

**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
November 13, 2019**

PRESENT: Councillor Stephen D. Adams, Chair
Councillor Shawn Cleary
Councillor Russell Walker
Councillor Richard Zurawski

REGRETS: Councillor Lindell Smith, Vice-Chair
Councillor Waye Mason

STAFF: Claire Gillivan, Solicitor
Simon Ross-Siegel, Legislative Assistant

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

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

The meeting was called to order at 6:00 p.m. and adjourned at 7:30 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m. in Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES – October 15, 2019

MOVED by Councillor Zurawski, seconded by Councillor Cleary

THAT the minutes of October 15, 2019 be approved as presented.

MOTION PUT AND PASSED.

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

MOVED by Councillor Walker, seconded by Councillor Cleary

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 Case 22382: Rezoning to RA-4 to allow an Auxiliary Dwelling Unit on a property fronting Pioneer Hill, Whites Lake

The following was before Community Council:

- A staff recommendation report dated September 27, 2019
- A staff presentation titled “Public Hearing for Case 22382”

Maria Jacobs, Planner II, provided Community Council with a presentation on Case 22382: Rezoning to RA-4 to allow an Auxiliary Dwelling Unit on a property fronting Pioneer Hill, Whites Lake.

The Chair invited the Applicant to come forward to address Community Council.

Tim Reach, Applicant, spoke to Community Council about the proposal under Case 22382. Applicant lives in Brookside, and the applicant’s parents live beside them. They are growing older and want to live independently. The applicant is advancing the current application in order to enable them to relocate to live in the proposed property and move into a single unit dwelling.

The Chair opened the public hearing and called for any members of the public wishing to come forward to speak to the matter. The Chair called three (3) times for any members of the public wishing to come forward to speak on the matter. There being none, it was MOVED by Councillor Walker, seconded by Councillor Cleary

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT Halifax and West Community Council adopt the amendments to the Land Use By-law for Planning District 4 (Prospect), as set out in Attachment A.

MOTION PUT AND PASSED.

The Chair thanked staff for the presentation.

10.1.2 Case 22029: Development Agreement for 6009 and 6017 Quinpool Road, Halifax

The following was before Community Council:

- A staff recommendation report dated October 9, 2019
- A memorandum from the Chair of the Halifax Peninsula Planning Advisory Committee, dated June 25, 2019
- A staff presentation titled "Public Hearing for Case 22029"
- Correspondence from Maida Barton Follini

Dean MacDougall, Planner III, provided Community Council with a presentation on Case 22029.

The Chair invited the Applicant to come forward to address Community Council.

Adam MacLean, Vice President of Development with Armco Capital Inc., Applicant, spoke to Community Council about the proposal under Case 22029. They provided an history of the applicant's discussions with HRM and the province regarding the manner of accommodating affordable units. In regard to the current proposal, the applicant urged staff and Council to begin to provide a clear mandate for the collection and use of in lieu contributions for affordable units.

The Chair opened the public hearing and called for any members of the public wishing to come forward to speak to the matter. The Chair called three (3) times for any members of the public wishing to come forward to speak on the matter. There being none, it was MOVED by Councillor Walker, seconded by Councillor Cleary

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT 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 October 9, 2019, to permit a mixed-use, multiple-unit residential and commercial building, with the exception that section 3.2.2 (a) in the Development Agreement is deleted and replaced with the following:

(a) Regional Council has accepted cash-in-lieu as the contribution for affordable dwelling housing units and the Municipality has received the full amount of \$1,800,000 in lieu of a contribution of affordable housing dwelling units pursuant to 98C(1)(b)(iv) of the Halifax Peninsula Land Use By-law.; 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.

The Chair thanked Dean MacDougall for the presentation.

10.1.3 Case 21389: Child Care Centre Development Agreement for 55 Kearney Lake Road and 4 Grosvenor Road, Halifax

The following was before Community Council:

- A staff recommendation report dated September 4, 2019
- A staff presentation titled "Public Hearing for Case 21389"
- Correspondence from Bob O'Reilly, Emily Saleh, Erica McMullen and Dan Boudreau, Michelle Stone, Alison MacDougall, Kimberly Piercey and Rita Francis

Jamy-Ellen Klenavic, Planner II, provided Community Council with a presentation on Case 21389.

The Chair invited the Applicant to come forward to address Community Council.

Cesar Saleh, Vice President of Planning and Design, WM Fares Architects, Applicant, spoke to Community Council about the proposal under Case 21389.

The Chair opened the public hearing and called for any members of the public wishing to come forward to speak to the matter.

