

**HALIFAX AND WEST COMMUNITY COUNCIL  
MINUTES  
August 7, 2018**

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

REGRETS: Councillor Shawn Cleary  
Councillor Richard Zurawski

STAFF: Karen Brown, Solicitor  
David Perusse, Legislative Assistant  
Phoebe Rai, 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](http://halifax.ca).*

*The meeting was called to order at 6:00 p.m. and adjourned at 8:37 p.m.*

**1. CALL TO ORDER**

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

**2. APPROVAL OF MINUTES – July 10, 2018**

MOVED by Councillor Walker, seconded by Deputy Mayor Mason

**THAT the minutes of July 10, 2018 be approved as presented.**

**MOTION PUT AND PASSED.**

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

*Additions:*

16.1 Case 20936: MPS/ LUB Amendments and Development Agreement for Long Lake Village, at Cowie Hill Road and Northwest Arm Drive, Halifax

Community Council agreed to deal with Item 11 “Correspondence, Petitions & Delegations” prior to the Public Hearings (Item 10).

MOVED by Councillor Smith, seconded by Deputy Mayor Mason

**THAT the agenda be approved as amended.**

Two-thirds vote required.

**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 20762: Development Agreement for Lynnett Road, Halifax**

The following was before Community Council:

- A staff recommendation report dated May 11, 2018
- Staff presentation on Case 20762: Development Agreement – Lynnett Road, Halifax
- Correspondence submitted by Ian Chamberlain

Melissa Eavis, Planner III, provided a staff presentation on Case 20762: Development Agreement for Lynnett Road, Halifax, to permit a multiple unit residential building, townhouses and single unit dwellings at the end of Lynnett Road and McIntosh Street, Halifax.

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

The Applicant was present but declined to give a formal presentation.

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

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

Councillor Smith took the Chair at 6:11 p.m.

Councillor Adams spoke in support of the proposed amendments to the development agreement and asked members of Community Council to vote in favour of the proposal.

MOVED by Councillor Adams, seconded by Deputy Mayor Mason

**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 May 11, 2018; 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.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Adams took the Chair at 6:13 p.m.

#### **10.1.2 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 22, 2018
- Staff presentation on Case 20901: Development Agreement Amendments - Boss Plaza, Dutch Village Road & Supreme Court, Halifax
- Correspondence submitted by Carolee Reinhardt, Ron Murray, and Barb Boudreau

Paul Sampson, Planner II, provided a staff presentation on Case 20901: Amendments to an Existing Development Agreement for the Boss Plaza, Dutch Village Road and Alma Crescent, Halifax, that enables a mixed-use development referred to as the Boss Plaza, located at Dutch Village Road and Alma Crescent, Halifax.

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

**Ian Watson**, Upland Urban Planning and Design, on behalf of the Applicant, provided Community Council with a presentation on Case 20901: Amendments to an Existing Development Agreement for the Boss Plaza, Dutch Village Road and Alma Crescent, Halifax, that enables a mixed-use development referred to as the Boss Plaza, located at Dutch Village Road and Alma Crescent, Halifax.

Responding to questions from members of Community Council, Watson noted that there is a difference of about one hundred (100) dwelling units from what is currently approved for the development, and what they are seeking with the amendments to the development agreement.

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

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Walker, seconded by Deputy Mayor Mason

**THAT Halifax and West Community Council:**

1. **Approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated May 22, 2018; and**
2. **Require the amending 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, which is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

### **10.1.3 Case 21088: Rezoning for Lands at 20 Tremont Drive (4 PIDs), Halifax**

The following was before Community Council:

- A staff recommendation report dated June 6, 2018
- Staff presentation Case 21088: Rezoning for 20 Tremont Drive
- Correspondence submitted by Conner Wallace, Heather Lynch, Brian Jessop, Tara Imlay, Mary Hellstrom, Barry Goyetche, and Lynda Tyler

Brittney MacLean, Planner II, provided a staff presentation on Case 21088: Rezoning for Lands at 20 Tremont Drive (4 PIDs), Halifax, to rezone lands located at 20 Tremont Drive.

