



**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
February 17, 2015**

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

STAFF: Ms. Karen Brown, Solicitor
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/150217hwcc-agenda.php>

*The meeting was called to order at 6:05 p.m. and
adjourned at 6:42 p.m.*

1. CALL TO ORDER

The Chair called the meeting to order at 6:05 p.m.

**2. APPROVAL OF MINUTES – December 16, 2014, January 20, 2015, and
January 28, 2015**

Councillor Walker noted an error on page 1 of the January 28, 2015 minutes.

**MOVED by Councillor Walker, seconded by Councillor Watts that the minutes of
December 16, 2014 and January 20, 2015 be approved as circulated and the
minutes of December 28, 2015 be tabled. MOTION PUT AND PASSED.**

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

**MOVED by Councillor Walker, seconded by Councillor Mason that the agenda be
approved as circulated. MOTION PUT AND PASSED.**

4. BUSINESS ARISING OUT OF THE MINUTES

**MOVED by Councillor Mosher, seconded by Councillor Mason to request all
outstanding status sheet items, including community councils prior to Halifax be
brought forward to the next meeting. MOTION PUT AND PASSED.**

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 19293 - Development Agreement for 5599 Fenwick Street, Halifax
(Fenwick Tower Property)**

The following was before Community Council:

- *A staff recommendation report dated December 12, 2014*
- *A Memorandum from the Districts 7 & 8 Planning Advisory Committee*
- *A staff presentation dated February 17, 2015*

Mr. Miles Agar, Planner, presented Case 19293 as described in the December 12, 2014 staff report.

Councillor Watts inquired regarding accessibility on the site, stating that it had been a concern of the Planning Advisory Committee (PAC). She asked whether the passageway from South St. to Fenwick St. would be accessible for wheelchair users. Mr. Agar responded that following the PAC meeting the developer had demonstrated that the passageway would be accessible.

The Chair asked for any more questions of clarification and then called on the applicant.

Mr. Joe Metlege, President, Templeton Properties, did not wish to add anything further to Mr. Agar's presentation.

The Chair called for any members of the public to speak. He called three more times and there were none.

MOVED by Councillor Walker, seconded by Councillor Mason that the public hearing be closed.

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

- 1. Approve the proposed development agreement, as contained in Attachment A of the staff report dated December 12, 2014;**
- 2. Require that the 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 will be void and obligations arising hereunder shall be at an end;**
- 3. Approve, by resolution, the discharge agreement for the existing development agreement, as contained in Attachment B of the report dated December 12, 2014, to take effect upon the registration of the new development agreement; and**
- 4. Require the discharge agreement be signed by the property owner within 120 days from the date the new development agreement has been approved by Council 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 discharge agreement shall be void.**

MOTION PUT AND PASSED.

8.2 VARIANCE APPEAL HEARINGS – NONE

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence

9.2 Petitions

9.3 Delegations

10. REPORTS

10.1 STAFF

**10.1.1 Case 18548 LUB Amendment and Development Agreement – 2215
Gottingen Street, Halifax**

The following was before Community Council:

- *A supplementary staff recommendation report dated January 14, 2015*

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

1. Approve the proposed development agreement as contained in Attachment A of the report dated January 14, 2015, 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.

Mr. Mitch Dickey, Planner, responded to Councillor Watts' inquiries regarding the possibility of density bonusing, how the proposal met the mid-rise criteria, and affordable housing. He noted that while the Municipal Planning Strategy (MPS) encourages the provision of affordable housing it does not establish an actual requirement and therefore the development agreements before Council cannot require the provision of such housing. He noted that the proposal has been reviewed as if it was for a standard mixed use building. He commented that the developer has entered into an agreement with the province to provide the affordable housing. He further noted, as outlined in the May 20, 2014 staff report, that the MPS exempts projects in Area 8 from the density standards that typically apply to most properties in the C-2 zone and that inclusion of the property in schedule Q gives Council discretion in the development agreement process as to what comprises an appropriate density and a medium rise form.

