

HALIFAX REGIONAL MUNICIPALITY

DISTRICT 12 PLANNING ADVISORY COMMITTEE

July 07, 2008

MINUTES

PRESENT: Mr. Clary Kempton
Ms. Beverly Miller, Vice-Chair
Councillor Dawn Sloane
Ms. Heather Ternoway, Chair

REGRETS: Mr. Logan McDaid
Ms. Katherine Perrott

SPECIAL

PRESENTER(S): Ms. Jacqueline Hamilton, HRM Manager of Heritage & Design
Mr. Andy Fillmore, HRMbyDesign Project Manager
Mr. Luc Ouellet, Planner 1, Community Development

STAFF: Ms. Gail Harnish, PAC/Administrative Coordinator
Ms. Kelly Denty, Supervisor, Planning Applications
Mr. Austin French, HRM Project Manager, Regional Planning
Ms. Tiffany Chase, HRMbyDesign Project Communications Officer
Ms. Sandra T. Riley, Legislative Assistant

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1. CALL TO ORDER

Ms. Heather Ternoway, called the meeting to order at 7:11 pm

The Chair welcomed the members of the audience and advised that it is an open meeting for observers, but is not for public comment and participation at this time.

2. APPROVAL OF ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS:

Additions:

- 9.1 Councillor Sloane. Update on the PIM on the Roy Building
- 9.2 Brenton/South Park - Newspaper article

MOVED BY Councillor Sloane, seconded by Mr. Kempton, that the order of business be approved, as amended. MOTION PUT AND PASSED

3. APPROVAL OF MINUTES - May 26, 2008

Ms. Miller stated she would like to see additional information regarding the letter to the Mayor from herself dated April 30, 2008 on page 5, Added Item 1, stating what the letter pertained to.

Ms. Ternoway expressed not understanding the last bullet on page 6. This bullet will be amended to a statement rather than a question.

MOVED by Councillor Sloane, seconded by Ms. Miller, that the minutes of May 26, 2008 be approved as amended. MOTION PUT AND PASSED

4. BUSINESS ARISING OUT OF THE MINUTES - None

5. PUBLIC PARTICIPATION - GENERAL PLANNING ISSUES

Mr. Philip Pacey, President of Heritage Trust of Nova Scotia requested time to present to District 12 Planning Advisory Committee regarding Case 01114. His request was denied and it was explained to Mr. Pacey that D12 PAC meetings are focussed on general planning matters and general planning issues. The Chair clarified that Mr. Pacey had been advised in the past that these regular D12 PAC meetings are not Public Information Meetings (PIM) or Public Hearings (PH) where the public is invited to participate, and these regular meetings are not advertised as such. She further advised that Mr. Pacey's submitted correspondence would be reviewed by the Committee and any further clarification, if needed, will be given following the meeting.

Ms. Miller stated her opposition to this refusal, as the Heritage Advisory Committee (HAC) hears from other sides of an issue rather than just the development side. Ms. Miller advised that she wanted the minutes of this meeting to reflect that she is opposed and that if there is a submission given in reasonable advance of a D12 PAC meeting, both sides should be heard.

Mr. Kempton advised that this difference is what distinguishes a regular meeting from a PIM or PH. He and Councillor Sloane stated that the Terms of Reference (TOR) for the HAC is different from those of D12 PAC. Councillor Sloane suggested requesting clarification on the TOR for each committee; on different processes so they may be streamlined or adopted, etc.

6. Verbal Update - HRMbyDesign {Jacqueline Hamilton/Andy Fillmore}

Correspondence dated June 12, 2008 from Ms. Dale Godsoe, Chair - Urban Design Task Force and Mr. Andy Fillmore, Project Manager - HRMbyDesign was circulated to the PAC prior to the meeting. The correspondence gave a brief update to the Committee on the latest developments regarding HRMbyDesign's program for downtown Halifax and the proposed legislative amendments. The letter advised that the House of Assembly closed before the amendments were accepted and have been deferred by the Provincial Government until the Fall sitting. It was emphasized that this deferral would not affect the intent of HRMbyDesign or the overall urban design vision for downtown Halifax.

Mr. Fillmore circulated an "Information Report" dated June 24, 2008, submitted by Mr. Paul Dunphy, Director of Community Development to Mayor Kelly and members of Halifax Regional Council to the Committee for their review of the HRMbyDesign Revised Work Schedule and Public Participation Program. Mr. Fillmore briefly reviewed the Information Report and took questions for clarification from the Committee which included the following comments:

- Fortuitous that HRMbyDesign now has more time to consult with stakeholders and members of the public
- There are some applications that are going to overlap with the adoption of HRMbyDesign
- Attention has to be drawn to the benefits of having conformity with the core principles of the HRMbyDesign plan.