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

**Conner Wallace**, WSP Canada, on behalf of JMJ Development Ltd, provided Community Council with a presentation on Case 21088: Rezoning for Lands at 20 Tremont Drive (4 PIDs), Halifax, to rezone lands located at 20 Tremont Drive. They also spoke to the Traffic Impact Statements conducted in support of the development.

The Chair then called for any members of the public wishing to address Community Council on this matter.

**Wendy Luciano**, 24 Tremont Drive, noted that in the past, they had tried to subdivide and develop a property on Tremont Drive, but their plan was rejected as being inconsistent with the current by-laws. They asked what had changed since then that would permit the proposal currently before the Community Council to proceed. They further noted that the proposed development was inconsistent with the character of the neighbourhood.

**Brian Jessop**, 19 Tremont Drive, spoke in opposition to the proposal, noting that the street access to the new development would be entirely dependant on Tremont Drive. They further noted that the development would not be in keeping with the character of the neighbourhood, with the majority of surrounding houses being 1 ½ residential dwellings, rather than 3 story townhouses. They noted that the development will require significant excavation and building of retaining walls to be able to support the buildings on the ridge.

**Barb McClaw**, 10 Tremont Drive, noted that the Traffic Impact Statement provided by the Applicant does not accurately reflect the impact of traffic that would result from the proposed development. Many parents park and wait for their children at Rockingham School along Tremont Drive, and this would contribute to the already congested traffic situation. They further noted that the solid and water waste infrastructure in

the area is already strained. They noted that the three story townhouses positioned on the ridge means that they will tower over the surrounding properties, which would not be consistent with the character of the neighbourhood.

**Miles McGee**, 21 Tremont Drive, spoke in opposition to the proposed development, noting that the proposed access road would be at a fourteen percent (14%) grade increase. They noted that this would be a significant issue for road maintenance and safety during the winter months, and that it will create a blind intersection which will pose additional safety concerns with so many school children in the area. They further noted that the development itself is inconsistent with the character of the neighbourhood.

**Tara Imlay**, 21 Tremont Drive, noted that Tremont Drive is already experiencing significant traffic congestion issues with staff, students and parents of Rockingham School using the street. Parents often use the street as a drop off and pick up spot, parking for long periods of time. The proposed development would only exacerbate the congestion and parking issues in the area. They further noted that there has recently been a rezoning/boundary change for Rockingham School, which occurred after the Traffic Impact Statement current before the Community Council was conducted. This rezoning will result in an increased number of students having to be driven or bused in daily to attend the school. They concluded that the proposed development is also not in keeping with the character of the neighbourhood.

**Connie Escra**, 12 Tremont Drive, spoke in opposition to the proposal, expressing concern at the prospect of having seventeen (17) three-storey town houses towering over the surrounding dwellings. They noted that this would not be consistent with the character of the neighbourhood. They additionally expressed concern about the blasting that would be required for the development, and how it will interfere with residents, as well as with the learning and development of the children attending Rockingham School. They asked Community Council to consider the long-term negative impact the development will have on the neighbourhood, Rockingham School, and the local environment.

**Karen Lerner**, 189 Torrington Drive, noted that Torrington Drive receives the overflow school traffic from Tremont Drive because Tremont is so congested. They noted that the proposed development would negatively contribute to this issue. They questioned the validity of the findings of the Applicant's Traffic Impact Statement, noting that it was not conducted during the winter when the traffic issues are at their worst. They further noted that the blasting that would be required will cause significant disruption for the community and the school.

**Meg McCallum**, 30 Tremont Drive, noted that Tremont Drive is already very congested at pick up and drop off times at Rockingham School, and particularly so during winter months. They noted that the traffic signs are often ignored by parents, and the current situation is becoming unsafe for children. They noted that the elevation of the proposed townhouses is a concern, as they will tower over the surrounding dwellings. They additionally expressed concern that the blasting for the development will cause damage to surrounding properties, and that based on the average market price of other townhouses in the area, the proposed development will be less affordable than single dwellings. As such, the development would not actually contribute to affordable housing in the area.

**Angela Jessop**, 19 Tremont Drive, noted that three (3) PIDs were involved in the original application for the development. A fourth PID was subsequently included to allow for greater frontage on Tremont Street. They noted that the addition of the fourth PID was not included at the time of the original public information meeting and consultation on the development. They stated that this is poor planning practices, and urged members of Community Council to consider these irregularities when voting.

