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Harbour East Community Council
April 06, 2006

To: Harbour East Community Council

Submitted by: Sharon Bond for
Paul Dunphy, Director of Planning & Development Services

Date: March 9, 2006

Subject: Case 00811 - Development Agreement - Scotia Court, Dartmouth

INFORMATION REPORT

ORIGIN:

Harbour East Community Council - March 02, 2006

BACKGROUND:

During the public participation component of the March 02, 2006 Harbour East Community Council meeting, Mr. Jerry Pye, MLA noted that a proposal by Killam Properties Ltd. to develop a 60 unit building on Scotia Court (Municipal Case #00811) was presented to the public at a Public Information Meeting as an affordable housing project. Mr. Pye expressed the following concern:

“Referring to the Scotia Court proposal, Mr. Pye indicated that the presentations at the Public Information Meeting all indicated this project would include affordable units. Mr. Pye asked, given that public perception of the project was based upon this indication, does the altered status of the project make a significant change to the outcome of the Public Information meeting?”

Councillor Kent indicated that Community Council would follow up with a written response to Mr. Pye's question relating to the impact of the changed circumstances for the Scotia Court development. The purpose of this report is provide that response.

DISCUSSION:

As stated in the January 4, 2006 staff report, Killam Properties Ltd. originally put forward this project in response to a request for proposals for an Affordable Housing Program that would have provided up to \$25,000 per unit towards the construction of new rental housing for low to moderate income households. At the time they made application for a development agreement, Killam had been notified that their proposal had been tentatively approved for funding. At the time of the Public Information Meeting, Killam still had tentative approval for this funding.

On January 11, 2006 the developer notified Planning and Development Services that the tentative funding approval had been withdrawn. They indicated they still wished to proceed in seeking Council approval for the project as described by the development agreement. The developer was informed that a new application and public information meeting would not be required because the nature of their proposal had not changed from a planning perspective. While developers normally put forward proposals suggesting who the intended market will be (e.g. senior's housing, affordable housing, rental housing, or owner occupied condominiums) such matters cannot be controlled through development agreements or land use by-laws.

Furthermore, the minutes of the public information meeting clearly reflect the purpose of the meeting (to consider a 60 unit multiple residential building) and the nature of the affordable housing subsidy (tentative):

“Ms. Koblents explained the purpose of the public information meeting was for residents to review the application submitted by Killam Properties Ltd. to enter into a development agreement with HRM to construct a 60 unit building on Scotia Court, Dartmouth.”

“Mr. Richardson then described the proposed development explaining it will be a four storey 60 unit development with rents ranging from \$695.00/month for a one bedroom to \$795.00/month for a two bedroom. These rental prices hinge on a government grant they have applied for.”

“Mr. Richardson indicated the per month rent would have to be reevaluated if the grant is not received, considering each unit has a construction cost of \$93 000.00.”

BUDGET IMPLICATIONS:

None

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN:

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES:

None.

ATTACHMENTS:

None.

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report prepared by: Hanita Koblents 490-4181