



**HALIFAX REGIONAL COUNCIL
SPECIAL MEETING
MINUTES
July 10 and 11, 2019**

PRESENT: Mayor Mike Savage
Deputy Mayor Tony Mancini
Councillors: David Hendsbee
Bill Karsten
Lorelei Nicoll
Sam Austin
Waye Mason
Lindell Smith
Shawn Cleary
Russell Walker
Stephen Adams
Richard Zurawski
Matt Whitman
Lisa Blackburn
Tim Outhit

REGRETS: Councillors: Steve Streach
Steve Craig

STAFF: Jacques Dubé, Chief Administrative Officer
John Traves, Q.C., Municipal Solicitor
Kevin Arjoon, Municipal Clerk
Krista Vining, Legislative Assistant

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.

The meeting was called to order at 6:10 p.m. and recessed at 7:06 p.m. Council reconvened in at 7:15 p.m. Council recessed again at 8:53 p.m. and reconvened at 9:01 p.m. Council recessed again at 10:53 p.m. and reconvened at 10:57 p.m. Council adjourned at 12:05 a.m. Thursday, July 11, 2019.

1. CALL TO ORDER

The Mayor called the meeting to order at 6:10 p.m.

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

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT item 5.3 Case 20658 be dealt with after item 4 Official Resignation – Councillor Steven Craig.

The Clerk noted that item No. 4 Official Resignation – Councillor Steve Craig was added to the agenda prior to publishing, with consent from all elected members of Council in accordance with Administrative Order 1 Section 10.

MOTION PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

The Clerk noted that correspondence was received for items: 5.1, 5.2 and 5.3. This correspondence was circulated to Council.

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

3. CALL FOR DECLARATION OF CONFLICT OF INTEREST – NONE

4. Official Resignation – Councillor Steve Craig

MOVED by Councillor Mason, seconded by Councillor Whitman

THAT Halifax Regional Council accept the resignation of Councillor Steve Craig effective June 28, 2019.

MOTION PUT AND PASSED. (13 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Mancini and Councillors Hendsbee, Karsten, Nicoll, Mason, Smith, Cleary, Walker, Adams, Zurawski, Whitman and Blackburn

Against: Councillor Outhit

Not present: Councillors Streach, Austin and Craig

5. PUBLIC HEARINGS

5.1 Case 20774 - Amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law, and a proposed development agreement to enable an eight storey building (plus penthouse) on the lands fronting Wellington Street, Halifax (Joint Public Hearing with Halifax and West Community Council)

The following was before Council:

- A report from Halifax and West Community Council dated May 8, 2019 with attached staff recommendation report dated April 11, 2019 and Halifax Peninsula Planning Advisory Committee memo dated June 25, 2018
- An extract from Halifax Regional Council minutes May 14, 2019
- A handout package of previously distributed correspondence from the June 18, 2019 Regional Council meeting.
- Correspondence from Susan MacInnis, Melody Han, Ming Gong, Madge and Ward Skinner, Petra Mudie, Scott Appleby, Xuyang Zhang, Valerie Van Spengen, Bimal De, Voldek and Yolanta Tarnawski, Janet Shotwell, Gary McCallum, Jennifer Powley, Dianne Marshall, Karen Beazley, Roxane Mio, Ken MacInnis, Lynn Ross, Claire McNeil, Deborah Luscomb, Petra Mudie, Mae Saunders, Pat Whitman, Park to Park Community Association, Dana Thurlow, Linda Macleod, Michelle LeClair, Doug Kirkaldy, Mary-Louise Rossiter and Bill Simpkins, Diana Torbert, Christopher Beaumont, Mary MacDonald, Barbara O'Shea, Andrea Arbic, Harold Le Blanc and family, Bill Deng, Cathy Zhang, Christina and Kirk Annand, Gordana Lazin, Sharon Lee, Renee Piercey, Rui Xue, Rebecca Jamieson, Mary Ellen Donovan, Wendy Katz and Alan Young, Adam Conter, Ashtyn White, and Beverly Miller
- A copy of the staff presentation
- A copy of the applicant presentation

First Reading was given May 14, 2019. Consideration of this matter was deleted from the June 18, 2019 agenda and rescheduled for July 10, 2019.

