

**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
October 9, 2018**

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

STAFF: Karen Brown, Solicitor
David Perusse, 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 7:26 p.m.

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES – September 12, 2018

MOVED by Councillor Cleary, seconded by Councillor Smith

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

MOTION PUT AND PASSED.

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

MOVED by Councillor Zurawski, 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 – NONE

9. NOTICES OF TABLED MATTERS – NONE

Deputy Mayor Mason joined the meeting at 6:02 p.m.

10. HEARINGS

10.1 Public Hearings

10.1.1 Case 21321: LUB Amendment and Development Agreement Amendment 2856 Gottingen Street, 5517 Bilby Street, and 5519 Bilby, Street Corner of Gottingen Street and Bilby Street, Halifax.

The following was before Community Council:

- A staff recommendation report dated August 27, 2018
- Staff presentation on Case 21321 dated October 9, 2018
- Applicant presentation on Case 21321 dated October 9, 2018

Brittney MacLean, Planner II, provided a staff presentation on Case 21321 to amend the Halifax Peninsula Land Use By-Law to apply Schedule Q to 2856 Gottingen Street and make substantive amendments to the existing approved building to allow additional commercial floor space, and additional 24 residential units and an eighth story.

Responding to questions from members of Community Council, MacLean noted that factors such as the availability of local amenities, the desirability of increased density in the area, and the height of surrounding buildings are the types of factors examined when considering an appropriate height for the proposed building.

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

Catherine MacQuarrie, Michael Napier Architecture, on behalf of the Applicant, Nick I Holdings Ltd., provided Community Council with a presentation on Case 21321 to amend the Halifax Peninsula Land Use By-Law to apply Schedule Q to 2856 Gottingen Street and make substantive amendments to the existing approved building to allow additional commercial floor space, and additional 24 residential units and an eighth story.

The Chair then called for anyone wishing to address Community Council on this matter.

Irvine Carvery, Halifax, spoke in support of the proposal, noting that the owner of the property has been an important figure in the community for many years.

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 Councillor Cleary

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Smith, seconded by Deputy Mayor Mason

THAT Halifax and West Community Council adopt the amendment to Map ZM-2 of the Land Use By-law for Halifax Peninsula, as set out in Attachment A of the staff report dated August 27, 2018.

Councillor Smith expressed concerns regarding the rationale for the height of the proposed development, noting that looking to surrounding buildings in itself may not be a sufficient reason for permitting additional height. They noted that they would like to see greater set-backs and step-backs, and would like a further examination of the affordable housing components of the development; suggesting that a supplementary report be prepared for this purpose.

Karen Brown, Solicitor, noted that Councillors may request such a supplementary report; however, depending on the nature of the report, it may trigger the need for an additional public hearing on the matter if it proposes significant enough changes from what is currently before Community Council.

MOVED by Councillor Smith, seconded by Deputy Mayor Mason

THAT the motion be amended to add the following:

2. Request a supplementary report exploring set-backs and step-backs for the proposal along Gottingen and Bilby Street, as well as other aspects of surrounding buildings relating to the height rationale for the property, and affordable housing components of the development.

Councillor Cleary noted that no members of the public came forward to speak against the proposal, and suggested that Community Council proceed with the proposal before them rather than altering it.

MOTION TO AMEND PUT AND DEFEATED.

Community Council proceeded to vote on the original motion:

MOTION PUT AND PASSED.

10.2 Variance Hearings - NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant noted that correspondence was received for items 13.1.2 and 13.1.5. 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 Councillor Appointments to Boards and Committees

The following was before Community Council:

- A staff memo titled “Councillor Appoints to Boards/Committees

MOVED by Councillor Zurawski, seconded by Deputy Mayor Mason

THAT Halifax and West Community Council nominate representatives for each of the Standing and Advisory Committees set out in the Table for Councillor Appointments as distributed for the October 9, 2018 meeting of Halifax and West Community Council, and forward the nominations to Regional Council for ratification.

Members of Community Council proceeded to go through each of the Standing Committees and Committees of Council listed, and appoint members to each as follows:

- Appeals Standing Committee – Councillors Walker and Adams
- Audit & Finance Standing Committee – Councillor Walker
- Community Planning & Economic Development Standing Committee – Deputy Mayor Mason
- Environment & Sustainability Standing Committee – Councillor Zurawski
- Transportation Standing Committee – Councillor Cleary
- Grants Committee – Councillor Smith
- Halifax Peninsula Planning Advisory Committee – Deputy Mayor Mason and Councillor Smith
- Point Pleasant Park Advisory Committee – Deputy Mayor Mason
- Western Common Advisory Committee – Councillor Zurawski

MOVED that Councillor Zurawski, seconded by Councillor Cleary

THAT the motion be amended to add the following:

- **Appeals Standing Committee – Councillors Walker and Adams**
- **Audit & Finance Standing Committee – Councillor Walker**
- **Community Planning & Economic Development Standing Committee – Deputy Mayor Mason**
- **Environment & Sustainability Standing Committee – Councillor Zurawski**
- **Transportation Standing Committee – Councillor Cleary**
- **Grants Committee – Councillor Smith**
- **Halifax Peninsula Planning Advisory Committee – Deputy Mayor Mason and Councillor Smith**
- **Point Pleasant Park Advisory Committee – Deputy Mayor Mason**
- **Western Common Advisory Committee – Councillor Zurawski**

MOTION TO AMEND PUT AND PASSED.

