

HALIFAX REGIONAL COUNCIL  
MINUTES

November 15, 2011

PRESENT:

Mayor Peter Kelly  
Deputy Mayor Bill Karsten  
Councillors: Steve Streach  
Barry Dalrymple  
David Hendsbee  
Lorelei Nicoll  
Gloria McCluskey  
Darren Fisher  
Jackie Barkhouse  
Jim Smith  
Mary Wile  
Jerry Blumenthal  
Dawn Sloane  
Sue Uteck  
Jennifer Watts  
Russell Walker  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Robert Harvey  
Tim Outhit  
Reg Rankin  
Peter Lund

STAFF:

Mr. Richard Butts, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Ms. Krista Vining, Legislative Assistant

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**1. INVOCATION**

Mayor Kelly called the meeting to order at 6:00 with the Invocation being led by Councillor Walker.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of acknowledgements and community events.

**3. APPROVAL OF MINUTES – Committee of the Whole September 27, 2011**

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the Committee of Whole minutes of September 27, 2011 be approved, as presented. MOTION PUT AND PASSED.**

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

**MOVED by Councillor Johns, seconded by Deputy Mayor Karsten, that Item 11.1.3 - Request for Proposal # 11-157 – Weir Field – All Weather Athletic Field Replacement be moved up on the agenda prior to the Public Hearing. MOTION PUT AND PASSED.**

**MOVED by Councillor Uteck, seconded by Councillor Mosher to move into In Camera following the Public Hearing to approve the In Camera minutes of November 8, 2011. MOTION PUT AND DEFEATED.**

**MOVED by Councillor Hum, seconded by Councillor Watts to add a discussion respecting the Occupy Nova Scotia issue to the agenda.**

Councillor Sloane requested a recorded vote.

Ms. Mary Ellen Donovan, Municipal Solicitor advised that the Occupy Nova Scotia matter is before the Courts. Public discussion about matters that are before the Courts is never recommended. On that basis Ms. Donovan advised against any public discussion about events of November 11, 2011 and noted that the decision was Council's to take.

Ms. Mellett, Municipal Clerk, clarified that there was a request for an added item for the November 15, 2011 Council agenda in regard to Occupy Nova Scotia. During the setting of the agenda the advice from the Municipal Solicitor was to first address the matter In Camera in order to provide Council with legal advice which would be subject to solicitor-client privilege. Notice of an In Camera meeting, to be held on November 8, 2011 at 4 p.m. was provided to Regional Council and posted on HRM's website. When Council convened In Camera a motion was required to be placed on the floor as to

whether Council wished to suspend the rules of order to allow for the shorter notice period, which Council did not support, and the In Camera meeting was suspended.

Council requested a recorded vote be taken on the two-thirds required to add the Occupy Nova Scotia item to the public agenda.

Following further questions of clarification, a recorded vote was taken.

**MOTION PUT AND DEFEATED. (8 in favor and 16 opposed)**

Those voting in favour were: Councillors Barkhouse, Hum, Lund, Outhit, Sloane, Smith, Uteck and Watts.

Those voting against were: Mayor Kelly, Deputy Mayor Karsten, Councilors Streach, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Johns, McCluskey, Mosher, Nicoll, Rankin, Streach, Walker and Wile.

**MOVED by Councillor Wile, seconded by Councillor Blumenthal that the Order of Business be approved, as amended. MOTION PUT AND PASSED.**

5. **BUSINESS ARISING OUT OF THE MINUTES – NONE**
6. **MOTIONS OF RECONSIDERATION – NONE**
7. **MOTIONS OF RESCISSION – NONE**
8. **CONSIDERATION OF DEFERRED BUSINESS – NONE**

Item 11.1.3 was addressed at this time.

Councillor Streach declared a personal conflict of interest with Item 11.1.3 and exited the Chambers at 6:23 p.m.

**11.1.3 Request for Proposal # 11-157 – Weir Field – All Weather Athletic Field Replacement**

A revised staff report dated October 14, 2011 was circulated to Council.

