

**HALIFAX AND WEST COMMUNITY COUNCIL  
MINUTES  
February 18, 2020**

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

STAFF: Meg MacDougall, Solicitor  
Krista Vining, Legislative Assistant

*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](http://halifax.ca).*

*The meeting was called to order at 6:00 p.m. and adjourned at 7:46 p.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 6:00 p.m. in Council Chamber, 3<sup>rd</sup> Floor City Hall, 1841 Argyle Street, Halifax.

**2. APPROVAL OF MINUTES – January 11, 2020**

MOVED by Councillor Smith, seconded by Councillor Cleary

**THAT the minutes of January 11, 2020 be approved as circulated.**

**MOTION PUT AND PASSED.**

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

MOVED by Councillor Cleary, seconded by Councillor Walker

**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**

Councillor Cleary declared a conflict of interest for item 13.1.2 Case 22462 – Development Agreement for the expansion of an existing day care at 6583 Quinpool Road, Halifax as their spouse was the applicant.

**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 22177: Development Agreement for Almon Street and Gladstone Street, Halifax**

The following was before Community Council:

- A staff recommendation report dated January 7, 2020
- A memorandum from the Halifax Peninsula Planning Advisory Committee dated June 25, 2019
- Staff presentation

Darrell Joudrey, Planner II presented the application by W.M. Fares Architects to enter into a development agreement to permit an eight (8) storey, 86-unit apartment building at the southwest corner of Almon Street and Gladstone Street in Halifax. Joudrey identified an amendment to the staff recommendation to reflect two small errors that were corrected to comply with the Regional Centre Secondary Municipal Planning Strategy policy requirements regarding commencement and completion time:

- a) Section 7.3.1 be amended to change 4 years to 3 years; and
- b) Section 7.5.1 be amended to change 7 years to 6 years.

Staff was asked to provide information on the number of enabled planning applications that might be coming forward to Halifax and West Community Council and Harbour East-Marine Drive Community Council under the transition policies of the Centre Plan.

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

Cesar Saleh, W.M. Fares Architects outlined that the application was consistent with the Municipal Planning Strategy and supported by HRM Planning staff and the Halifax Peninsula Planning Advisory Committee. Saleh explained that the subject site is designated Major Commercial and zoned C-2 (General Business) and spoke to the building's design and height in proximity to neighbouring residential and commercial properties. They also spoke to the shadow assessment and there being no impact during the Spring, Summer or Fall seasons and some minor impact to properties on Almon Street during the Winter. In response to questions raised, Saleh explained that the implementation of affordable housing was difficult to include in a development agreement and they were waiting for clarification and direction under the Regional Centre Plan. Saleh noted that a construction management plan would be in place before construction commenced and there would be communication with neighbouring properties. They clarified that the development approval needed to be approved before the building permit could be submitted, along with a landscape plan which is reviewed and approved by HRM and a design landscape architect. It was suggested that W.M. Fares reach out to Canadian National Institute for the Blind (CNIB) on Almon Street to address any concerns before construction started.

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

**Ethan Langille-Ingram, District 8** questioned if the Traffic Impact Study took considered the additional traffic from the Westwood Construction Limited development (500 dwelling units). They pointed out that parking was needed for commercial properties, such as the CNIB, for their clientele/customers, and goods and services drop off.

**Karen Gunther, District 8** appreciated the attractiveness of the building and the setbacks. They commented on the large volume of traffic on Gladstone Street and there being motor-vehicle accidents at the corner of Almon Street and Gladstone Street due to speeding. Gunther expressed that the proposed development would increase traffic in the area. They noted that lights were installed to control traffic on Almon Street but there should be a three-way-stop and even suggested making Gladstone Street one-way.

The Chair called three times for any other members of the public wishing to speak on the matter, there were none present.

The Chair invited the applicant to respond to questions raised by the public. Saleh chose not to come forward.

MOVED by Councillor Mason, seconded by Councillor Cleary

**THAT the public hearing be closed.**

**MOTION PUT AND PASSED.**

Staff clarified that the application by Westwood Construction Limited for Gladstone North would not have been accounted for when the Traffic Impact Study was conducted as it was still in the application stage.

