HALIFAX & WEST COMMUNITY COUNCIL

MINUTES

May 13, 2013

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

STAFF: Ms. Karen MacDonald, Senior Solicitor Ms. Jillian MacLellan, Planner Mr. Miles Agar, Planner Mr. Trevor Creaser, Development Officer Ms. Thea Langille, Supervisor of Planning Applications Mr. Ted Aubut, Legislative Assistant

TABLE OF CONTENTS

2

1.	CALL	TO ORDER	3
2.		OVAL OF MINUTES – April 22, 2013	
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS		
-		DELETIONS	
4.	BUSI	NESS ARISING OUT OF THE MINUTES	3
••	4.1	Status Sheet Review	
5.		ONS OF RECONSIDERATION – NONE	
6.		ONS OF RESCISSION – NONE	
7.		SIDERATION OF DEFERRED BUSINESS – NONE	
7. 8.		INGS	
0.	8.1	Public Hearings	
	0.1	8.1.1 Case 17757: Application to Rezone 2728 Joseph Howe Drive,	+
		Halifax	1
	0.0		
	8.2	Variance Appeal Hearings	1
		8.2.1 Case 18062: Appeal of the Development Officer's decision to	~
•	000	approve a variance at 4000 Prospect Road, Shad Bay	
9.		RESPONDENCE, PETITIONS AND PRESENTATIONS	
	9.1	Correspondence	I
		9.1.1 Correspondence from S.M. Mandaville dated May 7, 2013	
		regarding Paleolimnology11	
	9.2	Petitions	
	9.3	Presentations11	1
		9.3.1 Presentation from Point Pleasant Park Advisory Committee	
		regarding Park Visitor Survey11	
10.		0RTS	
	10.1	Staff Reports	
		10.1.1 Case 17885: Development Agreement to permit a change in use to	
		a non-conforming use at 2347 Agricola Street, Halifax	3
		10.1.2 Case 18017: Application to rezone the north-east corner of	
		Connolly Street and Dudley Street, Halifax	3
11.	MOTI	ONS14	4
	11.1	Councillor Watts14	4
12.	ADDE	D ITEMS	4
	12.1	Case 17195: MPS/LUB Amendments and Development Agreement for	
		6112 Quinpool Road, Halifax	4
	12.2	Councillor Adams	
13.	NOTIO	CES OF MOTION - NONE	
14.		IC PARTICIPATION	
15.		MERA	
	15.1	Approval of In Camera Minutes – April 22, 2013	
16.		MEETING DATE – June 10, 2013 (City Hall)	
17.		URNMENT	

1. CALL TO ORDER

The Chair called the meeting to order at 7:04 pm. in the Council Chamber at City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES – April 22, 2013

MOVED by Councillor Walker, seconded by Deputy Mayor Rankin that the minutes of April 22, 2013 be approved, as presented. MOTION PUT AND PASSED.

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

Additions:

- 12.1 **Case 17195**: MPS/LUB Amendments and Development Agreement for 6112 Quinpool Road, Halifax
- 12.2 Councillor Adams Safe waterfront access, municipal property PID 00560789

Community Council agreed to present petitions (item 9.1) before the public hearing (8.1.1).

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

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Review

Community Council requested that the following items be removed from the status sheet:

- January 7, 2013: Refuse on roads near Otter Lake Landfill. Deputy Mayor indicated that, while the action requested is complete, there continues to be litter along Highway 103.
- September 10, 2012: Rinks and arenas in the U-1(Low Density University) Zone. Councillor Mason noted that a report is no longer required as the university arena is slated for an alternate location.
- April 11, 2011: Year-round tennis facility proposed by Tennis Nova Scotia. Councillor Mason requested that this be removed as a report on this matter is being prepared for Regional Council.

The Chair then provided a brief update on the poppy street sign project in Westmount, noting that it is going ahead with district capital funds. Staff will provide a full update at the June meeting.

