

URBAN DESIGN TASK FORCE  
MINUTES

February 06, 2008

PRESENT:

Mr. Stephen Terauds  
Mr. Bernie Smith  
Ms. Margot Young  
Mr. Frank Palermo  
Mr. Kevin Riles  
Ms. Adriane Abbott  
Mr. David Garrett  
Councillor Jim Smith  
Councillor Dawn Sloane

REGRETS:

Mr. Kendall Taylor  
Ms. Dale Godsoe, Chair  
Mr. Paul MacKinnon, Vice-Chair  
Ms. Cathy Carmody  
Ms. Linda Garber  
Mr. Paul Shakotko  
Mr. Bill Hyde

STAFF:

Mr. Andy Fillmore, Project Manager, Capital District  
Ms. Jacqueline Hamilton, Manager, Capital District  
Mr. Austin French, Manager, Planning Services  
Mr. Richard Harvey, Senior Planner, Planning Applications  
Ms. Tiffany Chase, Communications Specialist, Heritage and  
Urban Design, Capital District  
Ms. Sandra T. Riley, Legislative Assistant

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**1. CALL TO ORDER**

Mr. Stephen Terauds, acting as Chair, called the meeting to order at 11:28 a. m. in Halifax Hall, City Hall.

**2. APPROVAL OF MINUTES - December 05, 2007 and December 19, 2007**

**MOVED by Councillor Smith seconded, by Mr. David Garrett, that the minutes of December 05, 2007 and December 19, 2007, as amended, be approved. MOTION PUT AND PASSED.**

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

**MOVED by Mr. Garrett, seconded by Councillor Smith, that the Order of Business be approved. MOTION PUT AND PASSED.**

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

**5. CONSIDERATION OF DEFERRED BUSINESS - NONE**

**6. NEW BUSINESS**

**6.1 Presentation by Mr. Philip Pacey, President, Heritage Trust of Nova Scotia (5 minutes)**

The scheduling of a presentation from members of the Urban Design Task Force and the Steering Committee (HRM By Design) to Heritage Trust was discussed and will be decided upon after schedules and time frames are consulted. It was requested that this meeting should be scheduled when the Chair - Ms. Godsoe, and Mr. Fillmore - Project Manager are available to attend. HRM By Design will first present to the Board of Directors of the Heritage Trust followed by a Round Table at this meeting.

Mr. Pacey, on behalf of Heritage Trust of Nova Scotia, thanked the Urban Design Task Force for the opportunity to make a presentation. He advised that Heritage Trust would like to assist the Task Force to reinforce current community plans and values relating to heritage preservation as in the words of the Committee's Terms of Reference.

The presentation highlighted the following assets in the study area:

- International Identity
- Economic Future
- Height and Zoning
- Views from Citadel Hill to Halifax Harbour
- Development and Density
- Our Living Legacy - Key Assets

Mr. Pacey's presentation also included a handout titled: Economic Potential of HRM and Halifax Harbour in Support of Regional Planning - Gardner Pinfold Consulting Economists, MariNova, Cantwell and Company, Halifax, 2004.

Mr. Terauds opened the floor for questions for Mr. Pacey regarding the presentation.

Mr. Palermo requested clarification on Mr. Pacey's assertion that the present rules should be kept. Mr. Pacey responded that there are height limits that are presently protecting heritage buildings and similar limits should be kept. He explained that with the rules in place where new buildings have to be similar in height, the least expensive option would be to renovate and repair existing buildings. He noted that very few heritage buildings in business districts are being lost because of Land Use Bylaw controls. He asserted that Heritage Trust does not want to see rules become relaxed.

Mr. Pacey advised that Heritage Trust is very concerned about the view from Citadel Hill. He explained that there are certain policies in the current Municipal Planning Strategy which say the view planes should be preserved and that height should be limited. He stated that Heritage Trust would like to see the Task Force put the words of the policy into effect so that the views are protected by Form Base Code as well as being protected by the policy.