MOVED by Councillor Smith, seconded by Councillor Mason

**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 January 7, 2020 with the following amendments:**

**a) Section 7.3.1 be amended to change 4 years to 3 years; and**

**b) Section 7.5.1 be amended to change 7 years to 6 years; 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.**

#### **10.1.2 Case 21952: Development Agreement and Discharging Agreement, Civic 50, 60 and 70 Armstrong Court, Halifax**

The following was before Community Council:

- A staff recommendation report dated January 7, 2020
- Correspondence from Penny Bedal, Phyllis Orlik, and R.B. (Ron) Swan
- Staff presentation

Paul Sampson, Planner II presented the application by W.M. Fares Architects and Castlehill Development Limited to discharge an existing development agreement and enter into a new development agreement on two (2) residential properties located at 50, 60 and 70 Armstrong Court, Halifax to enable a seven (7) storey addition to an existing apartment building at 60-70 Armstrong Court, Halifax. Both buildings share the site's access, parking and landscaped amenity areas. The existing agreement will continue to apply unchanged to the two (2) remaining commercial properties at 117 and 113 Kearney Lake Road, which are held under different ownership. No exterior changes to the existing building are proposed, except at the east end of 60 Armstrong Court to accommodate the addition.

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

Cesar Saleh, W.M. Fares Architects outlined their proposal for a seven (7) storey residential addition to an existing apartment building at Armstrong Court. The addition will include 75 dwelling units, 70 percent two (2) bedrooms and 30 percent one (1) bedroom units. The proposed addition replaces surface parking with new underground parking and maintain a higher number of parking spaces than required by the Land Use By-law. Saleh explained that they would be utilizing existing onsite sanitary, storm and water services, and Armstrong Court has a curb and sidewalk. The applicant spoke to the traffic consultant's findings that there will be no impact on traffic operations on Armstrong Court, Castle Hill Drive and the lighted intersection at Kearney Lake Road. They noted that the site is nine (9) acres and will have a large outdoor amenity areas for tenant use and the addition will include a gym. Saleh highlighted the building setbacks' and height in comparison to neighbouring buildings; minimum separation of 70 feet to a maximum of 120 feet. They are creating additional units to meet the changing demands of the present marketplace, while maintaining the affordability of the existing older buildings.

Saleh responded to questions from the Community Council, noting that they could not confirm the final number of parking spaces but estimated approximately 26 additional surface parking and 70 spaces underground. They confirmed there would be some disruption for tenants but they would be given the opportunity to relocate to within the other complexes. Saleh was also unable to confirm if the tenant's moving costs would be covered, the construction start date, or if tenants from all four (4) buildings would have access to the gym.

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

**Sharon Kellis, District 10** explained that they were a tenant at Armstrong Court and would be displaced during construction. Kellis spoke to the difficulties for seniors to move and their experience living in another unit but liked their current unit.

In response to a question of clarification from Councillor Zurawski, the applicant explained that tenants who would be impacted by construction had not been offered alternate living arrangements at this time.

**Ron Swan, District 10** noted they would also be displaced during construction of the addition. Swan suggested the building was too large for the space and spoke to traffic and parking issues on Armstrong Court, especially during the Winter. They noted that W. M. Fares were good landlords but that tenants had not received any correspondence on alternate accommodations or the owner covering moving expenses. Swan agreed that it would be challenging for seniors to move.

**Grace Swan, District 10** spoke to being displaced during the construction and the lack of communication on this proposal. They suggested that traffic has changed since the study was completed in June 2016 and many tenants have more than one (1) vehicle. Swan spoke to the nearby elementary school and children there being no sidewalks on Armstrong Court. They also pointed out the current lack of visitor parking and neighbouring residents using their parking spaces to park, especially in the winter due to the lack of on street parking. Swan further commented on the lack of outdoor amenity space and landscaping, noting that the space was only being mowed.

The Chair called three times for any other members of the public wishing to speak on the matter, there were none present.

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

Saleh understood the uncertainty from tenants at 60 Armstrong Court. They confirmed that if approved, construction would not commence until 7 to 10 months and tenants would be provided ample notice. They clarified that eight (8) units would be impacted by the addition and they could commit that those tenants would be given the option to relocate and the owner would cover the moving expenses if they choose to stay within the complex. Saleh confirmed there would be no impact to the outdoor amenity space and the addition was being built on the existing parking lot. The addition would have a walkway around the building and construction would be maintained within the addition of the complex.

