HALIFAX
REGIONAL MUNICIPALITY

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Item No. 9.1 (ii)

Halifax Regional Council
May 13, 2008
June 17, 2008
June 24, 2008

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Beverly Miller

Beverly Miller, Vice-Chair
District 12 Planning Advisory Committee

DATE: April 21, 2008

SUBJECT: **Case 00971 - MPS/LUB Amendments and Development Agreement, Halkirk (Keith's Brewery) lands, Lower Water, Bishop and Hollis Streets, Halifax**

INFORMATION REPORT

ORIGIN

District 12 Planning Advisory Committee (PAC) meetings - April 21 and April 28, 2008

BACKGROUND/DISCUSSION

The District 12 PAC reviewed the staff report for the application by Halkirk Properties Limited to amend the Halifax MPS and LUB to permit a mixed use development on the southern portion of the Keith's Brewery lands by development agreement at its meetings on April 21st and April 28th.

Staff had recommended approval of the proposed amendments to the Halifax MPS and LUB and a proposed development agreement, and to schedule a public hearing.

After a lengthy discussion and two failed motions, the Committee agreed not to make a recommendation on the report but rather would submit an information report to Council outlining the concerns and the motions put on the floor.

Motion put and passed:
That the District 12 PAC recommend that the proposed Phase 3 design details be equal to this proposal in terms of materials, scaling, massing, architectural details, and height to be complementary to the existing streetscape such as Keith Hall, the Benjamin Wier House, and Halkirk House.

Motion withdrawn:
That the District 12 PAC recommend approval of the proposed amendments to the MPS and LUB and a proposed development agreement which allows for an alternative tower design as shown on Schedules A-3 to A-6 of Attachment B of the staff report.

Motion defeated:
That the District 12 PAC recommend approval of the proposed amendments to the MPS and LUB and the proposed development agreement as presented in the staff report dated April 2, 2008.

The following concerns were expressed by members of the Committee:

- There was concern about what appeared to be a flat facade for the tower portion of the building facing Hollis Street. There is an ability for Council to consider, by way of a non-substantial amendment to the development agreement, an addition to and articulation of the western residential tower facade and changes to the architectural requirements and landscaping details should the developer be able to obtain ownership of the Keith's Lane right-of-way (as shown in Schedules A-3 to A-6 of Attachment B of the staff report).

- There was concern that the Benjamin Weir House, 1459 Hollis Street, is not part of the proposal and is not affected by the proposed MPS policy amendments (inclusion in the Halifax Central Business District).

- It was suggested that a second public meeting should be held. It was felt that most of the discussion at the public meeting focussed on the boundary change and not the proposed development agreement. The terms of reference for the District 12 PAC indicate the Committee shall host public meetings for MPS amendments in District 12. It was suggested the Committee should have hosted a public meeting for the MPS amendment and staff should have hosted a separate public meeting for the development agreement.

- Concern was expressed about including the statement in the staff report which says "Therefore, if Council wishes to approve the proposed development and not have the issues of building height, massing and setbacks be subject to appeal to the N.S. Utility and Review Board, then staff recommend the proposed amendments (Attachment A) as the means of doing so". It was suggested that it was out of order for staff to be recommending a way to Council to circumvent appeals to the N.S. Utility and Review Board.

- Concern was expressed about providing no open space in the development because of its close proximity to the waterfront.

- There was concern about extending the Central Business District Boundary that far south into an area that was supposed to be for primarily residential development.

- Concern was expressed about the possibility of criminal activity in areas where there is commercial development only happening in the day time hours.

- Concern was expressed about staff having no standards for wind and shadow.

ATTACHMENTS

Staff report dated April 2, 2008

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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