



**REGIONAL CENTRE COMMUNITY COUNCIL  
MINUTES  
March 22, 2023**

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

**STAFF:** Claire Gillivan, Solicitor  
Krista Vining, Acting Deputy Clerk

*The following does not represent a verbatim record of the proceedings of this meeting.*

*The agenda, reports, supporting documents, information items circulated, and video (if available) are online at [halifax.ca](http://halifax.ca).*

*The meeting was called to order at 6:00 p.m., and adjourned at 6:42 p.m.*

## **1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

The Chair called the meeting to order at 6:00 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

### **1.1 Annual Election of Vice Chair**

The Chair called for nominations for the position of Vice Chair of the Regional Centre Community Council.

MOVED by Councillor Mancini, seconded by Councillor Cleary

**THAT Councillor Waye Mason be nominated as Vice Chair of the Regional Centre Community Council.**

Councillor Waye Mason accepted the nomination.

The Chair called three times for any further nominations; there were none.

MOVED by Councillor Cleary, seconded by Councillor Mancini

**THAT Councillor Waye Mason be appointed Vice Chair of the Regional Centre Community Council.**

**MOTION PUT AND PASSED.**

Councillor Waye Mason was declared Vice Chair.

## **2. APPROVAL OF MINUTES – December 14, 2022**

MOVED by Councillor Cleary, seconded by Councillor Mancini

**THAT the minutes of December 14, 2022 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 Mason

**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 VARIANCE HEARING**

**10.1.1 Case 224492: Appeal of Variance Refusal – 1059 Wellington Street, Halifax**

The following was before Community Council:

- Staff report dated March 7, 2023
- Correspondence from Patricia Whitman
- Staff presentation dated March 22, 2023
- Applicant presentation dated March 22, 2023

Faith Ford, Planner II gave a presentation and responded to questions of clarification from Community Council. Ford clarified that Regional Centre Land Use By-law (Package B) was approved October 8, 2021 and was fully in effect November 27, 2021. Applications received after October 8, 2021 would need to meet the requires of the HR-1 (Higher-Order Residential 1) Zone in Package B. Ford confirmed that the property was previously zoned R-2A (General Residential Conversion) under the Halifax Peninsula Land Use Bylaw. Ford spoke to the purpose of setback regulations, noting this application did not align with Regional Centre Land Use By-Law minimum three metres setback.

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

The hearing opened at 6:14 p.m.

**Stephen Adams, Stephen Adams Consulting Services Inc., representing the Appellants** gave a presentation and responded to questions of clarification from Community Council. Adams clarified that there was no intent to use as a rooming house.

In response to a question raised from the Community Council respecting access to the back of the property with only one metre of clearance, **James Bradsley, Appellant** confirmed they had permission from the neighbouring property owner to bring supplies onto their property. Bradsley spoke to having titanium siding and no windows on the southside of the property, having a solar compactor between the properties, making the rooftop accessible, and future plan to create a common patio space between the two properties.

Adams and Bradsley clarified that the neighbouring properties on either side of the property have one metre setbacks at the rear of the property.

The Chair revised the rules of procedure for variance hearings and called for anyone wishing to speak on the matter; there were none.

MOVED by Councillor Mason, seconded by Councillor Cleary

**THAT the hearing be closed.**

**MOTION PUT AND PASSED.**

The hearing closed 6:27 p.m.

MOVED by Councillor Mason, seconded by Councillor Cleary

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

The Community Council spoke to the differences between Regional Centre Land Use By-law (Package A) and Regional Centre Land Use By-law (Package B) and noted that Package B allowed the Appellant more rights. Community Council spoke to whether a variance application was the appropriate means to

alter Package B's three meters setback and whether it was more appropriate to ask staff to consider a by-law amendment. Community Council discussed whether the Appellant's desire to build a larger building was a compelling reason to vary the property setback. Community Council spoke to the parking lot at the rear of the property and that no backyard was being protected, the relationship between the neighbouring properties, and the existing one to one and a half meter setbacks of the neighbouring properties on either side of the property.

**MOTION PUT AND PASSED.**

Decision of the Development Officer overturned.

**11. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**11.1 Correspondence**

Correspondence was received and circulated for item 10.1.1.

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

**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**

The Chair reviewed the rules of procedure for public hearings/public participation. The Chair noted there were no registered speakers and called three times for any other members of the public wishing to speak; there were none.

**19. DATE OF NEXT MEETING – April 26, 2023**

**20. ADJOURNMENT**

The meeting was adjourned at 6:42 p.m.

Krista Vining  
Acting Deputy Clerk