5. MOTIONS OF RECONSIDERATION – NONE

6. MOTIONS OF RESCISSION – NONE

7. CONSIDERATION OF DEFERRED BUSINESS – NONE

9.2 Petitions

Councillor Walker submitted the following petitions to the Clerk:

- A petition signed by 61 residents in support of creating an off-leash dog area in Flynn Park.
- A petition signed by 66 residents opposing the proposed rezoning of 2728 Joseph Howe Drive (Case 17757).

8. HEARINGS

8.1 Public Hearings

8.1.1 Case 17757: Application to Rezone 2728 Joseph Howe Drive, Halifax

The following documents were before Community Council:

- A staff report dated April 10, 2013
- Correspondence from Bob Reiniger, Alan Bampton & Maureen Andrea, Helen Anderson, B. Veinot, and David Farwell
- A petition in favour of the rezoning containing 16 signatures
- A petition against the rezoning with 66 signatures

The Chair reviewed the rules of procedure and invited staff to present Case 17757.

Ms. Jillian MacLellan, Planner, delivered a presentation on Case 17757, an application to rezone 2728 Joseph Howe Drive, Halifax from the R-1 (Single Family) Zone to the R-2T (Townhouse) Zone in order to allow for the development of five townhouse units.

Ms. MacLellan explained that the subject property is at the corner of Joseph Howe Drive and Craigmore Drive, in the Halifax Mainland Land Use By-law area. The lot currently contains a single family home, which is surrounded by a variety of uses:

- Residential uses
- Commercial uses, such as the Manulife building across the street and the nearby West-end Mall
- Major transportation infrastructure, such as the Armdale Roundabout and Highway 102

She indicated that if the lot is rezoned R-2T, then it could accommodate up to six townhomes. The applicant, W.M. Fares Group, has expressed interest in developing five units, of three storeys each, facing Craigmore Drive.

Ms. MacLellan reminded Community Council that a public information meeting was held in June 2012 to hear from the community. It became apparent, at this meeting, that neighbours wanted the area to remain R-1. However, Ms. MacLellan reiterated that the neighbourhood already has a variety of uses, many of which, like the adjacent IWK building, are more intensive than townhomes. She believed that the townhouse development could:

- Act as a buffer between high and low density uses in the neighbourhood; and
- Increase density without putting at risk the integrity of the neighbourhood, and without significantly impacting area traffic.

On these grounds, she recommended that Community Council approve the rezoning of the property.

The Chair thanked Ms. MacLellan for her presentation and asked members of Community Council if they had questions of clarification; there being none, she invited the applicant to the microphone.

Mr. Cesar Saleh of W.M. Fares Group spoke for the owners of 2728 Joseph Howe Drive. He noted that the property is:

- A corner lot on an arterial road;
- Adjacent to the IWK building;
- Near a 77-unit residential building under construction; and
- Across the street from an office tower.

Mr. Saleh explained that a small-scale office building had originally been proposed for the site. However, in response to opposition from the community, this plan was withdrawn and the development of five townhouses proposed as an alternative. He believed this to be a good compromise.

He made the following points in support of rezoning:

- HRM staff have determined that it is consistent with applicable policies.
- There are many examples in HRM of townhouse developments that have integrated nicely into established neighbourhoods.
- W. M. Fares Group has significant experience developing townhomes next to single family homes, such as on Inglis Street, Cedar Street, Main Avenue and Osbourne Street. All of these developments were approved by Council.
- The maximum lot coverage in the R-1 Zone is 35%. The proposed development will only cover 27% of the property.
- The R-1 Zone would allow up to three homes or a place of worship with a hall and parking lot. Rezoning to R-2T, by contrast, will result in more generous rear side and rear setbacks.

In his concluding remarks, Mr. Saleh described the quality of the finishings and the positive feedback received on the design of the units. He asked that Community Council support the rezoning.

