



**DISTRICTS 7 & 8 PLANNING ADVISORY COMMITTEE
MINUTES
SEPTEMBER 28, 2015**

PRESENT: Mr. Brenden Sommerhalder, Chair
Mr. Adam Hayter
Mr. Grant Cooke
Ms. Sunday Miller
Mr. Michael Bradfield
Councillor Jennifer Watts

REGRETS: Mr. John Czenze
Ms. Katherine Kitching
Mr. Michael Haddad
Councillor Waye Mason

STAFF: Ms. Dali Salih, Planner
Mr. Andrew Reid, Legislative Assistant

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

The agenda, supporting documents, and information items circulated to the Districts 7 & 8 Planning Advisory Committee are available online: <http://www.halifax.ca/boardscom/D78PAC/index.php>

The meeting was called to order at 4:04 p.m., and the Committee adjourned at 5:06 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 4:04 p.m.

- **Community Announcements**

Councillor Watts announced regarding the Community Facilities Master Plan to be held on September 28th and the Fort Needham master plan to be presented on October 1st, 2015. Mr. Hayter announced that Fusion Halifax would be hosting Viva City on October 27th at the Halifax Convention Centre.

2. APPROVAL OF MINUTES – July 27, 2015

MOVED by Mr. Bradfield, seconded by Mr. Hayter

THAT the minutes of July 27, 2015 be approved as circulated.

MOTION PUT AND PASSED.

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

MOVED by Mr. Hayter, seconded by Councillor Watts

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. CORRESPONDENCE, PETITIONS & DELEGATIONS – NONE

7. REPORTS

7.1 STAFF

7.1.1 Case 19695: Application by Geoff Keddy Architects, on behalf of the property owner, to enter into a Development Agreement for a non-conforming use that enables converting a laundromat to a café/small restaurant at 1210-22 Henry Street, Halifax.

The following was before the Committee

- A staff memorandum dated September 21, 2015
- A staff presentation dated September 28, 2015

Ms. Dali Salih presented Case 19695 as detailed in the staff memorandum dated September 21, 2015. She highlighted Policy 3.14 of the Halifax Municipal Planning Strategy, which enables Council to consider changing a use provided the proposed use is less intense. Ms. Salih stated that staff was seeking feedback from the Committee relative to the acceptability of the proposal, considerations of the proposal on the basis of its site and surroundings, and elements and provisions to be included in the development agreement.

The Chair called for questions of clarification.

- In response to a question regarding notice to the neighbourhood, Ms. Salih stated that a public information meeting had been held, where certain concerns were addressed such as hours of operation, maintenance, and garbage collection. Minutes from the information meeting are included in the staff memorandum dated September 21, 2015.
- Ms. Salih confirmed that through the development agreement, the PAC can put in restrictions on hours of operation.
- In response to whether the building could apply for a permit to serve alcohol, Ms. Salih responded that the owner could apply for a license. She highlighted that the owner has stated he does not intend to serve alcohol; however, this could not be regulated by the municipality. Councillor Watts noted there was potential for the province to change licensing.
- In response to whether the development agreement would only apply to the laundromat building, Ms. Salih responded that the agreement would be applied to the entire property.
- Regarding change of use of the grocery store portion, Ms. Salih stated that this application only examined the laundromat portion. She highlighted that the grocery store could only change use under what was permitted in the Peninsula Land Use Bylaw.
- In response to whether the use was less intensive, Ms. Salih confirmed that staff's rationale was that given that the previous use had operated 24 hours of the day, a restaurant with regulated hours of operation would be a less intense use.
- Regarding waste collection and allocated space, Ms. Salih stated that the applicant was looking for a minor expansion of the building to allow for a room for storing garbage.
- Regarding loading, she stated both buildings cover 95% of the lot and there would not be a specific area designated for loading. She indicated loading may not be a major issue given the size of the operation.
- Regarding a tree in the rendering at the corner of the proposed café/restaurant, Ms. Salih confirmed that the applicant was proposing landscaping and the tree was part of the plan. She also confirmed that the grass verge was part of the site, as the proposed building was set back in contrast to the grocery.

