



**HARBOUR EAST- MARINE DRIVE COMMUNITY COUNCIL
MINUTES
March 5, 2020**

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

REGRETS: Councillor Bill Karsten

STAFF: Joshua Judah Q.C., Solicitor
Simon Ross-Siegel, 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 6:06 p.m. and Community Council adjourned at 6:30 p.m.

1. CALL TO ORDER

Councillor Nicoll, Chair called the meeting to order at 6:00 p.m. in the Old School Gathering Place, 7962 Hwy #7 Musquodoboit Harbour.

2. APPROVAL OF MINUTES – February 6, 2020

MOVED by Councillor Mancini, seconded by Councillor Hendsbee

THAT the minutes of February 6, 2020 be approved as circulated.

MOTION PUT AND PASSED.

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

MOVED by Councillor Hendsbee, seconded by Councillor Mancini

THAT the agenda be approved as circulated.

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 – 6:00 P.M.

10.1.1 Case 21856: Development Agreement for #8005 Highway 7, Musquodoboit Harbour

The following was before the Community Council:

- A staff recommendation report dated January 7, 2020
- Staff presentation

Thea Langille, Supervisor of Planning Applications, presented the application by Kendar Enterprises Ltd. for a proposed development at 8001 and 8005 Highway 7, Musquodoboit Harbour to convert an existing mixed-use building at 8005 Highway 7 into a 5-unit residential building. Access is being proposed by a private easement over 8001 Highway 7. Staff responded to questions of clarification raised by members of the Community Council. Regarding the easement, staff confirmed that the proposed development agreement requires the third-party to sign the agreement confirming easement access. Staff understands that the applicant is aware of this requirement. Regarding current design, staff stated that they have seen floor plans for the development, and if the development agreement is approved and the applicant were to seek to add additional units these would be reviewed by staff through the permitting process. Staff stated that they do not believe this property would be currently eligible for backyard suites if the proposed development were approved.

The Chair opened the public hearing and invited the applicant to come forward and address the Community Council.

The Applicant, Kendar Enterprises Ltd., declined the opportunity to speak to the proposed development stating that they believed that the application effectively speaks for itself.

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

Henry Day, West Jeddore, spoke in favour of the proposed development. Knows the applicant and knows they follow the planning rules and perform good clean work with respect to the safety of the work site and workers. The speaker stated that this sort of work is vital to ensuring there are places for the community to grow. Would like to see work continue.

Kent Smith, president of the Musquodoboit Harbour Area Chamber of Commerce, spoke in favour of the proposed development. The speaker expressed support for the proposed residential conversion but noted that it should be important for staff going forward to ensure commercial space is preserved in the area to ensure there is room for business growth.

Stephen Baker, Musquodoboit Harbour, spoke in favour of the proposed development. Important to ensure there are places for new residents to the community to live.

The Chair called three times for any other speakers, there were none.

MOVED by Councillor Hendsbee, seconded by Councillor Austin

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Hendsbee, 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; and**
- 2. Require the agreement be signed by the property owners within 240 days, or any extension thereof granted by Council on request of a 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.**

Members discussed the motion with staff responding to questions regarding ...

MOTION PUT AND PASSED.

The Chair thanked Thea Langille for the presentation.

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence – None

11.2 Petitions – None

11.3 Presentations – None

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS/DISCUSSION

13.1 STAFF

13.1.1 Case 21880 Rezoning and DA for 358 to 364 Portland Street

The following was before Community Council:

- A staff recommendation report dated January 7, 2020

MOVED by Councillor Austin, seconded by Councillor Mancini

THAT Harbour East-Marine Drive Community Council:

- 1. Give First Reading to consider approval of the proposed amendment to the Land Use By-law for Dartmouth, as set out in Attachment A, to rezone property with PID 00221952 from R-2 (Two Family Residential) to R-3 (Multiple Family Residential) and schedule a public hearing; and**
- 2. Give notice of motion to consider the proposed development agreement for lands at 358 – 364 Portland Street and properties with PIDs 40356081 and 00221952 to enable two six-storey mixed-use buildings and a four-storey multi-unit dwelling, as set out in Attachment B, and schedule a public hearing for the development agreement that shall be held concurrently with that indicated in Recommendation 1.**

MOTION PUT AND PASSED.

13.2 MEMBERS OF COMMUNITY COUNCIL – NONE

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

The Chair invited members to address the Standing Committee on relevant topics.

Fulton Baker, West Jeddore, inquired if anyone wishing to file an appeal within the fourteen-day appeal period of the proposed development agreement for #8005 Highway 7 would be required to provide a reason in their request. The speaker stated that they hoped that the development would proceed without appeals.

The Chair called three (3) times for any member of the public wishing to come forward to address the Standing Committee. There being none, Public Participation was closed.

19. DATE OF NEXT MEETING – April 2, 2020, HEMDCC Meeting Space, Main Floor Alderney Gate, 60 Alderney Drive, Dartmouth

20. ADJOURNMENT

The meeting was adjourned at 6:30 p.m.

Simon Ross-Siegel
Legislative Assistant