Tyson Simms, Planner III gave an overview of the application by Lydon Lynch, on behalf of BANC Development Limited, to amend the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB) to permit an eight (8) storey, plus penthouse, residential development on the properties located at 1110, 1116, 1120, 1122, 1126A/1126B/1126C and 1130/1132 Wellington Street, Halifax. The current version of the proposal includes the following features:

- An eight (8) storey multiple unit residential building (plus penthouse);
- 101 residential units;
- A three (3) storey streetwall facing Wellington Street; and
- Approximately 93 underground parking spaces.

Simms responded to questions of clarification raised by members of Council on the five (5) planning principles, the June 2017 Centre Plan vision, and the valuation conducted by staff on the application. Simms clarified that the 2019 version of the Centre Plan was not considered for this application.

Mayor Savage opened the public hearing and invited the applicant to come forward and address Council.

Mark Atwood, Senior Architect with Lydon Lynch highlighted the proposal's architecture, and design elements, including landscape, elevation/transitioning and underground parking. Atwood spoke to the changes made from the initial proposal to the current version. Atwood suggested that they have tried to align the proposal with the 2017 Centre Plan design principles, recognizing the building's height and density is higher, but was not out of line with neighbouring buildings on Wellington Street. In response to public feedback, Atwood explained that the intent was to replace the existing trees and provide bike parking at both at the main level and underground. The building has also been setback 1.2 metres from the property line on the southside.

Atwood responded to questions of clarification raised by Council. They explained that the mechanical penthouse was 16 feet high and each floor of the building was 10 feet high.

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

Reginald Bone, Halifax supported the development, noting the need for affordable housing and the availability challenges for people trying to relocate to the peninsula. Bone commented on the shadowing and the condition of Wellington Street. They agreed that densification was needed to reduce the number of vehicles/motorists and supported affordable housing for students in the peninsula.

Mathew Crosby, Halifax spoke to the importance of density for growth and growing up rather than out to reduce traffic and the carbon footprint.

Oriel MacLennan, Halifax suggested that Wellington Street was becoming less liveable. They commented on the noise and dust from construction and the impact construction has had and will continue to have on the neighbourhood and property values. MacLennan spoke to challenges with on street parking, noting that the traffic study fails to include surrounding residential/commercial spaces and nearby amenities such as daycare drop off and parking at the nearby ball field and parks.

Roxane Mio, Wellington Street agreed with the previous speaker's comments on the decrease in liveability. They stated that the addition of another large building would have an impact on traffic and parking. Mio pointed out the challenges with walkability in the wintertime due to high snowbanks. They suggested making Wellington Street a one-way street, entering and existing southbound.

Cathy Whitman, Bedford West spoke to the lack of vacancy and high pricing on the peninsula. They wanted to see more units, and units for families, on the peninsula.

Lyndzie Smith, Halifax echoed comments made on the lack of vacancy and price per square foot on the peninsula.

Chris Annand, Wellington Street and Co-Chair of Park to Park Community Association opposed the proposal as the height and mass were not in line with the planning documents and were not appropriate for the site. Annand stated they would support a development of five (5) storey or less in size, and that residents wanted the density proposed in the Centre Plan.

Carla MacLellan, Halifax commented on the lack of accommodations/diverse accommodations on the peninsula. MacLellan noted the importance of considering the demographic moving to the downtown core and plan for them. They agreed that the city needs to grow up not out.

Dan MacLellan, Halifax reflected on increasing housing/rental cost and the need for more rental units, pointing out that many people were moving out of the downtown.

Tanya MacNeil, Halifax supported the development and the need for more apartments on the peninsula, highlighting the proposal's positives: aesthetically pleasing, more parking (e.g. underground), walkability and the revenue it will generate from property taxes.

Frank MacNeil, Halifax agreed with the previous speaker's comments. MacNeil suggested property values have increased from new developments and improvements made to the neighbourhood over the years.

Pat Whitman, Halifax opposed the development, commenting on the zoning under the 2017 Centre Plan vision recommending three (3) to five (5) storeys. Whitman asked Council to reconsider and not support the application and comply with the Centre Plan. Whitman recognized the poor condition of the homes on the site and sought clarification around the location of bicycle parking and whether the underground parking spaces would be rented out to the public.

Chris Beaumont, Wellington Street urged Council to reject the proposal, supporting the recommendation made by the Halifax Peninsula Planning Advisory Committee to not proceed with the proposal. Beaumont stated that changes made by the applicant were not significant enough to align with the 2017 Centre Plan vision.

