



**HALIFAX AND WEST COMMUNITY COUNCIL  
MINUTES  
November 15, 2016**

PRESENT: Councillor Stephen Adams, Chair  
Councillor Wayne Mason, Vice Chair  
Councillor Lindell Smith  
Councillor Shawn Cleary  
Councillor Russell Walker  
Councillor Richard Zurawski

STAFF: Ms. Karen Brown, Senior Solicitor  
Ms. Sheilagh Edmonds, 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/1601115hwcc-agenda.php>*

*The meeting was called to order at 6:00 p.m. adjourned at 7:15 p.m.*

**1. CALL TO ORDER**

The Legislative Assistant called the meeting to order at 6:00 p.m.

**ELECTION OF CHAIR AND VICE CHAIR**

The Legislative Assistant opened the floor for nominations for the position of Chair.

MOVED by Councillor Mason, seconded by Councillor Walker

**THAT Councillor Adams be nominated as Chair.**

**MOTION PUT AND PASSED.**

The Legislative Assistant called three times for any further nominations; there being none, it was

MOVED by Councillor Walker, seconded by Councillor Cleary

**THAT nominations close.**

**MOTION PUT AND PASSED.**

The Legislative Assistant declared Councillor Adams as Chair, and turned the meeting over to him and he carried out the election of Vice Chair.

The Chair called for nominations for Vice Chair.

MOVED by Councillor Walker, seconded by Councillor Cleary

**THAT Councillor Mason be nominated as Vice Chair**

**MOTION PUT AND PASSED.**

The Chair called three times for any further nominations; there being none, it was

MOVED by Councillor Walker, seconded by Councillor Cleary

**THAT nominations close.**

**MOTION PUT AND PASSED.**

The Chair declared Councillor Mason as Vice Chair.

**2. APPROVAL OF MINUTES – September 13, 2016**

MOVED by Councillor Walker, seconded by Councillor Mason

**THAT the minutes of September 13, 2016 be approved.**

**MOTION PUT AND PASSED**

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

At the request of Councillor Walker, Community Council agreed to deal with item 13.1.2 at the end of the agenda.

There were no additions or deletions to the agenda.

MOVED by Councillor Mason, seconded by Councillor Zurwaski

**THAT the agenda be approved.**

Two-third majority vote required.

**MOTION PUT AND PASSED.**

- 4. BUSINESS ARISING OUT OF THE MINUTES**
- 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 20326 – Substantive Development Agreement Amendments for a development on the corner of Isleville Street and Bilby Street, Halifax**

The following was before Community Council:

- A staff recommendation August 31, 2016.

Ms. Maggie Holm, Principal Planner presented the application for substantive amendments to an existing Development Agreement that would enable 15 additional units to the building, allow for live-work spaces within the ground-level units that have direct frontage on Isleville Street and Bilby Street, enable minor modifications to the exterior architectural materials, and increase the number of parking spaces from 60 to 66.

Ms. Holm responded to questions of clarification.

The Chair reviewed the rules of procedure for public hearings. He opened the hearing and invited the applicant to come forward at this time if he wished.

Mr. Michael Napier, Michael Napier Architecture addressed Council on behalf of the property owner. Mr. Napier advised that the property owner believes the unit mix of the original development agreement is not what is required for the North End area at this time, and there is concern about the ability to lease townhouses. Mr. Napier added that the neighbourhood also suffered from a loss of commercial activity, so it was felt that developing units that would enable a work/live concept would give the flexibility of appealing not only to families, but for people that wanted to work and live in the same area. He noted other minor revisions they have planned would result in 6 additional parking spots; the building is moved back so the townhouse units will have more front yard; and that these changes would not result in any changes in size of the building.

Mr. Napier responded to questions, clarifying the following points:

- Parking spaces in front the development will not be lost
- The increase in frontage will be along Isleville Street
- The additional units requested will not result in a bigger building; it is a reconfiguration of the building.

The Chair called three times for anyone else wishing to speak to this matter; there being none, it was

MOVED by Councillor Zurawski, seconded by Councillor Walker

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Smith, seconded by Councillor Mason

**THAT Halifax and West Community Council**

1. **Approve the proposed Amending Agreement, as contained in Attachment A of the report dated August 31, 2016; 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, which is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED.**

**10.2 VARIANCE APPEAL HEARINGS - NONE**

**11. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**11.1 Correspondence**

The Legislative Assistant advised that correspondence has been received for items 13.1.1 and 13.1.8, and has been distributed to Community Council.