Mr. Garrett noted the 170 Municipal Heritage properties that are already registered and commented there were more buildings that were being recommended for protection. He inquired as to what were the recommendations for conclusion in the Form Base guidelines that would acknowledge the context of the heritage buildings. Mr. Pacey addressed the buildings that are not currently registered stating that the Heritage Trust is in favour of evaluating and registering buildings which merit registration. In regards to Mr. Garrett's question of context, he suggested the best way to protect context is to have Heritage Conservation Districts encompassing not just the buildings but also their contents.

Councillor Smith inquired as to how many moderately scaled buildings in the area have been successful and how many years back is being considered. Mr. Pacey advised it was the past 20 years and gave many examples of buildings of a five and six storey height.

Councillor Sloane inquired about the demolition issue. Mr. Fillmore clarified that the

Barrington Street area conservation district and two other districts being recommended for future heritage conservation study will have demolition protections built in under the Heritage Property Act. He added that for buildings outside of conservation districts, part of the Municipal Government Act amendments being sought is an expansion of the one year demolition to two years, plus other Built Form and tax style incentives for the protection of heritage.

Councillor Sloane requested clarification regarding the Cogswell Street Interchange. Mr. Pacey responded that it is reasonable to have a greater height in that area although there is concern about transitions. He commented that Heritage Trust met with the Minister last week and made the request to have the one year delay period removed. He advised that the Task Force should be aware that at least one other municipality recommends this not be removed from the heritage properties. He asserted that it is important that the height and zoning provisions reflect the characteristics of the heritage buildings.

Councillor Sloane requested a list of properties on the demolition schedule.

Mr. Fillmore thanked Mr. Pacey for his presentation on behalf of Heritage Trust of Nova Scotia and affirmed the direction of the Task Force. He stated that the Task Force has made the conscious decision to uphold the view planes and the Citadel Ramparts Bylaw. He explained that the District Based approach that is being followed will establish building height based on existing Built Form character. He clarified that the 25 feet and 40 feet heights are not really the limit but are meant to be 'trigger heights' and are subject to negotiation. He stated that the findings have been that buildings that are built As-of-right below those heights are not subject to any kind of design review; there is no discussion about the design at all, and they tend to end up not making a positive contribution. He reminded those present that the project is about pursuit of good urbanism.

## **6.2 Motion to recommend findings of Forum 4 and 4B to Council (for consideration at the February 26, 2008 Council meeting).**

Mr. Terauds recommended polling the Task Force and then have each member give a short statement. This will be followed by a presentation by Ms. Thea Langille, Project Implementation Coordinator, HRMbyDesign and Mr. Richard Harvey, HRMbyDesign, Policy Coordinator.

Mr. Riles stated that Forum 4B had a good reception with 50% opposed and 50% in favour. He advised it is time for implementation and Form Base Code and that there is danger in talking more and making changes will leave less time for actual implementation. He stated it is a reasonable balance and it needs to be an As-of-rights situation backed up by Form Base Code or mechanism under the rules in place. He advised that his one concern is that

he is not convinced with the Cogswell Interchange and he does not see the cost and the transportation plans behind it, but it is not a deal breaker. He pointed out that there has been a year to hear from a lot of different groups and time is passing. He advised that it is time to move on and talk about implementation details as he feels that balance has been achieved.

Ms. Abbott agreed that it is a balanced approach and the detail part comes now. She stated that she is in favour of the vision, however, she is a little troubled with the South Barrington Street Historic Properties. Her concern is whether there is enough protection in place for heritage preservation. She agreed that it is time to go forward.

Mr. Garrett expressed that he will support going forward with one exception under number 10 of the 10 Big Moves - A Repaired & Enhanced Downtown Skyline. His suggestion would be to replace a 'repaired and enhanced' downtown skyline with a 'sustainable' downtown as it would accomplish a lot more than comment about enhanced downtown skyline. He advised that he found the District-Based Approach very sound as the Height Framework in these districts would be in accordance with the existing character. He expressed wanting to know what the policies would be to protect stand-alone structures. He advised that under item D. Implementation of the Downtown Vision, the idea of Design Review is a good one that he admires as both a member of the public and as an architect. He summed up that he is ready to support the vision.

