

**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
July 10, 2018**

PRESENT: Councillor Stephen D. Adams, Chair
Councillor Lindell Smith, Vice Chair
Deputy Mayor Wayne Mason
Councillor Shawn Cleary
Councillor Russell Walker

REGRETS: Councillor Richard Zurawski

STAFF: Karen Brown, Solicitor
David Perusse, Legislative Assistant
Krista Vining, 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 6:01 p.m. and adjourned at 6:38 p.m.

1. CALL TO ORDER

The meeting was called to order at 6:01 p.m. in the Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES – June 12, 2018

MOVED by Councillor Walker, seconded by Councillor Cleary

THAT the minutes of June 12, 2018 be approved as presented.

MOTION PUT AND PASSED.

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

The Chair noted that Community Council would deal with item 10.1.2 prior to 10.1.1.

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT the agenda be approved as amended.

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 21599: Rezoning, 6048 Stairs Street, 6042 Stairs Street, 6038 Stairs Street, 6034 Stairs Street, 6054 Stairs Street, 6055 Livingstone Street and 6031 Livingstone Street, Halifax

The following was before Community Council:

- A staff recommendation report dated April 26, 2018
- A memorandum dated April 23, 2018 submitted from the Chair of Halifax Peninsula Planning Advisory Committee

Scott Low, Planner II, provided a staff presentation on Case 21599, for the rezoning of seven (7) properties along Stairs Street and Livingstone Street, Halifax, for the purpose of developing a motor vehicle dealership and service facility.

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

Shelley Dickey, speaking on behalf of Dynamic Properties Company Ltd., spoke to Community Council about the plans for a motor vehicle dealership and service facility, should the rezoning proceed. They noted that the request would bring the subject properties in line with industrial zoning uses in the surrounding area.

The Chair then called three times for anyone wishing to address Community Council on this matter; there being none, it was MOVED by Deputy Mayor Mason, seconded by Councillor Smith

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Smith, seconded by Councillor Walker

THAT Halifax and West Community Council adopt the amendment to the Halifax Peninsula Land Use Bylaw as set out in Attachment A of the staff report dated April 26, 2018.

MOTION PUT AND PASSED.

10.1.2 Case 21419: Rezoning, Powers Road, Whites Lake (PID 41420837)

The following was before Community Council:

- A staff recommendation report dated April 10, 2018

Stephanie Salloum, Planner II, provided a staff presentation on Case 21419: Rezoning, Powers Road, Whites Lake, to allow for the development of a new single unit dwelling with an attached auxiliary dwelling unit on the property.

Councillor Smith joined the meeting at 6:08 p.m.

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

Daniel d'Entremont, Applicant, noted to the Community Council that the purpose of the request is so that they can build an ensuite apartment for members of their family.

The Chair then called three times for anyone wishing to address Community Council on this matter; there being none, it was MOVED by Councillor Cleary, seconded by Councillor Walker

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Walker, seconded by Councillor Cleary

THAT Halifax and West Community Council adopt the amendment to the Land Use By-law for Planning District 4 (Prospect), as set out in Attachment A of the staff report dated April 10, 2018.

MOTION PUT AND PASSED. (Councillor Smith did not take part in the vote as per *Administrative Order One*, Appendix A, Section 20)

10.2 Variance Hearings

10.2.1 Case 21057: Appeal of Variance Approval – 3310 Micmac St., Halifax

The following was before Community Council:

- A staff recommendation report dated June 11, 2018

Brenda Seymour, Planner I, provided a staff presentation on Case 21057, an appeal of a variance approval for the construction of a garage attached to the front of an existing single unit dwelling at 3310 Micmac Street in Halifax.

The Chair reviewed the rules of procedure for variance hearings and invited the Appellants to come forward and address Community Council.

The Chair noted that the Appellant was not present.

The Chair called three times for any other speakers within the notification area to come forward and address Community Council; there were none.

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

David Noss, property owner, spoke to the Community Council about the construction of the garage. They noted that due to health issues, they have experience increased difficulty keeping the driveway clear of snow in the winter. The covered driveway alleviates this issue.

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT the variance hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT Halifax and West Community Council allow the appeal.

MOTION PUT AND DEFEATED. (Development Officer's decision upheld.)

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant noted that correspondence was received for item 13.1.4. This correspondence was circulated to Community Council.

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

11.2 Petitions - None

11.3 Presentations - None

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Case 21385: Rezoning request for lands located off Herring Cove Road and Mansion Avenue, Herring Cove

The following was before Community Council:

- A staff recommendation report dated June 18, 2018

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 Land Use By-law for Halifax Mainland, as set out in Attachment A of the staff report dated June 18, 2018, to rezone PIDs 40414831 and 40019028 and a portion of PIDs 00325985, 00330803, 00330811 from the R-1 (Single Family Dwelling) Zone to the R-2 (Two Family Dwelling) Zone, and schedule a public hearing.

MOTION PUT AND PASSED.

13.1.2 Case 20719: Land Use By-law Amendment, Development Agreement, and Development Agreement Discharge for 5516, 5530 and 5532 Bilby Street

The following was before Community Council:

- A staff recommendation report dated April 24, 2018
- A memorandum from the Halifax Peninsula Planning Advisory Committee dated June 29, 2017

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT Halifax and West Community Council:

1. **Approve, by resolution, the proposed Discharging Development Agreement, which shall be substantially of the same form as set out in Attachment C of the staff report dated April 24, 2018;**
2. **Approve the proposed Development Agreement, which shall be substantially of the same form as set out in Attachment B of the staff report dated April 24, 2018; and**
3. **Require that both the Discharging Development Agreement and 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.**

MOTION PUT AND PASSED.

13.1.3 Case 20901: Amendments to an Existing Development Agreement for the Boss Plaza, Dutch Village Road and Alma Crescent, Halifax

The following was before Community Council:

- A staff recommendation report dated May 28, 2018

MOVED by Councillor Walker, seconded by Councillor Cleary

THAT Halifax and West Community Council give notice of motion to consider the proposed amending development agreement, as set out in Attachment A of the staff report dated May 22, 2018, to allow amendments to the Boss Plaza mixed-use development at Dutch Village Road and Alma Crescent, Halifax and schedule a public hearing.

MOTION PUT AND PASSED.

13.1.4 Case 19531: Development Agreement for the northern corner of Young Street and Windsor Street, Halifax

The following was before Community Council:

- A staff recommendation report dated June 11, 2018
- A memorandum from the Halifax Peninsula Planning Advisory Committee dated November 24, 2015
- Correspondence submitted by Li Zhai, Chris Penn, and Emily Kyte.

MOVED by Councillor Smith, seconded by Deputy Mayor Mason

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 June 11, 2018, to enable a mixed use, commercial and high density residential development at the northern corner of Young Street and Windsor Street, Halifax and schedule a public hearing.

MOTION PUT AND PASSED.

14. MOTIONS - NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION

17.1 Deputy Mayor Mason

TAKE NOTICE THAT at the next meeting of Halifax and West Community Council on August 7, 2018, I will make the following motion that Halifax and West Community Council request that staff prepare a recommendation report for Community Council's consideration to clarify the application of sections 34E and 43E of the Halifax MPS relative to internal conversions of residential buildings, including the required amendments to the Halifax Peninsula LUB.

18. PUBLIC PARTICIPATION

No one came forward to address Community Council during public participation.

19. DATE OF NEXT MEETING – August 7, 2018

20. ADJOURNMENT

The meeting was adjourned at 6:38 p.m.

David Perusse
Legislative Assistant