



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
DRAFT MINUTES
August 3, 2023**

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

STAFF: Josh Judah, Solicitor
Catie Campbell, Legislative Assistant

These minutes are considered draft and will require approval by Harbour East-Marine Drive Community Council at a future meeting.

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.

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The meeting was called to order at 6:05 p.m., and adjourned at 8:55 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 6:05 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 – July 6, 2023

MOVED by Councillor Kent, seconded by Councillor Hendsbee

THAT the minutes of July 6, 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

MOVED by Councillor Hendsbee, seconded by Councillor Kent

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 HEARINGS

10.1.1 PLANAPP 2023-00339 (formerly Case 24496): Development Agreement for 1 Circassion Dr, Cole Harbour

The following was before Community Council:

- Staff report dated June 8, 2023
- Correspondence from Scott Smith, Roseann and John Giradin
- Staff presentation dated August 2, 2023
- Applicant presentation dated August 2, 2023

Taylor MacIntosh, Planner II gave a presentation and responded to questions of clarification from Council.

Councillor Mancini entered the meeting after the staff presentation had started and was unable to vote on the matter.

The hearing opened at 6:22 p.m.

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

Connor Wallace, Zzap Consulting, applicant on behalf of Dartmouth Housing Non-Profit Society, gave a presentation and responded to questions of clarification from the Community Council. Wallace highlighted the proposed development was a pilot project that was developed in consultation with the Province in an effort to provide affordable housing. Wallace noted the affordable housing would be provided in a wide range of units and unit costs would be adjusted to inflation and the consumer price index (CPI). Wallace highlighted the environmental considerations in the proposed development and clarified the accessory building on the property would be used for bike storage and maintenance.

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

Terry Sullivan, Circassion Drive spoke against the proposed development and to living in proximity to the proposed development. Sullivan noted traffic concerns and lack of transit services in the area.

Denny Sullivan, Halifax spoke in favour of the proposed development and highlighted rent increases and homelessness in the Municipality. Sullivan encouraged further affordable housing to address housing shortages and for Regional Council to analyze inclusionary zoning to allow for more development. Sullivan noted the proposed development's affordable housing plan, parking strategy and the Municipality's Rapid Transit Plan.

Marty Reynolds, Dartmouth sought clarification on how the proposed developments pilot project would be supported and how it was developed. Reynolds noted traffic concerns, lack of transit services in the area and highlighted concerns with the public engagement process.

Heather Greenwood, Circassion Drive spoke in support of the proposed development and sought clarification on how the units would be priced, noting confusion with what market value for renting would be. Greenwood raised concerns with the pathway adjacent to the proposed development and noted moving the pathway would be challenging due to a bank nearby.

Carmen and Les Smith, Circassion Drive spoke to living in proximity to the proposed development and noted concerns with traffic, living near low-income housing, privacy and potential impacts on property value. Smith highlighted concerns with the size of the lot and its ability to accommodate an 18-unit building, as well, the impact on the adjacent pathway.

Tim Olive, Chair, Dartmouth Housing Non-Profit Society (DHNPS) spoke to the need for affordable housing in the Municipality and the DHNPS's history managing properties, leasing requirements and staffing. As part of the pilot, the Province allocated a portion of land for development and the DHNPS would be required to submit annual audited financial reports and comply to other guiding procedures. Olive clarified that the rules governing mix housing would provide strict guidelines to property managers and renters. Olive highlighted that renters would begin as low income but if renters' income increased, their rent would increase to reflect the change. Rent would adhere to provincial guidelines and would be 30 percent of the renters income. Olive responded to concerns regarding the adjacent pathway, privacy and traffic. Olive clarified that the pathway had been properly addressed, the proposed development would have a strong privacy fence and the Municipality had conducted a traffic impact study which noted no major traffic concerns. Olive responded to questions of clarification from the Community Council regarding accessibility, noting the proposed development would conform to the Rick Hansen accessibility standards.

Joseph Kirby, Dartmouth South spoke in favour of the proposed development and highlighted housing and labour shortages. Kirby noted concerns with regional zoning that could prevent development, specifically R1 and R2 zones.

The Chair invited the applicant to respond to questions raised by the public. The applicant chose not to respond.

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MOVED by Councillor Kent, seconded by Deputy Mayor Austin

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 7:05 p.m.

