



**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
March 22, 2017**

PRESENT: Councillor Stephen D. Adams, Chair
Councillor Waye Mason, Vice Chair
Councillor Shawn Cleary
Councillor Russell Walker
Councillor Richard Zurawski
Councillor Lindell Smith

STAFF: Ms. Karen Brown, Senior Solicitor
Ms. Sheilagh Edmonds, Legislative Assistant

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

The agenda, supporting documents, and information items circulated to Community Council are available online: <http://www.halifax.ca/Commcoun/west/170322hwcc-agenda.php>

The meeting was called to order at 6:00 p.m. and adjourned at 7:19 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

The Chair asked everyone to stand for a moment of reflection in tribute to those individuals who were killed and injured in an attack in London earlier today.

2. APPROVAL OF MINUTES – February 28, 2017

MOVED by Councillor Mason, seconded by Councillor Zurawski

THAT the minutes of February 28, 2017 be approved.

MOTION PUT AND PASSED.

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

There were no additions or deletions to the agenda.

MOVED by Councillor Cleary, seconded by Councillor Walker,

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

8.1 Case 20246: Rezoning for the former Briarwood Golf Course Lands, Herring Cove Road, Halifax (First Reading)

The following was before Community Council:

- A staff recommendation report dated January 13, 2017.

MOVED by Councillor Cleary, seconded by Councillor Walker

That Halifax and West Community Council give First Reading to consider approval of the proposed rezoning, as set out in Attachment A of the January 13, 2017 staff report, to rezone a portion of the former Briarwood golf course, located at Herring Cove Road in Halifax from the R-1 (Single Family Dwelling) Zone to the R-2 (Two-Family Dwelling) Zone of the Land Use By-law for Halifax Mainland, and schedule a public hearing for April 18, 2017.

MOTION PUT AND PASSED.

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS

10.1 PUBLIC HEARINGS

10.1.1 Case 19238: Development Agreement 2631 A & B – 2639 Fuller Terrace, Halifax

The following was before Community Council:

- A staff recommendation report dated November 10, 2014.
- A staff supplementary information report dated January 20, 2017.
- Correspondence submitted by: Susan Wolf, David Roback, Elizabeth Babych, Joeanne Coffey, Yolanda Karton-Burns, Michael McCormack, and Lucas Dambergs

Ms. Dali Salih, Planner II provided the staff presentation on the application by Lucas Dambergs to convert an existing non-conforming commercial space into a residential unit at 2631 A & B – 2639 Fuller Terrace, Halifax by way of Development Agreement. In her presentation, Ms. Salih noted that the application was originally submitted in April of 2014. Halifax and West Community Council gave First Reading November 25, 2014 but shortly after this the owner contacted staff asking for a delay in the public hearing due to building code concerns he became aware of if the application was approved. Ms. Salih advised that staff have worked with the owner to discuss options regarding the application of the National Building Code and the owner has now indicated that his concerns have been resolved.

There were no questions from members of Community Council

The Chair reviewed the Rules of Procedure for Public Hearings and opened the public hearing.

In response to the Chair's invitation to the applicant to step forward at this time to address Community Council, Ms. Salih advised that the property owner, Mr. Dambergs, was unable to be present this evening as he was out of the country, however, he had submitted his comments via e-mail.

The Chair invited anyone wishing to address Community Council on this matter to step forward at this time.

Mr. Peter Lavelle advised that he was a resident of the area and was very supportive of this application as it was an example of gentle densification that would fit in with the nature and character of the neighbourhood.

The Chair called three times for any further speakers, there being none, it was

MOVED by Councillor Mason, seconded by Councillor Smith

That the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Smith, seconded by Councillor Mason

THAT Halifax and West Community Council:

1. **Approve the proposed Development Agreement, included as Attachment A of the November 10, 2014 staff report; 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.

In moving the motion Councillor Smith indicated his support for the proposal and noted that he spoke with the applicant today. Councillor Smith also noted that he has not received any negative feedback from the residents of the area on the application.

MOTION PUT AND PASSED.

10.1.2 Case 20215: Land Use By-law Amendment for 1840 St. Margaret's Bay Road, Timberlea – Micro-Alcohol Production Facility

The following was before Community Council:

- A staff recommendation report dated January 19, 2017.

Ms. Dali Salih, Planner II provided the staff presentation on the application by Canadian International Capital Incorporated to amend the Land Use By-law for Timberlea/Lakeside /Beechville to allow micro-breweries as a permitted use within the C-2 (General Business) Zone. In her remarks, Ms. Salih noted that the proposed amendments would affect 32 properties and not 29 as was stated in the staff report.

The Chair opened the public hearing and invited the applicant to come forward at this time.

Mr. Andrew Giles, Vice President of Development for Brunello Estates addressed Community Council and advised that in 2015 his company was approached by a group who wanted to purchase a piece of commercial land that was in close proximity to the golf course and open a microbrewery. Through the application process it was determined that a microbrewery was not permitted in the Timberlea/Lakeside/Beechville C-2 Zone. Mr. Giles added that there are 4 or 5 microbreweries located in the C-2 Zone in Peninsula Halifax, therefore there is precedent for this type of facility. He suggested that the underlying problem in his situation was that the bylaw, which was written in 1992 included all the permitted uses in the zone, and microbreweries were not included, probably because there were no microbrewery businesses at that time. In concluding his remarks, Mr. Giles advised that the group that is intending to open a microbrewery has previous experience, noting that they have one in Port Williams; and that this proposal will create 15 jobs locally with spin-offs.

The Chair called three times for anyone else wishing to speak, there being none, it was

MOVED by Councillor Mason, seconded by Councillor Smith

That the public hearing close.

