



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL  
MINUTES  
March 27, 2023**

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

STAFF: Josh Judah, Solicitor  
Krista Vining, Acting Deputy Clerk  
Alicia Wall, Legislative Support

*The following does not represent a verbatim record of the proceedings of this meeting.*

*The agenda, reports, supporting documents, information items circulated, and video (if available) are online at [halifax.ca](http://halifax.ca).*

*The meeting was called to order at 6:00 p.m., and recessed at 8:12 p.m. Community Council reconvened at 8:17 p.m., and recessed at 9:56 p.m. Community Council reconvened at 10:02 p.m., and adjourned at 10:30 p.m.*

**1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

The Chair called the meeting to order at 6:00 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

**2. APPROVAL OF MINUTES – February 2, 2023 and February 17, 2023**

MOVED by Councillor Mancini, seconded by Councillor Kent

**THAT the minutes of February 2, 2023 and February 17, 2023 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

As provided for in section 37 (1) of Administrative Order One, Community Council requested that item 11.3.1 be considered prior to item 10.1.1.

As provided for in section 37 (1) of Administrative Order One, Community Council requested that item 10.1.3 be considered prior to item 10.1.2.

MOVED by Councillor Hendsbee, seconded by Councillor Kent

**THAT the agenda be approved as amended.**

**MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES – NONE**

**5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS**

Deputy Mayor Austin declared a conflict of interest for Item 10.1.1, Case 23805: Development Agreement for lands located on Portland Street and Carver Street, Dartmouth, as a family member resides within close proximity to the location of the proposed development.

**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**

**10.1.1 Case 23805: Development Agreement for lands located on Portland Street and Carver Street, Dartmouth**

The following was before Community Council:

- Staff report dated December 9, 2022

- Extract from the January 12, 2023 Harbour East-Marine Drive Community Council minutes
- Correspondence from Nancy Elliott, Nikki Peck, Karen Dow, Sandra Todd, John Wilkins, Charmaine Dunn, Steven Elliott, Shawna Todd, Crystal Himmelman-Leung and Tony Leung, Christine Marsh, Mary Ann Parker, Blaise Pachake, Kevin Bird, Tony Castro, Gavin MacDonald, Keighan Morse, Josh Sullivan, Jake Tattrie, Brent White, Sarah Machado, Audrey Goyetche, Courtney Carls, Nadia Hassan, Tanya Lewis, Ciara Rogers, Sandra Simm, Mark Arnold, Andrew Beaton, Jacob Tibert
- Staff presentation dated March 27, 2023
- Applicant presentation dated March 27, 2023

Deputy Mayor Austin was recused from the meeting during consideration of this item having declared a conflict interest in the matter, as a family member resides within close proximity to the location of the proposed development.

Dean MacDougall, Planner III gave a presentation and responded to questions of clarification from the Community Council.

The hearing opened at 6:48 p.m.

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

**Rob Leblanc, Fathom Studios**, on behalf of the Applicant gave a presentation and responded to questions of clarification from the Community Council. Leblanc noted that changes were made to application as a result of the public consultation, and drainage issues would be resolved once the building was constructed.

**Roger Boychuk, Fathom Studios** responded to questions on stormwater, drainage and traffic, noting that the traffic study found there would be little to no impact on traffic in the area.

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

**Edna Salame, Woodlawn** expressed concerns with the development, including the incompatibility with the existing neighborhood, safety concerns for children, increased traffic, construction noise/disruption, lack of privacy, effects on the environment, flooding and shading.

**Nancy Elliott, Woodlawn** stated the development was not compatible with existing neighborhood and would negatively impact the community garden.

**Steven Elliott, Woodlawn** echoed concerns with respect to the incompatibility and indicated the lack of sunlight makes them ineligible for solar panels.

**Trisha Todd, Dartmouth** spoke in favour of the project, noting it was an ideal location within close proximity to amenities and transit services.

**Beatrice Wilkins, Dartmouth** spoke in favour of the project and expressed a need for more affordable housing in the area to allow seniors to age in place.

**Cory Wilkins, Cole Harbour** spoke in favour of the project and noted the need for housing and the benefits to local businesses in the area.

**Jamie-Lynn Gillis, St. Margarets Bay** spoke to being a realtor and the need for various types of housing, which would also give seniors in the area a chance to age in place.

**Jacqueline, HRM** spoke in favour of the development and noted the need for more housing for seniors that was close to amenities.

**Crystal Himmelman-Leung, Woodlawn** expressed concerns around the traffic on Portland Street and the development not being compatible with the existing neighborhood.

**Kim, Woodlawn** expressed concerns around parking and ingress and egress.

**Deborah Burke, Dartmouth** noted concerns around cars cutting across multiple lanes of traffic to turn left, parking concerns on Carver Street and people cutting through the driveway of their small business.