**MOVED by Councillor Johns, seconded by Councillor Smith that Halifax Regional Council:**

1. **Award RFP No. 11-157 to the highest scoring proponent, Turfmasters Landscaping Limited, for a Total Project Cost of \$514,752.57 (net HST included), with funding from Project No. CPX01326 – Artificial Field Recapitalization, as outlined in the Budget Implications section of the revised October 14, 2011 staff report; and**
2. **Approve an increase of reserve withdrawals from Upper Sackville Turf Reserve, Q124, in the amount of \$275,000 to fund the above project as**

**outlined in the budget implications section of the revised October 14, 2011 staff report.**

Councillor Johns noted that this is the only artificial turf in HRM with a reserve to offset field costs. Almost 50% of this project is being paid for from the reserve and he commended the community volunteers for raising \$275,000 over the last 10 years towards this project.

**MOTION PUT AND PASSED.**

**9. PUBLIC HEARINGS – 6:00 P.M.**

**9.1 Case 01254 – Municipal Planning Strategy and Land Use By-Law Amendments and Development Agreement – 3620 Dutch Village Road, Halifax (former Halifax West High School Site)**

The following was before Council for review and consideration:

- Extract of Draft Regional Council Minutes – October 25, 2011
- Report from the Chebucto Community Council dated October 4, 2011
- Submissions from Allan Owen, Karen O’Driscoll, John D. Conn, Kim Hinxman MacQueen, Andrew Feenstra, Carol Peters, Jimmy Karountzos, Iain Grant, Dimo Georgakakos, Brad and Eva Doell, Charles Beaver, Wilson and Ana Jenkins, Joyce Coley, Belinda Sue Hollett, Darlene Duggan, George Graham, Paula Murray, Jamie Power, Karen Brown, Tamara Lorincz, Victoria Flemming, CJ Brown, Arthur Irving and Margie McDonnell-Welsh

Mr. Paul Sampson, Planner, Planning and Infrastructure, delivered a presentation on Case 01254– Municipal Planning Strategy and Land Use By-Law Amendments and Development Agreement – 3620 Dutch Village Road, Halifax (former Halifax West High School Site).

Councillor Johns exited the meeting at approximately 6:30 p.m.

Mr. Sampson responded to questions of clarification raised by Council respecting the construction and maintenance of the park and pathway. It was noted that the park and pathway will be paid for by the developer and meet accessibility standards. The private portion will be maintained by the developer and the public portion will be maintained by the Municipality, following construction. HRM will retain ownership of the public portion of the land and the developer will be responsible for developing the park. During construction, the public will not have access to the park. Mr. Sampson further clarified that underground wiring is not part of the proposal.

An overview of Section 6.3 of the Development Agreement respecting the construction timeframe, as well as, the height requirements within the Planning Strategy amendments and Development Agreement was provided to Council.

Clarification was provided in response to questions raised on geothermal energy, which is not included in the Development Agreement. Should the developer want to include geothermal uses, the inclusion could be added under the non-substantive amendments of the development agreement by the Chebucto Community Council. As well, non-substantive amendment clauses, Section 5.2 H and I covers any changes to the timeframe for commencement or completion of the development.

Mayor Kelly reviewed the Rules of Procedure for Public Hearings, calling for the developer or proponent to come forward at this time to speak on Case 01254.

**Patrick LeRoy, Vice President of Operations with United Gulf**, gave a presentation on United Gulf's proposal for the former Halifax West High School site. A copy of the presentation notes were submitted for the record.

In response to a question of clarification, Mr. LeRoy indicated that United Gulf is committed to starting construction before the end of 2012 and to complete the project within a two and a half year period.

Mayor Kelly called for members of the public wishing to speak for or against Case 01254.

**Eugene Pettipas of Ketch Harbour Road, Sambro Head and owner of Dairy Queen, Dutch Village Road**, has operated his business there since 1991 with his wife and son. Mr. Pettipas indicated that he grew up in the area and has always considered Dutch Village Road as a main commercial artery in Fairview. In the 1950's Dutch Village Road was considered a semi-industrial thoroughfare, with businesses such as Webb Engineering and Fairview Industrial Engineering. There were body shops off of every back yard on Dutch Village Road. Advancements were made with the addition of service stations, banks, a supermarket, fast food restaurants and the High School. However, in the 1980's-1990's the High School closed along with the service stations, supermarket and several other businesses. The last few years, residents have seen a bit of a rebirth with people investing in their existing businesses or new businesses opening, including the Shoppers Drug Mart, Freeman's Little New York, Giant Tiger and the addition to the Esso station and Tim Hortons. The proposed project and the project scheduled for the lands of the former Saint Lawrence Church will be great additions to Fairview and will bring the community back as a main commercial thoroughfare. The development will bring jobs and revenue to HRM. Mr. Pettipas commented that Mr. LeRoy has proven over the years that he does first class projects. In closing, Mr. Pettipas noted his support for this project.