Mr. Fillmore advised that the D12 PAC volunteer two members to attend the stakeholder workshop on the evening of August 6th (invitations will be issued by mail). He requested that the Chair and the Vice-Chair identify two members.

7. Case 01114: Development Agreement - Hollis/Duke/Upper Water {Luc Ouellet}

There was a Staff Report before the D12 PAC dated June 16, 2008 regarding Case 01114: Development Agreement - Hollis/Duke/Upper Water. Mr. Luc Ouellet, Planner 1, Community Development - Planning Applications (Western Region) advised the Committee that Case 01114 is an application by The Armour Group Limited to consider by development agreement the redevelopment of 1855-1873 Hollis Street, 1860-1870 Upper Water Street and 5143 Duke Street (PID #'s 00002303, 00002279, 00002311 and 00002287), Halifax, to allow for a 9-storey retail/office building with underground parking. This application is seeking recommendations from the Heritage Advisory Committee (HAC) as well as the District 12 Planning Advisory Committee.

Mr. Ouellet reviewed the staff report through a slide presentation. Mr. Ben McCrae, Chairman of The Armour Group was introduced and continued the presentation with a circulated background handout. A discussion ensued and Mr. Ouellet and Mr. McCrae took questions for clarification from the Committee.

There were concerns with the following policies from the Halifax MPS, the Regional Plan and sections from the presented Staff Report:

- Policy Criteria 6.4.1 - Halifax MPS (City-Wide Objectives and Policies - Section II, Part II)
- Section IV, Part II - Policy 2.1.2 - Halifax MPS
- Staff Report - Page 21; Section 3.21 (c)
- CH-1 (c) of the Regional Plan -Chapter 6: Cultural and Heritage Resources
- 4.1.2 - Halifax MPS - Section IV, Part II
- 5.4.4 - Halifax MPS - Section IV, Part II
- 5.6 - Halifax MPS - Section IV, Part II
- Regional Plan - CH-1 (f)
- Regional Plan - CH-1 (i) and (iii)
- 5.6.1 - Halifax MPS - Section IV, Part II

Additional concerns included:

- Wind effects because of small setbacks
- Site investigation has not been completed
- The view on the waterfront or coming in from Barrington Street
- Bright lights, at night, as result of glass and sandstone walls in Morris Tea building
- The roofline

- Structural integrity of all buildings; pilings
- Rather preserve heritage buildings than create parking
- The two ironstone walls proposed as a public walkway into Historic Properties and to Granville Mall will pale in comparison to the gateway that now exists at the Morris Tea; a significant architectural feature
- Dominant colour in heritage buildings is red; sandstone and glass will not blend
- Design will dominate the heritage buildings rather than being subordinate to them, both in material and size.

After a lengthy discussion on the above stated policies and how they related to the proposed development, the District 12 Planning Advisory Committee passed the following motion:

MOVED BY Ms. Miller, seconded by Mr. Kempton, that the District 12 Planning Advisory Committee recommend that Regional Council:

1. **Reject the proposed development agreement, as contained in Attachment A of the Staff Report, dated June 16, 2008, to allow for the redevelopment of 1855-1873 Hollis Street, 1860-1870 Upper Water Street and 5143 Duke Street, Halifax, as it does not meet certain policies from the Halifax Municipal Planning Strategy and the Regional Plan. MOTION PUT AND PASSED**

This application was recommended to be rejected as it does not meet certain policies and dominates the existing heritage structures.

8. Status Updates:

Due to time constraints, items 8.1 through 8.3 were not addressed in this meeting.

MOVED BY Ms. Miller, seconded by Mr. Kempton that Items 8 and 9 would be deferred to the meeting of July 28, 2008.

8.1 Monthly Status Updates - Planning Applications

Deferred

8.2 Decisions of Community Council

Deferred

8.3 Review of District 12 PAC Status Sheet

Deferred

8.4 Demolition Permit Applications

Deferred

9. ADDED ITEMS

Additions:

- 9.1 Councillor Sloane. Update on the PIM on the Roy Building
- 9.2 Brenton/South Park - Newspaper article
- 9.3 Correspondence: Mr. Phil Pacey, Heritage Trust of Nova Scotia, dated July 07, 2008 to the Chair, Ms. Heather Ternoway.

Deferred

10. NEXT REGULAR MEETING DATE

The next regular meeting of the District 12 PAC is scheduled for July 28, 2008 at 7:00 p.m. in the Trophy Room, City Hall.

10. ADJOURNMENT

The meeting adjourned at 9:18 p.m.

Sandra T. Riley
Legislative Assistant