Lisa Davidson, Director of Wedgewood Little School, spoke in favour of the expansion. The speaker noted that the school has always maintained a reputable status, and the speaker often gets calls from families desperate to receive news of an opening so that their children can attend. The school had established a community reputation with competent staff. The school currently has a waiting list for each of their programs, and the proposed expansion will give the school more opportunities to give families a space in the centre. The speaker described a recent study from the University of Toronto which concluded that high quality childcare improves learning outcomes while poor quality childcare diminishes learning outcomes regardless of social status. The speaker stated that if caregivers offer quality childcare and opportunity exists to offer more, caregivers have a duty to seek to expand their services to communities who need it.

Janice Keiths, a resident of Wedgewood Park for twenty years, spoke in favour of the expansion. The speaker stated that her two children grew up in the area, attended Wedgewood Little School, and flourished in this environment. The speaker's grandson lives in the area, and the speaker was thrilled and relieved to hear after a long period on a wait list that the speaker's grandson had secured a spot in the school's programming. Previously, while waiting on the school's waitlist, the speaker's family was unable to find local childcare options and had to drive to Sackville to find an appropriate childcare service. The speaker stated that they understand other families are in a similar predicament, and the speaker asked Community Council to approve the expansion in order to give other families the joy to see their children go to Wedgewood Little School.

The Chair called three (3) times for any further members of the public wishing to come forward to speak on the matter. There being none, it was MOVED by Councillor Walker, seconded by Councillor Cleary

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Walker, seconded by Councillor Cleary

THAT 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; and**
- 2. Require the agreement be signed by the property owner within 200 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.

Following discussion Council proposed to amend the motion to increase the number of days necessary for a development agreement to be signed within to 300.

MOVED by Councillor Cleary, seconded by Councillor Zurawski

THAT the motion be amended to increase the timeline for the requirement for the development agreement to be signed by the property owner from 200 to 300 days.

MOTION PUT AND PASSED.

The motion now reads:

THAT 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; and**
- 2. Require the agreement be signed by the property owner within 300 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.

The Chair thanked Jamy-Ellen Klenavic for the presentation.

10.2 Variance Hearings – None

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant noted that the Municipal Clerk's Office received correspondence relating to items 10.1.2, 10.1.3, 11.1, 13.1.3, 13.1.4 and 13.1.5 This correspondence was circulated to members of Community Council.

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

Correspondence from Carolyn Conrad was general correspondence.

11.2 Petitions – None

11.3 Presentations – None

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Case 22314: Application by Jason Wong, to rezone lands at 3850 Robie Street, Halifax from the R-2 (General Residential) zone to the R-2A (General Residential Conversion) zone

The following was before Community Council:

- A staff recommendation report dated September 27, 2019
- A memorandum from the Chair of the Halifax Peninsula Planning Advisory Committee, dated August 30, 2019

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT Halifax and West Community Council give First Reading to consider approval of the proposed amendment to the Halifax Peninsula Land Use By-law, as set out in Attachment A, to rezone the lands at 3850 Robie Street from the R-2 (General Residential) Zone to the R-2A (General Residential Conversion) Zone, and schedule a public hearing.

MOTION PUT AND PASSED.

13.1.2 Case 21971: Rezoning and Development Agreement for Child Care Centre at 165 Roxbury Crescent, Halifax

The following was before Community Council:

- A staff recommendation report dated October 10, 2019

MOVED by Councillor Zurawski, seconded by Councillor Walker

The first portion of the motion was read during this item and the second portion of the motion was read during the Item 18 Public Participation. The whole motion reads as follows:

THAT Halifax and West Community Council:

- 1. Give First Reading to consider approval of the proposed amendment to Map ZM-1 of the Halifax Mainland Land Use By-law, as set out in Attachment A, to rezone the lands at 165 Roxbury Crescent Halifax from Schedule K to R-1 (Single Family Dwelling) Zone and schedule a public hearing; and**
- 2. Give notice of motion to consider the proposed Development Agreement and Discharging Development Agreement, as set out in Attachments B and C of this report and schedule a public hearing. The public hearing for the Development Agreement shall be held concurrently with the public hearing indicated in Recommendation 1.**

MOTION PUT AND PASSED.

13.1.3 Case 21730: Request to amend the Halifax Municipal Planning Strategy and Land Use By-law for 205 Bedford Highway, Halifax

The following was before Community Council:

- A staff recommendation report dated October 25, 2019

MOVED by Councillor Walker, seconded by Councillor Zurawski

THAT Halifax and West Community Council recommend that Regional Council not approve amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use By-law to enable an eight-storey mixed-use building at 205 Bedford Highway, Halifax.

Several Councillors, while acknowledging staff's recommendation, expressed support for the proposed development for reasons which included support for the construction of affordable housing units in the area and indications of support from area residents.

MOTION PUT AND DEFEATED.

Councillors and staff discussed the proposed alternative motions with respect to likely timeframes for the drafting of a development agreement.

