



**DESIGN REVIEW COMMITTEE  
MEETING MINUTES  
February 12, 2015**

**PRESENT:** Kourosh Rad, Chair  
Steve Murphy, Vice Chair  
Noel Fowler  
Kevin Conley  
Louis Lemoine  
Catherine Courtney  
Malcolm Pinto  
Jared Dalziel  
Rick Buhr

**REGRETS:** Andy Fillmore

**STAFF:** Karen Brown, Solicitor  
Sherrill Murphy, Deputy Clerk  
Richard Harvey, Major Projects Planner  
Kelly Denty  
Jacob Ritchie, Urban Design Manager  
Jane Crosby, Legislative Support  
Cailin MacDonald, Legislative Support

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

*The agenda, supporting documents, and information items circulated to the Board are available online: <http://www.halifax.ca/boardscom/DesignReviewCommittee-HRM.html>*

*The meeting was called to order at 6:02 p.m., and Committee adjourned at 7:30 p.m.*

**1. CALL TO ORDER**

The Vice-Chair called the meeting to order at 6:02 p.m. in Halifax Hall, City Hall, 1841 Argyle Street.

There was a round table of introductions for the new members of the Design Review Committee.

Following introductions, the election of the Chair and the Vice-Chair took place.

Ms. Crosby, Legislative Support, called for nominations for Chair of the Design Review Committee.

**MOVED by Mr. Murphy, seconded by Mr. Lemoine that Mr. Rad be nominated to serve as Chair of the Design Review Committee.**

Mr. Rad accepted the nomination.

Ms. Crosby called a second time for nominations.

Ms. Crosby called a third time and final time for nominations and, hearing no further nominations, called for the vote on Mr. Rad's nomination.

**MOTION WAS PUT AND PASSED.**

Ms. Crosby turned the conduct of the meeting to Mr. Rad, Chair of the Design Review Committee.

The Chair called for nominations for Vice-Chair of the Design Review Committee.

**MOVED by Mr. Lemoine, seconded by Mr. Dalziel that Mr. Murphy be nominated to serve as Vice-Chair of the Design Review Committee.**

Mr. Murphy accepted the nomination.

Mr. Rad called a second time for nominations

Mr. Rad called a third time and final time for nominations and, hearing no further nominations, called for the vote on Mr. Murphy's nomination.

**MOTION WAS PUT AND PASSED.**

**2. APPROVAL OF THE MINUTES – September 11, 2014**

No changes to the minutes were noted.

**MOVED by Mr. Lemoine, seconded by Mr. Murphy, that the minutes of September 11, 2014 be approved as presented.**

**MOTION PUT AND PASSED.**

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

**MOVED by Mr. Buhr, seconded by Mr. Dalziel, that the agenda be approved as circulated.**

**MOTION PUT AND PASSED.**

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

**5. CONSIDERATION OF DEFERRED BUSINESS – None**

**6. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**6.1 Correspondence - None**

**6.2 Petitions - None**

**6.3 Presentations - None**

**7. REPORTS/DISCUSSION**

**7.1. Staff**

HRM Staff introduced themselves to the Design Review Committee and provided a brief overview of their role with HRM.

Mr. Fowler joined the meeting at 6:10pm

**7.1.1 Committee Orientation**

**Planning Role:**

Mr. Richard Harvey, Major Projects Planner, provided a presentation on the role of the Design Review Committee and of HRM Planning Staff. He noted that his presentation would be a good orientation for the new members of the Design Review Committee.

Mr. Harvey's presentation included the following topics:

- The Downtown Plan, including some project examples
- The relationship between the land-use bylaw and the Design Manual
- The role of the Development Officer and the Design Review Committee
- The Substantive Site Plan Approval Process
- Recommendations on changes to planning documents.

Mr. Harvey presented an overview of the Downtown Plan area. He explained that this is the area for consideration and they would not be considering all of HRM, or the Halifax peninsula. Mr. Harvey explained the history of the project approval process in the downtown. He described some of the problems that would occur due to this past process. He added that the Design Review Committee was created as a result of changes to this process. He then presented some examples of projects that have been brought to the Committee or are currently being considered by the Committee. He also described some of the first projects that were brought to the Committee, noting that they have been through the substantive site plan approval process.

Mr. Harvey then presented the Land Use By-Law and Design Manual. He described the role and responsibilities of the Development Officer and the Design Review Committee. He noted that the Design Review Committee considers the elements of the building and ways they relate to the streetscape. Mr. Harvey noted that it is not a matter of liking or disliking the building. The Committee is to compare the elements in the project against the conditions in the Design Manual.