The Chair thanked Mr. Saleh for his comments and indicated that Community Council had received a number of submissions, as well as two petitions, relative to this case. She then invited residents, for or against the rezoning, to the microphone.

6

Mr. Brian Adams reminded Community Council that the property sits at the corner of Joseph Howe Drive and Craigmore Drive. The latter is a small street that must absorb traffic to and from the IWK building and the residential development, which will house 77 units. He believed the addition of townhouses to Craigmore Drive would exacerbate this problem. Mr. Adams also expressed concern over the compatibility of the proposed development, noting that the townhomes would create a long wall along Joseph Howe Drive. He believed the proposal was at odds with Policy 2 of the Municipal Planning Strategy (MPS) as it was not in keeping with the character of the surrounding R- 1 neighbourhood.

Mr. Michael Ryan of Joseph Howe Drive indicated that the community is against the project. He acknowledged that under the current zoning, the property owner could build up to three homes. However, he preferred three homes to five townhomes. He felt that the rezoning set a bad precedent as it would encourage others to do the same.

Ms. Helen Anderson of Craigmore Drive disagreed with staff's characterization of the neighbourhood. She recognized that there are a few office buildings on the north-side of Joseph Howe and a multi-unit residential building under construction on Craigmore Drive. However, she believed these to be exceptions. The neighbourhood, she continued, is overwhelmingly made up of single family homes. Rezoning the subject property to R-2T would be inconsistent with the neighbourhood's character, and contrary to policies 2.2 and 2.4 of the MPS. She then showed photos of nearby lots, comparable in size, on which homes have been built. She felt they blended in nicely with the neighbourhood.

Mr. David Farwell of Joseph Howe Drive indicated that to rezone the subject property would be to ignore the wishes of the community. In his view, neighbouring property owners are not interested in creating higher density; instead, they like the neighbourhood as it is. He felt that the rezoning set a dangerous precedent.

The Chair called three times for other speakers; there being none, she invited the applicant to address points raised.

Mr. Saleh emphasized the following points:

- The development will not cause parking and traffic problems because each unit has designated garage parking with access onto Craigmore Drive, not Joseph Howe Drive.
- The development is not precedent-setting. Rezoning matters are decided case by case. Moreover, the subject property is unlike neighbouring lots: it is a large, corner lot next to a commercial building. He asked that its uniqueness be considered.

- The R-1 Zone permits up to three homes on the property. If his client proceeds this way, then setbacks will be smaller than those required by the R-2T Zone.
- There is no evidence to suggest that a block of 5 townhouses will damage the integrity of the neighbourhood.

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

Councillor Watts asked staff to comment on the traffic impact study undertaken and on setbacks.

Ms. MacLellan noted that the study assessed traffic implications along Joseph Howe Drive all the while keeping in mind that a residential building is under construction on Craigmore Drive. It found that the proposed townhouse development would not have a significant impact on traffic. As for setbacks, she indicated that the proposal met all of the setback requirements outlined in the land use by-law.

Councillor Walker wished to know if staff believed the proposal was in conflict with the MPS.

Ms. MacLellan replied that it is staff's opinion that rezoning the property is not in conflict with planning policies.

Councillor Adams noted that R-1 allows up to three homes on the property while R-2T permits up to six townhomes. He wished to know if doubling the density is consistent with the MPS.

Ms. MacLellan did not feel the increased density would have a significant impact on the neighbourhood, which already has many building types.

MOVED by Councillor Walker, seconded by Deputy Mayor Rankin that Halifax & West Community Council approve the rezoning of 2728 Joseph Howe Drive, Halifax from the R-1 (Single Family) Zone to the R-2T (Townhouse) Zone as provided in Attachment A of the staff report dated April 10, 2013

Councillor Mosher stepped down from the Chair at 8:03 pm to participate in the debate. Councillor Mason assumed chairing responsibilities.

