



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
November 10, 2016**

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

STAFF: Ms. Claire Gillivan, Solicitor
 Ms. Krista Vining, Legislative Assistant

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

The agenda, supporting documents, and information items circulated to Community Council are available online: <http://www.halifax.ca/Commcoun/east/161110hemdcc-agenda.php>

The meeting was called to order at 6:02 p.m. and adjourned at 8:28 p.m.

1. CALL TO ORDER

The Legislative Assistant called the meeting to order at 6:02 p.m.

ELECTION OF CHAIR AND VICE CHAIR

The Legislative Assistant called for nominations for the position of Chair of the Harbour East-Marine Drive Community Council.

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT Councillor Karsten be nominated Chair of the Harbour East-Marine Drive Community Council.

MOTION PUT AND PASSED.

The Legislative Assistant called three times for any further nominations. There being none, Councillor Karsten was declared Chair of the Harbour East-Marine Drive Community Council.

Councillor Karsten assumed the Chair and called for nominations for the position of Vice Chair of the Harbour East-Marine Drive Community Council.

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT Councillor Mancini be nominated Vice Chair of Harbour East-Marine Drive Community Council.

MOTION PUT AND PASSED.

The Chair called three times for any further nominations. There being none, Councillor Mancini was declared the Vice Chair of the Harbour East-Marine Drive Community Council.

2. APPROVAL OF MINUTES – October 6, 2016

MOVED by Councillor Nicoll, seconded by Councillor Austin

THAT the minutes of October 6, 2016 be approved as circulated.

MOTION PUT AND PASSED.

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

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT the agenda be approved as presented.

Two-third majority vote required.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTE – 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 Case 19529 – Development Agreement for 181 Pleasant Street, Dartmouth

The following was before Community Council:

- A staff recommendation report dated September 8, 2016
- Correspondence from Deborah Landry

Mr. Mitch Dickey, Planner II gave a presentation on the application by Michael Napier Architects on behalf of Toucan Industries Ltd for a development agreement to enable the construction of a 6-stoey residential building containing 53 residential units on a site at the intersection of Pleasant Street and Southdale Street, Dartmouth.

Mr. Dickey responded to questions with respect to parking, the traffic study and landscaping plan. Mr. Dickey noted that there has been no discussion around affordable housing. He also indicated that if blasting was needed it would be addressed through the Municipality's Blasting By-law.

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

Mr. Michael Napier, Architect spoke to the changes made following the Public Information Meeting in relation to moving a portion of the parking underground and reducing the height of the building. Mr. Napier commented on the importance of the townhouses to the neighbourhood. In response to a question raised, Mr. Napier spoke to the landscaping and suggested an opportunity of creating an artistic bus shelter to enhance the building and corner of Pleasant Street.

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

Josh MacDonald, Southdale Street expressed concern with traffic and density along Southdale Street. He asked if consideration was given to conjoining the two parking levels, with an entrance off of Pleasant Street and exit off of Southdale Street to avoid two-way traffic on both streets. Mr. MacDonald also asked if Southdale Street could be made into a one-way street as a feeder to Pleasant Street. He commented on being in the shadow of the building but not wanting to hold up development. He asked if consideration could be given to adding a sidewalk on the development's side of the street as there would be increased foot traffic.

Jean Ready, Esdaile Avenue expressed concern with the September 8, 2016 staff report referring locations 'nearby' to the development. She commented that the definition of 'nearby' should be walkable in less or within a half hour, pointing out that the Dartmouth Sportsplex was not 'nearby' to this development. Ms. Ready added that there were not be enough parking spaces for each of the 54 units. She further pointed out that the traffic impact study was done prior to the completion of the Community College, noting that the college has impacted traffic for residents on Pleasant Street. She questioned where the construction works would park and spoke to top two (2) stories of the development being in her view plain and the lack of sunlight.

Craig Boutilier, Marvin Street spoke in support of the development but was concerned with excavating for the underground parking, as the site used to have a gas station.

Colby Boudreau, Pleasant Street business owner spoke in support of the development, suggesting hanging plants be added to the front of the townhouses. He was not concerned with excavating the land for the underground parking, explaining that the landowner is responsible to address any issues that arise. He commented to the area being walkable.

Cathy Spenser, Hilltop Terrace commented on Southdale Street being narrow and supported Mr. MacDonald's concept of controlling traffic from the parking garage.

Mark Hubley, Dartmouth agreed with Southdale Street being a one-way street and supported the development.

Francine MacDonald, Dartmouth sought clarification on the location of the building's mailboxes and the construction timeframe.

Christine Whalen, Pleasant Street supported the development and the benefit it will bring to the curb appeal, property values and the neighbourhood. Ms. Whalen echoed points about the narrowness of Southdale Street and making it a one-way street.

Jimmy Bowes, Dartmouth asked about the number of time the streets will be closed and not being able to access driveways during the construction period. He also asked about parking for the building's residents who may have more than one vehicle.