Mr. Smith commented that there should have been a little more descriptive material in the report for clarification for the members of the public. He advised that concerns like why downtown Dartmouth is not being addressed right now and what happens to heritage buildings that are not in the Barrington Conservation District, amongst other issues, should be clarified. Mr. Smith suggested some mention of transportation and how to deal with that later in the process without requiring huge parking lots.

Mr. Palermo stated that he does not have any real concerns regarding the 10 Big Moves, but wants clarity on what Council will actually be asked and be approving. He stated that changes had been talked about regarding the map, and would like to know how they are being incorporated. The response was that Council will be presented with the items presented in Forum 4B, with the exception of the District Based Approach. With Mr. Palermo's concern of item #5, Mr. Fillmore advised attaching the conceptual diagram of the downtown which shows the open spaces and the redeveloped Cogswell.

Mr. Palermo added his concerns are with the level of detail and that this may be building the basis for future debate. He advised that thought should be given to the wording. In regards to item #6, he suggested a specific reference for surface parking or parking adjacent to a sidewalk to show how street frontage is used. For item #7 he suggested showing a map of existing buildings. He agreed that # 10's wording should be replaced with 'sustainability'.

Regarding B. - District Based Approach - he is now agreeable to. For the Cogswell Interchange (C) he advised this needs to be initiated immediately; there has to be a way to suggest a deadline. He advised adding an (E) regarding public transit - a vision for transportation in the city as a whole.

Councillor Sloane expressed that she had more technical concerns than general regarding the 10 Big Moves. She stated that she agrees 98 percent with the Review Board idea with the only problem being in how it is chosen. She added that statements made about heritage conservation and demolition controls should be stronger. She expressed concern about how to renovate existing buildings to allow for retrofitting to residential and the issue of affordability. She added that density bonusing needs to be addressed as it has been raised by the developers, so there should be some kind of response given. In regards to transportation, Councillor Sloane expressed the need to start talking about the priorities such as the pedestrian. She stated that bicycles and transit should be second followed by automobiles. In regards to the Cogswell Interchange, she stated it needs to be priority number one in doing anything in the downtown.

Councillor Smith stated that he wanted to confirm the document that is being put forth to Council. Mr. Fillmore advised that it is pretty close with a few minor alterations. Councillor Smith suggested different wording on the second page. He commented that he sees the balance from stakeholders starting to come together and a clearer vision for the downtown area. He remarked that the prepared document is quite good. He suggested for item #6 that cycling and transit be added to walking. He agreed with the correspondence received regarding sustainability and how energy efficiency is going to effect building height. He added that item #10's wording should be changed as well. His suggestion was 'A Sustainable & Enhanced Downtown Skyline'. He advised that a Question and Answer be attached for clarity on certain issues. He offered that he is okay with the document and does not think there will be a lot of discussion at Council. He advised adding a little bit of the reference to the Forum 4B to prevent being caught up.

Mr. Terauds advised that, on the whole, he supports the whole vision, though he understands some of the concern around the 10<sup>th</sup> big move. He stated that the concerns raised at the time of those Forums were not directly related to #10, but to the Height Framework. He expressed 'repaired' is not a positive way to state that goal. He added that any concern he has is not significant enough to disagree with any of the visions. He shared that he feels confident in what he sees. He expressed concerns about transportation and other issues raised, but does not necessarily believe all are a part of this downtown vision. He does not hesitate in supporting this vision.

Mr. Terauds advised they would move on to some of the concerns that were raised including:

- The feasibility of Cogswell
- The Committee's numbers versus the School Board numbers
- The need for a concept map or visual explanation for some of the vision points.

Mr. Riles added a comment regarding the 10 Big Moves for Downtown. He read a portion from Page 2, and then offered his comments on item numbers one, three, and ten. He advised that it is not the job of the Task Force to sanitize what members of the public have said. He clarified that even if there is disagreement, it is the Task Force's responsibility to present to Council clearly.

Mr. Terauds responded that it is the Committee's role to interpret and present it to Council as representatives of the public.