Councillor Watts commented that the design responds adequately to adjacent properties and noted that these matters were considered through the stages of review.

MOTION PUT AND PASSED.

10.1.2 Case 18547 – LUB Amendment and Development Agreement – 2183 Gottingen Street, Halifax

The following was before Community Council:

- *A staff recommendation report dated January 21, 2015*

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

1. Approve the proposed development agreement as contained in Attachment A of the report dated January 21, 2015, 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.

Councillor Watts commented that both Gottingen Street developments are distinct proposals with their own changes. She indicated that currently there is no ability to require affordable housing, although this was part of the discussion with the public. Councillor Watts also commented on schedule Q and the application's response to adjacent properties.

MOTION PUT AND PASSED.

10.1.3 Case 17174: Amendments to the Halifax MPS and Halifax Peninsula LUB, and a Development Agreement - 1017 & 1021 Beaufort Avenue, Halifax

The following was before Community Council:

- *A staff recommendation report dated January 23, 2015*
- *A staff presentation dated February 17, 2015*

MOVED by Councillor Mason, seconded by Councillor Watts that Halifax and West Community Council recommend that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy for Halifax (MPS) and the Land Use By-law for Halifax Peninsula (LUB) as contained in Attachments A and B of the report dated January 23, 2015 and schedule a joint public hearing with Halifax and West Community Council;

2. Approve the proposed amendments to the Halifax MPS and the Halifax Peninsula LUB, as contained in Attachments A and B of the report dated January 23, 2015.

and that Halifax and West Community Council:

3. Move Notice of Motion to consider the proposed development agreement as contained in Attachment C of the report dated January 23, 2015 to permit 6 detached one family dwelling houses at 1017 and 1021 Beaufort Avenue, Halifax as shown on Map 1. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation #1.

Councillor Mason inquired if the agreement would adhere to the R1 zone, setback from the property line on Regina Terrace, Gross Floor Area (GFA), and architectural style. He stated that the houses should fit in with the neighbourhood aesthetically. He inquired about the outcome of contemporary architecture inspired by traditional vernacular and craftsman.

Mr. Agar responded in the affirmative to the question about changes adhering to the R1 zone. Regarding setbacks, Mr. Agar presented Schedule C of the January 23, 2015 report. He indicated that the agreement would split the site into six home sites and would be required to set back the main distance shown on the plan. Mr. Agar stated that the existing definition of GFA would be used as found in the land use bylaw. Mr. Agar also responded regarding the architecture, section 3.8.2c, Attachment A of the January 23, 2015 report. He stated that the intent was to allow flexibility of a more contemporary building while including elements such as pitched roof and dormers as described in section 3.8.2b, to keep with the spirit of single family buildings.

Councillor Mason indicated that he still had concerns about the potential maximum size of the homes but voiced support for the proposal.

Councillor Watts voiced approval of the detail provided with this application. She questioned if this detail was only achievable through a development agreement. She indicated that the type of details such as tree conservation were what residents would like to see included in applications.

Mr. Agar commented that this proposal included a tree preservation plan. He stated that other matters in the future could be dealt with through new zoning, or setbacks; however, zoning was limited.

MOTION PUT AND PASSED.

11. MOTIONS

12. IN CAMERA

12.1 Approval of In Camera Minutes – December 16, 2014

In Camera minutes were approved in regular session.

MOVED by Councillor Mason, seconded by Councillor Walker that the In Camera minutes of December 16, 2014 be approved as circulated. MOTION PUT AND PASSED.

13. ADDED ITEMS – NONE

14. NOTICES OF MOTION

15. PUBLIC PARTICIPATION

16. DATE OF NEXT MEETING – March 3, 2015

17. ADJOURNMENT

The meeting was adjourned at 6:42 p.m.

Andrew Reid
Legislative Assistant