2. APPROVAL OF MINUTES – June 6 and July 30, 2019 (special meeting)

MOVED by Councillor Karsten, seconded by Councillor Hendsbee

**THAT the minutes of June 6 and July 30, 2019 (special meeting) 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 Nicoll, seconded by Councillor Karsten

THAT the agenda be approved as circulated.

Two-third majority vote required.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Notice of Motion - Case 21937: Regional Municipal Planning Strategy Amendment to enable amendments to the Existing Development Agreement for Seven Lakes Development, Porters Lake and Non-Substantive Amendments to existing Conservation Design Development Agreements

The following was before Community Council:

- A staff recommendation report dated June 19, 2019

MOVED by Councillor Hendsbee, seconded by Councillor Nicoll

THAT Harbour East Marine Drive Community Council give Notice of Motion to consider the proposed second amending development agreement, as set out in Attachment B of the June 19, 2019 staff report, to allow a non-substantive amendment (phasing change) to the Seven Lakes Development Agreement as referenced in Recommendation 1 of the June 19, 2019 staff report.

MOTION PUT AND PASSED.

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 – NONE

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Case 20653: Time Extension for Signing of Development Agreement Amendments for 1 Horizon Court, Dartmouth

The following was before Community Council:

- A staff recommendation report dated May 24, 2019

MOVED by Councillor Nicoll, 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 staff report dated May 24, 2019, 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.**

MOTION PUT AND PASSED.

13.1.2 Development Approvals within Harbour East-Marine Drive Community Council Jurisdiction from 2008 to 2018

The following was before Community Council:

- A staff information report dated June 21, 2019
- A staff presentation dated September 5, 2019

Victoria Evans, Intern provided a presentation on the June 21, 2019 staff information report.

In response to a question from Community Council, Kurt Pyle, Program Manager Social and Economic Research advised that lengthening the time lines for time extensions is subject to a legislative amendment from the province.

13.1.3 Notice of Motion - Case 22376: Non-substantive amendments to an existing development agreement at Brian Dickie Drive, Musquodoboit Harbour

The following was before Community Council:

- A staff recommendation report dated May 24, 2019

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

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 the staff report dated May 24, 2019, to extend the commencement and completion date of construction for the proposed development at Brian Dickie Drive, Musquodoboit Harbour.

MOTION PUT AND PASSED.

13.2 MEMBERS OF COMMUNITY COUNCIL

13.2.1 Deputy Mayor Mancini - Mitigation of commercial use impacts on residential uses

The following was before Community Council:

- A Councillor request for consideration form from Deputy Mayor Mancini

MOVED by Deputy Mayor Mancini, seconded by Councillor Karsten

THAT Harbour East Marine Drive Community Council request a staff report to outline and make recommendations on potential land use by-law amendments to mitigate impacts on residential uses in District 6 from commercial activity where these uses are in close proximity. The report should consider but not be limited to impacts such as noise, dust and vibration.

MOTION PUT AND PASSED.

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE)

15.1 Personnel Matter – Private and Confidential Report

This matter was dealt with In Camera (In Private). The following motion was ratified in public session:

MOVED by Deputy Mayor Mancini, seconded by Councillor Hendsbee

THAT Harbour East-Marine Drive Community Council:

- 1. Approve the direction with respect to the Personnel Matter as discussed In Camera (In Private) and;**
- 2. That the private and confidential staff report dated August 28, 2019 not be released to the public.**

MOTION PUT AND PASSED.

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

Shalom Mandaville of Dartmouth provided commentary with respect to the levels of phosphorus most recently reported by Stantec Consulting in Lakes Banook, Micmac, Charles, and Oathill. Mandaville displayed figures from the 2019 Stantec Report and expressed an opinion that the data collected is incorrect and that the phosphorous levels are not as high as reported. Mandaville encouraged Community Council to consider convening a roundtable of experts, including qualified persons from the Department of Fisheries and Oceans and Dalhousie University to make recommendations to Council on the health of Dartmouth's lakes.

Tom Marr of Dartmouth expressed concern with respect to 3-D crosswalks noting high installation and maintenance costs and safety concerns for those with low vision.

Stephanie of Dartmouth noted concerns with the contamination of lake water from dog waste and development. Stephanie noted that appropriate buffering and the enforcement of dog waste pick up needs to be further considered in land use planning particularly around lakes. Stephanie further noted that off leash dog parks should not be permitted near lakes or water courses.

Councillor Austin called three times for further speakers, there were none present.

19. DATE OF NEXT MEETING – October 3, 2019

20. ADJOURNMENT

The meeting was adjourned at 7:12 p.m.

Liam MacSween
Legislative Assistant