



**HALIFAX & WEST COMMUNITY COUNCIL
HARBOUR-EAST MARINE DRIVE COMMUNITY COUNCIL
NORTH WEST COMMUNITY COUNCIL
JOINT MEETING
MINUTES**

December 11, 2018

PRESENT: Councillor Steve Adams, Chair
Councillor Steve Streach
Councillor David Hendsbee
Councillor Bill Karsten
Councillor Lorelei Nicoll
Councillor Sam Austin
Councillor Tony Mancini
Councillor Waye Mason
Councillor Lindell Smith
Councillor Shawn Cleary
Councillor Russell Walker
Councillor Richard Zurawski
Councillor Matt Whitman
Councillor Lisa Blackburn
Councillor Steve Craig
Councillor Tim Outhit

STAFF: John Traves, Municipal Solicitor
Liam MacSween, 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 6:30 p.m.

1. CALL TO ORDER

Councillor Steve Adams, Chair called the meeting to order in the Acadia Ball Room of the Halifax Marriott Harbourfront Hotel, 1919 Upper Water Street, Halifax.

2. APPROVAL OF MINUTES – September 18, 2018

MOVED by Councillor Cleary, seconded by Councillor Nicoll

THAT the minutes of September 18, 2018 be approved as presented.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS

Additions: None

MOVED by Deputy Mayor Mancini, seconded by Councillor Mason

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

4. PUBLIC HEARING

4.1 Case 21648 – Land Use By-law Housekeeping Amendments – Coastal Area Requirements

The following was before Community Council:

- A staff recommendation report dated August 27, 2018
- A staff presentation dated December 11, 2018
- Correspondence received by the Municipal Clerk's Office from Bob and Wendy McDonald dated December 11, 2018

Tyson Simms, Planner III provided a presentation on Case 21684: Land Use By-law Housekeeping Amendments – Coastal Area Requirements.

In response to questions from Community Council, Simms advised that if approved, the proposed housekeeping amendments would apply a 3.8 Meter elevation requirement (above the high-water mark) for residential development within the Harbour Designation. Simms noted that this is amendment is consistent with Canadian Geodetic Vertical Datum standards and the Regional Plan.

Council discussed anticipated provincial legislation for coastal development and the need for compliance and consistency within HRM's Municipal Planning Strategies and Land Use- By laws.

Councillor Adams read the rules of procedures with respect to public hearings, opened the public hearing and invited members of the public to address Halifax and West; Harbour East-Marine Drive and North West Community Council on Case 21648.

John Whyte of Saint Margaret's Bay, inquired as to whether a developer would be permitted to infill properties located along the coast line to achieve the proposed height elevation. Whyte further if this would also apply to the elements of construction, such as footings, to achieve the necessary elevation which is being proposed.

Lynda Christiansen-Ruffman of Fergusons Cove Road, raised concern with respect to the notification of the meeting and the timelines associated with HRM's public participation processes for planning matters. Christiansen-Ruffman provided further commentary with respect to the affects of climate change on coastal development, particularly in the years following Hurricane Juan.

Nancy Anningson, of the Ecology Action Centre, provided information with respect to upcoming provincial legislation for coastal development noting the involvement of the Ecology Action Centre in the consultation process. Anningson advised that HRM currently has high standards for coastal development such which include required setbacks and elevations and commented that municipalities will likely need to amend Land Use By-laws accordingly to ensure compliance with the provincial legislation once it is enacted. Anningson concluded by commenting on the challenge to municipal resources in enforcing regulatory compliance for development along the coast.

MOVED by Councillor Mason, seconded by Councillor Walker

THAT the public hearing be closed.

MOTION PUT AND PASSED.

In response to points raised during the public hearing, Simms noted that in some instances, the infilling of an existing property may be permitted to meet the 3.8 Meter Geodetic height requirement. Simms advised that any type of infilling is subject to meeting all applicable municipal and provincial approvals. Simms further noted that infilling within the water or coastline is separate requirement, and all necessary provincial, municipal and federal approvals must be met to for it to be permissible.

MOVED by Councillor Mason, seconded by Deputy Mayor Mancini

THAT Halifax and West Community Council; Harbour East-Marine Drive Community Council, and North West Community Council approve the proposed Land Use By-law amendments as set out in Attachment A of the staff report dated August 27, 2018, to the extent of each Community Council's jurisdiction.

MOTION PUT AND PASSED.

5. ADJOURNMENT

The meeting was adjourned at 6:30 p.m.

Liam MacSween
Legislative Assistant