Shawn Neasen, Pleasant Street sought clarification on how the building will be marketed in terms of the type of tenants and rates and asked if the developer has considered energy efficiency management for the tenants to keep the costs down and integrating things such as electric vehicle plug ins for the townhouses.

Craig Johnson, Brock Street indicated that he also has a property on Pleasant Street and was in support of the development. His only concern was with the traffic on Prince Arthur Avenue and how motorists use it as a cut-through from Portland Street to Pleasant Street and that traffic would increase with the development.

The Chair called three times for any other members of the public wishing to speak on the matter. There being none, the applicant was invited to respond.

Mr. Napier responded to questions and suggestions made, noting the following points:

- in agreement that Southdale Street is narrow; the Municipality will have to expropriate land to put in a sidewalk or make the street one-way
- Canada Post requires the mailboxes to be located in building's lobby
- construction of the building is estimated to take three (3) years to complete, the Development Agreement is for six (6) years but that would not be economical to take that long
- the Municipality's construction manual will address issues respecting traffic, blasting and notification to residents
- workers will park on the street as part of the construction process, any closures of resident's driveways will be done in off-peak hours
- parking is determined by the developer, eight (8) parking spaces would be lost if the parking structure was changed to one (1) way in and one (1) way out
- units will be targeted at market scale, although there may be some students, the trend will be mostly single unit dwellings
- new building codes incorporate energy conservation/higher energy level
- there has been no discussion or plans at this time for affordable housing but that does not mean that it could not occur

- there are five (5) species of trees approved by the Municipality that the developer is permitted to plant

MOVED by Councillor Mancini, seconded by Councillor Austin

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Austin, seconded by Councillor Nicoll

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 September 8, 2016; and**
2. **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.**

Mr. Napier responded to questions of clarification respecting the building's design and landscaping.

In response to a question raised, Mr. Dickey provided additional information regarding Provincial Environmental Standards and the decommission process of the former gas station.

MOTION PUT AND PASSED.

10.1.2 Case 19927: Rezoning – Lands on Shore Road, Eastern Passage

The following was before Community Council:

- A staff recommendation report dated July 6, 2016

Mr. Darrell Joudrey, Planner II gave a presentation on the application of KWR Approvals Inc. to rezone lands on Shore Road in Eastern Passage from R-1 (Single Unit Dwelling) to R-2 (Two Unit Dwelling). The change in zoning allows the development of seven (7) R-2 lots in a new 24 lot subdivision currently zoned for single unit dwellings. The rezoning may be considered by Community Council under Policy UR-5, Policy UR-7 and Policy IM-11 of the Eastern Passage/Cow bay Municipal Planning Strategy.

The Chair invited the applicant forward to address Community Council.

Mr. Wael Hamroush, Project Manager delivered a presentation on the new subdivision in Blue Ocean Estates, explaining the changes made to reduce the semi-detached lots from 16 to 14 and reduce the private laneway lots from five (5) to three (3). Mr. Hamroush reviewed the landscape plan, traffic impact statement, archeological survey and showed renderings of what a mixture of R-1 and R-2 zoned houses would look like. A copy of the presentation is on file.

Mr. Hamroush responded to questions regarding the private laneway and civic addressing and discussed the Halifax Regional School Board's concern with children cutting through private property to get to the school.

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

Ms. Nancy Alward, Eastern Passage was pleased with the new development but wanted to keep the zoning to R-1. She explained that there are five (5) areas in Eastern Passage under the R-1/R-2 zoning, with 150 homes that are mixed between semi-detached and single family homes. She noted that Shore Road is a unique street and is well traveled by tourists. Ms. Alward expressed concern with the semi-detached houses only allotting for one vehicle, suggesting that many residencies in the area average three (3) to five (5) vehicles per household. She was further concerned with parking in the laneway and the Fire Department being able to access in an emergency. Ms. Alward expressed appreciation for the landscaping and commented on students cutting through the private property to get to the school and the need for a walkway.

Mr. Tony MacDonald, Oceanlea Drive spoke to the history of maintaining and use of the pathway to the school.

Ms. Linda MacDonald, Oceanlea Drive spoke to the cut-through pathway used by students to get to the school. She suggested moving the semi-detached houses so that they were grouped in one location and the same for single unit dwellings.

Ms. Marilyn Sheppard, Eastern Passage expressed concern with having duplexes in her backyard and agreed with having all the semi-detached houses in one area.

Mr. Craig Painter, Oceanlea Drive commented on the pathway to the school and how he did not want to see additional cars parking on the streets.

The Chair called three times for any other members of the public wishing to speak on the matter. There being none, the applicant was invited to respond to questions.

Mr. Hamrourh responded to questions raised, noting the following points:

- semi-detached and single unit dwellings are able to accommodate parking for three (3) vehicles; two (2) vehicles in the driveway, one (1) in the garage
- there is enough turning radius in the private laneway to accommodate a fire truck
- the developer had proposed a pathway connection from the subdivision to the school but the School Board was not in support
- the lot frontage does not allow for R-2 lots to be grouped together

MOVED by Councillor Mancini, seconded by Councillor Nicoll

THAT the public hearing close.