Councillor Mosher provided a brief history of the commercial buildings near the subject property. She agreed with Ms. Anderson that they stand out from all other buildings in the neighbourhood, which are R-1 single family homes. She did not believe the construction of townhouses in an R-1 neighbourhood was consistent with MPS Policy 2, which promotes the stability and character of existing neighbourhoods. In particular, she believed the proposal to be in conflict with:

- The vision statement of Policy 2, which calls for the provision and maintenance of residential environments;

- Clause 2.2, which calls for maintaining the integrity of existing residential neighbourhoods;

8

- Clause 2.3, which promotes well-planned and integrated development;
- Clause 2.4, which promotes neighbourhood stability;
- Clause 2.4.1, which speaks to preserving the scale of existing neighbourhoods; and
- Clause 2.5.1, which sets out how a neighbourhood is defined.

Next, she compared the proposal to other townhouse and condominium developments in the surrounding areas. The latter had proceeded by development agreement and had tremendous community buy-in. The proposal for 2728 Joseph Howe Drive had neither. She encouraged her colleagues to vote against the motion.

Councillor Adams indicated that a neighbourhood must be consistent. He felt that the proposed development set a bad precedent and could harm the integrity of the neighbourhood. He would not be supporting the motion.

Councillor Walker found the proposal to be consistent with the MPS. He added that townhouses are a good option for young couples and, from his experience, have little impact on neighbourhood density.

Councillor Watts agreed that townhouses are a good option, in terms of price point and density. However, in this particular case, she did not feel they were consistent with the surrounding neighbourhood which is overwhelmingly R-1. She noted that she would be voting against the rezoning because it was at odds with Policy 2 of the MPS, namely:

- Clause 2.2 respecting the integrity of the existing residential neighbourhood;
- Clause 2.5 respecting the stability of existing neighbourhoods; and
- Clause 2.7 respecting the compatibility in scale of development in existing neighbourhoods.

Deputy Mayor Rankin indicated that he knows the area well as he used to work at the municipal building, which has since been taken over by the IWK. He felt that Community Council did not have good reasons to deny the rezoning. The neighbourhood is mixed-use, containing single family homes, commercial buildings, and a future residential building. He believed the proposal fit into this environment. As for density, he noted that the difference between three homes, permitted under R-1, and up to six homes, permitted under R-2T, is inconsequential.

Councillor Mosher reminded Community Council that the application is for a rezoning, not for a development agreement. In other words, the applicant could build up to six townhouses rather than the five proposed and, potentially, in a style very different from that which was before them. This concerned her. As for the commercial buildings described by the Deputy Mayor, she noted that they are across the street and not considered part of the neighbourhood. She felt it important to protect the character of the area and the view of the northwest arm. She asked colleagues to join her in voting down the motion.

Councillor Mosher assumed the Chair at 8:26 pm. She invited members to vote for or against the motion.

9

MOTION PUT AND DEFEATED.

Community Council recessed at 8:27 pm. The meeting resumed at 8:35 pm.

8.2 Variance Appeal Hearings

8.2.1 Case 18062: Appeal of the Development Officer's decision to approve a variance at 4000 Prospect Road, Shad Bay

A staff report dated April 10, 2013 was before Community Council.

Mr. Trevor Creaser, Development Officer explained that the owner of 4000 Prospect wishes to construct two additions, one on each side, to the existing dwelling. The additions will be used for storage purposes and will be inaccessible from the interior of the home. For the project to go forward, the applicant is requesting that the side yard setback be reduced to 7.7 feet to the left side line and 8 feet on the right side line. The land use by-law requires a minimum side yard of 15 feet.

Mr. Creaser indicated that staff had approved the request and, pursuant with policy, had notified all owners within 30 metres of the property of the decision. An appeal was filed by an abutting property owner, which is why the matter is before Community Council.

