



**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
October 10, 2023**

PRESENT: Councillor Lindell Smith, Chair
Councillor Patty Cuttell, Vice Chair
Councillor Shawn Cleary
Councillor Kathryn Morse
Councillor Iona Stoddard

REGRETS: Councillor Waye Mason

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 6:01p.m., Community Council adjourned at 6:26 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 6:01p.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 – September 19, 2023

MOVED by Councillor Cuttell, seconded by Councillor Stoddard

THAT the minutes of September 19, 2023 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 Cuttell, seconded by Councillor Stoddard

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 2023-01043: Substantive Amendment to the Development Agreement for 1021 Beaufort Avenue, Halifax

The following was before Community Council:

- Staff report dated August 28, 2023
- Extract from the September 19, 2023 Halifax and West Community Council draft minutes
- Staff presentation dated October 10, 2023

Kelly Greenland, Planner II gave a presentation.

The hearing opened at 6:12 p.m.

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

Roberto Menendez, BMP Developments, Applicant confirmed their retention as architect by the property's developer and their discovery that the construction completion deadline had expired. Menendez confirmed with the developer that construction was delayed due to COVID-19 and construction supply

issues. Menedez spoke to construction of the six houses planned for the property including the status of constructions permits, the quality of the houses to be built and the houses' fit with the existing community. Menedez responded to questions from Community Council and confirmed that construction was to be completed within two years as the property was prepared for construction.

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

Luting Jung, Halifax spoke to questions concerning the proposed amendment to the development agreement including how long construction would take and the reasons why the development was not completed in the last six years. Jung also expressed concerns that the developer would not complete construction in the next two years and would reapply for another extension.

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

Roberto Menendez responded to questions raised by the public and confirmed that six single family dwellings were to be constructed, that construction was delayed due to Covid 19, and that construction was estimated to be completed within two years.

MOVED by Councillor Cleary, seconded by Councillor Morse

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 6:22 p.m.

MOVED by Councillor Cleary, seconded by Councillor Morse

THAT Halifax and West Community Council:

- 1. Approve the proposed amending agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated August 28, 2023; 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.**

Community Council noted that the Community Council was not asked to reconsider the previously approved development agreement but to consider the extension of the construction completion deadline. Community Council acknowledged the impact of COVID-19 related delays in the construction industry and looked forward to the prompt commencement and completion of construction.

MOTION PUT AND PASSED.

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence – None

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

14.1 STAFF

14.1.1 Case #2023-00545: Development Agreement for Boulderwood Road, Halifax

The following was before Community Council:

- Staff report dated August 18, 2023

MOVED by Councillor Cleary, seconded by Councillor Cuttell

THAT Halifax and West Community Council give notice of motion to consider the proposed development agreement, as set out in Attachment A of the staff report dated August 18, 2023, to allow a single unit dwelling on a lot that does not abut a public street off Boulderwood Road, Halifax, and schedule a public hearing.

MOTION PUT AND PASSED.

15. MOTIONS – NONE

16. IN CAMERA (IN PRIVATE) – NONE

17. ADDED ITEMS – NONE

18. NOTICES OF MOTION – NONE

19. DATE OF NEXT MEETING – November 21, 2023

20. ADJOURNMENT

The meeting was adjourned at 6:26 p.m.

Andrea Lovasi-Wood
Legislative Assistant