

**HALIFAX AND WEST COMMUNITY COUNCIL  
MINUTES  
June 5, 2019**

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

STAFF: Donna Boutilier, Solicitor  
David Perusse, 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 6:01 p.m. and adjourned at 7:20 p.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 6:01 p.m. in Council Chamber, 3<sup>rd</sup> Floor City Hall, 1841 Argyle Street, Halifax.

**2. APPROVAL OF MINUTES - May 7, 2019 & May 13, 2019**

MOVED by Councillor Cleary, seconded by Councillor Walker

**THAT the minutes of May 7, 2019 and May 13, 2019 be approved as presented.**

**MOTION PUT AND PASSED.**

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

MOVED by Councillor Mason, seconded by Councillor Smith

**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**

**10.1.1 Case 20983: Rezoning of lands at the intersection of Wentworth Drive and Dunbrack Street, Halifax**

The following was before Community Council:

- A staff recommendation report dated April 4, 2019
- A staff presentation titled "Case 20983"
- A presentation from the Applicant titled "Stonehaven at Rockingham South"
- Correspondence submitted by Debby Leonard

Jamy-Ellen Klenavic, Planner II, provided Community Council with a presentation on Case 20983: Rezoning of lands at the intersection of Wentworth Drive and Dunbrack Street, Halifax to rezone property at the southeast corner of the intersection of Dunbrack Street and Wentworth Drive from R-2 (Two Family Dwelling) to R-2T (Townhouse) and R-4 (Multiple Dwelling) under the Halifax Mainland LUB.

The Chair invited the Applicant to come forward to address Community Council.

**Kevin Riles and Chris Crawford**, KWR Approvals Inc., on behalf of the Applicant, provided Community Council with a presentation on Case 20983: Rezoning of lands at the intersection of Wentworth Drive and Dunbrack Street, Halifax.

Responding to questions from members of Community Council, Riles and Crawford noted that there would be front entrances for the proposed townhouses along Wentworth Drive. They added that their current plan is for the townhouses to be full three (3) storey units. With regards to affordable housing

components of the development, they noted that they aim to provide a greater diversity of housing options at different price points comparable to those in the surrounding area.

The Chair opened the public hearing and called three (3) times for any members of the public wishing to come forward to speak to the matter. There being none, it was MOVED by Councillor Mason, seconded by Councillor Cleary

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Walker, seconded by Councillor Mason

**THAT Halifax and West Community Council adopt the amendment to the Land Use By-law for Halifax Mainland, as set out in Attachment A of the staff report dated April 4, 2019.**

Responding to questions from members of Community Council, Klenavic noted that it would be difficult to say exactly what the maximum allowable height would be for the development, as there is flexibility with regards to the allocation of setbacks and height. However, the recommendation resulting from an Angle Control Review is that the height should be no more than five (5) storeys maximum. Klenavic further noted that if the rezoning is permitted, there would be nothing in the Land Use By-law (LUB) that would require the driveway access to be at the back of the lots, rather than fronting on Wentworth Drive.

**MOTION PUT AND PASSED.**

The Chair thanked Klenavic for the presentation.

**10.1.2 Case 21979: Amendment to the Requirements of the Land Use By-law for Halifax Peninsula for 2165 Gottingen Street, Halifax**

The following was before Community Council:

- A staff recommendation report dated April 8, 2019
- A memorandum from the Chair of the Halifax Peninsula Planning Advisory Committee dated February 27, 2019
- A staff presentation titled "Case 21979"
- A presentation from the Applicant titled "2165 Gottingen"
- Correspondence submitted by Jennifer Powley, Andrew Breen, Edward Edelstein, Matt Neville

Paul Sampson, Planner II, Urban Enabled Applications, provided Community Council with a presentation on Case 21979: Amendment to the Requirements of the Land Use By-law for Halifax Peninsula for 2165 Gottingen Street, Halifax to amend the building height and setback provisions of the Land Use By-Law Halifax Peninsula (LUB) for 2165 Gottingen Street, Halifax.

The Chair invited the Applicant to come forward to address Community Council.

**Edward Edelstein**, EDM Planning Services Ltd., provided Community Council with a presentation on Case 21979: Amendment to the Requirements of the Land Use By-law for Halifax Peninsula for 2165 Gottingen Street, Halifax.

The Chair opened the public hearing and called for any members of the public wishing to come forward to speak to the matter.

**Beverly Miller**, South Street, expressed concerns with the proposed amendments and development. They noted that they own a property adjacent to the property in question. They expressed concern that the Developer had initially asked for a height of sixty-five (65) ft, but now, the proposed LUB amendment is for seventy (70) ft; they asked what caused this change. They additionally expressed concerns that

there was insufficient public consultation on this matter, as the proposed development could end up being precedent setting for Gottingen Street.