MOTION PUT AND PASSED.

Councillor Zurawski spoke in support of the application advising that it would be a great addition to the area and that in his view, any concerns of increased traffic would actually lead to enhanced traffic calming. He also suggested that this proposal would encourage the development of other small businesses in the area.

MOVED by Councillor Zurawski, seconded by Councillor Walker

That Halifax and West Community Council Adopt the amendments to the Land Use Bylaw for Timberlea/Lakeside/Beechville, as set out in Attachment A of the January 19, 2017 staff report.

MOTION PUT AND PASSED.

10.1.3 Case 20375: Substantive Amendments to Development Agreement Rockingham South, Halifax

The following was before Community Council:

- A staff recommendation report dated January 11, 2017.

Mr. Luc Ouellet, Planner III provided staff presentation on the application by Rockingham South Ltd. to amend the existing Stage 1 development agreement for Rockingham South to remove a condition regarding phasing. This would allow for the consideration of a Stage II Development Agreement for Phase 4 without the need for a certain occupancy threshold to be reached in Phases 1 – 3. Mr. Ouellet advised that Phase 4, therefore, could be developed concurrently with Phases 1- 3. Mr. Ouellet noted that it has been confirmed that the existing infrastructure can service all phases of development on site.

Mr. Ouellet responded to questions from Community Council.

The Chair opened the public hearing and invited the applicant to come forward at this time.

Mr. Cesar Saleh, WM Fares Group, addressed Council and advised that staff have adequately presented the proposal and he did not have anything further to add; he added that he was available to respond to any questions Community Council may have. There were no questions from Community Council.

The Chair called three times for any further speakers; there being none it was

MOVED by Councillor Zurawski, seconded by Councillor Walker

That the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Walker, seconded by Councillor Zurawski

That Halifax and West Community Council:

- 1. Approve the proposed Stage 1 amending development agreement, which shall be substantially of the same form as set out in Attachment A of the January 11, 2017 staff report; 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, which is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

10.2 VARIANCE APPEAL HEARINGS - NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant advised that correspondence was submitted for items 10.1.1 and 13.3.1. and had been circulated to Community Council.

11.2 Petitions - None

11.3 Presentation

11.3.1 Dennis Campbell, CEO, Ambassatours – Halifax Community Road Train

The following was before Community Council:

- Information entitled, 'Halifax Community Road Train 2017'

Mr. Dennis Campbell, CEO Ambassatours addressed Community Council and provided a presentation with regard to 'Halifax Community Road Train'. The Road Train consists of an engine and three 20-passenger open-side train carriages. It will hold 56 passengers and there is a door for every four people. It is six feet wide and able to navigate the narrow streets of the waterfront area. The rear carriage is wheelchair accessible, and the train will have a professional driver and a safety attendant to welcome and assist passengers. The Road Train will run from June to October 2017 and is designed to run a circular loop along Lower Water Street and Hollis Streets. It will enable locals and tourists to visit various businesses and attractions along the waterfront in a fun and convenient way. Mr. Campbell explained that the inspiration for the train came from a similar idea that the community of Tatamagouche carried out last summer and was very well received. Mr. Campbell advised that the service will be funded by many local businesses combined with 'pay as you can' donations from the ridership. Ambassatours Gray Line will underwrite the losses for this service and if there is any profit, the funds would go back into improving the service in the future. Mr. Campbell requested the Municipality's consideration of providing a 3-year financial commitment as follows:

- Year 1 - \$50,000
- Year 2 - \$40,000
- Year 3 - \$30,000

Mr. Campbell responded to questions from Community Council.

Councillor Mason noted his support for the proposal and pointed out that Regional Council has been discussing a service like this, since the discontinuance of the FRED (Free Rides Everywhere Downtown) bus.

MOVED by Councillor Mason, seconded by Councillor Zurawski

That Halifax and West Community Council recommend Halifax Regional Council request a staff report in response to the presentation and request provided on the 'Halifax Community Road Train' by Dennis Campbell, CEO Ambassatours.

MOTION PUT AND PASSED.

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF- NONE

13.2 MEMBERS OF COMMUNITY COUNCIL- NONE

13.3 COMMITTEES:

13.3.1 Point Pleasant Park Advisory Committee – Unauthorized Removal of Vegetation from Point Pleasant Park

The following was before Community Council:

- A report dated March 3, 2017 submitted from the Chair of the Point Pleasant Park Advisory Committee
- Correspondence was submitted from Bob and Wendy McDonald

MOVED by Councillor Mason seconded by Councillor Walker

That Halifax and West Community Council request a staff report to consider the creation and implementation of a public awareness campaign regarding the unauthorized removal of vegetation from Point Pleasant Park including the installation of 'Do Not Pick the Plants' signs as well as print and online advertising and any other form of advertising and public awareness recommended by staff. It is further recommended that the report consider how the by-laws governing this matter can be enforced.

MOTION PUT AND PASSED.

14. MOTIONS

14.1 Councillor Cleary

MOVED by Councillor Cleary, seconded by Councillor Zurawski

That Halifax and West Community Council request a staff report regarding the opportunities and challenges related to implementing a policy ensuring applicants in a land use matter must have no arrears in municipal taxes on a subject property prior to and during consideration of an application.

MOTION PUT AND PASSED.

15. IN CAMERA (IN PRIVATE) - NONE

16. ADDED ITEMS - NONE

17. NOTICES OF MOTION - NONE

18. PUBLIC PARTICIPATION

No one came forward to address Community Council during public participation

19. DATE OF NEXT MEETING – Tuesday, April 18, 2017

20. ADJOURNMENT

The meeting adjourned at 7:19 p.m.

Sheilagh Edmonds
Legislative Assistant