



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
SPECIAL MEETING
MINUTES
August 5, 2021**

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

STAFF: Josh Judah, Solicitor
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.

The meeting was called to order at 6:07 p.m., and Community Council adjourned at 8:38 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:07 p.m.

2. APPROVAL OF MINUTES – Special Meeting June 24, 2021

MOVED by Councillor Austin, seconded by Councillor Kent

THAT the Special Meeting minutes of June 24, 2021 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: none

Deletions: none

MOVED by Councillor Kent, seconded by Councillor Austin

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

10.1 PUBLIC HEARING

10.1.1 Case 22487: Development Agreement for 112 & 114 Wyse Road, Dartmouth

The following was before Community Council:

- Staff recommendation report dated May 18, 2021
- Staff presentation dated August 5, 2021
- Applicant presentation dated August 5, 2021
- Correspondence from Violet Rosengarten and Alan Collins, and Aaron Ferguson

Dean MacDougall, Planner II, Current Planning presented case 22487, an application for a 20-storey mixed use building with ground floor commercial. The existing use is a single-storey office building. Public engagement was achieved through a website, mailout notification and an online survey. Feedback from the public included concerns around traffic and wind, as well as support due to the housing shortage. A copy of the staff presentation is on file.

In response to the presentation, Community Council asked questions of clarification around wind impacts and mitigation.

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

Rob Leblanc, of Fathom Studio presented to Community Council and spoke to the wind impacts indicating street level comfort would be most affected in the spring. The building design and landscaping will help to mitigate impacts. The proximity to amenities and the bus terminal make this an ideal location to support the proposed density.

In response to the presentation, Community Council asked further questions of clarification regarding wind, landscaping and affordable housing.

Leblanc spoke to wind mitigation and indicated 20 new trees are being proposed. It was further noted that the developer is keen to do some landscaping outside of the property line on HRM land.

Chris Crawford, of Fathom Studio stated rooftop terraces will not be accessible to the public and will be for use by residents.

MOVED by Councillor Austin, seconded by Councillor Kent

THAT the public hearing be closed.

MOTION PUT AND PASSED.

Community Council noted this is a good location for the proposed development and that the area can support the density.

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; and**
- 2. Require the 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 22491: Development Agreement for 46 Maple Street, Dartmouth

The following was before Community Council:

- Staff recommendation report dated June 8, 2021
- Staff presentation dated August 5, 2021
- Applicant presentation dated August 5, 2021
- Correspondence from Mary Fedorchuk and John MacLeod

Meaghan Maund, Planner II, Current Planning, presented case 22491 indicating the applicant is proposing a 20-unit stacked townhouse development. The site is zoned HR-1, is currently vacant and was previously used as a car lot and an ironworks business. There is 55 square meters of outdoor amenity space being proposed. Public engagement was achieved through a mailout notification, a website and signage on the site. Concerns from the public include traffic, location of driveways, stormwater management and the impact on trees.

In response to the presentation, Community Council asked questions of clarification regarding the amenity space, environmental impacts and mitigating left turns.

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

Chris Markides and Joe Zareski, of Zzap Architecture presented to Community Council indicating that the proposed density is modest in relation to what would be allowed by policy and that townhouses would fit in well with the surrounding uses. Townhouses also allow people to downsize and age in place. A copy of the presentation is on file.

Ann-Noreen Norton, of Dartmouth expressed concerns around possible contaminated soil on the site, the location of the play area and the amount of density being proposed.

MOVED by Councillor Austin, seconded by Councillor Kent

THAT the meeting be extended to 9:00 p.m.

MOTION PUT AND PASSED.

Bill MacLeod, of Dartmouth, expressed concerns around the lack of proposed parking spaces, overflow parking and pollution from the former ironworks business.

In response to the speakers, Markides and Zareski indicated that all efforts will be made to save any existing vegetation, clarification was provided around accessing the play area and all environmental requirements of the Province will be adhered to.

MOVED by Councillor Kent, seconded by Councillor Austin

THAT the public hearing be closed.

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; and**
- 2. Require the 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 HEARING – NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant noted correspondence was received for items 10.1.1 and 10.1.2, and this correspondence was circulated to Community Council.

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

11.2 Petitions – None

11.3 Presentations

11.3.1 Love Your Lake Program

The following was before Community Council:

- Request for presentation dated June 2, 2021

Kelly Schnare, Programs Director for Re-imagining Atlantic Harbours presented to Community Council and noted the importance of building public awareness around water security and spoke to some of the stressors on our lakes. A copy of the presentation is on file.

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS/DISCUSSION

13.1 STAFF

13.1.1 Case 23401: Non-substantive amendments to an existing Development Agreement for 249, 251 and 257 Windmill Road, Dartmouth

The following was before Community Council:

- Staff recommendation report dated June 8, 2021

MOVED by Councillor Austin, seconded by Councillor Kent

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 June 8, 2021 report, to allow a non-substantive amendment to an existing development agreement extending the commencement and completion dates for development.

MOTION PUT AND PASSED.

13.1.2 Case 23609: Non-substantive amendments to an existing development agreement for Evergreen Drive, Cole Harbour

The following was before Community Council:

- Staff recommendation report dated June 10, 2021

MOVED by Councillor Purdy, seconded by Councillor Kent

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 June 10, 2021 report, to allow a non-substantive amendment to an existing development agreement extending the commencement date for the building construction.

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 – NONE

19. DATE OF NEXT MEETING – September 2, 2021

20. ADJOURNMENT

The meeting was adjourned at 8:38 p.m.

Alicia Wall
Legislative Support