Mr. Creaser showed an aerial view of the neighbourhood, noting that the subject property backs onto a watercourse. As development is not permitted in the watercourse buffer, the applicant has the option of building an accessory structure in the front or side yards. The two structures proposed total 296 square feet.

Mr. Creaser reminded Community Council that Section 250(3) of the *HRM Charter* sets the following criteria by which the Development Officer may not grant variances to requirements of the land use by-law:

- If a variance violates the intent of the development agreement or land use by-law
- If the difficulty experienced is general to properties in the area
- If the difficulty experienced results from an intentional disregard for the requirements of the development agreement or land use by-law

On the first point, Mr. Creaser did not believe the requested setback was contrary to the intent of the land use by-law because the reduction was only minor. He noted that detached accessory structures are permitted within 8 feet of the side lot line.

On the second criteria, he felt that the size and location of the subject property presents unique challenges. As discussed, the property owner cannot build an accessory building in the rear yard because of the watercourse. This difficulty is experienced by all lots on the same side of the road. However, neighbouring lots are big enough to accommodate an accessory structure in the front or side yard. This is not true of the subject property.

Finally, on the third point, Mr. Creaser noted that the applicant had applied for a development permit in good faith and had requested the variance prior to beginning any work on the property.

The Chair thanked Mr. Creaser for his presentation, and invited members of Community Council to ask questions of clarification. There being none, she asked the applicant to come forward.

Mr. Nicholas Koskolos of 4000 Prospect Road noted that many of his neighbours, including the appellant, have sheds. However, his front yard is not large enough and he cannot build in the backyard because of the watercourse buffer. This leaves the side yard.

The Chair then called on the appellant to make a statement.

Ms. Sharon Marryatt of Prospect Road explained the she and her husband had filed the appeal because they felt the variance would affect their enjoyment of the property and their view. She noted that setbacks are for privacy and for emergency access between properties. She wondered if the shed could be moved to the front or back of the subject property.

Councillor Adams asked the appellant if the sheds would disturb her water views.

Ms. Marryatt replied in the negative, noting that the shed would impede the view from the side of her house, not her view of the water.

Deputy Mayor Rankin asked about the shed on Ms. Marryatt's lot, to which she replied that it was built thirty years ago and is in the back of the property. She was unsure if it had been built with a permit.

Councillor Watts wished to know if the applicant had considered building one shed, rather than two.

Mr. Creaser indicated that the variance request was for two sheds, one on each side.

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

Councillor Adams, in accordance with Administrative Order 1, put the following motion of the floor:

MOVED by Councillor Adams, seconded by Deputy Mayor Rankin that Halifax and West Community Council allow the appeal of Case 18062.

Councillor Adams asked Community Council to vote down the motion. He had originally thought the shed would block the neighbour's water view, but this is not the case.

MOTION PUT AND DEFEATED.

As the motion to allow the appeal was defeated, the Development Officer's decision on this matter stands.

9. CORRESPONDENCE, PETITIONS AND PRESENTATIONS

9.1 Correspondence

9.1.1 Correspondence from S.M. Mandaville dated May 7, 2013 regarding Paleolimnology

Community Council acknowledged receipt of Mr. Mandaville's submission.

9.2 Petitions

This item was dealt with before item 8.1. Please see page 4.

9.3 **Presentations**

9.3.1 Presentation from Point Pleasant Park Advisory Committee regarding Park Visitor Survey

A presentation entitled "What Point Pleasant Park Users had to Say" was before Community Council.

Mr. Duncan Morum, Chair of the Point Pleasant Park Advisory Committee thanked Community Council for the opportunity to present and introduced fellow Committee members, including Ms. Nancy Vanstone who had prepared the material.