Ken MacInnis, Wellington Street expressed disappointment that the planning rules in place were not being followed and amendments could be made. They also supported the recommendation made by Halifax Peninsula Planning Advisory Committee to not proceed with the proposal.

Rebecca Jamieson, Wellington Street agreed with comments made on rejecting the proposal as it was not in align with the June 2017 Centre Plan version and supporting the Halifax Peninsula Planning Advisory Committee's recommendation to not proceed with the proposal.

Qing Chen, Halifax expressed excitement for the proposal, commenting on the current aesthetic of Wellington Street and the challenges of finding an apartment on the peninsula.

Debbie Power, Halifax supported the development and questioned why a beautiful clean new building with underground parking and inside garbage collection would be discouraged. Power agreed that more buildings were needed to get more people living in the downtown core.

Colin White, Halifax supported the proposal and echoed concerns with finding affordable housing close to the universities.

Shelby Plume, Halifax supported the proposal, commenting on the need for density and the current lack of vacancy.

Mary Lou Rositer, Halifax urged Council to follow their own guidelines and rules. They saw the building as too large and suggested it would overwhelm the neighbourhood. Rositer pointed out that there are developers that can build within the current planning guidelines.

Daimen Bohen, Halifax commented on the increased cost of living, lack of affordability for students and the lack of vacancy in downtown Halifax.

Morgan Fraser, Halifax spoke to living in multi-tenant older homes in the south end of Halifax that were not well maintained. They commented on the need to develop for young professional who were looking to rent or purchase one to two-bedroom units. Fraser suggested that people living in the downtown may own a vehicle but might be more likely to walk and cycle.

Susan McCurdy, Halifax spoke to Council upholding the current policy and by-law.

Raquel Cordoba, Halifax supported more housing in downtown Halifax.

Michael McCurdy, Halifax wanted affordable housing options to allow more people to live on the peninsula.

The Mayor called three (3) times for any other members of the public wishing to speak on the matter. There being none, the Mayor invited the applicant to come forward and respond to any items raised during the public hearing.

The applicant explained the differences between the 2017 Centre Plan document and the proposed 2019 Centre Plan. They spoke to the Construction Mitigation Plan regarding sidewalk closure and removal and replacement of the trees. They also stated that the building's name would likely be Locke Suites. They reiterated the changes made to their initial application to arrive at the current version while trying to make the project viable. They responded to questions, speaking to typical rental cost for a one (1) and two (2) bedroom apartment (e.g. \$1,200 to \$2,000) and anticipated starting construction within 6 months if approved.

It was then MOVED by Councillor Whitman, seconded by Councillor Cleary

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Peninsula, as set out in Attachments A and B of the staff report dated April 11, 2019, to allow an eight storey (plus penthouse) residential building by development agreement at 1110, 1116, 1120, 1122, 1126A/1126B/1126C and 1130/1132 Wellington Street, Halifax.

As per Section 35 of Administrative Order One, Extending the Time of the Meeting of the Council, it was MOVED by Councillor Karsten, seconded by Councillor Cleary

To extend the time of the meeting beyond 10:00 p.m.

MOTION PUT AND PASSED.

Councillor Mason recognized and understood concerns with supply and demand, proposing Council defeat the motion and noting they would move an alternate motion to amend the 2019 Centre Plan "Package A" documents to include additional policy and by-law requirements, consistent with the proposed policy and land use by-law, to include a maximum Floor Area Ratio (FAR) of 3.5.

Council discussed the motion with members speaking in support and against the application. Members recognized the need for density and affordable housing to grow the downtown core.

MOTION PUT AND PASSED. (11 in favour, 3 against)

In favour: Mayor Savage, Deputy Mayor Mancini and Councillors Hendsbee, Karsten, Cleary, Walker, Adams, Zurawski, Whitman, Blackburn and Outhit

Against: Councillors Austin, Mason and Smith

Not present: Councillors Streach, Nicoll and Craig

5.2 Case 20159 - Amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law, and a proposed development agreement to enable re-development of an eight storey (plus penthouse) multiple dwelling at 5713 Victoria Road, Halifax (Joint Public Hearing with Halifax and West Community Council)

The following was before Council:

- A report from Halifax and West Community Council dated June 12, 2019 with attached Heritage Advisory Committee report dated June 6, 2019, a staff recommendation report dated May 9, 2019, and a Halifax Peninsula Planning Advisory Committee memo dated May 28, 2018
- Correspondence from Margo Grant, Brianna Babz, Rick and Julie Gibson, Adam Conter, Madge Skinner, Beverly Miller, and Rebecca A. Jamieson
- An extract from draft Halifax Regional Council minutes June 18, 2019
- A copy of the staff presentation

A copy of the applicant presentation
First Reading was given June 18, 2019.

