

HALIFAX & WEST COMMUNITY COUNCIL

MINUTES

March 18, 2013

PRESENT: Councillor Linda Mosher, Chair
Councillor Wayne Mason, Vice Chair
Deputy Mayor Reg Rankin
Councillor Jennifer Watts
Councillor Stephen Adams
Councillor Russell Walker

STAFF: Ms. Karen Brown, Senior Solicitor
Mr. Kurt Pyle, Supervisor, Planning Applications
Ms. Jillian MacLellan, Planner
Mr. Paul Sampson, Planner
Ms. Jennifer Chapman, Planner
Mr. Brandon Silver, Urban Designer
Ms. Dali Salih, Planner
Mr. Ted Aubut, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:02 pm in the Council Chamber at City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES – February 18, 2013

MOVED by Councillor Walker, seconded by Councillor Adams that minutes of February 18, 2013 be approved, as presented. MOTION PUT AND PASSED.

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

MOVED by Councillor Watts, seconded by Councillor Walker that the agenda be approved, as presented. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Review

No updates were requested.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. HEARINGS

8.1 Public Hearings

8.1.1 Case 17973: Rezoning of 485 Herring Cove Road, Halifax

A staff report dated January 23, 2013 was before Community Council.

Ms. Jillian MacLellan, Planner, delivered a presentation on Case 17973, an application by BANC Properties Limited to rezone 485 Herring Cove Road from the R-4 (Multiple Dwelling) Zone to the P (Park and Institutional) Zone.

Ms. MacLellan explained that the subject property sits at the corner of Herring Cove Road and Auburn Avenue in Spryfield and is vacant, having previously housed a gas station. She then described the immediate neighbourhood, noting that it is low density residential with a church and a number of small businesses.

She indicated that the property is zoned R-4, which permits a range of residential uses, including apartments, as well as some light commercial uses, like daycares. The applicant has asked that it be rezoned Park and Institutional (P) in order to build a Salvation Army Thrift Store. The P Zone allows sports clubs, churches, medical clinics, law offices, and community facilities, including not-for-profit thrift stores.

Ms. MacLellan explained that rezoning to P is permitted by the Mainland South Secondary Plan so long as the rezoned lands are compatible with surrounding uses. She believed that the proposal before Council met that requirement. However, she pointed out that Case 17973 is not a development agreement. This means that if the rezoning is approved, then the applicant could build anything permitted under the P zone.

Ms. MacLellan concluded her presentation by recommending that the rezoning be approved.

The Chair thanked Ms. MacLellan for her presentation and asked members of Community Council if they had questions of clarification. There being none, the Chair reviewed the rules of public hearings and invited residents, for or against the proposal, to the microphone.

Neither the applicant nor members of the public wished to speak on the matter.

MOVED by Councillor Adams, seconded by Councillor Mason that the hearing be closed. MOTION PUT AND PASSED.

MOVED by Councillor Adams, seconded by Councillor Mason that Halifax & West Community Council approve the proposed rezoning of 485 Herring Cove Road, Halifax from the R-4 (Multiple Dwelling) Zone to the P (Park and Institutional) Zone, as contained in Attachment A of the staff report dated January 23, 2013.

Councillor Adams indicated that residents had been concerned that the property would be developed as apartments. As this is not the case, he and residents are comfortable with the proposed rezoning.

Councillor Watts was pleased to hear that there is community support for the project. Given that many building types are allowed under the P Zone, she wished to know if the applicant was committed to building a thrift store.

To this, Councillor Adams replied that he is confident that a thrift store will be built.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - NONE

9.2 Petitions - NONE

9.3 Presentations - NONE

10. REPORTS

10.1 Staff Reports

10.1.1 Case 17511: Development Agreement for 5534 to 5558 Bilby Street and 2819 to 2827 Isleville Street, Halifax

A supplementary staff report dated March 4, 2013 was before Community Council.