Mr. Morum indicated that a survey of Point Pleasant Park users had been conducted in August and September of 2012. It revealed the following:

- 94% of the 1,585 respondents said they enjoyed their most recent visit to the park.
- Among those who had not had a good experience, 80% felt that their complaint had not been adequately resolved.
- The park, though largely used for walking, is also used for jogging, biking, and cultural programs.
- 75% of users arrive by car.
- 35% of user are from off the Peninsula.
- The most common suggestion was for more enforcement of the rules. Respondents also spoke of the need for improved washrooms.

Mr. Morum explained that most complaints are about dogs and cyclists. He believed these problems could be solved by (1) educating users about the rules through clear and consistent signage and park patrols and (2) by enforcing the rules, including issuing fines.

As a follow-up activity, Mr. Morum explained that the Point Pleasant Park Advisory Committee intends to conduct an attendance survey to better understand how many people use the park. He concluded by thanking park staff for their good work and for encouraging HRM to implement the recommendations cited.

The Chair opened the floor to questions and comments.

Councillor Mason thanked the Point Pleasant Park Advisory Committee for their analysis. He was particularly pleased to see that the park attracts users from all over HRM. He suggested that Corporate Communications become responsible for regularly updating the park website. He asked Mr. Morum to elaborate on enforcement issues.

Mr. Morum explained that enforcement staff are responsible for a number of parks. This means that they are at Point Pleasant from time to time, but not consistently. Perhaps because of this, the number of violations they record is significantly lower than what Advisory Committee members witness.

Councillor Mason encouraged residents to call 311 if they see people breaking park rules.

The Chair, responding to a question from Councillor Watts, indicated that park enforcement is shared between HRM staff, during regular hours, and the police, from dusk to dawn.

Councillor Watts noted that as the population grows on the Peninsula, HRM will have to give more thought as to how it manages its green spaces so that they are community gathering spaces instead of places of conflict. She asked Mr. Morum to explain the discrepancy between respondents who wanted fewer rules, and those who wanted more. She also asked about the use of motorized vehicles in the park.

Mr. Morum agreed that respondents to the survey sent mixed messages. On the one hand, many felt that the current rules were good, and should be enforced to the maximum. Others felt there were too many. Either way, he felt that the rules ought to be clear so that people can abide by them or confidently report violations to HRM. As for motorized vehicles, he felt that it should not be encouraged, in part because he was reluctant to commercialize the park. He also noted that any decision about vehicles should take into account that the park is already intensively used, and this intensity is expected to increase.

The Chair suggested that the Point Pleasant Park Advisory Committee connect with the Chain of Lakes Trail Committee as the latter dealt with similar issues around enforcement.

Deputy Mayor Rankin left the meeting at 9:10 pm.

10. **REPORTS**

- 10.1 Staff Reports
- 10.1.1 Case 17885: Development Agreement to permit a change in use to a nonconforming use at 2347 Agricola Street, Halifax

A staff report dated May 6, 2013 was before Community Council.

MOVED by Councillor Watts, seconded by Councillor Walker that Halifax and West Community Council give First Reading to the proposed development agreement, as described in Attachment A of the staff report of May 6, 2013, to permit a change to a non-conforming use at 2347 Agricola Street, Halifax, and to schedule a public hearing.

MOTION PUT AND PASSED.

The hearing was scheduled for June 10, 2013 at City Hall.

10.1.2 Case 18017: Application to rezone the north-east corner of Connolly Street and Dudley Street, Halifax

A staff report dated April 24, 2013 was before Community Council.

MOVED by Councillor Watts, seconded by Councillor Mason that Halifax & West Community Council give First Reading to the proposed rezoning of the vacant lot located at the north-east corner of Connolly Street and Dudley Street, Halifax, from the R-2 (General Residential) Zone to the R-2T (Townhouse) Zone, as contained in Attachment A of the staff report dated April 24, 2013 and schedule a public hearing.

MOTION PUT AND PASSED.

The hearing was scheduled for June 10, 2013 at City Hall.