**Joe Perrault, Dartmouth** spoke in favour of the development due to the shortage of housing and its proximity to amenities and transit.

**Christine Marsh, Dartmouth** spoke against the development, citing safety concerns with people crossing Portland Street.

**Paul Gray, HRM** expressed the need for housing units in HRM.

**Mark Arnold, Cole Harbour** spoke in support of the development.

**Amelie Dubuc, Dartmouth** expressed concerns with traffic and safety.

**Tony Leung, Woodlawn** opposed the development and was concerned with the lack of commitment regarding affordable housing from the developer. Leung noted that the development would slow down access for emergency vehicles.

**Natasha, Dartmouth** expressed opposition to the development due to concerns around parking and traffic, the lack of commitment respecting affordable housing and the vague information provided by the developer.

**Brent Graham, Dartmouth** spoke in support of the project due to the shortage of housing.

**Callum Thompson, Dartmouth** agreed housing was needed but expressed concerns around construction disruption, the cost of renting and the lack of commitment with respect to affordable housing, asking for clarification on the number of affordable housing units.

The Chair invited the applicant to respond to questions raised by the public.

**Clark Wilkins, Applicant** responded to questions raised by the public, indicating social media was creating negativity towards the development. The development focused on housing for seniors and youth were there was a need for housing to allow seniors to age in place, and to create inventory for young people to buy homes. Wilkins noted the location was good for a multi-unit dwelling based to the proximity of amenities and bus routes.

MOVED by Councillor Kent, seconded by Councillor Mancini

**THAT the hearing be closed.**

**MOTION PUT AND PASSED.**

The hearing closed at 7:55 p.m.

MOVED by Councillor Mancini, seconded by Councillor Kent

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

1. **Adopt the amendment to the Land Use By-law for Dartmouth, as set out in Attachment A of the staff report dated December 9, 2022.**
2. **Provisionally approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment B of the staff report dated December 9, 2022; and**
3. **Require that the 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.**

Community Council inquired about stormwater mitigation and construction disruption mitigation and noted that transit service disruptions would be reinstated. It was also noted that Community Council does not have the authority to dictate that affordable housing be provided but emphasized the need for housing generally in the Municipality.

MacDougall advised that a construction mitigation plan and a stormwater management plan would be required from the developer.

**MOTION PUT AND PASSED.**

Deputy Mayor Austin rejoined the meeting at this time.

**10.1.2 Case 23862: Development Agreement for 1200-1216 Cole Harbour Road, Cole Harbour**

The following was before Community Council:

- Staff report dated January 18, 2023
- Extract of Harbour East-Marine Drive Community Council Draft Minutes from February 2, 2023
- Correspondence from Carol Beuree
- Staff presentation dated March 27, 2023
- Applicant presentation dated March 27, 2023

Dean MacDougall, Planner III gave a presentation and responded to questions of clarification from the Community Council.

The hearing opened at 10:13 p.m.

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

**John Dib, WM Fares, on behalf of the Applicant** gave a presentation, noting that application was for a lower density development that would have 104 units. The building would be pedestrian oriented with seating and soft landscaping used around the property. Dib responded to questions of clarification from the Community Council, indicating that steps would be taken to mitigate flooding on Jennifer Place through the mitigation plan.

Councillor Purdy stepped down from the Chair and Councillor Hendsbee assumed the Chair.

Councillor Purdy resumed the Chair.

The Chair noted there were no registered speakers and called three times for any other members of the public wishing to speak; there were none.

MOVED by Councillor Kent, seconded by Councillor Hendsbee

**THAT the hearing be closed.**

**MOTION PUT AND PASSED.**

The hearing closed at 10:21 p.m.

MOVED by Councillor Mancini, seconded by Deputy Mayor Austin

**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 January 18, 2023; and**
- 2. Require the 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.**

Councillor Purdy stepped down from the Chair and Councillor Hendsbee assumed the Chair.

Councillor Purdy resumed the Chair.

**MOTION PUT AND PASSED.**

### **10.1.3 Case 23052: Amending Development Agreement for Loonview Lane, Westphal**

The following was before Community Council:

- Staff report dated January 30, 2023
- Extract from the February 17, 2023 Harbour East-Marine Drive Community Council special meeting draft minutes
- Correspondence from Donna Shewfelt, Philp Jordan, Jessica Styche, Tim Pedersen, Ronald R. Chisholm, Brian Hughes
- Staff presentation dated March 27, 2023
- Handout dated March 27, 2023

Darrell Joudrey, Planner II gave a presentation and responded to questions of clarification from the Community Council. Joudrey confirmed there was a 14-day appeal period.

Councillor Purdy stepped down from the Chair and Councillor Hendsbee assumed the Chair.

Councillor Purdy resumed the Chair.