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

MOVED by Councillor Purdy, seconded by Councillor Kent

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 June 8, 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.**

MOTION PUT AND PASSED.

Councillor Purdy resumed the Chair.

10.1.2 Case 23724: Rezoning and Development Agreement, 1818 Shore Road, Eastern Passage

The following was before Community Council:

- Staff report dated June 1, 2023
- Correspondence from Wayne Pitman, Emily and Denise Boucher, Sara Lee and Mike Whitman, Laura Hack, Laura H. McFadden, Sherry Rose, Shirley Woodley, Diana Robar, Pamela M. Yates, Gina Funicelli, Murray Gordon
- Staff presentation dated August 3, 2023
- Applicant presentation dated August 3, 2023

Paul Sampson, Planner II gave a presentation and responded to questions of clarification from the Community Council.

The hearing opened at 7:36 p.m.

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

Houssam Elokda, Applicant gave a presentation and responded to questions of clarification from the Community Council. Elokda highlighted that shared spaces were intended to foster community relationships and there would be private spaces. Elokda noted the proposed development met parking requirements and underground parking could be considered. As well, shared parking spaces would have a dividing median. Elokda clarified that a low impact stormwater management plan was developed in consultation with engineers that would hold and filter rain and not impact the Municipality's stormwater systems. Elokda responded to questions regarding egress concerns, noting that a separate entrance into the proposed development was not feasible and most density would be facing Shore Road.

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

Marty Reynolds, Dartmouth spoke to concerns with public engagement, access for emergency vehicles, lack of transit services, parking availability, traffic congestion and impact on nearby infrastructure. Reynolds sought clarification on when the traffic impact study was conducted and noted the proposed development would impact oceanfront views.

Mary Sherma, Eastern Passage spoke to concerns regarding higher density, walkability of the area, vacancy of commercial spaces and increased traffic.

Lisa Hymer, Eastern Passage spoke to concerns with greater density facing Shore Road, the proposed developments integration in the community and vacancy of commercial spaces. Hymer favoured adding a second entrance to the proposed development.

Sara Lee Whitman, Eastern Passage spoke to living near the proposed development and raised concerns regarding traffic density, access to the proposed development, lack of transit services, potential impact of flooding and state of neighboring infrastructure and greenbelts.

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

Elodka, Applicant noted fire access to the proposed development had been developed in accordance with the Municipality's Complete Street guidelines and no hindrance for fire access was identified, as well, the Municipality had conducted a traffic impact study which noted no major traffic concerns. Elodka highlighted the environmental implications and increased density was a more sustainable form of development and would increase potential transit services and walkability. Elodka clarified that the low impact stormwater management plan would address flooding concerns and there would be a 65-foot buffer between the proposed development and neighbouring school. Elodka highlighted that the proposed commercial space would be developed in consultation with the community and market style vendors may be considered.

MOVED by Councillor Hendsbee, seconded by Councillor Mancini

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 8:27 p.m.

Sampson responded to questions of clarification from the Community Council regarding entrances to the proposed development and highlighted neighbouring streets are privately owned making it challenging to add another access point. Further, no access concerns were identified by staff. Sampson noted discussions with Halifax Transit services and sewer and water services could be discussed through the design process. Sampson highlighted the primary concern was related to privacy along the southern line but had been addressed.

MOVED by Councillor Kent, seconded by Deputy Mayor Austin

THAT the Harbour East-Marine Drive Community Council:

- 1. Adopt the amendment to Schedule A of the Land Use By-law for Eastern Passage/ Cow Bay, as set out in Attachment A of the staff report dated June 1, 2023;**
- 2. Give provisional approval of the proposed development agreement, which shall be substantially of the same form as set out in Attachment B. The development agreement**

will be considered approved when the amendment to Schedule A of the Land Use By-law indicated in Recommendation 3 becomes effective; and

- 3. 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.**

MOTION PUT AND PASSED.

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

Correspondence was received and circulated for items: 10.1.1 and 10.1.2.

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

11.2 Petitions – None

11.3 Presentations – None

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS – NONE

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

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.

19. DATE OF NEXT MEETING – September 7, 2023

20. ADJOURNMENT

The meeting was adjourned at 8:55 p.m.

Catie Campbell
Legislative Assistant