



**HALIFAX AND WEST COMMUNITY COUNCIL  
MINUTES  
January 18, 2022**

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

STAFF: Meg MacDougall, Solicitor  
Krista Vining, 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](http://halifax.ca).*

*The meeting was called to order at 6:01 p.m., and recessed at 7:08 p.m. Community Council reconvened at 7:16 p.m., and moved into an In Camera (In Private) session at 7:46 p.m. Community Council reconvened to public session at 8:04 p.m., and adjourned at 8:10 p.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 6:01 p.m.

**2. APPROVAL OF THE MINUTES – December 15, 2021**

MOVED by Councillor Cleary, seconded by Councillor Cuttell

**THAT the minutes of December 15, 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

MOVED by Councillor Cleary, seconded by Councillor Stoddard

**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 Hearing**

**10.1.1 Land Use By-law amendment for front yard setbacks in the C-2C (Dutch Village Road Mixed-Use) Zone**

The following was before Community Council:

- Staff recommendation report dated November 12, 2021
- Staff presentation dated January 18, 2022
- Correspondence from Ian Watson, Elena Shiers, Abdul Baseer Samad

First Reading was given December 15, 2021.

Sean Gillis, Planner II, Regional Planning gave a presentation on the Land Use By-law amendment for front yard setbacks in the C-2C (Dutch Village Road Mixed-Use) Zone and responded to questions of clarification from Community Council.

The Chair reviewed the rules of procedure for public hearings and called for the registered speakers.

The hearing opened at 6:32 p.m.

**Ian Watson, Halifax** spoke in opposition to the proposed changes as it posed building design challenges for developers. It was suggested that maybe each lot could be looked at individually given the differences in the sizes and shapes of the lots in the area.

MOVED by Councillor Cleary, seconded by Councillor Morse

**THAT the public hearing be closed.**

**MOTION PUT AND PASSED.**

The hearing closed at 6:42 p.m.

Community Council asked if individual lot owners could apply for a variance of the front yard setback.

Gillis confirmed that variances can be requested for front yard setbacks.

MOVED by Councillor Morse, seconded by Councillor Cleary

**THAT Halifax and West Community Council adopt the amendment to the C-2C Zone of the Land Use By-law for Halifax Mainland, as set out in Attachment A of the staff report dated November 12, 2021.**

MOVED by Councillor Morse, seconded by Councillor Cuttell

**THAT Halifax and West Community Council defer item 10.1.1 Land Use By-law amendment for front yard setbacks in the C-2C (Dutch Village Road Mixed-Use) Zone to request a supplementary staff report to look at other setback options.**

In consultation with staff, Councillor Morse, with the approval of the seconder, withdrew the motion to defer.

The motion before Community Council read:

MOVED by Councillor Morse, seconded by Councillor Cleary

**THAT Halifax and West Community Council adopt the amendment to the C-2C Zone of the Land Use By-law for Halifax Mainland, as set out in Attachment A of the staff report dated November 12, 2021.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Morse, seconded by Councillor Cuttell

**THAT Halifax and West Community Council recommend that Halifax Regional Council direct the Chief Administrative Officer to consider front yard setbacks in the C-2C Zone through the upcoming amendments as part of Case 23245 and Case 22816.**

**MOTION PUT AND PASSED.**

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

### **11.1 Correspondence**

The Legislative Assistant noted that correspondence was received for items 10.1.1, and 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

### 13.1.1 Case 23781: Discharge Development Agreement for 1956-58 Rosebank Avenue, Halifax

The following was before Community Council:

- Staff recommendation report dated January 4, 2022

MOVED by Councillor Cleary, seconded by Councillor Cuttell

**THAT Halifax and West Community Council:**

1. **Approve, by resolution, the Discharge Agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated January 4, 2022; and**
2. **Require the Discharge Agreement be signed by the property owner within 240 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.**

### 13.1.2 Case 20226: Land Use By-law amendment to reduce parking requirements for community centres in Timberlea, Lakeside, Beechville

The following was before Community Council:

- Staff recommendation report dated November 3, 2021

MOVED by Councillor Stoddard, seconded by Councillor Cleary

**THAT Halifax and West Community Council give First Reading to consider approval of the proposed amendment to the Land Use By-law for Timberlea/Lakeside/Beechville, to reduce the parking requirements for recreation facilities and community centres as set out in Attachment A of the staff report dated November 3, 2021 and schedule a public hearing.**

**MOTION PUT AND PASSED.**

Councillor Smith stepped down as Chair and Councillor Cuttell assumed the Chair.