**Edward Edelstein**, EDM Planning Services Ltd., spoke to some of the concerns raised during the public hearing. They noted that what is currently being requested in terms of height is only three quarters (3/4) of what would be permitted under the most current iteration of the Centre Plan.

Responding to questions from members of Community Council, Sampson noted that while the initial application was for a height of sixty-five (65) ft, the allowable height was increased to seventy (70) ft to allow for greater flexibility in design without permitting any increase in the number of floors for the development.

The Chair called three (3) times for any further members of the public wishing to come forward to speak to the matter. There being none, it was MOVED by Councillor Cleary, seconded by Councillor Walker

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Smith, seconded by Councillor Mason

**THAT Halifax and West Community Council adopt the amendments to the Land Use By-law for Halifax Peninsula, as set out in Attachment A of the staff report dated April 8, 2019.**

**MOTION PUT AND PASSED.**

The Chair thanked Sampson for the presentation.

### **10.1.3 Case 21539: Application for a Discharging Agreement and Development Agreement, 6247-6249 Jubilee Road, Halifax**

The following was before Community Council:

- A recommendation report from the Heritage Advisory Committee dated March 28, 2019, with attached staff recommendation report dated February 20, 2019
- A memorandum from the Chair of the Halifax Peninsula Planning Advisory Committee dated September 24, 2018
- A staff presentation titled "Public Hearing for Case 21539"
- Correspondence submitted by Brian Mombourquette

Kathleen Fralic, Planner II, provided Community Council with a presentation on Case 21539: Application for a Discharging Agreement and Development Agreement, 6247-6249 Jubilee Road, Halifax to discharge an existing development agreement for 6247-6249 Jubilee Road, Halifax, and enter into a new development agreement. Fralic noted that the building in question is currently a registered heritage property, and is currently being used as a pharmacy, which is consistent with its heritage designation. They further noted that the Applicant is requesting a new development agreement to allow for the construction of an addition to the property, which would require the demolition of a rear portion of the building.

The Chair invited the Applicant to come forward to address Community Council.

**Jocelyn Glover**, the Applicant, spoke to Community Council about the request under Case 21539: Application for a Discharging Agreement and Development Agreement, 6247-6249 Jubilee Road, Halifax. They noted that they run a private medical facility out of the property and are looking for more space to grow their business. They further noted that they intend to maintain the main heritage features of the building, while making it into a more practical commercial space.

The Chair opened the public hearing and called three (3) times for any members of the public wishing to come forward to speak to the matter. There being none, it was MOVED by Councillor Cleary, seconded by Councillor Mason

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

MOVED by Councillor Mason, 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 February 20, 2019;
2. Approve, by resolution, the proposed discharging development agreement, which shall be substantially of the same form as set out in Attachment B of the staff report dated February 20, 2019; 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.

**MOTION PUT AND PASSED.**

The Chair thanked Fralic for the presentation.

## **10.2 Variance Hearings - NONE**

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

### **11.1 Correspondence**

The Legislative Assistant noted that the Municipal Clerk's Office received correspondence relating to items 10.1.1, 10.1.2, and 10.1.3. This correspondence was circulated to members of Community Council.

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

### **11.2 Petitions - None**

### **11.3 Presentations - None**

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

## **13. REPORTS**

### **13.1 STAFF**

#### **13.1.1 Case 21288: Land Use By-law Amendment and Development Agreement for 2859 Robie Street, Halifax.**

The following was before Community Council

- A staff recommendation report dated March 15, 2019
- A memorandum from the Chair of the Halifax Peninsula Planning Advisory Committee dated July 10, 2018

MOVED by Councillor Smith, 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 B of the staff report dated March 15, 2019; and

2. Require the 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.

**MOTION PUT AND PASSED.**

**13.2 BOARDS AND COMMITTEES - NONE**

**13.3 MEMBERS OF COMMUNITY COUNCIL**

**14. MOTIONS - NONE**

**15. IN CAMERA (IN PRIVATE) – NONE**

**16. ADDED ITEMS**

**17. NOTICES OF MOTION – NONE**

**18. PUBLIC PARTICIPATION**

The Chair called three (3) times for any members of the public wishing to address Community Council; there were none.

**19. DATE OF NEXT MEETING**

- June 11, 2019;
- July 9, 2019.

**20. ADJOURNMENT**

The meeting was adjourned at 7:20 p.m.

David Perusse  
Legislative Assistant