

HALIFAX REGIONAL MUNICIPALITY

DISTRICT 12 PLANNING ADVISORY COMMITTEE March 20, 2006 MINUTES

PRESENT: Beverly Miller, Vice Chair
Clary Kempton
Councillor Dawn Sloane
Graeme Gunn

**ABSENT WITH
REGRETS:** Heather Ternoway, Chair (regrets)
Lucy Trull (regrets)
Mia Rankin

STAFF: Richard Harvey, Planner II
Steve Higgins, Development Officer
Andrew Faulkner, Development Technician
Jacqueline Hamilton, Project Manager, Capital District
Andy Fillmore, Project Manager, Urban Design
Gail Harnish, PAC / Admin Coordinator
Jennifer Weagle, Legislative Assistant

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1. **CALL TO ORDER**

The Chair called the meeting to order at 7:06 p.m. in the Media Room, First Floor, City Hall.

2. **APPROVAL OF ORDER OF BUSINESS**

The Committee agreed to consider agenda item 5.4 immediately following item 5.2.

MOVED by Councillor Sloane, seconded by Clary Kempton, that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. **REPORTS**

3.1 **Supplementary Report - Case 00877: Halifax Port Authority Development Agreement**

C A Supplementary Report dated March 8, 2006 was before the Committee.

Mr. Andrew Faulkner addressed the Committee referring to the supplementary advised that the Port Authority has requested changes to the facade of the building on the water side. These changes make no changes to the size of the building and staff see no reason the changes should not be made. Staff is recommending that the Committee approve the proposed amendment to the Development Agreement.

MOVED BY Councillor Sloane, seconded by Clary Kempton, the District 12 PAC recommend that Peninsula Community Council:

1. **Approve entering into the proposed development agreement to allow for the establishment of the non-harbour related industrial uses described within the proposed agreement included as attachment B of the March 8, 2006 staff report.**
2. **Require that the agreement be signed within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

A discussion ensued with the following being noted:

- Cultural events will take place in the space

- The Committee has never received information relative to the consultation on the seawall changes. During this consultation it was clear that the public wanted maintenance on sheds regardless of their use,
- The west side of the building will be six feet wider than existing.

MOTION PUT AND PASSED UNANIMOUSLY.

4. PUBLIC PARTICIPATION - GENERAL PLANNING ISSUES

There were no requests to present relative to general planning issues.

5. STATUS UPDATES

5.1 Decisions of Community Council

The decisions from the January 9, 2006 meeting of Peninsula Community Council were reviewed by the Committee.

5.2 Review of District 12 PAC Status Sheet

The status sheet was reviewed by the Committee, with the following being noted:

Harvey Street

Councillor Sloane gave Notice of Motion at the Peninsula Community on March 6, 2006 to rezone and re-designate the Harvey Street lot. The motion will be made at the April 10, 2006 meeting.

Checklist

Ms. Beverly Miller requested that the Committee provide her with clarification and direction regarding the proposed creation of a checklist to evaluate planning applications. The Committee discussed formatting ideas for the checklist and the following was suggested:

- C The Heritage Advisory Committee Evaluation Criteria checklist be used as a template for the District 12 PAC Planning Application Evaluation checklist.
- C Considerations such as whether the development would be a suitable land use, whether it would fit within the Municipal Planning Strategy (MPS).
- C Headers of each section of the MPS could be listed with a space for a checkmark to show it was considered. If further clarification of an MPS section or sub-section is required for consideration, the MPS can be referenced.

- C Space could be left under each MPS section header to comment on the applicable sub-sections within that section that were considered.
- C After the checklist is compiled and implemented in the evaluation of planning applications, further information can be added or deleted as the need arises.
- C The checklist would include four sections, as follows: MPS section, blank space for sub-sections considered, staff recommendation, and D12 PAC recommendation.
- C Eventually the checklist can be divided into commercial and residential.
- C Considerations other than the MPS, such as other legislation or UARB decisions will not be added to the checklist at this time.

5.2.1 Gerrard Lodge Presentation

Ms. Miller introduced Mr. Steve Higgins, Development Officer, and Mr. Andrew Faulkner, Development Officer, present this evening relative to this matter.

Mr. Miller briefly introduced the matter noting that this development fell under Section 6.8 as it did not meet the angle controls or parking.

In response to questions from the Committee, Mr. Higgins noted that:

- An RC3 zone allows for building right to street with all other setbacks being the same as R3,
- The rear setback in an RC3 would usually be 10 feet,
- The development agreement referred to the site plan which required an approximately 6.1 foot rear setback,
- At the closest point there is 1.38 metres from the back property line,
- The building on the other lot encroaches by approximately two (2) feet,
- HRM was unaware of the encroachment when they were asked for the reduction to the setback,
- The situation which exists is in keeping with HRM's regulations,
- Life safety requirements are not reflected in the Land Use Bylaw, they are contained within the Building Code.

In response to a question from Ms. Miller regarding how this situation could have been avoided, Mr. Higgins indicated that a mandatory requirement to have the applicant submit a surveyor's location certificate that showed any buildings or encroachment would have avoided the situation. Additionally, had the agreement been written without discretion albeit that clause is exercised for almost every application would also have avoided the situation

Mr. Kempton suggested that with a Registered Heritage property there should be a location or surveyors certificate up front.