### 13.1.3 Case 22523: Amending Development Agreement for the corner of Gottingen and Bilby Streets (PID 00127522), Halifax

The following was before Community Council:

- Staff recommendation report dated January 4, 2022

MOVED by Councillor Smith, seconded by Councillor Cleary

**THAT Halifax and West Community Council give Notice of Motion to consider the proposed amending development agreement, as set out in Attachment A of the staff report dated January 4, 2022, for non-substantive amendments to enable changes to a previously approved eight storey mixed-use building at the corner of Gottingen and Bilby Streets, Halifax.**

**MOTION PUT AND PASSED.**

**13.1.4 Case 23936: Amending Development Agreement for 2858-2866 Gottingen Street and 5516-5518 Macara Street, Halifax**

The following was before Community Council:

- Staff recommendation report dated January 5, 2022

MOVED by Councillor Smith, seconded by Councillor Morse

**THAT Halifax and West Community Council give Notice of Motion to consider the proposed amending development agreement, as set out in Attachment A of the staff report dated January 5, 2022, for non-substantive amendments to an existing development agreement to allow an extension to the commencement and completion dates for development.**

**MOTION PUT AND PASSED.**

**13.1.5 Case 23872: Discharging Development Agreement for lands at 5785 Sarah Street, 2400 Agricola Street, and 5780 West Street, Halifax**

The following was before Community Council:

- Staff recommendation report dated January 6, 2022

MOVED by Councillor Smith, seconded by Councillor Cleary

**THAT Halifax and West Community Council:**

1. **Approve, by resolution, the Discharging Agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated January 6, 2022; and**
2. **Require the Discharging Agreement be signed by the property owner within 240 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.**

Dean MacDougall, Planner II, Current Planning responded to questions of clarification from Community Council.

**MOTION PUT AND PASSED.**

Councillor Smith resumed at Chair.

**13.1.6 Case 23483: Fourteenth Amending Agreement to allow residential development on the reserved school site on Amalfi Way in Brunello, Timberlea**

The following was before Community Council:

- Staff recommendation report dated January 6, 2022

MOVED by Councillor Stoddard, seconded by Councillor Morse

**THAT Halifax and West Community Council give Notice of Motion to consider the proposed amending agreement, as set out in Attachment A of the staff report dated January 6, 2022, to change development permitted on the subject sites from a public school to residential.**

MOVED by Councillor Stoddard, seconded by Councillor Mason

**THAT Halifax and West Community Council defer Case 23483 until such time as an updated letter is received from the Halifax Regional Centre for Education regarding the sale of the property.**

**MOTION TO DEFER PUT AND PASSED.**

**14. MOTIONS – NONE**

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

**15.1 In Camera (In Private) Minutes – December 15, 2021**

This matter was dealt with in public as follows:

MOVED by Councillor Stoddard, seconded by Councillor Cuttell

**THAT the In Camera (In Private) minutes of December 15, 2021 be approved as circulated.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Cuttell, seconded by Councillor Mason

**THAT Halifax and West Community Council convene into In Camera (In Private) to discuss the personnel matters.**

**MOTION PUT AND PASSED.**

**15.2 Personnel Matter – Private and Confidential Report**

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

MOVED by Councillor Mason, seconded by Councillor Morse

**THAT Halifax and West Community Council adopt the recommendations approved during the In Camera (In Private) January 18, 2022 meeting.**

**MOTION PUT AND PASSED.**

**15.3 Personnel Matter – Private and Confidential Report**

MOVED by Councillor Cuttell, seconded by Councillor Cleary

**THAT Halifax and West Community Council adopt the recommendations approved during the In Camera (In Private) January 18, 2022 meeting.**

**MOTION PUT AND PASSED.**

**16. ADDED ITEMS – NONE**

**17. PUBLIC PARTICIPATION**

There were no registered speakers.

**18. DATE OF NEXT MEETING – February 22, 2022**

**19. ADJOURNMENT**

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

Alicia Wall  
Legislative Support