

# HALIFAX REGIONAL MUNICIPALITY

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## DISTRICT 12 PLANNING ADVISORY COMMITTEE June 26, 2006 MINUTES

**PRESENT:** Heather Ternoway, Chair  
Beverly Miller  
Councillor Dawn Sloane  
Clary Kempton

**ABSENT:** Lucy Trull (regrets)  
Graeme Gunn  
Mia Rankin

**STAFF:** Randa Wheaton, Senior Planner  
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 7:08 p.m. in the Trophy Room, Second Floor, City Hall.

2. **APPROVAL OF ORDER OF BUSINESS**

Added: 9.1 Membership

**MOVED by Ms. Beverly Miller, seconded by Mr. Clary Kempton, that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

3. **APPROVAL OF MINUTES** - February 27, 2006, March 20, 2006 & May 29, 2006

**MOVED by Ms. Beverly Miller, seconded by Mr. Clary Kempton, that the minutes of the February 27, 2006 be approved as distributed. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Ms. Beverly Miller, seconded by Mr. Clary Kempton, that the minutes of the March 20, 2006 be approved as distributed. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Mr. Clary Kempton, seconded by Ms. Beverly Miller, that the minutes of the May 29, 2006 be approved as distributed. MOTION PUT AND PASSED UNANIMOUSLY.**

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

5. **REPORTS**

5.1 **Case 00900 - Discharge of Development Agreement, Jonathan McCully House, 2507 Brunswick Street, Halifax**

C A report dated July 5, 2006 (*sic June 5, 2006*) on the above noted was before the Committee.

Ms. Randa Wheaton, Senior Planner, reviewed the staff report with the Committee, advising that this is an application to discharge the Development Agreement for Jonathan McCully House at 2507 Brunswick Street, Halifax. Ms. Wheaton noted the following:

C The property was formerly owned by Salter Street Films,

- C The existing Development Agreement limits the use of the building to offices and a post production sound studio,
- C The current owner wishes to use the property for a private residence, which is permitted under the R-2 zone,
- C This matter will also be heard by the Heritage Advisory Committee (“HAC”) on June 28, 2006, and

Responding to questions from the Committee, Ms. Wheaton advised the following:

- C The existing Development Agreement is included in the report as ‘Attachment C’, and includes a list of restorations and rehabilitations to be completed by the previous owner, which have been completed,
- C The current owner has made inquiries about further restorations, including recreating original fencing, and construction of a rear deck.

**MOVED by Ms. Beverly Miller, seconded by Mr. Clary Kempton, that District 12 Planning Advisory Committee recommend that Peninsula Community Council approve the discharge of the existing development agreement of November 3, 1989, between Salter Street Films Limited and the City of Halifax and recommend the execution of the proposed Discharge Agreement attached to the staff report dated July 5, 2006.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

It was clarified that recommendations from both District 12 PAC and HAC will go forward to Peninsula Community Council on July 10, 2006.

**5.2 Case 00875 - Amend Development Agreement, 2303-19 Princess Place, 2368 June Street and 5839 Cunard Street, Halifax**

- C A report dated June 12, 2006 on the above noted was before the Committee.

Ms. Randa Wheaton, HRM Planner, reviewed the staff report with the Committee, advising that this is an application by the Developer for amendments to the original Development Agreement for a Landscape Plan and masonry wall along the rear lot line. Ms. Wheaton noted that non-substantive amendments to the Development Agreement require resolution by Council, but do not require a public hearing to be held.

Responding to questions of the Committee, Ms. Wheaton clarified the following:

- C Originally the houses on Princess Place were to be attached to and entered through the apartment building on Cunard Street, however, they will now be free standing structures,
- C The original Development Agreement was for the entire parcel as a whole, however, the Developer has subdivided the property to create lots on Princess Place and a townhouse block on June Street,
- C Landscaping will be completed by a responsible local landscaping firm,
- C The availability of plant material at the time of installation of the landscaping is unknown, therefore a grouping of potential plant materials are set out on the Landscape Plan.

Councillor Sloane joined the meeting at 7:19 p.m.

Councillor Sloane commented that the property will contain underground parking with parallel parking spaces on June Street. She further commented that many community meetings have been held on the matter with positive feedback from residents.

