



**REGIONAL CENTRE COMMUNITY COUNCIL
MINUTES
August 30, 2021**

PRESENT: Councillor Sam Austin, Chair
Councillor Waye Mason, Vice Chair
Councillor Shawn Cleary
Councillor Tony Mancini
Councillor Lindell Smith

STAFF: Meg MacDougall, Solicitor
Jill McGillicuddy, Legislative Assistant
Liam MacSween, Legislative Support

These minutes are considered draft and will require approval by the Regional Centre 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, and information items circulated are online at halifax.ca.

The meeting was called to order at 6:06 p.m. and adjourned at 6:59 p.m.

1. CALL TO ORDER

Councillor Mason, Vice Chair called the meeting to order at 6:06 p.m.

2. APPROVAL OF MINUTES – June 28, 2021

MOVED by Councillor Austin, seconded by Councillor Cleary

THAT the minutes of June 28, 2021, 2021 be approved as circulated.

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

Additions/Deletions: None

MOVED by Councillor Cleary, seconded by Councillor Smith

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

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 – NONE

10.2 VARIANCE APPEAL HEARING

10.2.1 Case 23339: Appeal of Variance Approval – 10 Lancaster Drive, Dartmouth

The following was before Community Council:

- A staff recommendation report dated August 18, 2021
- A staff presentation dated August 30, 2021

Matthew Conlin, Planner I, Current Planning, presented Case 23339: Appeal of Variance Approval – 10 Lancaster Drive, Dartmouth. A copy of the staff presentation is on file.

Responding to a question from Community Council, Conlin provided clarification on the set back requirements for the subject property under the current zoning and the proposed requirements in the Centre Plan Package B which has yet to be approved.

In response to a follow up question, Conlin advised that if the subject property required a six-meter setback it would move the development even closer to the neighbouring properties.

The Chair reviewed the rules of procedure for variance hearings and the Chair invited the appellant to come forward and address Community Council.

Josette McCauley, Appellant noted that the main reason for the appeal of Case 23339 from neighbouring property owners was a misunderstanding that the requested variance would place the development closer to neighbouring properties. McCauley advised that the staff presentation helped to clarify the concerns raised by the appellants and would have been useful prior to filing an appeal.

The Chair invited the property owner to come forward to address Community Council.

Mark VanZeumeren, Design Engineer, BD Stevens, speaking on behalf of the applicant, Dartmouth First Baptist Church, provided further context respecting the request for the variance advising that there may have been a miscommunication on its intent. VanZeumeren advised that the property owners will maintain the vegetative buffers to provide privacy for neighbouring properties.

MOVED by Councillor Austin, seconded by Councillor Cleary

THAT the Appeal Hearing close.

MOTION PUT AND PASSED.

The Chair declared the Appeal Hearing Closed.

MOVED by Councillor Austin, seconded Councillor Smith

THAT Regional Centre Community Council allow the appeal.

Regional Centre Community Council expressed its intent to uphold the decision of the development officer to grant the appeal as the applicant requesting the variance did not knowingly violate the intent of the Land Use By-law, the situation is unique and is not general to the properties in the area, and there was no intentional disregard of the intent of the Land Use By-law when proceeding with the development.

MOTION PUT AND DEFEATED.

The decision of the Development Officer to grant the variance is upheld.

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant advised that there was no correspondence received.

11.2 Petitions – NONE

11.3 Presentation – NONE

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF – NONE

14. MOTIONS – NONE

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15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

There were no registered speakers for public participation present.

19. DATE OF NEXT MEETING – September 29, 2021

20. ADJOURNMENT

The meeting was adjourned at 6:59 p.m.

Liam MacSween
Legislative Support

DRAFT