



**HALIFAX AND WEST COMMUNITY COUNCIL
SPECIAL MEETING
MINUTES
June 22, 2021**

PRESENT: Councillor Lindell Smith, Chair
Councillor Kathryn Morse, Vice Chair
Councillor Shawn Cleary
Councillor Patty Cuttell
Councillor Iona Stoddard
Councillor Waye Mason

STAFF: Meg MacDougall, Solicitor
Haruka Aoyama, Legislative Assistant
Alicia Wall, 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.

The meeting was called to order at 6:05 p.m., and Community Council adjourned at 8:25 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:05 p.m.

2. APPROVAL OF THE MINUTES – May 11, 2021

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT the minutes of May 11, 2021 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

Community Council agreed to consider item 13.1.2 before item 13.1.1.

MOVED by Councillor Cuttell, seconded by Councillor Cleary

THAT the agenda be approved as amended.

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 - NONE

10.1 Public Hearing

10.2 Variance Hearing

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

Correspondence was received by Alan North, Barry Copp, Gwen Wilson, Jenny Lugar (Item 13.1.1) and Susan & Michael McCurdy. These correspondences were 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 Draft Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Land Use By-law (RCLUB) Review

The following was before Community Council:

- A staff recommendation report dated May 7, 2021
- Correspondence from Jenny Lugar

MOVED by Councillor Mason, seconded by Councillor Cuttall

THAT Halifax and West Community Council recommend that Halifax Regional Council:

1. Give First Reading and schedule a public hearing to consider the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as set out in Attachments A and B of the staff report dated May 7, 2021.

2. Give First Reading and schedule a public hearing to consider the proposed amendments to the Halifax Municipal Planning Strategy, as set out in Attachment G of the staff report dated May 7, 2021.

3. Adopt the Regional Centre Secondary Municipal Planning Strategy, and the Regional Centre Land Use By-law as set out in Attachments A and B of the staff report dated May 7, 2021, including repealing the Regional Centre Secondary Municipal Planning Strategy (Package A), the Regional Centre Land Use Bylaw (Package A) , and the Land Use By-law for Halifax Peninsula.

4. Adopt the proposed amendments to the Halifax Municipal Planning Strategy, as contained in Attachment G of the staff report dated May 7, 2021.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Halifax and West Community Council suspend section 83 of Administrative Order One respecting Speaking to Question to discuss Item 13.1.1.

As provided for in Section 4 (1) and Section 4 (2) of Administrative Order One, affirmative vote of two-thirds of the members present and voting are required to suspend the rules of procedure Section 83 of Administrative Order One.

MOTION PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT the motion be amended to include section 5 (a), (b) and (c) which read as follows:

5. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:

- a) Such that the entirety of Grafton Park (the former Memorial Library lands) including the side of the lot with the old library building PID 00076943 be rezoned PCF.**
- b) So the proposed zoning for the former Ben's Bread lands between Shirley and Pepperell be zone ER-3 and HR-1 20m as appropriate.**

- c) To reduce the allowable heights in the LUB such that the ER-1 zoned lands in the proposed Creighton Fields HCD have a height limit of 8m.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT the motion be amended to include section 5 (d) which reads as follows:

- (d) Such that relaxed allowance for built form in the Young Avenue Sub Area A outlined in Sections 85, Section 236 (a) be deleted, the proposed reduced setback of 8m (26') is prescribed in LUB Schedule 18 be deleted and the 12m front yard setback be maintained, and the unit count allowed in the Young Avenue Sub-Area A be increased to five (5) units in new, compliant structures.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Stoddard

THAT the motion be amended to include section 5 (e) which reads as follows:

- (e) Such that PIDs 00065177, 00065185 and 00065193 on South Bland may be considered subject to the findings of the Halifax Granary study to allow a zone of HR1 20m.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT the motion be amended to include section 5 (f) which reads as follows:

- (f) To allow a height of 20m on the lot shared by civic addresses 6139 and 6131 Coburg and 1532 Vernon Street, to better align the height transition between the 10 story buildings flanking the site (Le Marchant Towers and the Carlyle) and the HR-1 20m zone applied Capital building across the street.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT the motion be amended to include section 5 (g) which reads as follows:

- (g) To provide clarity as to whether the intent of section 371 (4) is that each and every 8m section of street wall articulation be completely different from all the others on the same building and re-write if not.

Community Council asked for clarity from staff regarding the intent of the by-law with respect to the street wall articulation. Ben Sivak, Program Manager, Community Policy, Regional Planning responded that they will follow up with staff administering the by-law to ensure consistency.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT the motion be amended to include section 6 (a) which reads as follows:

6. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:

- (a) Zone the three Properties from 6994 to 7018 Churchill Drive as ER-3.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Stoddard

THAT the motion be amended to include section 6 (b) which reads as follows:

- (b) Increase height limit to 38m on the HR-2 block bounded by Chebucto Rd, Clinton Ave, Joseph Howe Dr.