Responding to questions from the Committee, Ms. Weaton clarified the following:

- C The property line on June Street is almost 10 feet from the building face, allowing for space for parking and pedestrians,
- C The masonry wall will be constructed along the back side of the existing Princess Place heritage properties,
- C The wall will be constructed of 16 inch square cement posts, two units thick, with a reinforced mortared core, natural colour textured surface, and pre-cast concrete post caps,
- C The wall will be secured with underground "T" footing, and will be fully within the Developer's property, including underground footing,
- C The posts will be installed closely in alignment with property boundaries of the heritage properties,
- C Due to a slight slope in the property, the height of the posts will vary from 83 to 96 inches.

**MOVED by Councillor Sloane, seconded by Mr. Clary Kempton, that District 12 Planning Advisory Committee recommend that Peninsula Community Council:**

1. **by resolution, approve the non-substantive amendment to the Development Agreement formerly known as 5837 Cunard Street and 2372 June Street and now known as 2303, 2307, 2311, 2315, and 2319 Princess Place, 2368 June Street and 5839 Cunard Street as required for the approval of a landscape plan and of the masonry wall to be constructed on the Lands along the rear lot line**

of the lots fronting on Princess Place as detailed in the Amending Agreement appended as Attachment A of the staff report dated June 12, 2006; and

2. require that the Amending Agreement be signed and returned within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

#### **MOTION PUT AND PASSED UNANIMOUSLY.**

It was clarified that this matter would also be brought before Peninsula Community Council on July 10, 2006.

#### **6. PUBLIC PARTICIPATION - GENERAL PLANNING ISSUES**

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

#### **7. REQUEST FROM HAC TO REVIEW HERITAGE RELATED DEFINITIONS**

- C A memorandum from Bill Plaskett, Heritage Planner, dated April 21, 2006 was before the Committee.

The Chair reviewed the memo with the Committee, commenting that the heritage-related definitions are intended as working definitions for Committee use, not as MPS amendments at this time.

Councillor Sloane discussed the intent of the heritage-related definitions and clarified that the HAC is looking for feedback on the proposed definitions

The Committee discussed the proposed definition of "vicinity", noting the following:

- C "Vicinity" is seen by some as within walking distance,
- C The definition outlined in the memo is too far reaching,
- C The definition should encompass both sides of the Citadel.

The Committee discussed the general intent of the definitions, commenting on the need for balance between new development and preserving heritage. Councillor Sloane suggested holding a joint District 12 PAC and HAC workshop to discuss the definitions. She further suggested that this joint workshop be a part of the Urban Design study process, and Andy

Fillmore, Project Manager, Urban Design, be invited as well, for his use with the Urban Design study.

Ms. Miller commented that she is comfortable with the definitions put forward by the HAC. She suggested that since the definitions are currently working definitions for Committee use, District 12 PAC could indicate support of the definitions on an interim basis until joint discussion can be held with HAC.

Ms. Miller commented that the proposed definition of “adjacent” is the same as the definition used in the UARB decision on the Midtown case.

The Chair indicated that these definitions are a good starting point for the Committees to create a common vision for the downtown. She noted the importance of helping the community at large to understand these definitions as well.

The Chair also pointed out that the definition of “significant” in Attachment A to the memo includes properties “which are designated as being of historic significance” as whole and entire properties, not just one side of the building. She commented that the term “designated” implies that only registered heritage properties are significant, however the policy does not specifically set out that only registered heritage properties are significant and is therefore open to interpretation. Councillor Sloane commented that the Kelly building is an example of a historically significant building which is not a registered heritage property.

The Chair commented that there are more than three words that need to be defined with regard to the relationship between the development of the downtown and preservation of heritage.

**MOVED by Beverly Miller, seconded by Councillor Sloane, that the District 12 PAC:**

- 1. Support, in principle and on an interim basis, the suggested heritage-related definitions outlined in the memorandum dated April 21, 2006; and**
- 2. Request to be involved with the HAC, in particular as it relates to the suggested heritage-related definitions, and the broader context of urban design in the down town through a joint District 12 PAC and Heritage Advisory Committee workshop**

**MOTION PUT AND PASSED.**

Ms. Miller expressed thanks to the HAC for their work on the proposed heritage-related definitions.