11. MOTIONS

11.1 Councillor Watts

MOVED by Councillor Watts, seconded by Councillor Adams that Halifax & West Community Council direct staff to initiate the process to establish a Planning Advisory Committee for District 8 - Peninsula North. MOTION PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Walker that Halifax & West Community Council direct staff to initiate the process to establish a Planning Advisory Committee for District 7 - Peninsula South-Downtown. MOTION PUT AND PASSED.

It was understood that the Planning Advisory Committee would cover all of District 7 with the exception of the HRM by Design area which is overseen by the Design Review Committee.

12. ADDED ITEMS

12.1 Case 17195: MPS/LUB Amendments and Development Agreement for 6112 Quinpool Road, Halifax

A staff report dated April 22, 2013 was before Community Council.

Ms. Thea Langille, Supervisor of Planning Applications noted that it is staff's intent to hold the MPS, LUB and development agreement hearing concurrently. To do this, Community Council would have to move all three motions outlined in the staff report of April 22, 2013.

MOVED by Councillor Mason, seconded by Councillor Walker that Halifax & West Community Council recommend that Halifax Regional Council:

- 1. Give first reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law as set out in Attachments A and B of the staff report dated April 22, 2013 and schedule a joint public hearing with Halifax & West Community Council.
- 2. Approve the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law, as contained in Attachments A and B of the staff report dated April 22, 2013; and

Furthermore, that Halifax & West Community Council:

3. Move Notice of Motion to consider the proposed development agreement as set out in Attachment C of the staff report of April 22, 3013 to permit the development of a mixed residential and commercial building at 6112

Quinpool Road, Halifax. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.

Councillors Mason and Watts expressed concern over Recommendation 2. They felt it was premature, at first reading, to recommend to Regional Council that it approve the amendments. They requested the following amendment:

 Instead of recommending the approval of the proposed amendments, Community Council should recommend that Regional Council *consider approving* the proposed amendments.

Community Council deemed the amendment friendly and proceeded to vote on the following:

MOVED by Councillor Mason, seconded by Councillor Walker that Halifax & West Community Council recommend that Halifax Regional Council:

- 1. Give first reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law as set out in Attachments A and B of the staff report dated April 22, 2013 and schedule a joint public hearing with Halifax & West Community Council.
- 2. Consider approving the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law, as contained in Attachments A and B of the staff report dated April 22, 2013; and

Furthermore, that Halifax & West Community Council:

3. Move Notice of Motion to consider the proposed development agreement as set out in Attachment C of the staff report of April 22, 3013 to permit the development of a mixed residential and commercial building at 6112 Quinpool Road, Halifax. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation

MOTION PUT AND PASSED.

12.2 Councillor Adams

MOVED by Councillor Adams, seconded by Councillor Watts that Halifax & West Community Council request that staff, in consultation with local residents and the Department of Transportation, prepare a report exploring the possibility, and safety implications, of opening HRM property PID 00560789 on the Prospect Road for public waterfront access. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. Richard MacFarlane of Hazelholme Drive expressed concern over potential road access from Hazelholme Drive to the Northcliffe properties at Dunbrack Street and Lacewood Drive. He noted that local residents tend to walk to Northcliffe, and those who drive, have many parking options. He did not want to see more traffic along Hazelholme Drive and he did not want to see parkland turned into parking.

Councillor Walker agreed that residents had not asked for the road. He, too, had been surprised to see it on the map. However, staff has assured him that it was added for future consideration only. HRM has no intention of building it.

15. IN CAMERA

15.1 Approval of In Camera Minutes – April 22, 2013

Instead of convening in camera, Community Council remained in public session.

MOVED by Councillor Watts, seconded by Councillor Walker that the in camera minutes of April 22, 2013 be approved, as presented. MOTION PUT AND PASSED.

16. NEXT MEETING DATE – June 10, 2013 (City Hall)

17. ADJOURNMENT

The meeting adjourned at 9:32 pm.

Ted Aubut Legislative Assistant