Tyson Simms, Planner III gave an overview of the application by ZZap Consulting Incorporated, on behalf of Eldorado Properties Limited, to amend the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB) to permit re-development of an existing eight (8) storey, plus penthouse, residential multiple dwelling at 5713 Victoria Road, Halifax. As proposed, two (2) detached residential dwellings will be removed from 1102 and 1106 South Park Street to allow for the addition. The current version of the proposal includes the following features:

- An eight (8) storey mixed-use building (plus penthouse);
- 88 residential units;
- Approximately 580.6 square metres (6,250 square feet) of ground floor commercial space;
- Streetwalls that range in height from one (1) to four (4) storeys; and
- Approximately 46 underground parking spaces, including 10 existing surface parking spaces.

Mayor Savage opened the public hearing and invited the applicant to come forward and address Council.

Greg Zwicker and Chris Markides, ZZap Consulting Incorporated reviewed the site plan.

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

Madge Skinner, Halifax read from their submission, outlining how the proposal was generally not consistent with Council's direction on urban structure, height and Floor Area Ratio.

Michael McCurdy, Halifax did not support the development, noting they did like the current version over the original proposal. McCurdy explained how the Victorian homes drew people to visit the south end of Halifax. They spoke to on-street parking being a challenge and the impact the development would have on the neighbourhood.

Susan McCurdy, Halifax spoke in opposition of the development due to its size and the removal of the two (2) Victorian homes.

David Miller, Victoria Road stated that the neighbourhood was a community and they were concerned with pedestrian safety from residents coming out from the underground parking. They echoed concerns with parking and the development not fitting in with the neighbourhood.

The Mayor called three (3) times for any other members of the public wishing to speak on the matter. There being none, the Mayor invited the applicant to come forward and respond to any items raised during the public hearing.

Zwicker explained that they were proposing to redevelop the property to refresh and update the building. The residence houses students attending the nearby university and they would not be evicted/displaced during the construction.

In response to questions from members of Council, Zwicker and Markides clarified that the proposed roll up garage doors were from an earlier design and were not part of the current proposal. They confirmed that they propose a higher ratio for underground parking and that the development agreement requires some commercial. They spoke to the deteriorating condition of the two (2) Victorian houses and were open to moving them off the properties if there was interest but had no plan to keep them.

It was then MOVED by Councillor Cleary, seconded by Councillor Whitman

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Whitman

THAT Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Peninsula, as set out in Attachments A and B of the staff report dated May 9, 2019, to allow an 8 storey (plus penthouse) mixed-use building by development agreement at 5713 Victoria Road and 1102 and 1106 South Park Street, Halifax.

Council discussed the motion with staff responding to questions. It was noted that Council was working toward having a heritage conservation district in this area. It was suggested that the street wall would reduce the wind. Disappointment was expressed with the loss of the two (2) Victorian homes but their deteriorating condition was recognized. Also noted was how the changes being made to the building was an investment.

In response to a question on the commercial uses, staff clarified that the development agreement provides the option to have commercial uses on the ground floor, but residential use was also permitted. It was noted that the developer had not submitted a site plan proposing residential units on the ground floor to date.

MOTION PUT AND PASSED. (13 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Mancini and Councillors Hendsbee, Karsten, Austin, Mason, Smith, Cleary, Walker, Adams, Zurawski Whitman and Blackburn

Against: Councillor Outhit

Not present: Councillors Streach, Nicoll and Craig

5.3 Case 20658 - Amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law, and a proposed development agreement for a large site with frontage onto Bayers Road and Young Street, Halifax (Joint Public Hearing with Halifax and West Community Council)

The following was before Council:

- A draft minute extract from the June 18, 2019 Regional Council meeting
- A report from Halifax and West Community Council dated June 12, 2019 with attached staff recommendation report dated May 15, 2019 and a Halifax Peninsula Planning Advisory Committee memo dated September 27, 2017
- Correspondence Sarah Kehoe, Beverly Miller, and Heather Selig
- A copy of the staff presentation
- A copy of the applicant presentation

First Reading was given June 18, 2019.