**Ian Grant of 85 Sunnybrea Avenue** advised that he has grown up in the Halifax West area and since the early 1970's has witnessed businesses move from Dutch Village Road. He endorsed the proposed development and believes it would be a great addition to the Dutch Village/Fairview area. In combination with the other project mentioned, the development will be essential in revitalising what is currently a depressed street. As expressed in his email to Councillor Walker, he hopes that HRM

will see the potential in the Dutch Village Road area as a community destination centre, similar but distinct to areas such as the Hydrostone Market. Items such as curbing, streetscaping, greenery would add value to the area. Mr. Grant noted that in his professional career, he has been part of many urban renewal projects. This proposal covers key aspects of proper design, including scope of scale in relation to the neighbourhood, the services it will provide and support to the neighbourhood, added value to the Region and a park space covering 25 percent of the site, giving benefit to neighbourhoods. He asked that Council support this development.

**Mark Dacey of 152 Milson Street** is the Essco retailer and Tim Hortons franchisee, which neighbours the proposed development site. Mr. Dacey indicated that he was approached by Mr. LeRoy in January 2011 about the proposal; which was exciting, as he has been looking at the empty piece of land for the past six years, wishing it was developed. In business you need people and customers and an empty lot does not do a lot for neighbouring businesses. Since he became Tim Hortons franchisee in 2005, he had a second location across the street which closed last year. Mr. Dacey commented that many residents miss the sit-in location but the volume was not there; had he known sooner about the proposal it could have done well. He indicated that he is in Fairview every day and there is great potential; however, the area needs a renaissance and this proposal will be one of the steps in making the area more of a destination. Mr. Dacey commented on the proposal; professionally landscaped, beautiful architecture, nice combination of business opportunities, as well as residential. He further commented on the greenspace and went on record to say that as the Tim Hortons franchisee, he would purchase soccer nets for the field if the proposal is approved.

**Francis MacDonald, representing the owner of the Fairview Shopping Centre and owner of Guaranteed GMAC Real Estate** advised that he has been to most of the public information meetings and involved in the process since the beginning. He commented that the proposal is a win/win situation, noting that the developer has listened to the wants of the community, as well as HRM's planners and has addressed the needs of the community. Mr. MacDonald went on to note that retailers in the area suffered when the High School closed due to the lack of foot traffic from the students. From a retailer's standpoint, an additional 100 units in the neighbourhood would generate extra cash flow to allow the Shopping Centre and other businesses to do more improvements to their properties. From a real estate perspective, the value of residential homes in the neighbourhood will increase from this proposal. Mr. MacDonald commented that the project is top quality and the community and Council can feel comfortable that a great project will be built.

**Norman Duncan of 28 Kearney Lake Road** attended Halifax West High School in the 1960's and he remembers Dutch Village Road being an active vital area in the city. Since then, he has seen a dramatic decrease in the amount of activity. He noted his support for the development and believed that it would bring both commercial activity and enhance the value of existing homes in the area.

**Betty Fry of Fairview** provided highlights of the proposed development, commenting that the community has been seeking such a development that will boost the economy, increase the volume of business in the commercial/retail outlets and add value to surrounding properties. With respect to the public walkway access through to Dutch Village Road from Coronation Avenue, transportation to the city core is already in place with Metro Transit providing scheduled networking routes surrounding this area. She further provided highlights respecting the proposed community park off of Coronation Street, indicating that the proposal encompasses a great use of the land. Having been a resident of the area for over 50 years; with her property bordering on the proposed site, Ms. Fry commented that she believed that the proposal once complete, would enhance and be an asset to the community.

