



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
DRAFT MINUTES
May 2, 2024**

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

STAFF: Joshua Judah K.C., Solicitor
Simon Ross-Siegel, 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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**Harbour East-Marine Drive Community Council
Draft Minutes
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The meeting was called to order at 6:00 p.m., and Community Council adjourned at 8:00 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 – April 4, 2024

MOVED by Councillor Hendsbee, seconded by Councillor Purdy

THAT the minutes of April 4, 2024 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

Deferred to the June 12, 2024 meeting of Harbour East-Marine Drive Community Council:

- Item 11.3.1 – Nominating the Shubenacadie Waterway to the Canadian Heritage River System Program

As provided for in section 37 (1) of Administrative Order One, *Respecting the Procedures of the Council*, Kent requested that Item 16.1 PERSONNEL MATTER - Private and Confidential Report be considered prior to Item 4.

MOVED by Councillor Purdy, seconded by Councillor Mancini

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 – 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 PLAN APP 2023-01030: Development Agreement for an expansion to an existing commercial building at 667 Highway 7, Westphal (Gateway Meat Market)

The following was before Community Council:

- Staff report dated February 12, 2024
- Supplementary staff report dated March 19, 2024
- Extract from the April 4, 2024 Harbour East-Marine Drive Community Council draft minutes
- Staff presentation dated May 2, 2024
- Applicant presentation dated May 2, 2024

- Correspondence from Gerine Davis, Terry Connors, Sue Tingley, Kaitlin Hoyt, Cory Allan Dodge, Lindsay Giles, Brian Sutherland, Susan Wolak, Kimberley Wotherspoon, Cindy Feener, Kim Myles, Bethan Price, Garry Pritchett, Trace Ward-Hackett, Lisa and Garnet Bush, Katie Richard, Frank Orlando, Germaine Devoe-Gallop, Faye and Terry Power, Sandra van der Made, Darlene Lucas, Ross Bruce, Victoria Bruce, Tamara Selig, Erin Page-MacAulay, Kelsey McLean, Karen Berry, Trudy Williamson, Tara Faulkner, Tracy Wambolt, Eric Rapaport, Susan Cole, Danielle Parsons, Donna Turner, Donna Shewfelt, Laura Bockus-Thorne

Claire Tusz, Planner II gave a presentation and responded to questions of clarification from Community Council.

The hearing opened at 6:17 p.m.

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

Colin Dorgan, Architect, Harvey Architecture gave a presentation and responded to questions from Community Council. Dorgan spoke to the proposed building design and relevant policy considerations in the context of the subject site. Dorgan requested Community Council consider approval of the proposed Development Agreement.

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

Gloria McCluskey, Dartmouth spoke in favour of the proposed development. McCluskey highlighted several benefits identified in the proposed design of the building expansion.

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

MOVED by Councillor Kent, seconded by Councillor Mancini

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 6:34 p.m.

MOVED by Councillor Purdy, seconded by Councillor Hendsbee

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 supplementary report dated March 19, 2024; and**
- 2. Require that the proposed 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.

10.1.2 Case 24619: Development Agreement for 53 Queen Street, Dartmouth for a 90m mixed-use addition to a registered heritage property

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The following was before Community Council:

- Staff report dated February 23, 2024
- Extract from the April 4, 2024 Harbour East-Marine Drive Community Council draft minutes
- Staff presentation dated May 2, 2024
- Applicant presentation dated May 2, 2024
- Correspondence from Andy Lin

Elizabeth Cushing, Planner II gave a presentation and responded to questions of clarification from Community Council.

The hearing opened at 6:57 p.m.

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

Darren Fransen, Design and Project Manager gave a presentation and responded to questions from Community Council. Fransen spoke to relevant policy and heritage considerations in the context of the subject site and requested Community Council consider approval of the proposed Development Agreement.