MOVED by Councillor Watts, seconded by Deputy Mayor Rankin that Halifax & West Community Council:

- 1. Approve the proposed development agreement as presented as Attachment A to the supplementary report dated March 4, 2013**
- 2. Require that the agreement be signed by the property owner within 120 days, or an 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 Watts indicated that residents of the area like the townhouse style of the project but are concerned about increased traffic that will result from this and the many other developments planned for the north-end. She indicated that she would be working with staff to identify and mitigate these problems.

MOTION PUT AND PASSED.

10.1.2 Case 17002: Development Agreement – Stage 1, Rockingham South, Halifax

A supplementary staff report dated February 25, 2013 was before Community Council.

MOVED by Councillor Walker, seconded by Councillor Adams that Halifax & West Community Council:

- 1. Approve the Stage 1 development agreement as contained in Attachment A of the supplementary report dated February 25, 2013**
- 2. Require that 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, which is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

Councillor Walker reminded colleagues that the motion is for Stage 1 development only; Stage 2 will come back to Community Council for debate. He also indicated that there have been no changes to the development project since the public hearing of February 4, 2013.

Councillor Watts recalled that residents had raised a number of concerns about Stage 2 at the public hearing, and understood that the area Councilor will be following-up to ensure that they are resolved.

Councillor Walker confirmed that he will be working with the developer to address concerns before Community Council votes on Stage 2.

MOTION PUT AND PASSED.

10.1.3 Case 17599: Rezoning of 114 Hebridean Drive, Herring Cove

A staff report dated February 28, 2013 was before Community Council.

MOVED by Councillor Adams, seconded by Councillor Watts that Halifax & West Community Council give first reading to consider the proposed rezoning of 114 Hebridean Drive, Herring Cove, from the P-2 (Community Facility) Zone to the F-1 (Fishing Industry) Zone, as set out in Attachment A of the report dated February 28, 2013 and schedule a public hearing. MOTION PUT AND PASSED.

It was subsequently decided that the public hearing will take place at City Hall on Monday, April 22, 2013.

10.1.4 Case 17829: Land Use By-Law Amendment and Development Agreement for 3090 Oxford Street, Halifax

A staff report dated March 8, 2013 was before Community Council.

MOVED by Councillor Walker, seconded by Councillor Adams that Halifax & West Community Council:

- 1. Give first reading to consider approval of the proposed amendment to the Halifax Peninsula Land Use By-Law, as contained in Attachment A of the report dated March 8, 2013, to include the lands at 3090 Oxford Street within Schedule L and schedule a public hearing**

2. **Move notice of motion to consider the proposed development agreement as contained in Attachment B of the staff report dated March 8, 2013 to allow for a mixed-use development and schedule a public hearing. The public hearing for the development agreement shall be held concurrently with that indicated in recommendation 1.**

MOTION PUT AND PASSED.

Community Council agreed to hold the public hearing at City Hall on April 22, 2013.

10.1.5 Case 16958: Rezoning of 2100-2102 Oxford Street, Halifax

A staff report dated March 12, 2013 was before Community Council.

MOVED by Councillor Walker, seconded by Councillor Watts that Halifax & West Community Council give first reading of the proposed rezoning of 2100-2102 Oxford Street, Halifax, from the R-2 (General Residential) Zone to the C-1 (Local Business) Zone, as contained in Attachment A of the report dated March 12, 2013, and scheduled a public hearing.

MOTION PUT AND PASSED.

It was decided that this public hearing will also be held on April 22, 2013.

11. **MOTIONS – NONE**
12. **ADDED ITEMS - NONE**
13. **NOTICES OF MOTION - NONE**
14. **PUBLIC PARTICIPATION**

There were no questions from the audience.

15. IN CAMERA

In lieu of convening in camera, Community Council agreed to deal with item 15.1 in public session.

15.1 Citizen Appointments to the Point Pleasant Park Advisory Committee

MOVED by Councillor Mason, seconded by Councillor Walker that Halifax & West Community Council appoint the two candidates outlined in the private and confidential report dated March 4, 2013 to the Point Pleasant Park Advisory Committee. MOTION PUT AND PASSED.

16. NEXT MEETING DATE – April 22, 2013 (City Hall)

17. ADJOURNMENT

The meeting was adjourned at 7:20 p.m.

Ted Aubut
Legislative Assistant