

Request for Council's Consideration

X Included on Agenda

(Submitted to Municipal Clerk's Office by Noon Thursday)



Added Item

(Submitted to Municipal Clerk's Office by Noon Monday)

Date of Council Meeting: March 18, 2014

Subject: Proposed amendments to the Downtown Halifax Secondary Municipal Planning Strategy and the existing development agreement to construct a 16 storey building at 1595 Barrington Street. These amendments would extend the deadlines for commencement of construction and project completion.

Motion for Council to Consider:

- 1. Due to the unique circumstances relative to the timing of the commencement of the development and the desire to accommodate the Discovery Centre tenant at the site until their relocation to a new site is achieved, direct staff to initiate amendments to the Downtown Halifax Secondary Municipal Planning Strategy and the existing development agreement, referenced as Case No. 01231, for 1595 Barrington Street, to consider a new commencement of construction date requirement of July 20, 2016 and new completion date requirement of July 20, 2019; and**
- 2. Adopt a public participation program for the consideration of said amendments that shall be comprised of a request for written comments from the public through notification that includes the placement of a regular newspaper advertisement and the posting of information on HRM's website, in lieu of a public information meeting and other provisions of the February 25, 1997 Regional Council Resolution Regarding a Public Participation Program for Municipal Planning Strategy Amendments.**

Reason:

The Discovery Centre is planning to relocate from 1595 Barrington Street to a new location but hopes to remain in place for an additional 18 to 24 months.

In 2011, Regional Council approved a development agreement to allow construction of a new 16 storey building on the property containing the Discovery Centre. This was one of the last development agreements to be considered before the site plan approval system was established under the current Downtown Halifax Secondary Municipal Planning Strategy. When the new MPS and the development agreement for 1595 Barrington Street were adopted, Regional Council acknowledged the existence of this ongoing development application. However, as a condition of its approval, Council specified that construction on the project must commence within three years and be completed within six years from the date of the development agreement's execution. Under these conditions, construction at 1595 Barrington Street must commence by July 20, 2014 and be complete by July 20, 2017.

The property owners plan to meet this obligation by starting construction in June. However, they recognize this requires that the Discovery Centre relocate well in advance of their desired 18-24 month time frame. To accommodate the needs of the Discovery Centre, the owners have submitted an application to extend the timelines in the development agreement. This will also require amendments to the MPS.

Although the development agreement was controversial at the time of its approval, partly due to the fact that it was within the Barrington Street Heritage Conservation District, the timeline extensions for the project do not warrant the same degree of public participation that would be called for with a completely new development proposal. An amended public participation program is referenced in the motion.

On numerous occasions, this Council has recognized the importance of the Discovery Centre within the community. On this basis, it is recommended that Council consider the request to extend the timelines for the project and endorse a revised public participation process as noted above.

Outcome(s) Sought:

- Timely initiation of an MPS Amendment and Development Agreement Amendment to extend the construction deadlines for the proposed building at 1595 Barrington Street.
- Consideration options for including additional requirements in the amended Development Agreement such as:
 - restrictions on building demolition not associated with work necessary to commence construction as per the terms of the development agreement

Councillor *Waye Mason*

District 7