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

Paul Clarke, District 5 spoke about various elements of the proposed development which they found favourable and unfavourable. Clarke expressed a desire to obtain further clarification regarding the possible future use and display of the two remaining clockfaces. Clarke expressed a desire to obtain further clarification on the adaptive reuse of old post office dungeon.

Elaine Young, District 5 spoke about various elements of the proposed development which they found favourable and unfavourable. Young expressed concerns regarding increased traffic, noise concerns related to a street-facing patio on the proposed development, as well as construction timelines, noise and other disturbances. Young expressed a desire to obtain further clarification regarding the meaning of heritage conservation as it related to both the façade and internal elements of the heritage building.

Rick Weldon, District 5 spoke about various elements of the proposed development which they found favourable and unfavourable. Weldon expressed concerns regarding limited parking within the proposed development leading to increased use of street parking.

Bill Surrell, District 5 spoke about various elements of the proposed development which they found favourable and unfavourable. Surrell expressed a desire to obtain further clarification regarding the future display and maintenance of a memorial commemorating the first world war located on the subject site. Surrell spoke to concerns regarding the management of pyritic slate disposal and the use of development charges and tipping fees.

Jeremy Warwick, District 5 spoke to concerns regarding the proposed development related to affordable housing. Warwick expressed a desire to obtain further clarification regarding the policy application of inclusionary zoning and density bonus funding in the context of the proposed development agreement.

The Chair invited the applicant to respond to questions raised by the public. Fransen spoke to concerns raised by speakers related to the display of the war memorial, the adaptive reuse of the clockfaces, underground parking, proximity to local transit, adaptive reuse of the basement, construction timelines and mitigation efforts.

MOVED by Councillor Mancini, seconded by Councillor Kent

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THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 7:26 p.m.

Cushing spoke to a traffic impact study, construction mediation, and heritage evaluations of character defining elements.

Councillor Austin stepped down from the Chair and Councillor Mancini assumed the Chair.

MOVED by Councillor Austin, 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 February 23, 2024; 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.**

Community Council expressed appreciation of the thoughtful use of setbacks to highlight and protect the Dartmouth post office as a heritage asset. Community Council expressed that parking concerns were appropriately managed through access to local transit.

MOTION PUT AND PASSED.

Councillor Austin resumed the Chair.

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 Presentation

11.3.1 Nominating the Shubenacadie Waterway to the Canadian Heritage River System Program

This matter was deferred; refer to the Order of Business.

12. PUBLIC PARTICIPATION

Amanda Rouche, District 4 spoke about Highway 7 and expressed concern regarding increased traffic on the center lane and timelines for the construction of signalized infrastructure improvements.

Kataly Nelson, Dartmouth spoke about a development located near the intersection of Albro Lake and Wyse Road and expressed a desire to obtain further information about the construction timelines.

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

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14. REPORTS – NONE

15. MOTIONS – NONE

16. IN CAMERA (IN PRIVATE)

16.1 PERSONNEL MATTER - Private and Confidential Report

This matter was dealt with in public as follows:

The following was before the Standing Committee:

- Private and confidential staff report dated April 11, 2024

MOVED by Councillor Kent, seconded by Councillor Purdy

THAT Harbour East-Marine Drive Community Council:

- 1. Adopt the recommendations as outlined in the private and confidential report dated April 17, 2024; and**
- 2. Direct that the private and confidential report dated April 17, 2024 be maintained private and confidential.**

MOTION PUT AND PASSED.

17. ADDED ITEMS – NONE

18. NOTICES OF MOTION

18.1 Councillor Hendsbee

TAKE NOTICE that, at a future meeting of Harbour East – Marine Drive Community Council, I intend to move a motion to motion to rescind Item 11.3.2 from the June 7, 2018 Harbour East – Marine Drive Community Council meeting which requested a staff report as follows:

“THAT Harbour East-Marine Drive Community Council request a staff recommendation report on responsible cat ownership programing.”

19. DATE OF NEXT MEETING – June 12, 2024

20. ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Simon Ross-Siegel
Legislative Assistant