



**HALIFAX AND WEST COMMUNITY COUNCIL
DRAFT MINUTES
May 20, 2025**

PRESENT: Councillor Patty Cuttell, Chair
Councillor Kathryn Morse, Vice Chair
Councillor Laura White
Councillor Virginia Hinch
Councillor Shawn Cleary
Councillor Janet Steele

STAFF: Karen Brown, Solicitor
Andrea Lovasi-Wood, Legislative Assistant
Elizabeth Macdonald, Legislative Assistant

These minutes are considered draft and will require approval by Halifax and West Community Council at a future meeting.

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, reports, supporting documents, information items circulated, and video (if available) are online at halifax.ca.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 6:03 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 22, 2025

MOVED by Councillor Cleary, seconded by Councillor Steele

THAT the minutes of April 22, 2025 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 Steele, seconded by Councillor White

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 24505: Development Agreement for 10 Kirk Road, Halifax for a bare land condominium development and rehabilitation of a registered heritage property

The following was before the Community Council:

- Heritage Advisory Committee report dated September 12, 2024 with attached staff report dated September 4, 2024
- Correspondence from Paul Caracristi, Nick and Heather Jupp, Sheila and Hugh Kindred, Hannah Harrison, Karen McKendry
- Staff presentation dated May 20, 2025
- Applicant presentation dated May 20, 2025
- Handout dated May 20, 2025

Elizabeth Cushing, Planner II gave a presentation and responded to questions of clarification from the Community Council.

The hearing opened at 6:20 p.m.

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

Talbot Sweetapple, Applicant gave a presentation.

Sweetapple and Paul Taylor, Applicant responded to questions of clarification from Community Council.

The Chair reviewed the rules of procedure for public hearings and called for anyone wishing to speak on the matter.

Karen McKendry, Jollimore spoke to a second hemlock stand on the property and displayed one slide. McKendry also spoke to the North West Arm tow path. McKendry noted the second hemlock stand was not included in the site plan and questioned if it would be retained. McKendry spoke to the importance of its preservation and noted it was used by wildlife and people. McKendry explained the benefits of the tow path's maintenance and expressed concern that the agreement for the tow path was independent of the development agreement.

Paul Taylor, Jollimore expressed concern that the density of the development would result in excessive traffic on Kirk Road and McManus Road and stated the road network was not appropriate for the expected increase in traffic. Taylor spoke to the importance of maintaining the tow path, explained it was a vital community asset and expressed concern that an agreement concerning the tow path may not be reached.

Paul Caracristi, Kirk Road spoke to concerns regarding the impacts of the development's construction. Caracristi explained Kirk Road and McManus Road were never intended for large vehicles and stated the traffic impact study was flawed, outdated and did not account for post covid traffic levels. Caracristi suggested a new traffic impact study be commissioned, a third traffic entrance be introduced via Marine Drive, key roads be reinforced prior to construction, construction hours be restricted, measures be taken to ensure emergency access routes remain clear and functional, and a site representative be appointed for the construction process.

Russell MacKinnon, Boscobel Road spoke in support of the proposed development. MacKinnon asserted the staff report contained statements which were unsupported and untrue about the tow path and explained no evidence was provided supporting a history of military and industrial use of the tow path. MacKinnon provided a handout to Community Council.

The Chair invited the applicant to respond to questions raised by the public.

Talbot Sweetapple, Applicant responded to questions raised by the public. Sweetapple noted the tow path was an important feature of the property for the proposed development's residents and would work for it, to remain open to public use, confirmed the second hemlock stand would be retained and all efforts would be made to preserve the natural features of the property.

MOVED by Councillor Cleary, seconded by Councillor Steele

THAT the hearing be closed.

MOTION PUT AND PASSED.

The hearing closed at 6:58 p.m.

Elizabeth Cushing, Planner II responded to questions raised by the public. Cushing explained there was a clause within the development agreement (DA) that required the applicant to work with Halifax Regional Municipality's staff to develop a management plan for the hemlock stands to ensure they would be adequately protected. Cushing noted the supplementary report regarding the tow path would be required to go before Halifax Regional Council for discussion and may include a public hearing. Cushing explained the municipality did not have legislative authority to require the property owner to convey property to the

municipality through the DA and stated the applicant had expressed intent to engage with the municipality to negotiate the tow path.

Cushing spoke to the concerns regarding increased traffic and explained that municipal staff reviewed the 2022 traffic impact study and concluded the proposed development did not generate a significant increase in traffic. Cushing further noted the study complied with best practices and municipal requirements. Regarding the suggestion for an additional access point via Marine Drive, Cushing confirmed Marine Drive was considered as an additional access point during the DA agreement process but was determined not to be feasible due to the change in grading. Cushing noted during the permitting stage of construction, the applicant would be required to provide notification of any delays or major construction issues. Cushing explained a section of the DA outlined how heritage features would be treated and protected including a clause that outlined requirements for the re-location of stone walls on the property.

Cushing responded to questions of clarification from Community Council regarding timelines of the development, vibrational monitoring and blasting by-law requirements. Cushing clarified the noise by-law was monitored through municipal compliance, a construction mitigation strategy would be implemented, residents would be notified of any major changes, and the site would be monitored by municipal staff throughout the construction process.

MOVED by Councillor Cleary, seconded by Councillor White

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 4, 2024; and**
- 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.

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

Correspondence was received and circulated for item 10.1.1.

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

11.2 Petitions – None

11.3 Presentation – None

12. PUBLIC PARTICIPATION

The Chair noted there were no registered speakers and called three times for any other members of the public wishing to speak; there were none.

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

14. REPORTS – NONE

15. MOTIONS – NONE

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**Halifax and West Community Council
Draft Minutes
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16. IN CAMERA (IN PRIVATE) – NONE

17. ADDED ITEMS – NONE

18. NOTICES OF MOTION – NONE

19. DATE OF NEXT MEETING – June 17, 2025

20. ADJOURNMENT

The meeting was adjourned at 7:20 p.m.

Elizabeth Macdonald
Legislative Assistant