It was agreed that the Chair will write to Andy Fillmore indicating District 12 PAC members' desire to be actively involved in the Urban Design study.

## **8. STATUS UPDATES**

### **8.1 Decisions of Community Council**

The decisions from the June 12, 2006 meeting of Peninsula Community Council were reviewed by the Committee. No action required.

### **8.2 Review of District 12 PAC Status Sheet**

The status sheet was reviewed by the Committee, with the following action requested:

#### **8.2.1 HAC definitions**

This item was dealt with under Item 7. This item to remain on the status sheet pending a response from HAC.

#### **8.2.2 Terms of Reference**

It was agreed that this item would be added to the agenda for the next meeting. This item to remain on the status sheet.

#### **8.2.3 Harvey Street parking lot - townhouses**

No information received. This item to remain on the status sheet.

#### **8.2.4 PAC for District 11**

The Chair circulated correspondence to Councillor Murphy regarding the formation of a PAC for District 11. This item can be removed from the status sheet.

#### **8.2.5 Outdoor skating rinks**

No information received. This item to remain on the status sheet.

Councillor Sloane requested that the Halifax Commons be added to the status sheet as a possible site for an outdoor skating rink.

#### **8.2.6 Checklist**

Ms. Miller indicated she had not yet completed the checklist. She advised she will prepare a draft of the checklist, using the Committee's previous discussions on the matter, and pertinent sections of the MPS. Ms. Miller agreed to bring forward the checklist to the Committee at a future meeting for input.

### **8.3 Update - Grand Parade/Province House/Birks Site Public Lands Planning Advisory Committee**

Councillor Sloane provided an update on this matter for the Committee, noting the following ideas discussed at the last meeting of the Grand Parade/Province House/Birks Site Public Lands Planning Advisory Committee:

- C Removing parking from Grand Parade and creating a green belt from the harbour to Citadel Hill,
- C Construction of the green belt in a lock style, with platform areas going downhill for food and art vendors, and patios,
- C Adding more formal landscaping and fountains,
- C Re-establishing St. Paul's Hill,
- C Who would retain control of the Birks Site, HRM, the Province, or a joint effort,
- C Parking on Argyle Street, and traffic direction on Argyle and Carmichael Streets,
- C Construction of stadium style seating around grand parade,
- C Past plans for the site are being incorporated into the new plans,
- C Modification of the Dennis Building, such as removal of every second floor to allow for the installation of ventilation and technology,
- C Possible uses for the Dennis Building could be a formal occasion space, office space, or archives and/or a civic museum.

### **8.4 Update - Spring Garden/Queen Street Area Public Lands Planning Advisory Committee**

Ms. Heater Ternoway provided a brief update on the Spring Garden/Queen Street Area Public Lands study, noting that the Advisory Committee is still awaiting the release of the consultant's final report, which was scheduled to be released mid-May. She advised that the last few meetings have been cancelled pending the release of the report.

Councillor Sloane noted that development of the area is on hold pending the release of the report. She further expressed concern that no new funds were allocated in the 2006/2007 budget for a new library and that the library has not yet begun campaigning for the new building.

The Chair indicated she would follow up with Mr. Andy Fillmore regarding when the consultant's report will be released.

### **8.5 Monthly Status Updates - Planning Applications**

The monthly status sheet was reviewed and discussed by the Committee. Committee members requested that Ms. Gail Harnish, PAC/Admin Coordinator, obtain updates from staff and forward updates to Committee members via email regarding the following applications:

- C Case 00709 - Mixed use development of the Texpark site at Granville/Sackville/Hollis/Salter,
- C Case 00896 - non-conforming apartment building on the north east corner of South Park and Brenton Place.

No further action required.

## **10. ADDED ITEMS**

### **10.1 Membership**

The Committee requested that the Chair write to Mia Rankin to determine her intentions with regard to membership on the Committee. The Chair will advise Committee members of Ms. Rankin's response.

## **11. NEXT REGULAR MEETING DATE**

The Committee agreed to cancel the July 24, 2006 meeting. The next meeting is scheduled for August 28, 2006.

## **12. ADJOURNMENT**

There being no further business, the meeting adjourned at 8:33 p.m.

Jennifer Weagle  
Legislative Assistant