**Jacqueline Bowman of 8 Ashdale Avenue** advised that Dutch Village Road has been Fairview's commercial and retail hub for decades but has been deteriorating for a number of years. She commented that a few of the newer businesses, although necessary services, are not the type of services that would increase pedestrian traffic on Dutch Village Road. Residential and retail services are needed to restore the area and inject new life into what has historically been a busy centre. Ms. Bowman went on to say that the neighbourhood should strive to make their area thrive as a whole and make allowances for positive change. The proposed development should be viewed as a step forward in enhancing the area. She believed it would increase foot traffic to businesses in the village exponentially; with an increase in retail office space and the addition of a condominium, new life and pride of ownership would be restored. Ms. Bowman spoke on the number of recreational spaces within the area and asked for Council's support.

**Laurel Harrington of 6 Halls Roads** is the owner and operator of Freemans Little New York. The building overlooks the proposed site and houses some office space along with the restaurant and lounge. Ms. Harrington noted her excitement for the proposal and felt that United Gulf's management team has gone beyond her expectation; gathering input from the surrounding community and businesses. Her customers eagerly await a decision from Council that would help the area move forward. Ms. Harrington has seen first hand the decline of the area since the school closed and felt strongly that the development would be a catalyst in restoring a sense of community. She went on to note that condominiums are crucial and a public park with children's play area, paths and benches is exactly what the community needs to regain a sense of pride. The restaurant serves a number of local families, seniors and business people. Ms. Harrington's investment in the area is largely due to her desire to help turn around the decline of the area, but it will take a number of stakeholders and their investments and she is pleased that United Gulf is willing to take that risk.

Ms. Harrington went on to note that United Gulf was a large supporter at the Fairview Family Fun Day last May, providing funds and manpower. Their efforts were key in making that day a success. The event hosted over 3,000 Fairview residents, with the involvement of local businesses, non-profits, Cystic Fibrosis and police and fire services. United Gulf brought their models and project managers assisted in explaining



the development to the residents. She saw first hand the overwhelming support from the surrounding community. Ms. Harrington expressed concern with the inability to build a sense of community with an overgrown vacant lot in the centre of its business district. The length of time the project has been held up is hurting local businesses, leaving the community feeling forgotten by HRM. Ms. Harrington has witnessed the efforts of Mr. LeRoy, a 12 year resident of Fairview, who has worked tirelessly on the project. She noted that Mr. LeRoy has visited the homes of most of her customers and greeted every businesses owner in the District. His dedication to the project gives her faith that the community is moving forward in the right direction.

**Kendall O'Connor of 84B Sunnybrae Avenue** advised that she moved to Fairview approximately 12 years ago because of the school system and has grown to love the area. She commented on the potential for the area with the new development. She and her husband are in favour of the proposal as it will rejuvenate Fairview, give it economic development, create employment and support the local community with additional meeting space. United Gulf has brought forth a viable solution to the piece of land.

**Lisa Sullivan of 98 Frederick Avenue** and resident of Fairview for 40 years, has seen a number of changes to the area. She spoke of the community's passion for the proposal, commenting that it will bring the quality of life back to Fairview.

**Michelle Chiasson of 177 Evans Avenue** advised that in addition to living in the area, she has also been employed with the Scotia Bank on Dutch Village Road for the past 14 years. Ms Chiasson spoke in support of the proposal and echoed similar concerns raised regarding the deterioration of the area and the benefits the proposal would bring to the community.

**Demian Georgakakos of 20 Grosvenor Road** advised that his family has owned property on the corner of Dutch Village Road and Andrew Street since 1970. His family went through some tough economic times shortly after purchasing their second of five properties in the 1980's but they held on because of the location. Mr. Georgakakos indicated his support for the proposal, noting that once complete it would make the area one of the main neighbourhoods in Halifax and bring joy to the residents and visitors.

**Wilson Jenkins, owner of La Plaza Mexican Restaurant on Dutch Village Road,** spoke in support of the proposal.

**Anne Muecke of 12 Apollo Court** advised that she is a professional planner with 32 years experience and had worked on the Halifax West project for United Gulf before leaving the company two years ago. Since then, she has prepared a report for the Fairview Community Action Network on the issues related to space in the community. She had also worked on the Bloomfield School redevelopment project for HRM. Her experience both as a resident and planner on these projects has given her a good understanding of the challenges confronting Fairview. Ms. Muecke spoke in support of the redevelopment proposal, echoing similar comments on the benefits the