Councillor Smith proposed amending the motion to change height limit from 38m to up to 38m. As provided for in Section 53 (2) of Administrative Order One, *Respecting the Procedures of the Council*, the amendment was accepted as friendly.

The amendment as amended now read:

THAT the motion be amended to include section 6 (b) which reads as follows:

- (b) Increase height limit to up to 38m on the HR-2 block bounded by Chebucto Rd, Clinton Ave, Joseph Howe Dr.

Community Council noted that this area is extremely low-lying, and any digging could disturb the water table. Members questioned the flooding risk and whether or not controls for mitigation are in place. Inquiries were also made as to whether or not there would be a future environmental requirement of this area as a storm surge buffer.

In response, Sivak indicated that coastal areas are subject to setbacks to help with flood mitigation, and new residential units need to be built a certain elevation above sea level. Amendments are being proposed through Centre Plan Package B to make institutional and commercial uses subject to that requirement as well.

It was further noted that HRM has various floodplain mapping, and should this motion pass, staff would be taking a closer look at the area and determining risk, etc. A supplementary report would be provided to Council with advice.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Morse

THAT the motion be amended to include section 6 (c) which reads as follows:

- (c) Eliminate the West End Special Area.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Stoddard

THAT the motion be amended to include section 6 (d) which reads as follows:

- (d) Increase height limit on 7137 Quinpool to 23m.

MOTION TO AMEND PUT AND PASSED.

Councillor Morse assumed the role of the Chair.

MOVED by Councillor Smith, seconded by Cleary

THAT the motion be amended to include section 7 (a) and (b) which read as follows:

7. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:

(a) Change 2481, 2479, 2477, 2475, 2473, 2471 Brunswick St. from HR-1 with a max height of 14 to max height 11m.

(b) Change 2396 Brunswick St. from ER-1 to PCF (Parks and Community Facility)

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT the motion be amended to include section 7 (c) which reads as follows:

(c) Staff review zoning between Charles St. Buddy Daye St./Harris St. and between Gottingen St. and Agricola St. to assess their existing built form and uses to determine any potential adjustments.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT the motion be amended to include section 7 (d) which reads as follows:

(d) Conduct further analysis in the area of Novalea Dr. between Civic addresses 5521 Duffus St and 3590 Novalea Dr. to change the zoning from HR-1 to COR to allow current uses.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT the motion be amended to include section 7 (e) which reads as follows:

(e) Change PID: 00173856 from HR-1 to a zone that recognizes the current municipal use.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT the motion be amended to include section 7 (f), (g) and (h) which read as follows:

(f) 6379 Almon St mapping error adjust to ER-2.

(g) 6380 Edinburgh St mapping error adjust to ER-2.

(h) 6324 and 6330 North change from ER-3 to ER-2.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT the motion be amended to include section 7 (i), (j) and (k) which read as follows:

(i) 6022 North Street – Change from HR-1 with a max. height of 14m to max. height of 17m.

(j) 5527-5531 Duffus St change from ER-2 to HR-1 with max. height of 17m.

(k) 5535-5545 Duffus St. change from ER-2 to HR-1 with max. height of 14m.

As provided for in Section 90 of Administrative Order One, Respecting the Procedures of the Council, the motion was separated for voting purposes.

The question was called on Part (i) of the motion as follows:

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT the motion be amended to include section 7 (i) which reads as follows:

(i) 6022 North Street – Change from HR-1 with a max. height of 14m to max. height of 17m.

MOTION TO AMEND PUT AND PASSED.

The question was called on Part (j) and (k) of the motion as follows:

MOVED by Councillor Smith, seconded by Councillor Cleary

THAT the motion be amended to include section 7 (j) and (k) which reads as follows:

(j) 5527-5531 Duffus St change from ER-2 to HR-1 with max. height of 17m.

(k) 5535-5545 Duffus St. change from ER-2 to HR-1 with max. height of 14m.

MOTION TO AMEND PUT AND PASSED.

Councillor Smith resumed as Chair of the meeting.

MOVED by Councillor Cleary, seconded by Councillor Cuttell

THAT Halifax and West Community Council extend the meeting past 8:00 p.m.

MOTION PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Stoddard

THAT the motion be amended to include section 8 which reads as follows:

8. Consider amendments to the proposed Land Use Bylaw to zone the property at 6331 and 6351 North Street, Saint Theresa's Rectory to Institutional Employment Designation.

MOTION TO AMEND PUT AND PASSED.