Mr. Riles asserted that Council should hear the unsanitized version.

Mr. Fillmore addressed item #10. He explained the changes since the project first began. He stated that the Project team has been the seed that is planted resulting in Built Form guidelines for tall buildings. He advised that there is a higher level of responsibility for architectural excellence. He remarked that number 10 should be kept in the report as it is an important intent.

Mr. Fillmore addressed other concerns expressed by the Committee such as:

- Framing the message to Council
- Having a Q and A session at the end of the report
- Cogswell - letter C; putting more detail there
- Concept plan in Forum 4 and 4B. Attach as a concept.
- Schools-Population figures
- Transportation piece; the addition of a letter 'E'; five principles.

**MOVED by Councilor Sloane, seconded by Councilor Smith to approve 'The Downtown Halifax Vision' with minor amendments per the Urban Design Task Force's February 06, 2008 recommendations, and to recommend the amended Downtown Vision be approved-in-principle by HRM Council. MOTION PUT AND PASSED UNANIMOUSLY.**

**6.3 Discussion of the two Alternate Policy Vehicles for Development Approvals. Site Plan Review (preferred), and Development Agreement.**

Thea Langille, HRMbyDesign Project Implementation Coordinator and Richard Harvey, HRMbyDesign Policy Coordinator gave a presentation on The Downtown Halifax Plan.



Mr. Harvey began with the Task Team Framework; The Existing Planning Realm. He explained that a large part of the study area is already within the Secondary Planning Strategy. He stated the proposal is to include all of the study area in one new downtown Secondary Planning Strategy, but to recognize there are some distinct sub-areas, based on geography, settlement patterns, building patterns, and other features. He explained that is why there are nine sub areas to the larger Secondary Planning Strategy.

Mr. Harvey explained the difference in procedure for development in different areas in regards to height, stating that height is the 'trigger' for something different. He clarified that a building under 40 feet in height could be erected as long as the requirements of the Land Use Bylaw are met. For buildings of greater height, the obligation is to receive approval by Development Agreement. Mr. Harvey's presentation covered:

- The Downtown Halifax Plan
- The Existing Planning Realm
- The Proposed Planning Realm
- The Existing Approval Realm
- Implementation Objectives

Ms. Langille addressed the Two Policy Alternatives of Site Plan Review (preferred) and Development Agreement, focussing on the downtown area of Halifax and trying to achieve a precise and predictable policy and approval process. She presented a flowchart for Site Plan Review, stating that the existing legislation does not allow the route the flowchart is showing. She advised that a request will have to be made for legislative changes to the Municipal Government Act which will enable the Site Plan Review process to consider design guidelines. She stated that the Report to Council for February 26, 2008 requests changes in current legislation.

Mr. Smith suggested a benefit to encourage developers in return for a setback.

Mr. French advised that he finds that the Development Agreement approach is a good accomplishment and still thinks the project is worth pursuing.

Councillor Sloane advised that the public needs to be educated about Development Agreement versus As-of-rights. She further suggested a list of things for developers to do before going to the board.

A Roundtable between Urban Design Task Force and Heritage Trust of Nova Scotia was suggested for February 14<sup>th</sup> 12-2pm at the Lord Nelson.

## **7. CORRESPONDENCE PETITIONS AND DELEGATIONS**

### **7.1 Correspondence**

Correspondence was received from the public as noted below. These were distributed to the UDTF in the Agenda package of February 06, 2008.

Ms. Linda J.B. Frank	Mr. Philip Pacey	Mr. Peter Lavell
Ms. Peggy Cameron	Mr. Larry Hughes	Mr. Tyler Wood
Ms. Janet Morris	Mr. Howard Epstein	
Ms. Jill Shlossberg	Captain Angus MacDonald	

### **8. ADDED ITEMS**

### **9. NEXT REGULAR MEETING DATE**

The next regular meeting is scheduled for February 27, 2008 from 11 am to 2 pm at Halifax Hall.

### **10. ADJOURNMENT**

The meeting was adjourned at 2:29 p.m.

Sandra T. Riley  
Legislative Assistant