**Darrell McCallum**, 30 Tremont Drive, spoke in opposition to the proposal before Community Council, noting that it provides for double the population density permitted under R1 zoning. They expressed the view that the development would be inconsistent with the character of the neighbourhood. They also noted that the parking issues and traffic congestion will become an even greater issue along Tremont Drive, and that the planned location for the intersection and grade of the road would cause additional safety concerns.

**Chris DuWile**, 15 Tremont Drive, noted that the tax revenue that the Municipality would receive from the proposed townhouses would be equal to, or less than what they would receive from single unit dwellings, which make up the majority of the neighbourhood. They expressed the view that increased density should not be achieved through such developments.

**Brian Larnar**, 189 Torrington Drive, noted that houses in the neighbourhood have already been suffering from neighbouring developments being much larger and towering over surrounding dwellings. They further noted that excavating in the Rockingham area will require a significant amount of blasting, which will be extremely disruptive to the community. They additionally noted that the treeline currently on the ridge acts as an important greenspace, as well as a sound barrier between the community and the Bedford Highway.

**Nate Seleg**, 6 Tremont Drive, provided Community Council with a presentation showing pictures of Tremont Drive to show examples of traffic congestion issues and the steep grade of the road. They noted that parking is a constant issue, and that there is a blind turn on Tremont Drive which makes pulling out of many driveways along the road difficult and dangerous. They expressed the view that the proposed development will negatively contribute to these issues.

**Connor Wallace**, on behalf of the Applicant, responded to some of the concerns raised during the public hearing. They noted that many of the concerns raised by residents are not necessarily tied to the proposal before Community Council to rezone from an R1 to an RT2 zoning. They further noted that the traffic studies were submitted to HRM staff, noting that construction and traffic issues can be dealt with through other means, rather than at the rezoning stage. They concluded that the proposal is in accordance with current HRM planning policies.

The Chair 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 Walker

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Walker, seconded by Councillor Smith

**THAT Halifax and West Community Council adopt the amendment to the Land Use By-Law for Halifax Mainland, as set out in Attachment A of the staff report dated June 6, 2018.**

Responding to questions from members of Community Council, Brittney MacLean noted that there was only three (3) PIDs included in the original application; however, an additional fourth PID was subsequently added for the purposes of acquiring a right of way onto Tremont Drive for the proposed development.

Councillor Walker noted that they had done a site visit during the winter months at school drop off times to see the traffic issues on Tremont Drive for themselves. They noted that their impression was that the traffic on Tremont Drive creates safety concerns for the children attending the school. The proposed development will create greater issues for traffic congestion and contribute to the safety concerns on Tremont Drive. Walker further noted that the vast majority of the neighbourhood consists of single family dwellings, and the proposed development would be inconsistent with the character of the neighbourhood.

Walker additionally noted the petition they received with 384 signatures from residents of Rockingham in opposition to the proposal. They also noted that without exception, all members of the public participating in the public hearing on Case 21088 were in opposition to the development. Walker noted that the developers need to receive more buy-in for the development from members of the community.

**MOTION PUT AND DEFEATED UNANIMOUSLY.**

Community Council recessed at 8:00 p.m. and reconvened at 8:09 p.m.

## **10.2 Variance Hearings**

### **10.2.1 Case 21645: Appeal of Variance Approval – 1532 Larch Street, Halifax**

The following was before Community Council:

- A staff recommendation report dated July 18, 2018
- Staff presentation on Case 21645: Variance Hearing 1532 Larch Street, Halifax

Peter Nightingale, Planner I, provided a presentation on Case 21645: Appeal of Variance Approval – 1532 Larch Street, Halifax, to enable the existing single unit dwelling to be converted to a three-unit dwelling.

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

The Chair noted that the Appellants were not present.

**Daniel Plant**, the property owner, noted that the property in question sat on the market for a number of years before they decided to buy it. Their intention for the property is to convert it from a seven (7) bedroom single unit dwelling, to a three (3) unit dwelling, while maintaining the character of the property.