**11.2 Petitions - None**

**11.3 Presentation - None**

**12. INFORMATION ITEMS BROUGHT FORWARD – NONE**

**13. REPORTS**

**13.1 STAFF**

**13.1.1** Case 18388: Amendments to the Halifax MPS and Peninsula LUB for 6389, 6395 and 6399 North Street, Halifax

The following was before Community Council:

- A staff recommendation report dated November 1, 2016

- A Memorandum dated March 22, 2016 submitted by the Chair of the District 7 and 8 Planning Advisory Committee
- Correspondence submitted from: David McNeil, Ken Lane, David and Dawn Miller, Fr. Christopher Snook, Joan Fraser, Talan Iscan, Anna LeRue, David Willis, Chris Caines, Jill Wilson, Susan Wozniak, Paul Smith & Leslie MacMillan, Kathryn Vincer, Blair Beed, Ines Rei, Jim Christian, Sara Kirk, Wendy Bird, Marlene Coffey, Pat White, Janis Brown, Robert Zinck, Joyce Glasner and Doug Strongman, Meaghan Clark (on behalf of Heather Clark, Ron Clark, Jeff Smith, Saskia Clinton, and herself), George and Shirley Borgal, Andrea D'Sylva, Sharon Leahy, Erin McNeil, Cheryl and John Doucette, Barbara Swanson, Lolo and Frand Doane, Chris Payne, Anne King, Paul Caskey, Jane Doucet, Lachlan MacLeod and Cassie Guinan, and Helen Fraser

MOVED by Councillor Smith, seconded by Councillor Zurawski

**THAT Halifax and West Community Council recommend that 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 staff report dated November 1, 2016, to enable a multi-unit residential building at 6389, 6395 and 6399, North Street, Halifax, and schedule a public hearing; and**
- 2. Approve the proposed amendments to the Halifax MPS and Halifax Peninsula LUB, as set out in Attachments A and B of the staff report dated November 1, 2016.**

Councillor Smith advised that he received a lot of correspondence in regard to this application with concerns expressed about the height of the proposal, traffic, and that the residents do not feel they are being heard. Councillor Smith added that he believed the development was not suitable for the area and asked members of Community Council to defeat the motion on the floor.

Councillor Mason advised that he could not support the staff recommendation as he believes the density is too much for the site, and he suggested that if the Centre Plan were approved, it would not permit this development.

Councillor Cleary indicated he was concerned with the proposal due to the current zoning and that the Centre Plan process is underway. He noted that he believed the design was good, and he appreciated the sidewalk space, but that the height was too much for the area. He advised he would not support the staff recommendation.

Councillor Zurawski advised that he did not support the application, adding that the Councillors received many letters from residents and that, while there were some good aspects with the proposal, it was important to listen to the community; and, as well, he believed this application should wait until the Centre Plan has been approved and the proposal revisited at that time.

For the information of those sitting in the public gallery, the Chair asked the Solicitor to advise on the course of action should community council vote down the staff recommendation or approve the staff recommendation.

The Solicitor advised that the matter would still go forward for Regional Council's consideration, adding that this is a recommendation to Regional Council as to what this Community Council is recommending, but the decision whether to proceed or not lies with Regional Council.

Councillor Mason referenced recommendation 2 and questioned that if the motion was defeated would staff take this forward as a staff recommendation or would it go forward as a negative recommendation from Community Council.

The Chair advised that it would go forward as a negative recommendation

**MOTION PUT AND DEFEATED UNANIMOUSLY.**

**13.1.2 Councillor Appointments to Boards and Committees**

This item was dealt with later in the meeting. See page 9.

**13.1.3 2017 Meeting Schedule**

The following was before Community Council:

- A proposed meeting scheduled from 2017.

MOVED by Councillor Walker, seconded by Councillor Mason

**THAT Halifax and West Community Council approve the proposed 2017 Meeting Schedule.**

**MOTION PUT AND PASSED.**

**13.1.4 RP16-02: Proposed amendment to the R-2P Zone to the Halifax Mainland Land Use Bylaw**

The following was before Community Council:

- A staff recommendation report dated August 21, 2016.

MOVED by Councillor Cleary, seconded by Councillor Walker

**THAT Halifax and West Community Council give First Reading to consider approval of the proposed amendments to the Land Use By-law for Halifax Mainland, as set out in Attachment A of the report dated August 21, 2016, to clarify the requirements for semi-detached dwellings within the R-2P Zone, and schedule a public hearing.**

**MOTION PUT AND PASSED.**

**13.1.5 Case 20386: Non-substantive Amendments to the Development Agreement for 3480 Joseph Howe Drive, Halifax**

The following was before Community Council:

- A staff recommendation report dated November 1, 2016.

MOVED by Councillor Walker, seconded by Councillor Zurawski

**THAT Halifax and West Community Council refuse, by resolution, the proposed amending agreement, as set out in Attachment A of the staff report dated November 1, 2016.**

Councillor Walker requested that Community Council defeat the motion. He noted that the property in question is a commercial parking lot and there were no residents living nearby, therefore he did not believe the signs would negatively impact on anyone.

