



**HALIFAX AND WEST COMMUNITY COUNCIL
MINUTES
May 10, 2022**

PRESENT: Councillor Lindell Smith, Chair
Councillor Kathryn Morse
Councillor Iona Stoddard
Councillor Shawn Cleary

REGRETS: Councillor Patty Cuttell, Vice Chair
Councillor Waye Mason

STAFF: Meg MacDougall, Solicitor
Andrea Lovasi-Wood, Legislative Assistant
Hannah Forsyth, 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 6:02 p.m., and recessed at 6:07 p.m. Community Council reconvened in at 6:10 p.m. Community Council adjourned at 7:08 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 6:02 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. APPROVAL OF MINUTES – April 19, 2022

MOVED by Councillor Morse, seconded by Councillor Stoddard

THAT the minutes of April 19, 2022 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

Deletions: None

MOVED by Councillor Cleary, seconded by Councillor Morse

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

10. HEARINGS

10.1 PUBLIC HEARINGS

10.1.1 Case 20795: Rezoning and Development Agreement for St. Margaret's Bay Road, Beechville

The following was before Community Council:

- Staff recommendation report dated February 15, 2022
- Staff presentation dated May 10, 2022

First Reading and Notice of Motion were given on April 19, 2022.

Jamy-Ellen Klenavic, Planner II, gave a presentation on Case 20795 and responded to questions of clarification from Community Council.

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

The hearing opened at 6:39 p.m.

Jenifer Tsang, Sunrose Consulting, spoke on behalf of the applicant regarding the site plan and the proposal and responded to questions of clarification from Community Council.

There were no registered speakers.

MOVED by Councillor Stoddard, seconded by Councillor Cleary

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 6:52 p.m.

MOVED by Councillor Stoddard, seconded by Councillor Morse

That Halifax and West Community Council adopt the amendment to the Timberlea / Lakeside / Beechville Land Use By-law, as set out in Attachment A to the staff report dated February 15, 2022;

Councillor Stoddard proposed an amendment to provisionally approve the proposed development agreement and require that the development agreement be signed by the property owner. As provided for in section 53 (2) of Administrative Order One, *Respecting the Procedures of the Council*, the amendment was accepted as friendly.

The motion as amended now read:

That Halifax and West Community Council:

- 1. Adopt the amendment to the Timberlea / Lakeside / Beechville Land Use By-law, as set out in Attachment A to the staff report dated February 15, 2022;**
- 2. Provisionally approve the proposed development agreement, as set out in Attachment B of the staff report dated February 15, 2022, and which shall be substantially of the same form as set out in the February 15, 2022 staff report; and**
- 3. Require that 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.**

MOTION AS AMENDED PUT AND PASSED.

10.2 VARIANCE HEARING – NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence – None

11.2 Petitions – None

11.3 Presentations – None

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS – NONE

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

Ross McLaren, Halifax spoke about a dispute between neighbouring residents and the professional survey of a developer at 6177 Jubilee Road, Halifax. McLaren noted the frustration of neighbours as municipal staff are required to accept the developer's survey in this situation over a competing survey prepared by the neighbouring residents, leaving residents no recourse other than a potentially costly court option. McLaren requested that the development be stopped until the disputed surveys could be resolved, and a dispute resolution process developed.

19. DATE OF NEXT MEETING – June 21, 2022

20. ADJOURNMENT

The meeting was adjourned at 7:08 p.m.

Hannah Forsyth
Legislative Support