

# HALIFAX REGIONAL MUNICIPALITY

---

## DISTRICT 12 PLANNING ADVISORY COMMITTEE

April 28, 2008

### MINUTES

PRESENT: Ms. Beverly Miller, Vice-Chair  
Mr. Clary Kempton  
Ms. Katherine Perrott  
Mr. Logan McDaid  
Councillor Dawn Sloane

REGRETS: Ms. Heather Ternoway, Chair

#### SPECIAL

PRESENTER(S): Mr. Paul Sampson, Planner 1, Community Development - Planning Applications

STAFF: Ms. Gail Harnish, PAC/Administrative Coordinator  
Ms. Sandra T. Riley, Legislative Assistant

**TABLE OF CONTENTS**

- 1. CALL TO ORDER ..... 3
- 2. APPROVAL OF ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS ..... 3
- 3. APPROVAL OF MINUTES - None ..... 3
- 4. BUSINESS ARISING OUT OF MINUTES ..... 3
- 5. PUBLIC PARTICIPATION - General Planning Issues - no requests received . 3
- 6. CASE 00971: MPS/LUB Amendment and Development Agreement, Halkirk (Keith’s Brewery) lands, Lower Water, Bishop and Hollis Streets, Halifax {*Paul Sampson*} ..... 3
- 7. STATUS UPDATES
  - 7.1 Monthly Status Updates - Planning Applications ..... 6
  - 7.2 Decisions of Community Council ..... 6
  - 7.3 Review of District 12 PAC Status Sheet ..... 6
  - 7.4 Demolition Permit Applications ..... 6
- 8. ADDED ITEMS ..... 6
- 9. NEXT REGULAR MEETING DATE - May 26, 2008 ..... 7
- 10. ADJOURNMENT ..... 7

1. **CALL TO ORDER**

Ms. Beverly Miller, acting as the Chair, called the meeting to order at 6:35 pm

2. **APPROVAL OF ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS:**

**Additions:**

8.1 Letter to/from the Mayor to Ms. Beverly Miller, Vice - chair, dated April 24, 2008.

**MOVED BY Mr. Kempton, seconded by Ms. Miller, that the order of business and approval of additions and deletions, as amended, be approved. MOTION PUT AND PASSED**

3. **APPROVAL OF MINUTES** - None

4. **BUSINESS ARISING OUT OF THE MINUTES** - None

5. **PUBLIC PARTICIPATION - GENERAL PLANNING ISSUES** - no requests received

6. **CASE 00971: MPS/LUB Amendment and Development Agreement, Halkirk (Keith's Brewery) lands, Lower Water, Bishop and Hollis Streets, Halifax {Paul Sampson}**

A staff report dated April 02, 2008 on the above noted was before the Committee. Mr. Paul Sampson, Planner 1, Community Development - Planning Applications advised the Committee that Case 00971 is a request by Halkirk Properties Limited to amend the Halifax Municipal Planning Strategy and Halifax Peninsula Land use By-Law to permit a mixed-use development on the southern portion of the "Keith's Brewery" lands, bounded by Lower Water, Bishop, Hollis and Salter Streets, by development agreement. The presentation included the following slides:

- Site Location/Description (2 slides)
- Proposal
- Proposed Development (4 slides)
- Exterior Materials (Alexander)
- Signs
- Keith Hall
- Portico
- Facade Rehabilitation
- Surrounding Area (8 slides):
  - Benjamin Wier House

- Lt. Governor's House
- Black-Binney House
- Bishop's Landing
- 1360 Water street
- Waterfront Place
- Waterford, Hollis St.
- Mixed Use/office area to North
- MPS Designation/Zoning
- Rationale for MPS/LUB amendments
- Heritage/Scale & Design
- Wind Study
- Shadow Study
- Other Considerations:
  - Views
  - Traffic/Parking
  - Streetscape
  - Infrastructure
  - Land Use
  - HRMbyDesign
- Staff Recommendation:
  - Approval
- Committee
  - Recommendation

Councillor Sloane arrived at 6:56 pm due to an early start time.