The motion before Community Council reads as follows:

MOVED by Councillor Zurawski, seconded by Deputy Mayor Mason

THAT Halifax and West Community Council nominate representatives for each of the Standing and Advisory Committees set out in the Table for Councillor Appointments as distributed for the October 9, 2018 meeting of Halifax and West Community Council, and forward the nominations to Regional Council for ratification, as follows:

- Appeals Standing Committee – Councillors Walker and Adams
- Audit & Finance Standing Committee – Councillor Walker
- Community Planning & Economic Development Standing Committee – Deputy Mayor Mason
- Environment & Sustainability Standing Committee – Councillor Zurawski
- Transportation Standing Committee – Councillor Cleary
- Grants Committee – Councillor Smith
- Halifax Peninsula Planning Advisory Committee – Deputy Mayor Mason and Councillor Smith
- Point Pleasant Park Advisory Committee – Deputy Mayor Mason
- Western Common Advisory Committee – Councillor Zurawski

MOTION PUT AND PASSED AS AMENDED.

13.1.2 Case 20323: Amendments to the Halifax MPS and Halifax Peninsula LUB and associated development agreement for the former Ben's Bakery Lands on Quinpool Road, Pepperell Street, Preston Street and Shirley Street, Halifax

The following was before Community Council:

- A staff recommendation report dated August 23, 2018
- A memorandum from the Halifax Peninsula Planning Advisory Committee dated August 29, 2018
- Correspondence submitted by John Kirk, Sandy Fitzpatrick, Kenna Manos, and Wendy Scott

MOVED by Deputy Mayor Mason, seconded by Councillor Cleary

THAT Halifax and West Community Council:

1. Recommend that Regional Council give First Reading to consider the proposed amendments to the Municipal Planning Strategy for Halifax (MPS) and Land Use By-law (LUB) for Halifax Peninsula, as set out in Attachments A and B of the staff report dated August 23, 2018, to permit redevelopment of the former Ben's Bakery Lands into a mixed-use development and schedule a public hearing; and
2. Give Notice of Motion to consider the proposed development agreement, as set out in Attachment C of the staff report dated August 23, 2018, to permit a mixed-use building on Quinpool and Pepperell Streets, stacked townhouses on Preston Street and Pepperell Street, a 6-storey residential building on Pepperell Street, and townhouse buildings on Shirley Street. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.

MOTION PUT AND PASSED.

13.1.3 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

MOVED by Councillor Smith, 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 B of the staff report dated June 21, 2018; and
2. Require that the development agreement be signed by the property owner within 120, 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.

13.1.4 Case 21472: Halifax Mainland LUB Amendment (Rezoning) for PID 00299768, Halifax, Mainland

The following was before Community Council:

- A staff recommendation report dated September 4, 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 the Land Use By-law for Halifax Mainland, as set out in Attachment A of the staff report dated September 4, 2018, to rezone the lands at PID 00299768 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.

13.1.5 Case 20148: Development Agreement for a 14-storey building on lands fronting Robie, Pepperell and Shirley Streets, Halifax

The following was before Community Council:

- A staff recommendation report dated September 14, 2018
- Correspondence submitted by Burris Devanney

MOVED by Deputy Mayor Mason, 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 of the staff report dated September 14, 2018, to allow a 14-storey building (plus penthouse) at 6030 Pepperell Street, Halifax; and
2. Require that the proposed 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.

13.1.6 Case 20151: Amendments to the Halifax MPS and associated development agreement for 31 and 33 Brewer Court, Halifax

The following was before Community Council:

- A staff recommendation report dated April 9, 2018

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT Halifax and West Community Council:

1. Approve the proposed development agreement to permit a 6-unit townhouse and a semidetached dwelling at lands off Brewer Court, which shall be substantially of the same form as contained in Attachment B of the staff report dated April 9, 2018;
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.

13.1.7 Case 20102: Amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Mainland for 383 Herring Cove Road, Halifax

The following was before Community Council:

- A staff recommendation report dated September 11, 2018

MOVED by Councillor Walker, seconded by Councillor Zurawski

THAT Halifax and West Community Council recommend that Regional Council give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law for Halifax Mainland (LUB) as set out in Attachments A and B of the staff report dated September 11, 2018, to create a new zone which permits a 7-storey mixed-use building at 383 Herring Cove Road, Halifax, and schedule a public hearing.

MOTION PUT AND PASSED.

13.1.8 Case 19532: (Part 2): Stage I Development Agreement - The Mainland Commons Area, Halifax

The following was before Community Council:

- A staff recommendation report dated August 15, 2018

MOVED by Councillor Zurawski, seconded by Councillor Walker

THAT Halifax and West Community Council give Notice of Motion to consider approval of the Stage I Development Agreement, as provided in Attachment A of the staff report dated August 15, 2018, to allow for a mixed-use development consisting of residential and commercial uses in the lands surrounding the Mainland Commons, and schedule a public hearing.

MOTION PUT AND PASSED.

13.1.9 Case 20417: Development Agreement for 2267 Brunswick Street, Halifax

The following was before Community Council:

- A staff recommendation report dated September 14, 2018
- A memorandum from the Halifax Peninsula Planning Advisory Committee dated May 29, 2017

MOVED by Councillor Smith, seconded by Councillor Zurawski

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 September 14, 2018, to construct a 9 storey residential apartment building at 2267 Brunswick Street in 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 - NONE

18. PUBLIC PARTICIPATION

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

19. DATE OF NEXT MEETING – November 14, 2018

20. ADJOURNMENT

The meeting was adjourned at 7:26 p.m.

David Perusse
Legislative Assistant