MOTION PUT AND PASSED.

Mr. Hamrourh responded to questions of clarification from the Community Council respecting a pathway connection to the school.

MOVED by Councillor Mancini, seconded by Councillor Austin

THAT Harbour East-Marine Drive Community Council adopt the amendment to Schedule A of the Land Use By-law Eastern Passage/Cow Bay as set out in Attachment A of the staff report dated July 6, 2016.

Members discussed the motion, commenting on how it was unfortunate the School Board did not support a pathway connection from the subdivision to the school. During the discussion Councillor Karsten stepped down as Chair to speak to the motion and Councillor Mancini assumed the Chair. Councillor Karsten resumed as Chair prior to the vote and Councillor Mancini took his seat.

MOTION PUT AND PASSED.

11. REPORTS

11.1 STAFF

11.1.1 Case 19599: Development Agreement for 335 and 337 Portland Street, Dartmouth

The following was before Community Council:

- A staff recommendation report dated October 21, 2016

MOVED by Councillor Austin, seconded by Councillor Nicoll

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 October 21, 2016 staff report, to develop one additional residential dwelling unit within the existing two unit residential building at 335 Portland Street and up to two additional residential dwelling units in the existing two unit residential and office mixed use building at 337 Portland Street, and schedule a public hearing.

MOTION PUT AND PASSED.

Item 11.2.1 was addressed at this time.

11.2.1 Councillor Karsten - Dartmouth Signage

The following was before Community Council:

- Handout of the new Dartmouth Ferry Signage

Councillor Karsten presented the new *Welcome to Dartmouth* sign that will be installed at the Dartmouth Ferry Terminal.

11.1.2 Councillor Appointments to Boards and Committee

The following was before Community Council:

- A table for Councillor Appointments dated November 10, 2016

MOVED by Councillor Nicoll, seconded by Councillor Austin

That Harbour East-Marine Drive Community Council appoint a representative for each of the Standing and Advisory Committee set out in the Table for Councillor Appointments distributed for this meeting and forward these appointments to Council for ratification:

- Appeals Standing Committee – Councillors David Hendsbee and Sam Austin
- Audit & Finance Standing Committee – Councillor Bill Karsten
- Community Planning & Economic Development Standing Committee – Councillor Sam Austin
- Environment & Sustainability Standing Committee – Councillor Tony Mancini
- Transportation Standing Committee – Councillor Lorelei Nicoll
- Grants Committee – Councillor David Hendsbee

MOTION PUT AND PASSED.

11.1.3 2017 Meeting Schedule

The following was before Community Council:

- Harbour East-Marine Drive Community Council proposed 2017 meeting schedule

MOVED by Councillor Mancini, seconded by Councillor Nicoll

That Harbour East-Marine Drive Community Council approve the proposed 2017 Meeting Schedule as circulated.

MOTION PUT AND PASSED.

11.1.4 Case 20452: Development Agreement Discharge – Harbour Ridge Golf Club and Surrounding Properties, East Petpeswick

The following was before Community Council:

- A staff recommendation report dated October 18, 2016

MOVED by Councillor Hendsbee, seconded by Councillor Nicoll

THAT Harbour East-Marine Drive Community Council:

- 1. Approve, by resolution, the proposed discharge agreement, which shall be substantially of the same form as set out in Attachment A of the October 18, 2016 report; and**
- 2. Require the discharge agreement be signed by the property owners within 240 days, or any extension thereof granted by Council on request of the property owners, 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.

11.2 MEMBERS OF COMMUNITY COUNCIL

11.2.1 Councillor Karsten - Dartmouth Signage

This matter was addressed earlier in the meeting, see page 7.

12. MOTIONS – NONE

13. IN CAMERA (IN PRIVATE) – NONE

14. ADDED ITEMS – NONE

15. NOTICES OF MOTION – NONE

16. PUBLIC PARTICIPATION

Ms. Janet McCarthy, resident of Dartmouth expressed appreciation for the welcome to Dartmouth signage at the Dartmouth Ferry Terminal. In response to the comments made for Case 19529, she spoke on her experience living in a condo with limited parking for residents and guests.

Ms. Liz, resident of Port Wallis thanked the Community Council for the welcome to Dartmouth sign. In reference to the HRM Charter review report, she suggested rather than only accepting online submissions, the process should be similar to what was done for Centre Plan and bringing the power back to the public.

17. DATE OF NEXT MEETING

MOVED by Councillor Austin, seconded by Councillor Mancini

THAT Harbour East-Marine Drive Community Council reschedule the December 1, 2016 meeting to December 8, 2016 given that the Annual UNSM Conference is scheduled for November 28, 2016 to December 2, 2016.

MOTION PUT AND PASSED.

18. ADJOURNMENT

The meeting was adjourned at 8:28 p.m.

Krista Vining
Legislative Assistant