



**REGIONAL CENTRE COMMUNITY COUNCIL  
SPECIAL MEETING MINUTES  
February 24, 2021**

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

STAFF: Erin MacIntyre, Program Manager, Land Development & Subdivision  
Andrew Faulkner, Principal Planner, Current Planning  
Peter Nightingale, Planner II, Current Planning  
Meg MacDougall, Solicitor  
Jill McGillicuddy, Legislative Assistant  
Liam MacSween, 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](http://halifax.ca).*

*The meeting was called to order at 7:03 p.m. and adjourned at 8:10 p.m.*

**1. CALL TO ORDER**

Councillor Austin called the meeting to order at 7:03 p.m.

**2. APPROVAL OF MINUTES – January 27, 2021**

MOVED by Councillor Cleary, seconded by Councillor Mason

**THAT the minutes of January 27, 2021 be approved as circulated.**

**MOTION PUT AND PASSED.**

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

Additions: None

MOVED by Councillor Cleary, seconded by Councillor Mancini

**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 –NONE**

**10.2 VARIANCE APPEAL HEARING**

**10.2.1 Case 23161: Appeal of Site Plan Approval – 6459 Bayers Road, Halifax**

The following was before Community Council:

- A staff recommendation report dated January 11, 2021
- A staff presentation dated February 24, 2021

Peter Nightingale, Planner II, Current Planning presented Case 23161: Appeal Hearing Level I Site Plan Approval 6459 Bayers Rd., Halifax. The presentation outlined staff's analysis of the proposed development in accordance with the Site Plan Approval Criteria as provided in Part VI of the Regional Centre Land Use Bylaw. The proposed development met these requirements resulting in the Development Officer's approval. Permitted reasons for appeal were outlined as specified in the Land Use Bylaw.

This decision was appealed by four property owners. A copy of the staff presentation is on file.

In response to questions from Community Council, Nightingale advised that sections 121 and 122 of the Regional Centre Land Use-By Law outlines the “at grade open space” articulation requirements for street walls. Nightingale explained that the proposed development has a narrow side yard on either side of the buildings with walkways that lead to the back yard. Nightingale noted that the subject property is not considered an “at grade open space”, therefore staff did not apply the articulation requirements in the Land Use By-law to the street walls as it was not applicable.

In response to a question from Council, Nightingale advised that staff report contains the responses from staff to questions and concerns raised by the appellants in relation to the site plan approval. Nightingale clarified that if Community Council were to grant the appeal, it would result in a refusal of the site plan approval and the applicant would need to resubmit the application. Further the applicant would need to address the matters identified by Community Council as to why the current proposal does not meet the intent of the Land Use By-law in the new application.

Community Council discussed the extensive public engagement process involved with the adoption of the Regional Centre Land Use By-law (package A) and noted that further public engagement will take place in the coming months with respect to the adoption of Centre Plan package B.

Councillor Austin reviewed the rules of procedure for variance hearings and invited the appellants to come forward and address Community Council.

**Robert Blackburn, 6470 Roslyn Road, Appellant** raised concerns with respect to the densification of the neighborhood in which the subject property is located. Blackburn noted that there are many young families with young children and cited safety concerns related with the development of a large multi-unit dwelling. Blackburn commented that the proposed development will lead to a loss of privacy for the adjacent single-family homes due to the many balconies that will protrude over the proposed privacy fences and buffering. Blackburn concluded by urging Community Council to grant the appeal, as construction of the building will alter the character and dynamics of the existing neighborhood.

**Dr. Jack Rasmussen, 6452 Roslyn Road, Appellant**, reiterated the points raised by the previous speaker and noted that many of the concerns raised in the appeal have been dealt with by staff in the report and presentation. Rasmussen commented that the main thrust of the concerns raised by the neighbouring property owners is about future development in the area and a greater need for more transitioning and buffering between COR (Corridor) and R-2 zones.

**Don Lindsay, 6458 Roslyn Road, Appellant**, reiterated the points raised by previous speakers and expressed concern that many residents are being stripped of the privacy associated with their single-family homes. Lindsay noted that many of the concerns and objections raised by the appellants may be deemed outside of the requirements in the Land Use By-law but are relevant to the COR (Corridor) zoning that has been applied to the area. Lindsay concluded by noting that the public engagement held for the Centre Plan (package A) was not easy to follow and that a review should be undertaken to ensure further protections for single-family home owners.

**Don Doiron, 6464 Roslyn Road, Appellant** reiterated the points raised by previous speakers and requested that the COR (Corridor) zoning and transitioning be reviewed in the area as to not intrude on the privacy of single-family home owners. Doiron requested that further privacy measures, such as increased landscape buffering and higher fencing could be considered with respect to the development on the subject property to lessen the impact on neighbors.

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

**Oliver Gorski, Applicant**, noted that HRM has an affordable housing and rental unit shortage which the development is attempting to address. Gorski commented that the delays caused by the appeal of the site

plan approval has amounted to financial hardship for local contractors and companies hired to work on the project and has caused project investors to question their decision to invest in the community. Gorski advised of their understanding of the concerns put forth by the appellants but stated that city is growing, and the newly adopted Centre Plan allows for this type of development on the subject property. Gorski noted their willingness to work with the community and advised that the application for the site plan approval was applied for, complied with, and ultimately granted by the Development Officer.

In response to a question from Council, Gorski advised that neighbouring property owners were made aware of upcoming construction plans for the subject property. The inclusion of balconies was not a focal point of the discussions. Gorski clarified that their company did not go door to door to engage with residents.

MOVED by Councillor Mason, seconded by Councillor Cleary

**THAT the Appeal Hearing close.**

**MOTION PUT AND PASSED.**

The Chair declared the Appeal Hearing Closed.

MOVED by Councillor Smith, seconded Councillor Cleary

**THAT Regional Centre Community Council allow the appeal.**

In response to a question from Council, Nightingale noted that the proposed building on the subject property is set back six (6) meters from the property line and clarified that there is a requirement in the Land Use By-law which states that any elevation drawings or renderings submitted by the applicant must include buildings located on adjacent properties up to a distance of 15 meters.

Members of Regional Centre Community Council noted that the staff report clearly outlines the requirements of the Land Use By-law as adopted by Regional Council and agreed that the decision of the Development Officer to grant the site plan approval is consistent with the intent of the Land Use By-law.

**MOTION PUT AND DEFEATED**

Decision of the Development Officer upheld.

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

### **11.1 Correspondence**

The Legislative Assistant noted that there was no correspondence received by the Municipal Clerk's Office.

### **11.2 Petitions – NONE**

### **11.3 Presentation – 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 – NONE**

**19. DATE OF NEXT MEETING – March 24, 2021 (if required)**

**20. ADJOURNMENT**

The meeting was adjourned at 8:10 p.m.

Liam MacSween  
Legislative Assistant