



**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
February 27, 2024**

PRESENT: Councillor Waye Mason, Chair
Councillor Lindell Smith
Councillor Shawn Cleary
Councillor Kathryn Morse
Councillor Patty Cuttell

REGRETS: Councillor Iona Stoddard, Vice Chair

STAFF: Meg MacDougall, Solicitor
Andrea Lovasi-Wood, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, reports, supporting documents, information items circulated, and video (if available) are online at halifax.ca.

The meeting was called to order at 6:01 p.m. Community Council adjourned at 7:45 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 6:01 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. APPROVAL OF MINUTES – January 16, 2024, February 12, 2024 and February 20, 2024

MOVED by Councillor Morse, seconded by Councillor Cuttall

THAT the minutes of January 16, 2024, February 12, 2024 and February 20, 2024 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

Deletions: None

MOVED by Councillor Cleary, seconded by Councillor Morse

THAT the agenda be approved as presented.

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 PLANAPP 2023-00417 (formerly 23741): Development Agreement for Reginald Court, Herring Cove

The following was before Community Council:

- Staff report dated November 9, 2023
- Extract from the December 5, 2023 Halifax and West Community Council minutes
- Correspondence from Martha R. Leary, Sharon Hart, Maggie LeBlanc
- Staff presentation dated February 27, 2024
- Applicant presentation dated February 27, 2024

Darrell Joudrey, Planner II gave a presentation. Joudrey and Thea Langille, Manager, Urban & Rural Planning Application Program responded to questions of clarification from Community Council. Joudrey confirmed that stormwater management and the management of watercourses would be handled during subdivision and permitting once the development agreement was approved.

The hearing opened at 6:26 p.m.

The Chair invited the applicant to come forward and address Community Council.

Mather Carscallen and Paul Dec, Applicant gave a presentation and responded to questions from Community Council. Carscallen spoke to stormwater management measures that were planned to be used during construction of the proposed development.

The Chair reviewed the rules of procedure for public hearings and called for anyone wishing to speak on the matter.

Des Writer, Halifax spoke in opposition to the proposed development agreement due to the negative consequences of construction on homeowners in the neighbouring Norawarren subdivision including noise, parking challenges and environmental impacts. Writer spoke to emergency evacuation concerns as the proposed Reginald Court extension had only one exit.

Charles Baker, Herring Cove spoke in opposition to the proposed development agreement as it was premature to approve the development before the environmental impacts were fully examined including local stormwater management issues. Baker spoke to concerns about the larger number of lots proposed from the original application and the property's poor water drainage, land erosion and the presence of a stream from Long Pond. Baker repeated concerns about local street parking. Baker responded to questions of clarification from Community Council.

Martha Leary, Halifax spoke to their membership in local organizations that worked to protect local wildlands and wildlife in the area. Leary did not oppose the development and noted the applicant's useful accommodations to the subdivision design that allowed for a buffer to the local backlands. Leary spoke to the benefits of Halifax's Green Network Plan and the need for further implementation of the plan including the update of local land use by-laws.

Melissa Baker, Herring Cove spoke to the benefits of living in the neighbourhood of Norawarren Drive and Reginald Court. Baker commented on the drawbacks of the popular trailhead at Norawarren Drive including a high level of traffic and illegal parking. Baker noted that the proposed development worsened parking in the area and expressed concern about the poor management of construction sites. Baker responded to questions of clarification from Community Council.

Nina Haynes, Herring Cove spoke about the significant surface water and stormwater run off from Reginald Court on to Norawarren Drive. Haynes noted that the proposed development was on an elevated that resulted in more surface water and increased flooding risk to neighbouring homes. Harnes repeated concerns that construction brought increased traffic and illegal parking. Haynes opposed the proposed development agreement and suggested a different design with alternative access to Herring Cove Drive be considered.

Kaarin Tae, Herring Cove spoke about their position as a Director of the MacIntosh Run Watershed Management Association and the association's mandate. Tae requested that the proposed development include at least a 30 meter buffer to protect a local creek. Tae was not opposed to the proposed development agreement as it possessed a large open space and supported the applicant's plans not to clear cut or blast as that reduced stormwater issues. Tae responded to questions of clarification from Community Council.

Lucianna Plaxton, Herring Cove spoke to the local water run off issues from Long Pond and repeated concerns about additional water runoff from the proposed development and concerns about increased flooding risk in the area. Plaxton requested the proposed development include an appropriate stormwater runoff management system. Plaxton responded to questions of clarification from Community Council.

Ashlan Potts, Herring Cove repeated concerns about the safety issues from ongoing construction in the area requested a plan for removal the of construction debris. Potts repeated concerns about the

increased flooding risk brought by the proposed new development and repeated the request for appropriate stormwater runoff management.

The Chair invited the applicant to respond to questions raised by the public.

Mather Carscallen and **Paul Dec** responded to questions raised by the public. Dec confirmed that the proposed development's stormwater management would be finalized and approved at the subdivision stage. Carscallen spoke to storm water management efforts including use of existing stormwater management system and their willingness to use a different system as required. Carscallen and Dec responded to questions from Community Council.

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 7:30 p.m.

Joudrey and Langille responded to questions of clarification from Community Council and confirmed that changes occurred during the site plan application process. Langille confirmed that if future detailed analysis revealed the presence of a watercourse a 30 meter buffer would be required and the developer was aware that changes to the development agreement may be required.

MOVED by Councillor Cuttell, seconded by Councillor Cleary

THAT the Halifax and West Community Council:

- 1. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated November 9, 2023; and**
- 2. Require 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.**

Community Council noted the neighbours' construction impact concerns were not a sufficient reason to deny the proposed development agreement and that the proposed development agreement resulted in a relatively small development that sought minimal environmental impacts. Community Council observed that stormwater management was a significant concern and that the appropriate management system would be determined during the subdivision and permitting stage when the source of water run off was determined as caused by a natural watercourse or stormwater.

MOTION PUT AND PASSED.

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

Correspondence was received and circulated for item 10.1.1.

For a detailed list of correspondence received refer to the specific agenda item.

11.2 Petitions – None

11.3 Presentation– None

12. PUBLIC PARTICIPATION

The Chair noted there were no registered speakers and called three times for any other members of the public wishing to speak; there were none.

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS – NONE

15. MOTIONS – NONE

16. IN CAMERA (IN PRIVATE) – NONE

17. ADDED ITEMS – NONE

18. NOTICES OF MOTION – NONE

19. DATE OF NEXT MEETING – March 25, 2024

20. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

Andrea Lovasi-Wood
Legislative Assistant