development would bring to the community. She made reference to the role of anti-social and criminal behaviour that happens in neglected areas; commenting that the cycle can be stopped through re-investment in buildings and beautification of streets and parks. As well, increasing social services to help meet legitimate needs and build pride in the community. She went on to note the importance of social services in Fairview, providing an example of the area being one of the primary locations for housing refugees and new immigrants. The organizations in the Community Action Network (CAN) are diligently trying to meet these needs but are currently unable to access suitable space to work from due to lack of funding for reasonable rent. Ms. Muecke indicated that at the start of the controversy about the Halifax West site, opponents lead people to believe that the problems CAN and Fairview face could be addressed by turning down the development application and planning a community centre; similar to the Bloomfield School development. However, the current proposal for the Bloomfield School is similar to what is being proposed today. It includes rental housings or condos and multi-storey buildings, commercial and retail space, underground parking and community open space. It also includes a small community centre to replace the current larger one in the Bloomfield School but it does not include space for social services, which can only be found through additional support from other levels of government.

Council recessed at 7:20 p.m.

Council reconvened at 7:33 p.m.

**Mustapha Shahwan of 82 Main Avenue** spoke in support of the proposed development, noting that he has lived in Fairview for the past 12 years after his parents immigrated to Canada in 1995 and considers Fairview to be his home.

**Kim Bedard of 20 Birch Street** spoke in support of the proposed development, echoing support for the proposal. She made reference to a petition with over 300 signatures from residents against the proposal, noting that it is her understanding that the Community Action Network, once a core support, had chosen to disassociate themselves from the efforts against United Gulf's plans. Ms. Bedard noted that she supports the idea of a community centre but funding needs to be in place before talks can begin about building one. She made reference to the environmental clean up on the site that is being paid for by United Gulf and expressed concern with what could end up in the location if United Gulf were to pull out from the development. She looks forward to seeing an increase in the neighbouring property values and suggested that as she and her parents get older, perhaps they could live in the condos while continuing to contribute to the tax base in their community.

**Gerome MacGillvary of 3 Rufus Avenue** expressed his support for the proposed development.

**Donna MacGillvary of 3 Rufus Avenue** noted her support for the proposed development.

**Dr. Lynette Mensah of 5 Rufus Avenue** indicated that she does not support the development in its proposed form. She has lived in Fairview since 1975 and realizes the street needs redevelopment and is not opposed to the commercial portion of the development. However, the proposed residential buildings are out of scale and oversized for the proposed location. Ms. Mensah commented that there are residential homes surrounding the site and that tall buildings in that space is inappropriate. The community does not need to develop for development sake. The community needs development with a conscious vision and wisdom. Ms. Mensah went on to note that she is not opposed to the development from the business side and agrees that property values need to be increased.

**Katie Campbell of Duncan Street, Halifax** expressed concern with more publicly owned land being developed. She made reference to the use of the lands for the Oval and old Queen Elizabeth High School. She agreed that Fairview has to develop but not on the proposed piece of land. Ms. Campbell expressed concern with Council disposing of public lands without consultation or having a larger vision and provided an example of New York's Central Park. She further expressed that HRM has the ability to develop in Fairview but without giving away public lands. The proposed land is precious and it would not be proper to sell land for private development.

**Tamara Lorincz, Co-founder of Imagine Fairview and resident of Willowbend Court** has lived with her family in District 15 for the past 12 years and has children attending Burton Ettinger Elementary School in Fairview. She is also representing Lisa Muse, Co-founder of Imagine Fairview, resident of Coronation Avenue and who has children attending Fairview Heights Elementary School. Ms. Lorincz indicated that last month at the Chebucto Community Council, she and Ms. Muse presented a petition containing 314 signatures from people opposed to the development. Ms. Lorincz presented a petition containing an additional 121 signatures opposed to the development. She indicated that the people of Fairview do not want HRM to sell prime public land in the heart of the community to a private developer for mostly condos, commercial buildings and parking. She went on to note that this public land is too important to lose for the people of Fairview and must be developed with greater care and collaboration. Ms. Lorincz provided her reasoning for opposing the development:

- 1) The people of Fairview have not been adequately consulted and have not been given accurate information. This was revealed in comments made by participants during the two public information meetings held in 2003 and 2009. Participants complained about the lack of notice and a majority of them opposed the development. As well, for many years Councillor Walker told citizens that the land was sold; though it was not, hence the public hearing. Last March the Imagine Fairview filed a Freedom of Information Request for all the records pertaining to the proposed land. Those records were to be given on August 18, 2011; however, an anonymous third party has blocked the release for the next 10 months, preventing the public from having this crucial information in time for the hearing.