Moved by Mr. Hayter, seconded by Mr. Cooke

THAT the Districts 7 & 8 Planning Advisory Committee has reviewed the application by Geoff Keddy Architects and recommends approval of the application as contained in the staff memorandum package dated September 21, 2015.

The Committee held a discussion on the hours of operation.

Certain members stated that as it was a neighbourhood operation, closing hours be 9 or 10 p.m. Other Committee members highlighted that hours were dependent on users. Ms. Salih added that the applicant was not targeting a specific group and there were students as well as low density residences in proximity. Members suggested hours be 8:30 – 9:00 p.m. on weekdays and 10 a.m. -10 p.m. on Saturdays and Sundays. The Committee agreed that impact on the residential neighbourhood was a key consideration.

In response to a question from Councillor Watts, Ms. Salih confirmed that changes to the development agreement regarding hours of operation would be possible after the building's establishment. Ms. Salih stated that if the matter was non-substantive it would not be subject to a public process; however, would require Council's approval. She suggested that the Committee may clarify with a recommendation whether the hours were substantive or non-substantive. The Committee further suggested that the hours be from Sunday to Thursday until 9 p.m. and Friday to Saturday until 10 p.m. Ms. Salih responded that the applicant was open to discussion regarding hours of operation.

The Committee discussed landscaping around the site.

The Committee agreed to retain any existing trees around the site and see the proposal as an opportunity to increase greenery.

Ms. Salih confirmed that the attachment to the laundromat was a small office space. Ms. Miller voiced support for the seating area outside and any opportunity to extend it. In response to a question regarding the proposed café/restaurant's step back from the property line, Ms. Salih stated that according to the policy of non-conforming uses, only the use could be changed and modest expansion allowed and therefore the setback could not be eliminated. She stated that a minor expansion of the building to mitigate solid waste may be considered acceptable by staff.

The Committee voiced approval for the design of the building and stated it was an improvement. The Chair relayed a comment by Ms. Kitching regarding the gabled windows. Ms. Salih stated that there would be no habitable space and the windows were a design feature to improve the façade. She stated that habitable space in that area would not be permitted.

The Committee discussed waste collection.

Mr. Bradfield questioned the building footprint and whether it would preclude the possibility of having a receptacle attached to the building. Ms. Salih stated that the Policy 3.14 includes guidelines for waste.

Ms. Miller questioned if there was space on Henry Street for deliveries. Ms. Salih responded that both South Park Street and Henry Street are considered local streets and that deliveries may depend on hours of operation, and whether food is made in house or not. She highlighted that development engineering had reviewed application and a minor traffic impact statement was deemed appropriate.

Mr. Bradfield questioned if there had been any discussion regarding the use of the grocery store. Ms. Salih stated that the grocery store was not part of the application and the grocery store and residences would be subject to the Peninsula Land Use Bylaw.

MOVED by Mr. Bradfield, seconded by Mr. Hayter

THAT the motion be amended to include the following considerations:

- **Hours of operation be Sunday to Thursday up to 9 p.m. and Friday to Saturday up to 10 or 11 p.m. at the latest and that any changes to these hours be considered substantive.**
- **Landscaping be used to improve the pedestrian and café experience, and the existing tree be retained.**
- **Solid waste receptacles be appropriately designed to mitigate unsightliness and odour.**
- **The existing footprint is maintained as prescribed by current policy.**

AMENDMENT PUT AND PASSED.

AMENDED MOTION PUT AND PASSED.

8. ADDED ITEMS – NONE

9. DATE OF NEXT MEETING – October 26, 2015

10. ADJOURNMENT

The meeting was adjourned at 5:06 p.m.

Andrew Reid
Legislative Assistant