**MOTION PUT AND DEFEATED.**

MOVED by Councillor Walker, seconded by Councillor Cleary

**THAT Halifax and West Community Council approve the proposed amending agreement, which shall be substantially of the same form as set out in Attachment A of the November 1, 2016 staff report and in do so require the amending 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.**

**13.1.6 Case 19531: Amendments to the Halifax MPS and Halifax Peninsula LUB for the northern corner of Young Street and Windsor Street, Halifax**

The following was before Community Council:

- A staff recommendation report dated November 1, 2016
- A Memorandum dated November 24, 2016 submitted by the Chair of the Districts 7 and 8 Planning Advisory Committee

MOVED by Councillor Smith, seconded by Councillor Walker

**THAT Halifax and West Community Council recommend that Regional Council:**

1. **Give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Halifax Peninsula, as set out in Attachments A and B of this report, to enable a mixed use, commercial and high density residential development at the northern corner of Young Street and Windsor Street, Halifax and schedule a public hearing; and**
2. **Approve the proposed amendments to the MPS for Halifax and the LUB for Halifax Peninsula, as set out in Attachments A and B of this report.**

Councillor Smith indicated that when the public hearing occurs he has technical questions about the proposal that he would bring forward. He added that in his review of the proposal he believes it would be a good opportunity for consideration of affordable housing, increasing the percentage of three-bedroom units because it is in an area of families, and providing more green space.

**MOTION PUT AND PASSED.**

**13.1.7 Case 20450 – Amendment to Stage II Development Agreement, 980 Parkland Drive, Halifax**

The following was before Community Council:

- A staff recommendation report dated November 1, 2016.

MOVED by Councillor Zurawski, seconded by Councillor Mason

**THAT Halifax and West Community Council:**

1. **Approve, in resolution, the amending Stage II development agreement which shall be substantially of the same form as set out in Attachment A, to permit seven additional hotel rooms within the ground floor of an existing hotel development at 980 Parkland Drive, Halifax; 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.**

**MOTION PUT AND PASSED.**

**13.1.8 Case 19858: Amendments to the Halifax MPS and Peninsula LUB for 6345 Coburg Road, Halifax**

The following was before Community Council:

- A staff recommendation report dated November 1, 2016
- A Memorandum dated March 3, 2016 from the Chair of the Districts 7 and 8 Planning Advisory Committee
- Correspondence was submitted from Thomas Black

MOVED by Councillor Mason, seconded by Councillor Cleary

**THAT Halifax and West Community Council recommend 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 staff report dated November 1, 2016, to enable a multi-unit residential building at 6345 Coburg Road, Halifax, and schedule a public hearing; and**
2. **Approve the proposed amendments to the Halifax MPS and Halifax Peninsula LUB, as set out in Attachments A and B of the staff report dated November 1, 2016.**

**MOTION PUT AND PASSED.**

**13.1.9 BMX Dirt Jump Facility in Armdale/Springvale**

The following was before Community Council:

- A supplementary staff report dated October 26, 2016.

MOVED by Councillor Cleary, seconded by Councillor Zurawski

**THAT Halifax and West Community Council recommend Regional Council not proceed with a recommendation to Regional Council for the development of a BMX dirt jump facility in the Armdale/Springvale area.**

**MOTION PUT AND PASSED.**

**14. MOTIONS - NONE**

**15. IN CAMERA (IN PRIVATE)**

**15.1 In Camera (In Private) Minutes – September 13, 2016**

Community Council did not convene in camera. The minutes were approved in the public session

MOVED by Councillor Walker, seconded by Councillor Mason

**THAT the minutes of September 13, 2016 as presented.**

**MOTION PUT AND PASSED.**

**16. ADDED ITEMS – None**

**17. NOTICES OF MOTION**

**17.1 Councillor Cleary**

Councillor Cleary gave notice that at the next regular meeting of Halifax and West Community Council he will request a staff report regarding the possible expansion of the District 7 and 8 Planning Advisory Committee to include the entire Halifax Peninsula.

**18. PUBLIC PARTICIPATION**

Mr. Colin May, Dartmouth, addressed Community Council and referenced the staff report on the agenda dealing with a sign issue. He expressed concern about the matter, noting that he was aware of a previous situation where a developer willingly and knowingly put up signs that were not permitted in his Development Agreement, and then came back after the fact to seek approval.

**13.1.2 Councillor Appointments to Boards and Committees**

The following was before Community Council:

- A Table listing the Boards and Committees requiring appointments of Halifax and West Community Council Members.

MOVED by Councillor Zurawksi, seconded by Councillor Cleary

**THAT Halifax and West Community Council nominate representatives for each of the Standing and Advisory Committees set out in the Table for Councillor Appointments distributed for this meeting and forward to Regional Council for ratification as follows:**

- **Audit and Finance Standing Committee – Councillor Russell Walker**
- **Community Planning and Economic Development Standing Committee – Councillor Lindell Smith**
- **Environment and Sustainability Standing Committee - Councillor Richard Zurawski**
- **Transportation Standing Committee – Councillor Shawn Cleary**
- **Grants Committee – Councillor Russell Walker**
- **District 7 and 8 Planning Advisory Committee – Councillor Lindell Smith and Councillor Waye Mason**
- **Appeals Standing Committee – Councillor Russell Walker and Councillor Stephen Adams**

**MOTION PUT AND PASSED.**

**19. DATE OF NEXT MEETING - Wednesday, December 14, 2016**

**20. ADJOURNMENT**

The meeting adjourned at 7:15 p.m.

Sheilagh Edmonds  
Legislative Assistant