- 2) The proposed development violates the Municipal Planning Strategy, Regional Plan and Land Use By-Law, which makes recreation, greenspace and community facilities priorities for public land. Ms. Lorincz referenced the applicable section in the MPS. Of the 6.7 acres of land, there is only 1.6 acres of greenspace with a small playset behind an eight storey tower, which is inadequate. The people of Fairview have limited recreation opportunities with the loss of the North Cliff Recreation Centre. There is only the Centennial Area, two ball fields and a small park/playground with one bench on Titus Avenue. There is no useable tennis court or basketball court. Respecting HRM programming, Fairview residents have to travel to Chocolate Lake Recreation Center or Saint Andrews Recreation Centre. The Canada Games Centre in Clayton Park fees are too high and most residents cannot afford to attend. Fairview has lost two churches along Dutch Village Road that provided the much needed meeting space in the past. Many youth have signed the petition and have indicated that Fairveiw needs more activities for them. Staff has not done a current review of the facility needs in the area and did not consider the *2008 understanding the earlier years community action plan*, *2009 community survey* and *2010 facility needs report* prepared by the community.
- 3) The September 20, 2011 staff report only considers United Gulf's traffic study. HRM should have completed an independent traffic analysis that reviewed the cumulative impacts from the new development on Dutch Village Road and at the top of Main Avenue. As well, the proposed development does not integrate public transit and has no sheltered bus stop or bike path and does not remediate the lack of sidewalk on the south side of Dutch Village Road. The only planned sidewalk within the proposed development is through the middle of a parking lot which is not safe; especially for wheelchairs, strollers and children.
- 4) The September 20, 2011 staff report does not consider that Fairview will be receiving new commercial and residential development on Dutch Village Road and at the top of Main Avenue. The new development located three blocks away with an 11 storey condominium tower, 5 storeys of commercial building and parking on 2.63 acres, which will provide greater economic development on Dutch Village Road.
- 5) The proposed land should not be sold and developed until Fairview has a neighbourhood plan (Section 2.5 of the MPS) and a new planning strategy. The Fairview secondary planning strategy in the MPS is from 1985 and Fairview has not yet gone through Vision HRM. There should be a new Request for Proposal process with Vision HRM so that Fairview residents have the opportunity to co-create an inspired plan for the land that better meets the social, economic and environmental needs of the community. Fairview should have the same community amenities, recreation and greenspace as other HRM communities (ie. Spryfield, Beaverbank and North End Halifax).

Based on the overwhelming opposition, the inadequate consultation, inaccurate

information and out-dated planning strategy for Fairview, the residents are calling on Council to reject this proposed development and go back to the drawing board. The community further asks that Council Walker recuse himself from this decision for failing to be forthright and fair in dealing with the entire community on this proposed development.

**Serge Desgardins of 42 Central Avenue** opposed the proposed development as it is public land. He understood why the businesses are interested in the project and commented that he is not against development, but this is a good opportunity to think more carefully and “outside of the box”. He suggested that the community could be revitalized if they could find a place and build together. He expressed concern with the traffic studies stating that there will be no impacts to traffic and provided an example of morning traffic congestion on Dutch Village Road from outside traffic. He questioned whether consideration had been given to the new building on Bayers Road and the development at the former Saint Lawrence Church site; which would increase the number of residents on Dutch Village and assist with revitalization. Mr. Desgardins further noted that due to his location, he had not been consulted and indicated that all Fairview residents should have been consulted as it will impact the entire area.

