



**HARBOUR EAST – MARINE DRIVE COMMUNITY COUNCIL  
MINUTES  
December 2, 2021**

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

STAFF:                     Josh Judah, Q.C., Solicitor  
                                  Simon Ross-Siegel, Legislative Assistant  
                                  Liam MacSween, 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 6:05 p.m. Community Council moved to an In Camera (In Private) session at 8:00 p.m. and reconvened to public session at 8:05 p.m. Community Council adjourned at 8:06 p.m.*

## **1. CALL TO ORDER**

Councillor Hendsbee, Chair called the meeting to order at 6:05 p.m. at the Mic Mac Amateur Aquatic Club, 192 Prince Albert Road, Dartmouth.

## **2. APPROVAL OF MINUTES – November 4, 2021**

MOVED by Councillor Kent, seconded by Councillor Mancini

**THAT the minutes of November 4, 2020 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 Mancini, Councillor Kent

**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 23374: Development Agreement for 246 Waverley Road and 2 and 4 Montebello Drive, Dartmouth**

The following was before Community Council:

- A staff recommendation dated September 27, 2021
- A staff presentation dated December 2, 2021
- An applicant presentation dated December 2, 2021
- Correspondence from Ann Van Iderstine, Katherine Peck, Miche & Reed Oldershaw, Pat & Wenda Watson, Peter Barteaux, and Stephanie Legros

Melissa Eavis, Planner III, Current Planning, presented Case 23374: Development Agreement for 246 Waverley Road and 2 and 4 Montebello Drive, Dartmouth. A copy of the staff presentation is on file.

Eavis responded to questions from Harbour East – Marine Drive Community Council respecting minimum requirements within the development agreement for parking, building setbacks and accessibility requirements in the provincial building code. Eavis provided further commentary on HRM's ability to retain trees located within the public right of way.

The Chair opened the Public Hearing and invited the applicant to address Harbour East-Marine Drive Community Council

**Connor Wallace**, of Zzap Consulting, provided a presentation on Case 23374: Development Agreement for 246 Waverly Road and 2 and 4 Montebello Drive, Dartmouth on behalf of the applicant. A copy of the presentation is on file.

In response to questions from Council, Wallace spoke to the design requirements for wider access off Montebello Drive, considerations for additional visitor parking, tree retention and landscaping as well as provisions for charging stations for electric vehicles.

The Chair invited members of the public to address Harbour East-Marine Drive Community Council on Case 23374.

**Chris Semeniuk**, of Dartmouth expressed opposition to the proposed development advising that it is too large for the site and the community which is comprised mainly single-family homes. Semeniuk raised concerns related to traffic safety and capacity that could be exacerbated by the development if its approved. Semeniuk concluded by advising that the current zoning requirements do not allow a building of this scale in the area.

**Phil Power**, of Dartmouth expressed support for the proposal noting the need for additional housing units in the community, particularly for seniors. Power noted that the design of the building works well for the area and noted that the additional vehicle trips generated by the proposed 42 units is unlikely to overburden the local road network.

**Shawn Spurr**, of Dartmouth, expressed opposition to the proposed development reiterating concerns raised by a previous speaker respecting neighbourhood compatibility and traffic safety.

**Stephanie LeDrew**, of Dartmouth raised concerns that the rendering in the applicant's presentation does not accurately reflect Montebello Drive. LeDrew reiterated points raised by previous speakers in relation to traffic safety.

**Steve Horne**, of Dartmouth, expressed opposition to the proposed development reiterating points raised by previous speakers in relation to neighbourhood compatibility and traffic safety.

The Chair called three times for further speakers, there were no further speakers.

MOVED by Councillor Mancini, seconded by Councillor Austin

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

The Chair invited the applicant to respond to point raised during the public hearing.

**Connor Wallace** noted that the renderings used in the presentation were intended to be conceptual and display the architectural design of the building, not the road.

**Tony Chedrawy**, Property Owner, advised that additional parking spaces for visitors for the development will be installed at the property across the street. Chedrawy further advised that trees will be preserved wherever they can and will only be removed if necessary.

MOVED by Councillor Mancini, seconded by Councillor Purdy

- 1. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A of the September 27, 2021 report; 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.**

Responding to questions from Harbour East-Marine Drive Community Council, Melissa Eavis advised that the proposed additional parking located across the street would need to be evaluated by staff to ensure it is adequate. Eavis provided further commentary on tree retention advising that it would be difficult to maintain many of the existing trees without increasing the building setbacks.

Responding to a question from Community Council, Maggie Holm, Principle Planner, Current Planning, advised that staff would need direction from Harbour East – Marine Drive Community Council if it is seeking amendments to the proposed development agreement. Holm noted that an additional report would be required on the impact of those amendments and it would need to be renegotiated with the developer. Holm estimated a five-month delay on the proposal to complete this task.

In rendering its decision on the matter, Harbour East Marine Drive Community Council considered the design changes to the proposed development making it more compatible with surrounding uses, upcoming traffic safety upgrades in the community, its proximity to municipal services such as transit, parks, and recreational facilities as well as the need for additional housing both in the community and in the municipality.

## **MOTION PUT AND PASSED.**

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

#### **11.1 Correspondence**

Correspondence was received and circulated for agenda item 10.1.1. For a detailed list of correspondence received refer to the specific agenda item.

#### **11.2 Petitions – NONE**

#### **11.3 Presentation – NONE**

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

### **13. REPORTS**

#### **13.1 STAFF**

##### **13.1.1 Review of Proposed 2022 Meeting Schedule**

The following was before Community Council:

- A staff memorandum dated December 2, 2021

MOVED by Councillor Austin, seconded by Councillor Kent

**THAT Harbour East-Marine Drive Community Council approve the proposed 2022 meeting schedule as outlined the staff memorandum.**

## **MOTION PUT AND PASSED.**

**13.1.2 Case 23706: Non-substantive amendments to an existing development agreement for 842 Portland Street, Dartmouth**

The following was before Community Council:

- A staff recommendation dated November 4, 2021

MOVED by Councillor Kent, seconded by Councillor Mancini

**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 November 3, 2021 report, to allow a non-substantive amendment to an existing development agreement to allow additional commercial signage.**

Brittany MacLean, Planner II, Current Planning responded to questions from Harbour East Marine Drive Community Council in relation to Case 23706.

**MOTION PUT AND PASSED.**

**14. MOTIONS – NONE**

**15. IN CAMERA**

**15.1 PERSONNEL MATTER – Private and Confidential Report**

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

MOVED by Councillor Mancini, seconded by Councillor Austin

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

- 1. Confirm the direction of the Personnel Matter discussed In Camera (In Private) on December 2, 2021; and**
- 2. Direct that the staff report dated November 23, 2021 be maintained as private and confidential.**

**MOTION PUT AND PASSED.**

**16. ADDED ITEMS – NONE**

**17. NOTICES OF MOTION – NONE**

**18. PUBLIC PARTICIPATION**

There were no members of the public requested to speak during public participation.

**19. DATE OF NEXT MEETING – January 13, 2021**

**20. ADJOURNMENT**

The meeting was adjourned at 8:06 p.m.

Liam MacSween  
Legislative Support