

HALIFAX REGIONAL MUNICIPALITY

DISTRICT 12 PLANNING ADVISORY COMMITTEE September 22, 2008 MINUTES

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

REGRETS: Mr. Logan McDaid

STAFF: Ms. Gail Harnish, PAC/Administrative Coordinator
Ms. Sandra T. Riley, Legislative Assistant

TABLE OF CONTENTS

- 1. CALL TO ORDER 3
- 2. APPROVAL OF MINUTES - July 07 and July 28, 2008 3
- 3. APPROVAL OF ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS 3
- 4. BUSINESS ARISING OUT OF THE MINUTES - NONE 3
- 5. REPORTS:
 - 5.1 Case 01183 - Development Agreement, 5687 Charles Street, Halifax - Randa Wheaton, Senior Planner 3
- 6. PRESENTATIONS
 - 6.1 Public Participation - General Planning Issues - no requests received .. 4
 - 6.2 HRMbyDesign Draft 2 - Downtown Halifax Urban Design Plan - Mr. Andy Fillmore, Project Manager, HRMbyDesign 4
- 7. STATUS UPDATES
 - 7.1 Monthly Status Updates - Planning Applications 6
 - 7.2 Review of Status Sheet 6
 - 7.3 Decisions of Council - None 6
 - 7.4 Demolition Permit Applications 6
- 8. ADDED ITEMS 7
- 9. NEXT REGULAR MEETING DATE - October 27, 2008 7
- 10. ADJOURNMENT 7

1. **CALL TO ORDER**

Ms. Heather Ternoway, the Chair, called the meeting to order at 7:04 pm.

2. **APPROVAL OF MINUTES - July 07 and July 28, 2008**

MOVED BY Mr. Kempton, seconded by Ms. Perrott, that the minutes of July 07, 2008 and July 28, 2008 be approved, as circulated. MOTION PUT AND PASSED

3. **APPROVAL OF ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS:**

Additions:

- 8.1 Correspondence regarding the Waterside Centre discussion.
- 8.2 Update on the Brenton/South Park

Added item agenda [Information Item]:

- 1. Correspondence addressed to Ms. Heather Ternoway from Property Valuation Services Corporation, dated September 16, 2008.

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

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

5. **REPORTS**

5.1 **Case 01183 - Development Agreement, 5687 Charles Street, Halifax (Randa Wheaton)**

A report dated August 29, 2008 was before the D12PAC. Ms. Wheaton, Senior Planner, circulated photos of the proposed development area to the PAC and gave a brief overview of the report and took questions of clarification regarding the following:

- The property is an existing 3-storey building with an unoccupied ground floor, commercial/retail space
- The proposed consists of an eat in/take out restaurant, including an outdoor swimming area
- Allows for office space, if commercial use is an option
- No increase in height, size or floor area to accommodate this proposal
- The site is designated high density residential in Zone R-3

- The Non-conformity Use Policy allows Council to consider a development agreement and the approval of suitable uses for the ground floor space, provided they are less intensive than its former use (auto parts sales)
- The proposal is consistent with the present MPS
- The two upper floors are residential use
- Hours of operation have not been specified as of yet, but shall conform to all relevant Municipal and Provincial regulation
- Neighbours are supportive of the completion of this development

Councillor Sloane gave the Committee some insight into the properties past use, how the property presently appears, and the changes that are to be made in the future. The following motion was passed:

MOVED BY Councillor Sloane, seconded by Mr. Kempton, that District 12 Planning Advisory Committee recommends that Peninsula Community Council:

1. **Give Notice of Motion to consider an application by Rod Malay on behalf of the owner, Samira Meshal, to permit certain commercial uses on the ground floor of an existing mixed use building at 5687 Charles Street, Halifax, and schedule a public hearing;**
2. **Approve the development agreement, as contained in Attachment A of the report dated August 29, 2008;**
3. **Require that the development agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applican, 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

6. PRESENTATIONS:

6.1 Public Participation - General Planning Issues - No requests received

6.2 HRMbyDesign Draft 2 - Downtown Halifax Urban Design Plan - Mr. Andy Fillmore

Mr. Andy Fillmore, Project Manager, HRMbyDesign circulated a handout to the District 12 Planning Advisory Committee and advised that updates were also given to the Regional Plan Advisory Committee (RPAC) and the Heritage Advisory Committee (HAC). He stated

that there were four areas that he would focus on for this D12PAC update including the following:

1. Legislative Amendments
2. Downtown Halifax Urban Design Plan - Draft 2
3. Other work of HRMbyDesign
4. Project Schedule

He advised that the legislative amendments included The Heritage Property Act (re: demolition), the creation of an HRM Charter, and modification to the existing Site Plan Approval Plan. Mr. Fillmore advised that the legislature went out of session before they agreed to adopting these amendments, and he anticipates having them before Council in the Fall sitting of late October or early November, after the Federal election. He further advised that a back up plan would be a Development Agreement (DA) Process, with modifications to what is presently proposed.