**Andrew Feenstra, owner of Cycle Smith on Quinpool Road and resident of 12 Ashdale Avenue**, has lived with his family on Ashdale Avenue since 2007 and has gone to considerable lengths to upgrade and improve his property and plans to live there for some time. His property is immediately adjacent to the old Halifax West property; therefore, whatever is built will be in his backyard. Mr. Feenstra advised that he is not opposed to the redevelopment of the site and expressed concern with past owners being permitted to allow the site to sit as an eye sore. He provided an example that property, like consumer goods, should be recycled, improved and reused. His concern was not only with what is currently being proposed for the property but also with the current proponent. The project being proposed is too dense, out of character with the adjacent single family homes and the nature of the neighbourhood and unsupported by available services (ie. police, fire, schools and recreational facilities). Mr. Feenstra referenced the height of the proposed building, identified in the September 20, 2011 staff report; commenting that the only redevelopment being considered should be low rise and low density and service to mixed condo use living with row houses, semi-detached and stand alone single dwelling homes. There is plenty of land amongst the other high rises at the top of Main Avenue, if that is the want of the developer. Mr. Feenstra went on to provide examples of past projects the developer has been a part of but failed to deliver on (ie. Twisted Sisters, redevelopment of Mount Saint Vincent property owned by the Sisters of Charity and a development for Halifax as important as Queen Anne’s Axe in London). He reminded Council that big is not always better, the big does not come without cost and the big is very often unattractive, often changes the surrounding neighbourhood and becomes a thing of the past. He asked that Council oppose the redevelopment by United Gulf and create a new Request for Proposal with the community in mind and include Fairview in the Vision HRM process.

**Christiane Hessian of 106 Coronation Avenue** advised that she is a fourth year student at Saint Mary's and a resident of Fairview for 19 years. She attended the local schools and has worked and volunteered in Fairview. She currently volunteers at the Fairview Family Resource Centre (FFRC) and Pathways Program in Spryfield. Ms. Hessian spoke on the importance of advocates speaking out for community friendly development and how she wants to make a difference in her community. She noted that a community centre is needed to promote change and help the community rise up. Ms. Hessian advised that her request was not to give the land to the community but to allow reconsideration of the issue; one that is open, honest, sound in facts and engages the community for full public input. The end result being a chance for the community to come together to acquire necessary funds needed to develop a community centre that is desperately needed in Fairview. She provided reasoning for why a community centre would be beneficial for Fairview, noting that it would only take up a small portion of the approximately 7 acres of land. She commented that if it can be done in the North End, then why not in Fairview; noting that the Bloomfield redevelopment site is smaller and cooperation is taking place to satisfy both the developers and community. She went on to echo similar comments made to inadequate greenspace, lack of space for a community centre and the cost and availability of rental space in Fairview. Ms. Hessian advised that a community centre could benefit programs such as FFRC and Pathways and be a place for youth advocacy and senior's groups. As well, public health and community policing could be established and run out of the centre. Having a place for youth, new comers, families and seniors would help the community's spirit, increase resources and help Fairview to prosper; the community deserves to gain economically and socially.

**Johan Tianara of 10 Ashdale Avenue** agreed with comments made by earlier speakers, noting his opposition to the proposal and commented that HRM should keep the land public. He noted that there are empty lots along Dutch Village Road, which would be wonderful for condos and retail commercial space, but not for the proposed location.

**Ria Tianara of 10 Ashdale Avenue** advised that she supports development but the proposal is too large scale for the property. She echoed similar concerns expressed related to height, commenting that the property slopes on the Ashdale side, making one side higher. Ms. Tianara indicated that she would be happy if the retail space were removed and the Ashdale side lowered. She commented that keeping the park space is important and if the land must be sold, then it should be houses in a cul-de-sac, such as Glen Eagle Way at Joseph Howe and Mumford Road. Ms. Tianara reiterated comments made earlier respecting the need for a community centre and keeping the land public.

Mayor Kelly called three times for additional speakers. Hearing none, it was **MOVED by Councillor McCluskey, seconded by Councillor Sloane that the public hearing be closed. MOTION PUT AND PASSED.**

**MOVED by Councillor Walker, seconded by Councillor Wile that Halifax Regional Council approve the proposed amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-Law as contained in Attachment “A” of the September 20, 2011 staff report.**

Councillor Walker submitted a petition with over 600 signatures in favour of Case 01254, application by United Gulf Development Ltd. to amend the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-Law (LUB) to permit a mixed-use development of the former Halifax West High School site at 3620 Dutch Village Road, Halifax by development agreement. Councillor Walker noted his support for a recreation centre on the property; however, without a businesses case and identifying funding sources it will have to be considered in the future. He provided a brief overview of the public information meetings, noting the changes made to the proposal based on public feedback.

