



**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
September 24, 2020**

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

STAFF: Meg MacDougall, Solicitor
Krista Vining, Legislative Assistant
Alicia Wall, Legislative Support

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 6:05 p.m. and Community Council adjourned at 7:45 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:05 p.m.

2. APPROVAL OF MINUTES – Special September 8, 2020

MOVED by Councillor Zurawski, seconded by Councillor Cleary

THAT the minutes of September 8, 2020 be approved as circulated.

MOTION PUT AND PASSED

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

The Community Council agreed to amend the order of business to consider Item 6.2.1 Petitions ahead of Item 5.1.2 Case 22051.

MOVED by Councillor Smith, seconded by Councillor Mason

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

4. CALL FOR DECLARATION OF CONFLICT OF INTERESTS

5. HEARINGS – 6:00 p.m.

5.1 PUBLIC HEARINGS

5.1.1 Case 22624: Development Agreement for 2322-24 Hunter Street, Halifax

The following was before Community Council:

- Staff recommendation report dated June 22, 2020
- Correspondence from Matt Ramsay

Brittney MacLean, Planner II, Current Planner presented Case 22624, application to remove the commercial space and convert the building to six (6) residential units at 2322-24 Hunter Street, Halifax. The changes to the exterior of the building would be minimal and would include removing the commercial entrance. The existing wooden fence screening the rear yard would remain. The applicant was working with HRM building officials to have one accessible unit. As well, a solid waste plan has been provided and the site would qualify for curbside pickup. Steps have also been taken to improve the fire rating and Fire Services has confirmed a separate access was not required for the furnace room. A copy of the staff presentation is on file.

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

Tony Thibault, Applicant indicated the camera repair shop was in this location for almost 40 years and that it closed in December of 2019. Due to the difficulties of achieving a conforming commercial use, staff recommended residential units. Thibault viewed the proposed residential building being more in keeping with existing neighborhood and would help with the housing shortage.

The Chair confirmed there were no registered speakers.

MOVED by Councillor Cleary, seconded by Councillor Mason

That the Public Hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Smith, 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 June 22, 2020; and**
- 2. Require the agreement be signed by the property owner within 240 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.

5.1.2 Case 22051: Development Agreement for a service station at 1656 Prospect Road, Hatchet Lake

The following was before Community Council:

- Staff recommendation report dated August 19, 2020
- Correspondence from Beverley L. Volsky, Gary J. Grant, Ray Syvitski, Chad MacLeod, Rob McCleave, Joe Baars

Maria Jacobs, Planner II, Current Planning presented the application of Sunrose Land Use Consulting, on behalf of Hatchet Lake Plaza Ltd., for a development agreement to permit a service station, with an associated convenience store and take-out/drive-thru restaurant, at 1656 Prospect Road, Hatchet Lake. It was noted that a service station was not permitted within the existing Light Industry (I-1) Zone, however it could be considered by development agreement under policies RB-10 and IM-11 of the Municipal Planning Strategy (MPS) for Planning District 4 (Prospect). Some amendments to the application following staff review and public consultation included:

- Updated wetland delineation
- Updated traffic study
- 15 ft buffer between site and adjacent properties
- Drive-thru located at the back of building
- Limit parking spaces
- Walkway from site to adjacent lot; and
- Architectural features/detail.

A copy of the staff presentation is on file.

Thea Langille, Principal Planner, provided clarification on the role of the Committee in determining whether the proposal was consistent with the policy. Staff confirmed that the application was completed prior to Council's decision on Halifact 2050.

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

Jenifer Tsang, Sunrose Land Use Consulting spoke on behalf of the applicant and the need for a service station in this area. They noted that a traffic study, as well as three updates had been completed and it was determined that traffic lights were not required but turning lanes for both sides are. Tsang confirmed a significant amount of landscaping was being proposed and the building would be built to high architectural standards.

The Chair reviewed the rules of procedure for public hearings and called for the registered speakers.

Elie Elamiouni, Hatchet Lake would rather see city water brought into the community instead of a third service station. Elaminouni was concerned with traffic and the impact on wells, water tables and the wetlands.

Sherianne Awalt, Hatchet Lake spoke to the history of service stations in the area and stations shutting down and the land being left vacant due to contamination. They were concerned with the impact on water tables and wells as well as increased traffic and light pollution.

Kim Peters, Hatchet Lake did not see the necessity of another service station was concerned that the development borders a residential subdivision with wells. Peters wanted to see affordable housing in the community rather than another service station.

Martin Caya, Hatchet Lake expressed concerns with stormwater management.

Steve Perry, Halifax spoke to the service station benefitting area residents, especially since Covid 19 was encouraging more people to shop locally.

It was noted that **Kayla Menmuir, Hatchet Lake** was registered to speak but had not joined the meeting. The Clerk's Office made attempts contact the speaker but were unsuccessful.

The Chair invited the applicant to respond to speaker's comments.

Jenifer Tsang stated that there were high levels of protection in place for service stations and noted landowners could not direct their stormwater onto another person's property.

MOVED by Councillor Walker, seconded by Councillor Smith

THAT the Public Hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Walker, 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 August 19, 2020; and**
- 2. Require the development agreement be signed by the property owner within 240 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.**

Community Council discussed the application, explaining that the proposed development agreement does not reasonably carry out the intent of the Municipal Planning Strategy as follows:

- the potential environmental implications and effect on the water table;
- the proximity of the proposed development to residential properties; and
- the lack of adequate buffering between the proposed development and residential properties, wells and wetland.

Members also recognized the community's strong opposition to the application and questioned the compatibility of a service station near residential properties, pointing out that other service stations in the community were not located near residential properties.

MOTION PUT AND DEFEATED.

6. CORRESPONDENCE, PETITIONS & DELEGATIONS

6.1 Correspondence

The Legislative Assistant noted that correspondence was received for items 5.1.1 and 5.1.2. This correspondence was circulated to the Committee.

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

6.2 Petitions

6.2.1 Clerk's Office

A petition was received with 578 signatures from residents opposed to the development of a service station at 1656 Prospect Road, Hatchet Lake (Case #22051).

7. REPORTS

7.1 STAFF

7.1.1 Case 22450: Amendment to the Existing Development Agreement for Bedford West, Sub Area 9, Bedford and Halifax

The following was before Community Council:

- A staff recommendation report dated July 22, 2020

MOVED by Councillor Walker, seconded by Councillor Mason

THAT Halifax and West Community Council give notice of motion to consider the proposed amending agreement, as set out in Attachment A of the staff report dated July 22, 2020, to allow the reallocation of commercial density to residential density in Bedford West, Sub Area 9 and schedule a public hearing to be concurrently with North West Community Council.

MOTION PUT AND PASSED.

8. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

Alicia Wall
Legislative Support