The motion before Community Council now read:

MOVED by Councillor Mason, seconded by Councillor Cuttell

That Halifax and West Community Council recommend that Halifax Regional Council:

- 1. Give First Reading and schedule a public hearing to consider the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as set out in Attachments A and B of the staff report dated May 7, 2021.**
- 2. Give First Reading and schedule a public hearing to consider the proposed amendments to the Halifax Municipal Planning Strategy, as set out in Attachment G of the staff report dated May 7, 2021.**
- 3. Adopt the Regional Centre Secondary Municipal Planning Strategy, and the Regional Centre Land Use By-law as set out in Attachments A and B of the staff report dated May 7, 2021, including repealing the Regional Centre Secondary Municipal Planning Strategy (Package A), the Regional Centre Land Use By-law (Package A) , and the Land Use By-law for Halifax Peninsula.**
- 4. Adopt the proposed amendments to the Halifax Municipal Planning Strategy, as contained in Attachment G of the staff report dated May 7, 2021.**
- 5. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:**
 - a) Such that the entirety of Grafton Park (the former Memorial Library lands) including the side of the lot with the old library building PID 00076943 be rezoned PCF.**
 - b) So the proposed zoning for the former Ben's Bread lands between Shirley and Pepperell be zone ER-3 and HR-1 20m as appropriate.**
 - c) To reduce the allowable heights in the LUB such that the ER-1 zoned lands in the proposed Creighton Fields HCD have a height limit of 8m.**
 - d) Such that relaxed allowance for built form in the Young Avenue Sub Area A outlined in Sections 85, Section 236 (a) be deleted, the proposed reduced setback of 8m (26') is prescribed in LUB Schedule 18 be deleted and the 12m front yard setback be maintained, and the unit count allowed in the Young Avenue Sub-Area A be increased to five (5) units in new, compliant structures.**
 - e) Such that PIDs 00065177, 00065185 and 00065193 on South Bland may be considered subject to the findings of the Halifax Granary study to allow a zone of HR1 20m.**
 - f) To allow a height of 20m on the lot shared by civic addresses 6139 and 6131 Coburg and 1532 Vernon Street, to better align the height transition between the 10 story buildings flanking the site (Le Marchant Towers and the Carlyle) and the HR-1 20m zone applied Capital building across the street.**
 - g) To provide clarity as to whether the intent of section 371 (4) is that each and every 8m section of street wall articulation be completely different from all the others on the same building and re-write if not.**
- 6. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:**

- a) Zone the three Properties from 6994 to 7018 Churchill Drive as ER-3.
- b) Increase height limit to up to 38m on the HR-2 block bounded by Chebucto Rd, Clinton Ave, Joseph Howe Dr.
- c) Eliminate the West End Special Area.
- d) Increase height limit on 7137 Quinpool to 23m.

7. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:

- a) Change 2481, 2479, 2477, 2475, 2473, 2471 Brunswick St. from HR-1 with a max height of 14 to max height 11m.
- b) Change 2396 Brunswick St. from ER-1 to PCF (Parks and Community Facility)
- c) Staff review zoning between Charles St. Buddy Daye St./Harris St. and between Gottingen St. and Agricola St. to assess their existing built form and uses to determine any potential adjustments.
- d) Conduct further analysis in the area of Novalea Dr. between Civic addresses 5521 Duffus St and 3590 Novalea Dr. to change the zoning from HR-1 to COR to allow current uses.
- e) Change PID: 00173856 from HR-1 to a zone that recognizes the current municipal use.
- f) 6379 Almon St mapping error adjust to ER-2.
- g) 6380 Edinburgh St mapping error adjust to ER-2.
- h) 6324 and 6330 North change from ER-3 to ER-2.
- i) 6022 North Street – Change from HR-1 with a max. height of 14m to max. height of 17m.
- j) 5527-5531 Duffus St change from ER-2 to HR-1 with max. height of 17m.
- k) 5535-5545 Duffus St. change from ER-2 to HR-1 with max. height of 14m.

8. Consider amendments to the proposed Land Use Bylaw to zone the property at 6331 and 6351 North Street, Saint Theresa's Rectory to Institutional Employment Designation.

MOTION AS AMENDED PUT AND PASSED.

13.1.2 Case 20520: Development Agreement for 6330 and 6324 Quinpool Road, between Oxford Street and Preston Street

The following was before Community Council:

- A staff recommendation report dated May 4, 2021
- Memorandum from Halifax Peninsula Planning Advisory Committee dated September 24, 2019

MOVED By Councillor Mason, seconded by Councillor Cleary

That Halifax and West Community Council give notice of motion to consider the proposed development agreement, as set out in Attachment A, to enable an 8-storey (plus penthouse) mixed-use development at 6324 & 6330 Quinpool Road with a 3-storey section facing Pepperell Street and schedule a public hearing.

MOTION PUT AND PASSED.

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS – NONE

17. PUBLIC PARTICIPATION – NONE

18. DATE OF NEXT MEETING – July 13, 2021

19. ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

Alicia Wall
Legislative Support