The Chair 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 Walker

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

MOVED by Deputy Mayor Mason, seconded by Councillor Smith

**THAT Halifax and West Community Council allow the appeal.**

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

## **11. CORRESPONDENCE, PETITIONS & DELEGATIONS**

### **11.1 Correspondence**

The Legislative Assistant noted that correspondence was received for items 10.1.1, 10.1.2, and 10.1.3. This correspondence was circulated to Community Council.

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

### **11.2 Petitions**

Councillor Walker submitted a petition with 384 signatures from residents of the Rockingham community in opposition to the proposal set out in Case 21088.

### **11.3 Presentations - None**

## **12. INFORMATION ITEMS BROUGHT FORWARD – NONE**

### 13. REPORTS

#### 13.1 STAFF

##### 13.1.1 Case 19514: Amendments to the Halifax Municipal Planning Strategy and Mainland Halifax Land Use By-law and associated development agreements for the former Motherhouse Lands, Bedford Highway, Halifax

The following was before Community Council:

- A staff recommendation report dated June 1, 2018

MOVED by Councillor Walker, seconded by Councillor Smith

**THAT Halifax and West Community Council:**

1. Approve the proposed development agreement for the development of a mixed-use community on the 47 acre portion of the former Motherhouse lands in Halifax, which shall be substantially of the same form as contained in Attachment C of the staff report dated June 1, 2018;
2. Require the agreement, contained in Attached C of the staff report dated June 1, 2018, be signed by the property owner within 180 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;
3. Approve the proposed development agreement for the development of a mixed-use community on the 26 acre portion of the former Motherhouse lands in Halifax, which shall be substantially of the same form as contained in Attachment D of the staff report dated June 1, 2018; and
4. Require the agreement, contained in Attached D of the staff report dated June 1, 2018, be signed by the property owner within 180 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 UNANIMOUSLY.**

##### 13.1.2 Case 20360: Land Use Bylaw Amendment and Development Agreement for Young and Demone Streets, Halifax

The following was before Community Council:

- A staff recommendation report dated June 21, 2018
- A memorandum from the Halifax Peninsula Planning Advisory Committee dated October 27, 2017

MOVED by Councillor Smith, seconded by Councillor Walker

**THAT Halifax and West Community Council:**

1. Give First Reading to consider approval of the proposed amendment to Map ZM-2 the Land Use Bylaw for Halifax Peninsula, as set out in Attachment A of the staff report dated June 21, 2018, to include a parcel of land on Young Street (PID 00004283), Halifax, in Schedule Q and schedule a public hearing; and
2. Give notice of motion to consider the proposed development agreement, as set out in Attachment B of the staff report dated June 21, 2018, to allow for a ten-storey building, and schedule a public hearing. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**13.1.3 Case 20924: Development Agreement for Drysdale Road, Halifax**

The following was before Community Council:

- A staff recommendation report dated June 20, 2018

MOVED by Councillor Walker, 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 20, 2018, to enable a development agreement to permit a residential development at Drysdale Road, Halifax and schedule a public hearing.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**14. MOTIONS**

**14.1 Deputy Mayor Mason**

MOVED by Deputy Mayor Mason, seconded by Councillor Walker

**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.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**15. IN CAMERA (IN PRIVATE) – NONE**

**16. ADDED ITEMS**

**16.1 Case 20936: MPS/ LUB Amendments and Development Agreement for Long Lake Village, at Cowie Hill Road and Northwest Arm Drive, Halifax**

The following was before Community Council:

- A staff recommendation report dated July 22, 2018

MOVED by Deputy Mayor Mason, seconded by Councillor Walker

**THAT Halifax and West Community Council give Notice of Motion to consider the revised proposed amending development agreement, as set out in Attachment A of the supplementary staff report dated July 20, 2018, to allow amendments to the Long Lake Village mixed-use development at Cowie Hill Road and Northwest Arm Drive, Halifax, which includes the additional subsection 2.12.2. The public hearing for the proposed development agreement shall be held concurrently with the public hearing for the proposed MPS/LUB amendments referenced in Recommendation 1 of the staff report dated June 15, 2018.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**17. NOTICES OF MOTION - NONE**

**18. PUBLIC PARTICIPATION**

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

**19. DATE OF NEXT MEETING – September 12, 2018**

**20. ADJOURNMENT**

The meeting was adjourned at 8:37 p.m.

David Perusse  
Legislative Assistant