



**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
February 17, 2016**

PRESENT: Councillor Steve Adams, Chair
Councillor Russell Walker, Vice Chair
Councillor Waye Mason
Councillor Jennifer Watts
Councillor Reg Rankin

REGRETS: Councillor Linda Mosher

STAFF: Ms. Karen Brown, Solicitor
Ms. Sherryl Murphy, Deputy Clerk

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:

The meeting was called to order at 6:00 p.m. and Community Council adjourned at

1. **CALL TO ORDER**
2. **APPROVAL OF MINUTES – January 21, 2016**

Councillor Watts noted an error in the spelling of Hienish Avenue.

MOVED by Councillor Walker, seconded by Councillor Mason

THAT the minutes of the meeting of Halifax and West Community Council January 21, 2016, as amended, be approved.

MOTION PUT AND PASSED.

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

Additions:

- 16.1 **Councillor Rankin - Dog Park - Beechville**

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 – 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 19952: Application by Michael Napier Architecture, on behalf of Samir Metlej, - Amendment to Halifax Peninsula Land Use By-law – Application of Schedule Q and Development Agreement**

The following was before Community Council:

- *A staff report dated January 12, 2016*
- *A memorandum from the Chair of the Districts 7 & 8 Planning Advisory Committee dated June 23, 2015.*

Ms. Miles Agar, Planner, presented Case 19952 as set out in the staff report dated January 12, 2016.

Mr. Agar noted that Community Council will not be in position to make a decision on the Development Agreement until such time as Schedule Q is in effect.

Mr. Agar, in response to a question, clarified that the Development would allow for a restaurant/lounge which could be open until midnight seven days per week. He further indicated that the optional ground floor unit would be a two bedroom plus den.

The Chair opened the public hearing and invited the applicant to present.

Michael Napier, MN Architecture, referred to the process followed in bringing forward this proposal noting that an informal public meeting held along with the Public Information Meeting. He indicated that efforts had been made to address the concerns of the Planning Advisory Committee and he believed the process had been successful and that the proposal was a good project. He went on to note that there was no intention to have a lounge use with the restaurant and indicated that the ability to have an additional residential unit on the ground floor would mitigate any concerns regarding empty commercial space. Mr. Napier concluded that the two bedroom + den is more a marketing feature as the den space is large enough to be a bedroom and will have all the required amenities.

The Chair briefly reviewed the speaking rules and invited members of the public to the microphone.

Diane Davis, who lives in the seniors apartment building across street, indicated that her concern was that there is the possibility of a restaurant/lounge open to midnight and there is absolutely no parking. She requested that Community Council consider this possibility.

Erjon Shahinasi, who lives in the building next to the proposal, asked if the setback from his building would remain as it is or be a little further from his building.

Peter Lavelle, Belle-Aire Terrace, referred to the tendency towards building 7-8 storey buildings and indicated that in his opinion this was not the way to densify. He gave the proposal 0 marks for compatibility noting that the outside of the building was a complete mess. He went on to point out that the height will create a canyon effect on Almon Street. Noting that parking had been raised by another neighbour, he stated that the neighbourhood is a parking lot and it becomes more so and that he believed that this particular structure should provide the maximum amount of parking. Parking is a real issue for the neighbourhood.

Jane Hart, Fuller Terrace, agreed with Mr. Lavelle's concern about creating a big tunnel along Almon and Isleville Streets. She indicated that development in the neighbourhood should be three stories maximum. Ms. Hart pointed out that the neighbourhood is incredibly dense as it is with the manor and the other senior's building and this proposal will make it more so. Ms. Hart expressed concern regarding the ground floor commercial space not being occupied. She noted that one residential unit would be allowed under the proposal, but what happens if there is more vacant space on the ground floor. In closing Ms. Hart indicated that the area neighbourhoods are not excited about this proposal.

Judith Merrick, Black Street, referring to the parking issues in the area noted that there was one opportunity to put in enough parking and Council must insist that there be one parking spot per unit.

The Chair called three times for any additional speakers. No one came forward.

MOVED by Councillor Rankin, seconded by Councillor Walker

THAT the public hearing be closed.

MOTION PUT AND PASSED.

The Chair invited Mr. Napier to respond to the concerns from the public.

In response to concerns, Mr. Napier noted that:

- A mixed use development requires commercial and suggested that the reason some commercial space is not leased is because that it is a requirement in some zones
- The building setback on the residential portion of the building will mitigate the tunnel effect
- Parking in the evening will not be as great a problem as in the day
- Any noise from the lounge will disturb the tenants in his building more than those across the street. He went on to indicate that there were 27 assigned parking spots and that the compatibility of the building was a matter of individual taste.

Mr. Agar, responding to Mr. Shahinasi question regarding the setback abutting the property from the east, noted that the first three stories were close to the property line.

MOVED by Councillor Watts, seconded by Councillor Walker

THAT Halifax and West Community Council:

Adopt the amendment to Map ZM-2 of the Halifax Peninsula Land Use By-law as Presented in Attachment A of the report dated January 12, 2016.

