



**HALIFAX AND WEST COMMUNITY COUNCIL
SPECIAL MEETING
MINUTES
June 3, 2015**

PRESENT: Councillor Steve Adams, Chair
Councillor Reg Rankin, Vice Chair
Councillor Russell Walker
Councillor Linda Mosher
Councillor Jennifer Watts

REGRETS: Councillor Waye Mason

STAFF: Mr. Andrew Reid, 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/west/150603hwcc-agenda.php>

*The meeting was called to order at 6:02 p.m. and
Community Council adjourned at 6:19p.m.*

1. CALL TO ORDER

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

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

MOVED by Councillor Watts seconded by Councillor Walker that the order of business be approved as presented.

MOTION PUT AND PASSED.

3. REPORTS

3.1.1 Case 19646: Non-Substantive Amendments to the Development Agreement for St. Joseph's Square, Gottingen St., Halifax

The following was before Community Council:

- *A staff recommendation report dated April 24, 2015*
- *A memorandum from the Chair and members of the Districts 7 & 8 Planning Advisory Committee dated January 28, 2015*

MOVED by Councillor Watts, seconded by Councillor Walker that Halifax and West Community Council:

1. Approve, by resolution, the Amending Development Agreement as shown in Attachment A of the report dated April 24, 2015 to allow for changes to the landscaping, exterior appearance, and the number of dwelling units for a proposed nine storey mixed-use building on the east side of Gottingen Street, between Russell and Kaye Streets, Halifax; and

2. Require that the Amending 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 shall be void and any obligations arising hereunder shall be at an end.

Councillor Watts stated that the community was pleased the project was getting underway; however, there are concerns regarding the proximity of construction to the two existing schools, impact on pedestrian and traffic patterns and the possible impact on the St. Joseph School's playground. She stated that the developer has requested an encroachment onto the playground yet to be approved.

Councillor Watts noted changes to the development agreement as centering on landscaping changes, increase in the number of dwelling units and changes to the exterior architectural appearance. She stated that the Districts 7 & 8 Planning Advisory Committee commented on those changes, which have been addressed by staff in the report dated April 24, 2015. She stated concern that proposed landscaping changes such as trees being cut down have been already initialized, although the amendments to the development agreement have not yet been approved. Councillor Watts stated that she would be putting a motion on the floor for compliance staff to investigate the issue further.

She asked that the following matters for future developments in urban areas with proximity to schools be taken into consideration and that this be noted:

- That planners anticipate the potential of encroachments needed so that the footprint is clearly understood when agreed to by Council. She stated that more understanding of surrounding urban areas was required for Council before making decisions.
- That staff ensure landscaping matters and landscaping plans are clear and accurate so that Council can make a clear decision on development agreements and what is to be retained.

Councillor Watts stated that in this case, it may have been HRM's negligence in not confirming the accuracy and position of trees on the older development agreement's site plan. She recognized the developer was not the original owner of the property and the landscape survey was not accurate.

Councillor Mosher suggested that a motion regarding the compliance issue was not required. Councillor Watts agreed to pursue the matter through contacting staff. Councillor Mosher stated that she had received the letter from the Planning Advisory Committee and noted that the identified issues of the guest suite and vegetation, and curtain walls were addressed in the staff report. She stated that density and height were still below what was permitted and the building has improved since former proposal. She stated that the application reflects more of the neighbourhood and voiced support for the recommendation.

MOTION PUT AND PASSED.

3.1.2 Case 19533: Amendments to the Halifax Mainland Land Use By-law for the C-2A Zone within the Bedford Highway Secondary Plan area

The following was before Community Council:

- *A staff recommendation report dated May 1, 2015*

MOVED by Councillor Walker, seconded by Councillor Rankin that Halifax and West Community Council:

Give First Reading to the proposed amendment to the Land Use By-law for the Halifax Mainland to increase the maximum allowable height of mixed use commercial and residential buildings in the C-2A Zone of the Bedford Highway Secondary Plan from 35 feet to 50 feet, as contained in Attachment A of the report dated May 1, 2015 and set a date for a public hearing.

Councillor Watts requested clarification on the application and stated concern for the impact of the height increase. She requested that there be a detailed presentation when the matter comes to Council.

Councillor Walker highlighted that there were a number of concerns from one property that was not a part of the application. He stated that only commercial and residential buildings would qualify and that the amendment was a good compromise.

MOTION PUT AND PASSED.

4. CORRESPONDENCE, PETITIONS, AND DELEGATIONS

4.1 Correspondence

The following was before Community Council:

- *A letter from Ms. Kathy Jones re: case 19112 Eastlink Cell Tower, dated January 15, 2015*
- *A letter from Ms. Susan McDonald Wilson re: case 19112 Eastlink Cell Tower, dated February 23, 2015*
- *A letter from Ms. Irene Phinney re: case 19112 Eastlink Cell Tower, dated February 23, 2015*
- *A letter from the Honourable Geoff Regan re: case 19112 Eastlink Cell Tower, dated April 14, 2014*
- *A letter from Mr. Larry Pope re: case 19112 Eastlink Cell Tower, dated April 8, 2014*
- *A letter from Ms. Nancy Jennings, Mr. Scot Jennings, Mr. Glenn Taylor, and Ms. Peggy Taylor re: case 19112 Eastlink Cell Tower, dated April 23, 2014*

Councillor Rankin stated that correspondence had been received and dated as early as April 2014. He stated that correspondence was held to give focus and attention for deliberation of the forthcoming staff report on the topic.

4.2 Petitions

The following was before Community Council:

- *A petition from 152 residents re: Case 19112 Eastlink Cell Tower, dated August 20, 2014*

Councillor Rankin also noted that a petition had been received by 150 residents. He commented on procedural fairness in considering all adjacent commercial lands and commented that the staff report should address this. The Legislative Assistant confirmed the staff report would return to Council for consideration on June 24, 2015.

5. DATE OF NEXT MEETING – June 24, 2015

6. ADJOURNMENT

The meeting was adjourned at 6:19 p.m.

Andrew Reid
Legislative Assistant