

DESIGN REVIEW COMMITTEE
MINUTES
February 11, 2010

PRESENT: Mr. Alan Parish, Chair
Mr. Cesar Saleh
Mr. Jeff Pinhey
Mr. Nick Pryce
Ms. Suzanne Saul
Mr. Terry Smith-Lamothe
Mr. Roy McBride
Ms. Anne Sinclair
Mr. Ramzi Kawar

REGRETS: Mr. William Hyde
Ms. Sue Sirrs
Ms. Angela Dean

STAFF: Ms. Kelly Denty, Supervisor, Planning Applications
Mr. Luc Ouellett, Planner
Mr. Richard Harvey, Planner
Mr. Andy Filmore, Urban Design Project Manager
Mr. Barry Allen, Legal Consultant, HRM
Ms. Barbara Coleman, Legislative Assistant
Mr. Andrew Faulkner, Development Officer

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1. CALL TO ORDER

The meeting was called to order at 6:03 p.m.

Mr. Parish acknowledged Mr. Pryce for providing the meals for tonight's meeting. Mr. Fillmore advised that HRM has provided a budget for future catering for this Committee.

1. APPROVAL OF MINUTES - JANUARY 22, 2010

The Committee accepted the minutes of January 22, 2010 as presented.

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

Addition:

8.1 Email from Ms. Karen Brown, Senior Solicitor

The Committee accepted the Order of Business and acknowledged there were no further additions or deletions to the agenda.

3. BUSINESS ARISING OUT OF THE MINUTES / STAFF UPDATES

4. CONSIDERATION OF DEFERRED BUSINESS

5. Correspondence, Petitions and Presentations

- A letter from Mr. William Hyde dated February 8, 2010 was before the Committee.

Mr. William Hyde, a member of the Design Review Committee, forwarded a letter to the Committee expressing his views on the Starfish Application.

7. REPORTS/APPLICATIONS

7.1 Site Plan Approval Process

- A flowchart (attached) of the processes for review of Downtown Halifax Planning applications was presented to the Committee.

Ms. Kelly Denty, Supervisor, Planning Applications, advised the Committee that staff had spent many hours on the application review processes and the binder with the intent that most, if not all the flaws, would be worked out before the Committee took possession. She explained the binder provides a checklist that will allow the Committee to run through an application in a straightforward manner, but it will also allow for discretion, where needed.

Ms. Denty advised the Committee that applications in progress are made public through several different methods, HRM website, HRM Customer Service Centers, and public consultations. The application is also posted on the project site.

Staff advised that the application, if it involves any heritage components, would also be presented to the Heritage Advisory Committee for their review. It was noted that the Heritage Advisory Committee reports to Council, whereas the decision of this Committee is final, subject to appeal to Council.

The Committee deliberates on the application making one of the following decisions, Approved, Approved with Conditions, or Denied.

The decision of the Committee is posted in the major HRM newspapers with a letter going out to abutting property owners who are within 30 meters notifying them of the decision.

Ms. Denty indicated that if an application was approved with conditions, the conditions would be minimal changes. The applicant would not necessarily require further approval. Should the Committee wish to oversee such a process, staff would ask the Developer to revise the drawings to incorporate the changes. If appropriate, they could then be forwarded back to the Committee under the cover a Supplementary Staff Report asking for their approval.

The presentation concluded with staff answering questions from the Committee and noting the following:

- an applicant, if denied, could adopt the recommendations of the Committee, revise its plan and bring the revised plan before the Committee. The time line would begin to run again
- Appeals would be made to Council and would take the form of a hearing. Council would have 30 days to hear the appeal and 30 days to make a decision.
- Council's decision can be appealed to the UARB
- Appeals can be made by the property owner (applicant) property owners 30 meters and owners within the boundary of the Downtown Halifax plan area
- the days of the 60-day time line is allotted as follows:
 - planning staff review the application first taking approximately two to three weeks.
 - the application would go to Heritage Advisory Committee if there were any Heritage connotations. Decisions of the Heritage Committee are independent of the decision of this Committee.
 - The application would come simultaneously to the Design Review Committee
- The Committee could request extra meetings if necessary.

7.2 Case 15842: Application by Starfish for the Redevelopment of 1652-1662 Barrington Street

- A set of drawings regarding the above-mentioned application were before the Committee

Mr. Roy McBride declared a Conflict of Interest, explaining that he was part of the development and removed himself to the public area of the meeting as per the HRM Conflict of Interest Policy.

Mr. David Garret presented the application to the Committee noting that it will consist of constructing two additional stories on top of the three buildings,. He advised that not all the building products have been selected; however, it will maintain a heritage facade. The addition will be setback 10 meters from the edge of the building making it subordinate to the original building. The second story will only be 40 percent of the entire square footage of the new addition. All mechanical equipment on the roof will be shielded from street view.

Mr. Garrett completed his presentation responding to questions of the Committee. Staff advised that a full report would be circulated before the next meeting. It was further noted that this application had been presented to the Heritage Committee on February 11, 2010 and their report to Council would be circulated to the Committee immediately.

Deliberations would commence on this report at the next meeting of the Committee.

8. ADDED ITEMS

8.1 Communication from Ms. Karen Brown, Senior Solicitor, HRM

- An email dated January 26, 2010 (attached) from Ms Karen Brown had been circulated to the Committee.

Mr. Parish reviewed an email received from Ms. Karen Brown, Senior Solicitor, HRM through the Clerk's office. In her email, Ms. Brown advised that any discussions on a particular application should be contained to an official meeting of the Committee and not be conducted through emails. Any discussions carried out on an application should be seen as open and transparent. Therefore, Mr. Parish concluded that substantive discussions pertaining to applications would not be held outside the meeting forum.

9. NEXT MEETING DATE

The Committee agreed that they would meet March 3, 2010 but would maintain the March 11, 2010 date in case they could not reach a decision in one meeting.

10. ADJOURNMENT

The meeting adjourned at 7:50 p.m.

Barbara Coleman
Legislative Assistant