In response to a question raised, Saleh stated that consideration could be given to the displaced tenants to either move back into their previously occupied unit or possibility into the new addition once complete.

In response to a concern respecting the tenants being displaced, staff advised that this was a tenancy issues.

MOVED by Councillor Walker, seconded by Councillor Cleary

**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 January 7, 2020;**
- 2. Approve, by resolution, the proposed Discharging Development Agreement, which shall be substantially of the same form as set out in Attachment B; and**
- 3. Require the Discharging Development Agreement and Development 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.**

Community Council considered the motion, with the area Councillor noting they would follow up with the applicant as this development progresses.

**MOTION PUT AND PASSED.**

## **11. CORRESPONDENCE, PETITIONS & DELEGATIONS**

### **11.1 Correspondence**

The Legislative Assistant noted that correspondence was received for item 10.1.2. This correspondence was circulated to Community Council.

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

### **11.2 Petitions – None**

### **11.3 Presentations – None**

## **12. INFORMATION ITEMS BROUGHT FORWARD – NONE**

## **13. REPORTS**

### **13.1 STAFF**

#### **13.1.1 Case 22485: Application to rezone lands at 3620 Highland Avenue, Halifax**

The following was before Community Council:

- A staff recommendation report dated February 11, 2020
- A memorandum from the Halifax Peninsula Planning Advisory Committee dated November 29, 2019

MOVED by Councillor Smith, seconded by Councillor Mason

**THAT Halifax and West Community Council give First Reading to consider approval of the proposed amendment to the Halifax Peninsula Land Use By-law, as set out in Attachment A of the staff report dated February 11, 2020, to rezone lands at 3620 Highland Avenue from the R-2 (General Residential) Zone to the R-2T (Townhouse) Zone, and schedule a public hearing.**

**MOTION PUT AND PASSED.**

The Public Hearing is scheduled for March 11, 2020.

Councillor Cleary recused themselves from the discussion of item 13.1.2 Case 21952 and sat in the gallery.

#### **13.1.2 Case 22462 – Development Agreement for the expansion of an existing day care at 6583 Quinpool Road, Halifax**

The following was before Community Council:

- A staff recommendation report dated February 5, 2020
- A memorandum from the Halifax Peninsula Planning Advisory Committee dated November 29, 2019

MOVED by Councillor Walker, seconded by Councillor Mason

**THAT Halifax and West Community Council give Notice of Motion to consider the proposed development agreement, as set out in Attachment A of the staff report dated February 5, 2020, to allow an expansion from 14 to 20 children for the child care centre located at 6853 Quinpool Road and schedule a public hearing.**

**MOTION PUT AND PASSED.**

The Public Hearing is scheduled for April 14, 2020.

Councillor Cleary rejoined the meeting at this time.

**13.2 BOARDS AND COMMITTEES – NONE**

**13.3 MEMBERS OF COMMUNITY COUNCIL – NONE**

**14. MOTIONS – NONE**

**15. IN CAMERA (IN PRIVATE)**

*Council may rise and go into a private In Camera session, in accordance with Section 19 of the Halifax Regional Municipality Charter, for the purpose of dealing with the following:*

MOVED by Councillor Walker, seconded by Councillor Mason

**To convene to In Camera (In Private) to address item 15.1 PERSONNEL MATTER.**

**MOTION PUT AND PASSED.**

**15.1 PERSONNEL MATTER – *Private and Confidential Report***

This matter was dealt with In Camera (In Private) and ratified in public as follows:

MOVED by Councillor Cleary, seconded by Councillor Walker

**THAT Halifax and West Community Council approve the direction provided during the In Camera (In Private) meeting held February 18, 2020.**

**MOTION PUT AND PASSED.**

**16. ADDED ITEMS – NONE**

**17. NOTICES OF MOTION – NONE**

**18. PUBLIC PARTICIPATION**

The Chair called three times for any members of the public wishing to address the Community Council, there were none.

**19. DATE OF NEXT MEETING – March 11, 2020**

**20. ADJOURNMENT**

The meeting was adjourned at 7:46 p.m.

Krista Vining  
Legislative Assistant