Jesse Morton, Planner II gave an overview of the application from WM Fares Architects to amend the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB) to allow a mixed-use (residential and ground-floor commercial) or residential building that is a maximum of six (6) storeys, plus penthouse(s), along Bayers Road and three (3) storeys, plus penthouse(s), along Young Street by development agreement. The current version of the proposal includes the following features:

Building Component A

- A six (6) storey (plus penthouse) mixed-unit structure along Bayers Road;
- Three (3) storey podium;
- Approximately 72 residential units;
- Approximately 1,000 square metres of ground-floor commercial uses; and
- Indoor/underground parking entrance onto Bayers Road.

Building Component B

- A three (3) storey (plus penthouse) apartment house along Young Street;
- Approximately 41 residential units;
- Indoor/underground parking entrance onto Young Street; and
- A northern patio.

Building Component C

- A three (3) storey, four (4) unit townhouse along Young Street; and
- Private fenced yards.

Mayor Savage opened the public hearing and invited the applicant to come forward and address Council.

Ross Brown, WM Fares Architects reviewed the site plan for building components A, B and C, speaking to the elevations on Bayers Road and Young Street, landscape plan and design improvements made from the previous site plan.

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

Thomas Armstrong Saunders, Halifax expressed concern with the impact the construction would have on the neighbourhood and property values but supported the staff recommendation. They spoke to the character of the neighbourhood, suggesting the development would be more attractive and liveable than the existing site. They went on to speak to densification, nearby amenities, parking, walkability of the neighbourhood and reducing carbon emissions.

William Zadorozny, Halifax did not oppose the entire development as it was needed for the neighbourhood, suggesting some expropriation be done to allow for front end parking. The speaker was concerned with traffic along the corridor of Bayers Road and the need for a fourth traffic lane.

Sarah Tillet, Halifax agreed with the previous speaker around traffic issues along Bayers Road and Connaught Avenue, and wanted to see more family-oriented planning for the area. Tillet raised safety concerns, pointing out the number of children who walk to school and play in the area. They suggested there would not be enough parking as many residents have more than one vehicle.

Lily Sangster, Halifax highlighted the area's walkability, recognizing that construction and development was needed to grow the downtown but wanted to see more affordable opportunities. They stated that vehicles should be discouraged on the peninsula and walking, and transit use encouraged.

Laurie Vanderbelt, Halifax stated that the development did not fit the by-law and that there would not be enough parking for the residential and commercial uses. They suggested traffic calming measures on Young Street and Connolly Street to address safety concerns.

Rebecca Davenport, Halifax did not support the development, pointing out that the area was family-oriented. They agreed with the concerns with traffic congestion that impacts Connolly Street and Young Street and was concerned with motorists idling in traffic along Bayers Road.

The Mayor called three (3) times for any other members of the public wishing to speak on the matter. There being none, the Mayor invited the applicant to come forward and respond to any items raised during the public hearing.

The applicant spoke to the penthouse's design, walkability to the commercial space and neighbouring amenities and agreed with the challenges of trying to determine appropriate parking for development. They added that a traffic study had been completed and was accepted by the traffic engineer.

Clarification was sought on the ability to widen Bayer's Road or moving the buildings closer, even by a few feet. The applicant did not believe this was in the plan, noting that bringing the buildings closer together would impact the courtyard space.

It was then MOVED by Councillor Austin, seconded by Councillor Nicoll

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Peninsula, as set out in Attachments A and B of the staff report dated May 15, 2019, to allow a building that is a maximum of six storeys [plus penthouse(s)] along Bayers Road and three storeys [plus penthouse(s)] along Young Street by development agreement at 6438, 6442, 6450, 6454, and 6460 Bayers Road and 6419, 6421, 6425, 6431, 6439, 6443, 6449, 6453, 6457, 6459, 6461, 6461A, 6465, and 6467 Young Street, Halifax.

Council discussed the motion with points being made on the Municipality's plans to widen Bayers Road for inclusion of a bus lane and how the development was in line with the proposed Centre Plan.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Streach and Craig

6. ADJOURNMENT

The meeting adjourned at 12:05 a.m. Thursday, July 11, 2019.

Kevin Arjoon
Municipal Clerk