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**Item No. 10.1.4 (ii)**  
**Halifax Regional Council**

**TO:** Mayor Kelly and Members of Halifax Regional Council

Original signed

**SUBMITTED BY:**

Alan Parish, Chair, Design Review Committee

**DATE:** November 16, 2011

**SUBJECT:** Case 16655: Amendments to the Regional MPS, the Halifax MPS, and the Downtown Halifax MPS and LUB for the YMCA – CBC Project at Sackville and South Park Streets, Halifax

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**ORIGIN**

Staff report and presentation to the Design Review Committee November 9, 2011.

**RECOMMENDATION**

The Design Review Committee recommends Halifax Regional Council Regional Council refuse the proposed amendments to the Regional Municipal Planning Strategy, the Halifax Municipal Planning Strategy, the Downtown Halifax Secondary Municipal Planning Strategy and the Downtown Halifax Land Use By-Law, as contained in Attachments A, B, C, and D of the October 31, 2011 staff report.

**BACKGROUND**

At the November 9, 2011 meeting of the Design Review Committee staff provided a presentation on an application to amend the Regional Municipal Planning Strategy, the Halifax Municipal Planning Strategy, and the Downtown Halifax Municipal Planning Strategy and Land Use Bylaw for the YMCA-CBC Project at Sackville and South Park Streets, Halifax.

**DISCUSSION**

Following the presentation the Committee discussed the application and the consensus was that it could not support the amendments as proposed and passed a motion as noted in the above recommendation. The reasons for turning down the application and recommending that Regional Council refuse the amendments are as follows:

1. The height of the proposed development was simply too high being approximately twice the height of the current limit for that site. While a minor variation of height might be considered, a doubling of the height is too much of a variation to be allowed to proceed.
2. Changing the design guidelines to allow a certain proposed development to proceed is contrary to HRM By Design. HRM By Design has been approved by Council and proposed developments should substantially conform to that plan. In this instance, the proposal is that the plan be amended to meet the requirements of the proposed development. It results in "spot zoning" and makes a mockery of the overall design of the downtown as set out in HRM By Design.
3. Parks Canada is opposed to the proposal and the amendments. There is a long history of cooperation between Parks Canada and the City. The Citadel Hill National Historic site is a valuable asset to HRM and Nova Scotia. The view of Parks Canada and the impact of the proposed development on Citadel Hill should be respected.
4. There is not a sufficient public benefit in the proposed development to allow it to proceed. While a new YMCA would be a positive asset for the City, the YMCA has other options regarding raising funds to construct a new building or to seek some other site for a new YMCA. This particular site has a highest and best use as high-end residential, whereas there are other, perhaps superior, locations available for a new YMCA, such as near the existing Centennial Pool.
5. A suggestion that a tall building will provide a more suitable "entrance" to downtown is not convincing. A well designed new building which meets the present height requirements could provide an excellent entrance to downtown.
6. The proposed development, at this stage, is completely nebulous. The application indicated that the drawings presented to the Committee could be completely changed by the time the project went ahead. It would be contrary to good planning to consider changing the height requirements with such a nebulous proposal.

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7. The planning decision should not be made on the basis that an applicant has a positive community profile. If this was the case, then developers would likely try to identify an occupant for a proposed development who had a positive public profile to allow them to circumvent the HRM By Design Plan.

8. To allow this proposal to proceed would create a precedent that would make it difficult to deny other proposed developments which exceed the height restrictions around the Citadel.

**BUDGET IMPLICATIONS**

Budget Implications associated with this matter are outlined in the attached report dated October 31, 2011.

**FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN**

Financial Management Policies/Business Plan compliance is outlined in the attached staff report dated October 31, 2011.

**COMMUNITY ENGAGEMENT**

The Design Advisory Committee consists of 12 citizen members. Meeting dates, agendas, reports and minutes are posted to the web.

**ALTERNATIVES**

The Committee did not provide alternatives.

**ATTACHMENTS**

None

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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