MOVED by Councillor Walker, seconded by Councillor Cleary

THAT Halifax and West Community Council recommend that Regional Council:

1. Give First Reading to consider amendments to the Halifax MPS and the Halifax Mainland LUB, to permit an eight-storey mixed-use building at 205 Bedford Highway, by development agreement, subject to a minimum of 18 units of affordable housing dwelling units being provided via incentive or bonus zoning, as set out in Attachments A and B of this report, remove sections 2.3.6.3. and 2.3.6.4 (e), (f) and (g) from Attachment A, and schedule a public hearing.

Councillors discussed the inclusion or removal several building setback and rail yard mitigation clauses from Attachment A.

MOTION PUT AND PASSED.

13.1.4 Lease of Point Pleasant Park Lodge

The following was before Community Council:

- A staff recommendation report dated October 10, 2019

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT Halifax and West Community Council recommend that Halifax Regional Council direct the Chief Administrative Officer to conduct a scan of the local not-for-profit environment to determine the best use of the Point Pleasant Park Superintendent's Lodge, in meeting the goals of the Point Pleasant Park Comprehensive Plan as part of the community engagement on the Proposed Greenbank Building for consideration upon completion of the 5-year less than market license.

MOTION PUT AND PASSED.

13.1.5 Formal Point Pleasant Park Operations Plan

The following was before Community Council:

- A staff recommendation report dated November 5, 2019

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT Halifax and West Community Council accept the proposed Multi-Year Point Pleasant Park Operations Plan, as outlined in Table 1, and direct the Chief Administrative Officer to work with the Point Pleasant Park Advisory Committee on its implementation.

MOTION PUT AND PASSED.

13.1.6 Councillor Appointments to Boards and Committees

The following was before Community Council:

- A staff memorandum

MOVED by Councillor Cleary, seconded by Councillor Zurawski

THAT Halifax and West Community Council appoint Councillor Mason and Councillor Smith to the Halifax Peninsula Planning Advisory Committee for a term to November, 2020.

MOTION PUT AND PASSED.

13.1.7 Approval of 2020 Halifax and West Community Council Meeting Schedule

The following was before Community Council:

- A staff recommendation report dated November 5, 2019

Councillors noted a desire to move several meeting dates in March and November.

MOVED by Councillor Walker, seconded by Councillor Cleary

THAT this item be deferred to the next regular meeting of Halifax and West Community Council.

MOTION PUT AND PASSED.

13.2 BOARDS AND COMMITTEES – NONE

13.3 MEMBERS OF COMMUNITY COUNCIL – NONE

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

17.1 Councillor Cleary

“TAKE NOTICE THAT, at the next meeting of Halifax Community Council to be held on November 13, 2019 I propose to move amendments to the Halifax Peninsula Planning Advisory Committee’s (HPPAC) Terms of Reference, the purpose of which is to partially address the September 18, 2019 Regional Council motion No. 20 and streamline the approval process for the Regional Centre Plan (Package B).”

18. PUBLIC PARTICIPATION

The Chair invited members of the public wishing to address Community Council to approach the podium.

Peggy Cameron, a resident of Charles Street, indicated that it was the speakers’ second time speaker before Community Council. The speaker raised concern regarding the designation of 6024 Charles Street in the corridor zone under Package A of the Centre Plan. The speaker outlined their recollection of the process of public engagement under Centre Plan adoption process and expressed that the community learned that the property appeared to have been added to the corridor designation without sufficient notice to the area residents. The speaker stated that the designation would allow for a development to add mass to the area which would dramatically change the character of the area. The speaker stated that the neighbourhood currently already provides a lot of multi-unit accommodation. The speaker requested Councillors initiate a process to remove 6024 Charles Street from the corridor designation and rezone it for a lower density of development.

Mike Cowley, a resident of Charles Street, spoke in opposition to the designation of 6024 Charles Street in the corridor zone. The speaker stated that the inclusion of the property would dramatically change the character of neighbourhood. The speaker described a petition in which 96 people expressed their concerns regarding the designation. The speaker stated that members of the area contacted Councillor Smith about their concerns regarding the designation but have not received a substantial answer. The speaker requested that Community Council initiate a process to redesignate the property to allow for a lower density development.

Howard Epstein, a thirty-year resident of Clifton street, requested Councillors to consider the possibility to request a staff report or other options to inquire what rationale and planning principles staff planning

considered when determining to include 6024 Charles Street in the corridor designation. The speaker stated that members of the area contacted Councillor Smith about their concerns regarding the designation but have not received a substantial answer.

The Chair called three (3) times for any further members of the public wishing to address Community Council; there were none.

MOVED by Councillor Cleary, seconded by Councillor Zurawski

THAT Halifax and West Community Council request a staff report respecting 6024 Charles Street and other related properties with similar descriptions with regard to planning principles and rationale for why these properties are included in the corridor designation.

MOTION PUT AND PASSED.

19. DATE OF NEXT MEETING

- December 11, 2019;
- January 21, 2019

20. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Simon Ross-Siegel
Legislative Assistant