

# HALIFAX

P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 11.2.1**  
**Halifax Regional Council**  
**January 13, 2015**

**TO:** Mayor Savage and Members of Halifax Regional Council

Original Signed

**SUBMITTED BY:** Councillor Stephen Adams, Chair, Halifax & West Community Council

**DATE:** January 2, 2015

**SUBJECT:** Request for Staff Report – Increase of Notification Area for Variance Appeal Hearings

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## ORIGIN

December 16, 2014 meeting of Halifax & West Community Council, Item No. 11.2.1

## LEGISLATIVE AUTHORITY

HRM Charter respecting Community Councils, Part 1, Clause 25(e) (i) which states “making recommendations to the Council respecting any matter intended to improve conditions in the community including, but not limited to, recommendations respecting inadequacies in existing services provided to the community and the manner in which they might be resolved, additional services that might be required and the manner in which the costs of funding these services might be raised”

## RECOMMENDATION

It is recommended by Halifax and West Community Council that Halifax Regional Council request a staff report regarding the implications of increasing the notification distances for variance appeals from the current thirty (30) meter radius to fifty (50) and up to one hundred (100) meters, including potential amendments to the Halifax Municipal Charter.

## **BACKGROUND**

At the December 16, 2014 meeting of Halifax and West Community Council, Councillor Mosher proposed a motion requesting a staff report identifying the implications of increasing the notification distances for variance appeals from the current thirty (30) meter radius to a one hundred (100) meter radius.

For further information please refer to the attached Request for Consideration form.

## **DISCUSSION**

Halifax and West Community Council considered this matter at its meeting held on December 16, 2014 and approved an amended motion requesting that Halifax Regional Council request staff to investigate the implications of increasing the notification distance for Variance Appeals to 50 meters and up to 100 meters as outlined in this report.

As matters related to notification regarding variance appeals are matters related to Section 251 – Variance Procedures- of the Halifax Regional Charter and various Land Use By-laws of the Municipality the request was referred to Regional Council for consideration.

## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report. The requested report, if approved, will capture the financial implications associated with increasing the notification area for Variance Appeal hearings.

## **COMMUNITY ENGAGEMENT**

Community Council meetings are open to the public. Each regular meeting includes a Public Participation portion at the end of each agenda

## **ENVIRONMENTAL IMPLICATIONS**

There are no Environmental Implications associated with this report.

## **ALTERNATIVES**

Halifax and West Community Council did not discuss alternatives.

## **ATTACHMENTS**

1. Request for Consideration form – Halifax and West Community Council

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Liam MacSween, Legislative Assistant, 902-490-6521.

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## Attachment 1

<b>Request for Consideration: Halifax &amp; West Community Council</b>		
<input checked="" type="checkbox"/> <b>Agenda Item</b> (Submitted to Municipal Clerk's Office by Noon at least 5 working days prior to the meeting)	<input type="checkbox"/> <b>Added Item</b> (Submitted to Municipal Clerk's Office by Noon at least one day prior to meeting)	<input type="checkbox"/> <b>Request from the Floor</b>
<b>Date of Meeting:</b>		
<b>Subject:</b>		
<b>Motion for Halifax &amp; West Community Council to Consider:</b>  That Halifax and West Community Council recommend that Halifax Regional Council request a staff report regarding the implications of increasing the notification distances for variance appeals from the current 30 meter radius to a 100 meter radius including potential amendments to the Halifax Municipal Charter.		
<b>Reason:</b>  Increasing the variance mandatory notification area was approved by the former Chebucto Community Council. Unfortunately no report came forward as a result of this unanimously approved motion. Given the number of variances coming before Halifax & West Community Council and the fact that they can affect numerous residents, not just those that own property in the 30 m radius, the notification area should be increased. In addition some areas have multi-lane roadways which can take up the 30 m radius and thus residents living across the street may not be afforded input into local planning decisions.		
<b>Outcome Sought:</b>  Increased notification area for variance applications and the ability for a greater number of property owners being able to comment upon planning decisions that impact them directly.		
<b>Councillor</b> <i>Linda Mosher</i>		<b>District</b> <i>9 – Halifax West Armdale</i>