Mr. Higgins indicated that he believed it would be reasonable to require a surveyor's certificate when applying for a development agreement. Mr. Higgins noted that this situation is unusual and has not been a concern in the past.

Ms. Miller noted that this Committee has made a motion to require a survey in District 12 when applying for Development Agreements.

In order to move this matter forward, Mr. Higgins agreed to prepare a report for the April 10, 2006 meeting of Peninsula Community Council regarding this matter.

Ms. Miller thanked Mr. Higgins and Mr. Faulkner for attending to discuss this matter.

5.2.2 Urban Design - Capital District Presentation

Ms. Jacqueline Hamilton, Project Manager, Capital District and Mr. Andy Fillmore, Project Manager, Urban Design, made a presentation regarding the Regional Centre Urban Design Study ("the study") including the following highlights:

- work on the Urban design study has been ongoing for a year,
- staff have worked closely with Dalhousie, the Capital District and surrounding urban cores,
- the study also deals with the Regional Plan, the Economic Strategy and the Cultural Plan,
- the Capital District has been hosting the Urban Design Awards for the past three years,
- the study involves a partnership with the Province and the Federal government through ACOA,
- over the next 18 months, the study will respond to regional centre issues of development, open space, intensification, building height, heritage preservation, and economic development, along with any other issues that arise over the course of the study, with design guidelines, demonstration projects, recommendations for regulatory changes and an implementation strategy,
- the intent of the study is to clarify a vision for the regional centre and create a template for the rest of HRM to bring the benefits of good design and community pride to the entire region,
- the focus of the study is the Capital District, which includes downtown Halifax and downtown Dartmouth, and major corridors within the larger regional centre that connect the Capital District to the rest of the region,
- an ambitious public participation process will be put in place including eight open houses, four visioning workshops, six newsletters, a steering committee, an advisory committee, a website, and direct mailing,

At the request of Ms. Miller, Mr. Fillmore advised that a case study approach will be used to determine the breakdown of neighbourhoods within the Urban Design Program. Ms. Miller commented that communities value the Detailed Area Plans of the Municipal Planning Strategy and the process involved in developing the plans. Ms. Hamilton assured that the area plans will not be replaced by the Urban Design Program and that more detail may be added to the area plans.

Mr. Fillmore went on to advise that the Urban Design Team is led by a consultant firm, Office for Urbanism, a team of leading edge international expertise, partnering with local architects and landscape architects, along with senior subject experts in the areas of real estate, residential infill and transportation planning.

Mr. Fillmore further advised that the Urban Design Team are looking at putting together a citizen advisory committee for input. Ms. Hamilton encouraged members of District 12 PAC to apply for membership on the Urban Design citizen advisory committee.

Mr. Fillmore and Ms. Hamilton commented that they will be pleased to attend another meeting of District 12 PAC as the process progresses.

5.2.3 Checklist

This item was dealt with earlier in the meeting.

5.4 Update - Spring Garden/Queen Street Area Public Lands Planning Advisory Committee

Mr. Clary Kempton presented on the Spring Garden Road Detail Area Plan. Mr. Kempton advised that the presentation is his personal input in an attempt to incorporate more public space and pedestrian use into the Plan.

Mr. Kempton reviewed plans for the Infirmary Sub-Area, including the following:

- C Pedestrian Mall
- C Monument District
- C Spring Garden Courtyard
- C Courthouse
- C Library
- C Residential Component
- C Commercial Component
- C Sidewalk Café zone
- C Underground Parking

Responding to Ms. Miller, Mr. Fillmore commented that Mr. Kempton's presentation meshes well with ideas put forth in the Urban Design Program.

Mr. Kempton reviewed plans for the Clyde Street Sub-Area, including the following:

- C Birmingham Street Closure
- C Spring Garden Plaza Café Zone
- C Spring Garden Plaza
- C Hotel / Commercial Component
- C Residential Component
- C Arts / Cultural Centre (Capitol Theatre)

Mr. Kempton further reviewed good examples of built heritage in Halifax from 1749-1960, examples of poorly designed buildings in Halifax from 1970, and examples of well designed buildings in Halifax which respect heritage.

MOVED by Councillor Sloane, seconded by Clary Kempton to pass on the presentation to Andy Fillmore and Jacqueline Hamilton for their use with the Urban Design Program. MOTION PUT AND PASSED UNANIMOUSLY.

A copy of Mr. Kempton's presentation is on file.

5.3 Update - Grand Parade/Province House/Birks Site Public Lands Planning Advisory Committee

This item was not addressed.

5.5 Monthly Status Updates - Planning Applications

The monthly status sheet was reviewed. No action required.

6. ADDED ITEMS - None

7. NEXT REGULAR MEETING DATE

The next regular meeting of the District 12 Planning Advisory Committee will be held on Monday, April 24, 2006 at 7:00 p.m. in the Trophy Room, 2nd Floor, City Hall.

8. ADJOURNMENT

There being no further business, the meeting adjourned at 9:20 p.m.

Jennifer Weagle
Legislative Assistant