Mr. Bill Campbell, the Developer representing Halkirk Properties Ltd., circulated a handout entitled "Overview of The Alexander Proposal" and gave a presentation to the Committee. The following slides were presented by Mr. Campbell:

- History of the property(2)
- Regional plan
- Municipal Planning Strategy
- HRMbyDesign
- Brewery District
- Heritage Resources
- View Plane
- Archaeological Investigation
- Comparison to Original (2002 original building to 2006 current building)
- Farmer's Market Use
- Urban Design (Lower Water Street looking towards Bishop)
- Urban Design - transitional design
- Architectural Detail (2 slides)
- Demolition - not a registered building

- Vehicular Circulation
- Micro-climate
- Adjusted View Context (West face of building)
- West Elevation (adjusted)
- Bishop Street Elevation
- Sloping Site
- Bishop Street Street Wall
- Site Plan
- Bishop and Lower Water

Following the presentation by Staff, two motions were put forward. One was withdrawn and the other was defeated as follows:

**MOVED by Councillor Sloane, seconded by Mr. Kempton that the District 12 PAC recommend approval of the proposed amendments to the MPS and LUB and a proposed Development Agreement which allows for an alternative tower design as shown on Schedule A-3 to A-6 of Attachment B of the Staff Report. MOTION WITHDRAWN**

**MOVED by Mr. Kempton, seconded by Mr. McDaid, that the District 12 PAC recommend approval of the proposed amendments to the MPS and LUB and the proposed Development Agreement as presented in the Staff Report dated April 02, 2008. MOTION DEFEATED**

Mr. Sampson and Mr. Campbell responded to questions of clarification of the Committee. The District 12 PAC had many concerns regarding Case 00971 including the following:

- Traffic movement in and out of building; accessibility
- Heritage buildings disappearing
- Phase 3 design details be equal to the Development Agreement for scaling, massing, architectural materials, height - site specific conditions
- Landscaped Open Space at street level
- Building has one flat side
- Second PIM
- Need activity after night fall to discourage criminal activity e.g. Coffee shop
- Objection to the CBD extending that far South
- Staff's instructions to Council on how to avoid appeals
- Standards for shadow and wind

On page 10 of the Staff Report regarding this case, under Rationale for Proposed MPS/LUB Amendments, there is a clause in the last bulleted item which reads, "Therefore, if Council wishes to approve the proposed development and not have the issues of building height, massing and setbacks be subject to appeal to the N.S. Utility and Review Board,

then staff recommend the proposed amendments (Attachment A) as the means of doing so.” Ms. Miller advised that it is out of order for Staff to make these recommendations to Council.

**MOVED by Councillor Sloane, seconded by Mr. McDaid, that the District 12 PAC recommend that the proposed Phase 3 design details be equal to this proposal in terms of materials, scaling, massing, architectural details, and height to be complementary to the existing streetscape such as Keith Hall, the Benjamin Wier House and Halkirk House. MOTION PUT AND PASSED**

After a lengthy discussion, the District 12 Planning Advisory Committee agreed that they could not make a recommendation on this report and would instead submit an ‘information report’ to Council as the objections are to the Staff Report not to the motion.

**7. STATUS UPDATES**

**7.1 Monthly Status Updates - Planning Applications**

**7.2 Decisions of Community Council**

**7.3 Review of District 12 PAC Status Sheet**

**7.4 Demolition Permit Applications**

Due to time constraints, items 7.1 through 7.4 were not discussed in this meeting.

**8. ADDED ITEMS**

The Committee discussed and made decisions on courses of action regarding the following pieces of correspondence:

- 8.1** A letter from the Mayor dated April 24, 2008, in response to a letter sent by Ms. Miller to Mr. Paul Dunphy regarding involvement with decision making for HRMbyDesign, whereas the Mayor suggests the Committee attend the Public Hearing. Ms. Miller stated that her question had not been addressed and requested permission of the D12 PAC to submit another letter to the Mayor and the Urban Design Task Force Chair - Ms. Dale Godsoe, pointing out this fact. Mr. Kempton advised that the Terms of Reference suggests D12 should be part of the decision and the issue has to be addressed.

**9. NEXT REGULAR MEETING DATE**

The next regular meeting of the District 12 PAC is scheduled for May 26, 2008 at 7:00 p.m. in the Trophy Room, City Hall.

**10. ADJOURNMENT**

The meeting adjourned at 9:29 p.m.

Sandra T. Riley  
Legislative Assistant