Councillor Watts noted that the concerns have been consistent and require addressing. She reviewed the concerns noting that the increasing number of developments will be addressed through the Centre Plan. She expressed concern with the potential for a lounge/restaurant operating until midnight noting that the latest hours in the Hydrostone are 11 p.m. She asked that staff confer with the developer to determine if there could be earlier closing hours. Councillor Watts noted that the parking provided is the minimum (25 tenant spaces and two (2) guest parking).

Councillor Walker asked if the Development Agreement could require more than 27 spaces. He went on to note that the two bedroom/den combination may be more attractive to potential renters than three bedrooms.

Councillor Rankin confirmed that the conversion of use from commercial to residential would require a supplementary report to Community Council.

Mr. Agar noted that following the Land Use By-law amendments coming into effect, Community Council will consider the Development Agreement and staff will provide guidance on the matters to be included in the Development Agreement.

Councillor Mason indicated that the time of day restrictions in mixed use complexes are of interest to him. He again voiced concern regarding the limitations placed on Councillors in the joint public hearing process.

Councillor Watts noted that Community Council is signaling issues and staff will determine which of these are substantive/non-substantive when the Development Agreement comes before Community Council. The Councillor asked if patios would be allowed with the restaurant/lounge and noted that the Province is undergoing a review of liquor license regulation and it is important to understand the potential implications of any changes.

MOTION PUT AND PASSED

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Deputy Clerk advised that correspondence dated January 17, 2016 had been received from Sister Helen Wallace regarding development of the Motherhouse lands at Mount Saint Vincent University. This correspondence has been distributed to members of Council.

11.2 Petitions – NONE

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Case 18464: MPS and LUB Amendments and Development Agreement, Bright Place, Lady Hammond Rod and Normandy Drive

The following was before Community Council:

- *A staff recommendation report dated February 2, 2016*
- *A memorandum from the Chair of the Districts 7 & 8 Planning Advisory Committee dated April 2/June 23, 2015.*

MOVED by Councillor Watts, seconded by Councillor Mason:

That Halifax and West Community Council recommend that Halifax Regional Council

- 1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB) as set out in Attachments A and B of the report dated February 2, 2016 and schedule a Joint Public Hearing with Halifax and West Community Council; and**
- 2. Approve the proposed amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law as contained in Attachments A and B of the report dated February 2, 2016; and**

That Halifax and West Community Council:

- 3. Give Notice of Motion to consider the proposed development agreement as set out in Attachment C of the report dated February 2, 2016 to permit a multiple-unit residential development at 3631 and 3639 Bright Place, 6100 Normandy Drive and Parcel X, a portion of the former Bright Place right-of-way fronting Lady Hammond Road, Halifax. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.**

Councillor Watts confirmed that the proposal was one less storey than presented at the PIM.

Councillor Mason once again expressed concern regarding the joint public hearing process indicating that he would prefer to have two hearings if the joint public hearing process continues to be so restrictive. Councillor Mason indicated that he would like a process which allows for discussion of the Development Agreement. The existing process does not permit Councillors to discuss the proposal from the time of the hearing, where discussion of the Development Agreement is not encouraged, until the matter comes back to Community Council for decision on the Development Agreement.

MOTION PUT AND PASSED.

13.1.2 Case 18332: MPS and LUB Amendment and Development Agreement: - 6124 Coburg Road and 1480, 1462, 1470, and 1474 Seymour Street, Halifax

The following was before Community Council:

- *A staff recommendation report dated February 8, 2016*

MOVED by Councillor Mason, seconded by Councillor Walker

That Halifax and 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 report dated February 8, 2016 and schedule a joint public hearing with Halifax and West 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 report dated February 8, 2016; and**

That Halifax and West Community Council:

- 3. Give Notice of Motion to consider the proposed development agreement as set out in Attachment C of the report dated February 8, 2016 to permit the development of a mixed residential and commercial building at 6124 Coburg Road and 1460, 1462, 1470 and 1474 Seymour Street, Halifax. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.**

MOTION PASSED.

14. MOTIONS - NONE

15. IN CAMERA (IN PRIVATE)

15.1 Personnel Matter

15.1.1 Districts 7 & 8 Planning Advisory Committee

MOVED by Councillor Watts, seconded by Councillor Mason

That Halifax and West Community Council:

- 1) Proceed to appoint one (1) citizen member to fill an unexpired term to November, 2016 as outlined in the private and confidential report dated February 10, 2016**
- 2) It is further recommended that the citizen appointment be released to the public following ratification and notification of the successful candidate.**

MOTION PUT AND PASSED.

16. ADDED ITEMS

16.1 16.1 Councillor Rankin - Dog Park - Beechville

This matter was added during the setting of the agenda. A Councillor request for consideration form was before the Community Council

MOVED by Councillor Rankin, seconded by Councillor Walker`:

The Halifax & West Community Council requests a staff report on the feasibility of a fenced dog park on the rear portion of HRM owned Parkland at Beech Tree Run, Beechville Estates with greater delineated portion of HRM owned parkland being utilized as a multi-use park.

MOTION PUT AND PASSED.

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

The Chair invited members of the public to public participation. No members of the public came forward.

19. DATE OF NEXT MEETING – March 1, 2016

20. ADJOURNMENT

The meeting was adjourned at 8:04 p.m.

Sherryl Murphy
Deputy Clerk