Mr. Fillmore took questions of concern from the D12PAC with clarification of the following:

- Getting a Design Review Committee (DRC) into place
- The Design Review Committee will be an advisory board
- The HAC will continue in an advisory role to the Design Review Committee with the Site Plan Process, and to Regional Council and the D.A. Process
- The PAC will be disbanded and the Design Review Committee will pick up where they left off
- A generalization on who can apply for the DRC and what their roles will be
- A member at large will be appointed to the DRC
- Terms of Reference for the DRC are being drafted; the Urban Design Task Force (UDTF) will review them prior to public review
- How invitees were chosen for the workshops
- Clarification on what is considered 'downtown Halifax' and the 'Regional centre' in regards to the population projections of the Regional Plan

The District 12 Planning Advisory Committee requested that Staff give them an update or a 'refresher' on the Regional Plan and what is referenced when speaking of the 'downtown' area.

Mr. Fillmore advised the D12PAC on other works being done by HRMbyDesign, along with an update on the Cogswell Master Plan and the properties/developments involved. He gave an overview of the handout dated September 2008, outlining activities from September 15 to October 24, 2008 to be hosted by HRMbyDesign and the Urban Design Task Force. These presentations will offer the opportunity to speak one-on-one with HRM Staff and Urban Design Task Force members about the Plan, as well as offer the submission of written comments on the Plan. A Public Open House will be held as part of the review period for Draft 2: Downtown Halifax Urban Design Plan on September 24, 2008

at the Cunard Centre, 961 Marginal Road , and the Plan documents will be available beginning September 15 at www.hrmbymydesign.ca. He further advised that print and CD copies will be available at the HRM Customer Service Centers at Scotia Square (Halifax) and at Alderney Gate (Dartmouth).

For Project Update, Mr. Fillmore advised the D12PAC of the following:

- September 10 Draft 2
- September 24 Open House
- October 24 Close of Public Review
- November Final Draft of Plan being prepared
- December Seeking motions from RPAC, UDTF, and HAC to enhance final plan to Council
- January 1st Reading
- February Public Hearing for Adoption
- March Completion of the work

7. STATUS UPDATES

7.1 Monthly Status Updates - Planning Applications

A discussion ensued and the D12PAC reviewed the following items on the Status Sheet: Items number: 01095 re: pet care facilities; 01114 re: Hollis and Upper Water streets - 9-storey retail/office building; 01137 re: solar panels to permitted height exceptions; 01162 re: Hollis and Morris streets for a 10-storey mixed use commercial/residential building; 01183 re: 5687 Charles Street to permit commercial uses on the ground floor; 01172 re: Barrington and Granville streets - new office building with ground floor retail space by D.A.

7.2 Review of Status Sheet

Regarding HRMbyDesign, the D12 PAC decided they would have an informal meeting to discuss further actions regarding their involvement in the process.

Councillor Sloane requested an update 'post haste' regarding the status sheet item of the Regional Parking Strategy.

The Committee reviewed the remainder of the status sheet items and discussed further actions required. All items listed in the Committee status sheet will remain, awaiting response. These items will be discussed in greater detail in the updated D12PAC status sheet during the next meeting of October 27, 2008.

7.3 Decisions of Community Council - None

7.4 Demolition Permit Applications

In response to a concern voiced by Mr. Kempton regarding Dixel Developments, Councillor Sloane advised that she would invite the owner to attend the next meeting of D12PAC to discuss design and other issues. Mr. Phil Pacey advised the PAC on some of the history of the site.

Councillor Sloane raised the issue of 2567 Creighton, TNH Metals Inc., the impending demolition of a single unit dwelling (SUD).

8. ADDED ITEMS

Additions:

8.1 Waterside Development - Proposed Letter

Members of the D12 PAC advised that a letter should be submitted to Regional Council to voice concerns regarding the waterside development. It was advised that it is too late to act on this matter as the Public Hearing is closed. Upon deliberation with the acting Municipal Clerk, Ms. Harnish advised the Committee that any further correspondence on this subject will not be distributed to Council; it will go in the file.

8.2 South Park and Brenton Streets (The Trillium)

Mr. Kempton advised that there has been preparations made on the site. The D12 PAC had advised that the buildings be relocated to preserve heritage value. The developer put an ad in the paper for persons of interest to purchase and relocate the building. None of the applicants matched what would be a workable expression of interest. The developer advised that the deadline has closed.

8.3 D12 PAC extension until DRC implementation

Following the presentation by Mr. Fillmore, D12PAC was advised of the pending disbanding of the advisory committee. After further discussion, the following motion was passed:

MOVED BY Councillor Sloane, seconded by Ms. Perrott, that District 12 Planning Advisory Committee recommends that Peninsula Community Council and Halifax Regional Council extend the terms of current members for District 12 Planning Advisory Committee until such time as the Design Review Committee is established for HRMbyDesign. MOTION PUT AND PASSED

9. NEXT REGULAR MEETING DATE

The next regular meeting of the District 12 PAC is scheduled for October 27, 2008 at 7:00 p.m. in the Trophy Room, City Hall.

10. ADJOURNMENT

The meeting adjourned at 9:10 p.m.

Sandra T. Riley
Legislative Assistant