The hearing opened at 8:39 p.m.

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

**Eugene Pieczonka, Lydon Lynch Architects**, on behalf of the Applicant, Quest Capital Inc. spoke to the architectural features and stormwater management and responded to questions of clarification from the Community Council.

Councillor Purdy stepped down from the Chair and Councillor Hendsbee assumed the Chair.

Councillor Purdy resumed the Chair.

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

**Pam Patterson, Patterson Homes** expressed concerns around transport trucks carrying modular homes being able to access their business. The right turn in and right turn out access could cause them to have to close down their 30 year old business as the existing easement as it stands would not accommodate the trucks. Patterson noted that there needed to be a wide enough access for Patterson Homes' trucks to be able to access the lot. Patterson responded to questions of clarification from the Community Council.

**Donna Shewfelt, Dartmouth** expressed concerns around environmental impacts on Lake Loon, pollution, the setback from the lake not being large enough, the access and the lack of legislation to enforce seniors housing.

The Chair invited the applicant to respond to questions raised by the public.

Pieczonka acknowledged the existing easement and that they have been aware of since they purchased the property and noted the development proposal was in keeping with the Municipal Planning Strategy.

MOVED by Councillor Hendsbee, seconded by Councillor Kent

**THAT the hearing be closed.**

**MOTION PUT AND PASSED.**

The hearing closed at 9:29 p.m.

MOVED by Councillor Hendsbee, seconded by Deputy Mayor Austin

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

- 1. Approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated January 30, 2023; 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, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Maggie Holm, Principal Planner responded to questions of clarification.

Councillor Purdy stepped down from the Chair and Councillor Hendsbee assumed the Chair.

Community Council expressed concerns around traffic and access, and strongly encouraged the Applicant and Patterson Homes work together on a plan to address the easement concerns. Community Council was pleased with the intricacies of the development and the work that had gone into mitigating elements for things such as the waster water, stormwater and damage to the lake.

Councillor Purdy resumed the Chair.

**MOTION PUT AND PASSED.**

MOVED by Deputy Mayor Austin, seconded by Councillor Hendsbee

**THAT Harbour East-Marine Drive Community Council extend the meeting past 10:00 p.m.**

**MOTION PUT AND PASSED.**

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

### **11.1 Correspondence**

Correspondence was received and circulated for items: 10.1.1, 10.1.2, 10.1.3 and 11.3.1.

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

### **11.2 Petitions - None**

### **11.3 Presentations**

#### **11.3.1 Musquodoboit Harbour Old School Water Pumphouse**

The following was before Community Council:

- Presentation request dated January 4, 2023
- Correspondence from Karen Bradley, Leslie Hauck, Bethana Sullivan, Susan Cook, Wendy Hanlan, Pam Williams, Jessica Corrigan, Patricia Richards, Kent Smith
- Presentation dated March 27, 2023

Karen Bradley, Co-Chair, Colin Cameron and Meghan McMorris, Old School Community Gathering Place Board gave a presented and responded to questions of clarification from the Community Council.

MOVED by Councillor Hendsbee, seconded by Councillor Kent

**THAT Harbour East-Marine Drive Community Council direct the Chief Administrative Officer to prepare a staff report investigating the possibility of allowing a lease on a location at the Dale Bennett Ballfield which is Municipal parkland for the Musquodoboit Harbour Old School Water Pumphouse as soon as possible.**

**MOTION PUT AND PASSED.**

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

## **13. REPORTS**

### **13.1 STAFF**

#### **13.1.1 Case 24573: Development Agreement for 519 Cow Bay Road, Eastern Passage**

The following was before Community Council:

- Staff report dated February 13, 2023

MOVED by Councillor Kent, seconded by Councillor Hendsbee

**THAT Harbour East-Marine Drive Community Council give notice of motion to consider the proposed development agreement, as set out in Attachment A of the staff report dated February 13, 2023, to allow a 2-storey 12-unit residential building at 519 Cow Bay Road, Eastern Passage, and schedule a public hearing.**

**MOTION PUT AND PASSED.**

## **13.2 MEMBERS OF COMMUNITY COUNCIL**



Council Kent acknowledged the regimental funerals that took place for Constable Brett Ryan and Constable Travis Jordan who were killed in the line of duty in Edmonton.

**14. MOTIONS – NONE**

**15. IN CAMERA (IN PRIVATE) – NONE**

**16. ADDED ITEMS – NONE**

**17. NOTICES OF MOTION – NONE**

**18. PUBLIC PARTICIPATION – NONE**

The Chair noted there were no registered speakers and called three times of any speakers present; there were none.

**19. DATE OF NEXT MEETING – April 6, 2023**

**20. ADJOURNMENT**

The meeting was adjourned at 10:30 p.m.

Alicia Wall  
Legislative Support