Mr. Harvey also explained that the Committee will often consider findings from the wind assessments for a particular project and confirm what is presented. He then explained requests for a variance noting that the Committee would make decisions on these variance requests.

The Site Plan Approval Process was presented. Mr. Harvey explained that early presentations are encouraged but are not a requirement. He noted that this is a good opportunity for the Committee to familiarize themselves with a project and ask questions or submit feedback. He then explained the public consultation process and noted that Design Review Committee does not receive minutes from the public consultation because they are required to make a decision based on the Design Manual.

In response to a question from Mr. Buhr, Mr. Harvey described the timeframe of the process. He explained that a developer has 60 days once they apply for substantive site plan approval.

Mr. Harvey described the possible decisions that the Design Review Committee can make:

- Approve
- Approve with conditions
- Refuse

He noted that a refusal must have an explanation from the Design Manual. He added that the Committee can also have a number of conditions. Mr. Harvey explained that the decisions of

the Design Review Committee can be appealed to Regional Council. He also noted the relationship to the Heritage Advisory Committee.

Mr. Harvey turned the presentation over to Mr. Jacob Ritchie, Urban Design Manager. Mr. Ritchie discussed amendments to planning documents. He explained that the Committee makes recommendations to Council on changes to the documents. Mr. Ritchie also described the Five Year Review Process and the role the Committee will play with that process. Mr. Harvey added that the bulk of the work for the Committee will be project approvals.

Mr. Harvey concluded his presentation and the Committee entered into discussion. In response to a question from Mr. Lemoine, Mr. Harvey explained that the Developer would do any initial or pre-application presentation but the Development Officer would present the Substantive Site Plan Approval. It was noted that though the Development Officer is conducting the presentation the Developer is present at the meeting.

Mr. Fowler inquired about small modifications to buildings. He explained that some of these projects are often subject to conditions that are outside the scope of work because the Committee has to weigh the project against the Design Manual. Mr. Harvey responded that it is important as a Committee to focus the modification and to really only consider the scope and what the applicant is applying for. The Chair noted that the Committee is also able to make an approval with recommendations, which could work well in this type of situation.

Mr. Conley commented that the Design Review Committee is an approval body and noted the responsibility that they have as a Committee. He highlighted the important role that Committee has for the City.

Mr. Lemoine inquired about the amount of time the Committee would devote to the Five Year Review. Mr. Ritchie explained that they would like to have it completed by the end of the year. He added that his intention is to cover this item in one meeting.

The Chair asked if any of the past presentations they have seen would be coming before the Committee in the upcoming months. Mr. Harvey responded that the Committee is likely to see the Cunard Block development, the project on Hollis and South, the YMCA CBC site and the second development on Clyde Street.

#### **Conflict of Interest:**

Ms. Karen Brown, Solicitor, provided the committee with a presentation on conflict of interest. She reviewed the Municipal Conflict of Interest Act, outlining several important citations. She explained that committee members with a conflict of interest must remove themselves from the discussion and be seated in the public gallery. Ms. Brown also explained the importance of not innocently swaying other members. In addition, she described the potential consequences should a conflict not be declared. She urged all committee members to become familiar with the document.

Mr. Pinto inquired about the potential conflict that may arise with bidding on various RFP's. He explained that as a structural consultant he is often not engaged until after the project has been approved. Ms. Brown responded that this could be difficult to assess. She responded that Mr.

Pinto could consider declaring a conflict as soon as one is made aware of their involvement in a project. Mr. Murphy added that it might be worthwhile to contact Mr. Roy McBride, a former member of the Design Review Committee, as he would have been faced with similar situations as a consultant.

### **Conduct of Meeting: Administrative Order One**

Ms. Sherrill Murphy, Deputy Clerk, provided a brief presentation on Administrative Order One. She explained that its purpose is to guide the conduct of the meetings and to allow for transparency. Ms. Murphy also explained the purpose of the Reference Agenda and encouraged committee members to review both documents.

#### **7.1.2 2015 Meeting Schedule**

It was noted that there could be a potential conflict for the March 2015 meeting date. Ms. Murphy indicated that she would circulate the information on this potential conflict and the committee could adjust the date if necessary.

**MOVED by Mr. Lemoine, seconded by Mr. Fowler that the 2015 Meeting Schedule be approved as presented.**

**MOTION PUT AND PASSED.**

#### **8. ADDED ITEMS – NONE**

#### **9. DATE OF NEXT MEETING – Tentatively March 12, 2014, 6:00 pm, Halifax Hall, City Hall, 1841 Argyle Street.**

#### **10. ADJOURNMENT**

The meeting adjourned at 7:30pm.

Jane Crosby  
Legislative Support

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**INFORMATION ITEMS - None**

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