Council entered into a discussion with staff responding to questions related to HRM's visioning program. It was noted that the program is on hold, pending the completion of the Regional Plan Review.

In response to questions raised by Council respecting community use, it was noted that there would be an opportunity for discussion at the Chebucto Community Council during the review of the Development Agreement.

Staff further responded to questions related to traffic issues and streetspace improvements and community space.

Councillor Walker closed by stating that as Councillor for the area, he supported focussed planning for the Fairview and Clayton Park area together. He suggested that now is the time for the groups to meet with the developer in attempt to work on a plan to address space for the community in the proposed project. Councillor Walker echoed similar comments made by residents in support of the proposal and noted that 90 out of 108 properties are in support of the proposal and asked for Council's support.

**MOTION PUT AND PASSED.**

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**10.1 Correspondence – None**

**10.2 Petitions - None**

**11. REPORTS**

**11.1 CHIEF ADMINISTRATIVE OFFICER**

**11.1.1 Tender 11-123 Four (4) 2012 Custom Rescue Pumpers**

A staff report dated October 7, 2011 was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll that Halifax Regional Council award Tender No. 11-123, for four (4) 2012 Custom Rescue Pumpers to the lowest bidder meeting specifications, Carl Thibault Fire Trucks, for a Total Tender Price of \$1,712,447.04 (net HST included), with funding from Project Account No CVJ01088 – Fire Fleet Apparatus, as outlined in the Budget Implications section of the October 7, 2011 staff report. MOTION PUT AND PASSED.**

#### **11.1.2 Central Library Capital Campaign**

A report from Judith Hare, CEO of Halifax Public Libraries dated October 24, 2011 was before Council.

**MOVED by Councillor Sloane, seconded by Councillor Smith that Halifax Regional Council approve an increase to the Library Operating Budget, Cost Centre B011 6999, in the amount of \$275,000 with funding as a withdrawal from Central Library Capital Campaign and Development Operating Reserve Q318 in fiscal year 2011-12 to fund the Central Library Capital Campaign. MOTION PUT AND PASSED.**

#### **11.1.3 Request for Proposal # 11-157 – Weir Field – All Weather Athletic Field Replacement**

This item was addressed earlier in the meeting. See page 4.

### **11.2 TRANSPORTATION STANDING COMMITTEE**

#### **11.2.1 Smart Trip E-Pass – 2012 Pilot Project**

A report from the Transportation Standing Committee dated October 28, 2011 was before Council.

**MOVED by Councillor Rankin, seconded by Councillor Sloane that Halifax Regional Council approve a new employer-based annual transit pass fare medium called Smart-Trip E-pass pilot project in the 2012/2013 fiscal year, as described in the Budget Implications section of the October 3, 2011 staff report.**

Councillor Rankin provided an overview of the October 28<sup>th</sup> report and staff responded to questions of clarification raised by Council respecting advertisement and tracking the pilot project.

**MOTION PUT AND PASSED.**

### **12. MOTIONS – NONE**



**13. ADDED ITEMS – NONE**

**14. NOTICES OF MOTION**

**14.1 Councillor Watts**

Take notice that at the next regular session of Regional Council, to be held Tuesday, November 22, 2011, I propose to request a staff report addressing the questions raised by residents concerning the eviction of Occupy NS from Victoria Park on November 11, 2011.

This Notice of Motion was referred to the Municipal Solicitor for review.

**15. ADJOURNMENT**

The meeting was adjourned at 8:50 p.m.

Cathy J. Mellett  
Municipal Clerk

**INFORMATION ITEMS**

1. Memorandum from Director, Legal Services dated October 25, 2011  
re: Status of By-Law Prosecutions – March 1, 2011 - March 31, 2011
2. Memorandum from Director, Legal Services dated October 27, 2011  
re: Status of By-Law Prosecutions – April 1, 2011 - April 30, 2011
3. Memorandum from Director, Legal Services dated October 31, 2011  
re: Status of By-Law Prosecutions – May 1, 2011 - May 31, 2011
4. Memorandum from the Municipal Clerk dated November 4, 2011  
re: Requests for Presentation to Council - None