



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 9.2
Halifax Regional Council
October 28, 2014
December 9, 2014

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY: Councillor Linda Mosher, Chair, Halifax & West Community Council

DATE: October 20, 2014

SUBJECT: Case 19326: MPS Amendments and Development Agreement for 1034,
1042, 1050 and 1056 Wellington Street, Halifax

ORIGIN

October 14, 2014 meeting of Halifax & West Community Council, Item No. 10.1.3.

LEGISLATIVE AUTHORITY

HRM Charter, Part 1, Clause 25(c) - "The powers and duties of a Community Council include making recommendation to Council respecting appropriate by-laws, regulations, controls and development standards for the community

RECOMMENDATION

It is recommended by Halifax & West Community Council that Halifax Regional Council:

- a.) Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and the Halifax Peninsula Land Use By-law (LUB) as set out in Attachments A and B of the staff report dated September 26, 2014 and schedule a joint public hearing with Halifax and West Community Council;
- b.) Approve the proposed amendments to the Halifax MPS and the Halifax Peninsula LUB, as contained in Attachments A and B of the September 26, 2014 staff report.

BACKGROUND

A staff report dated September 26, 2014 was before Halifax & West Community Council pertaining to Case 19326: Municipal Planning Strategy Amendments and a Development Agreement for 1034, 1042, 1050 and 1056 Wellington Street, Halifax.

For further information please refer to the attached staff report dated September 26, 2014.

DISCUSSION

Halifax & West Community Council reviewed this matter at its October 14, 2014 meeting. The staff recommendation, which was to refuse the proposed amendments to the Municipal Planning Strategy and Halifax Peninsula Land Use By-law to enable the proposed development agreement, was defeated in favour of alternative recommendation outlined in the attached staff report dated September 26, 2014.

FINANCIAL IMPLICATIONS

As outlined in the attached staff report dated September 26, 2014.

COMMUNITY ENGAGEMENT

All meeting of Halifax & West Community Council are open to the public. The agenda and reports are posted online in advance of the meeting.

ENVIRONMENTAL IMPLICATIONS

As outlined in the attached staff report dated September 26, 2014.

ALTERNATIVES

Halifax & West Community Council considered and approved alternative recommendation number one as outlined in the attached staff report dated September 26, 2014.

ATTACHMENTS

1. Staff report dated September 26, 2014.
2. Memorandum from the Chair of the District 7 & 8 Planning Advisory Committee, dated September 23, 2014.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Liam MacSween, Legislative Assistant, 902-490-6521.

P.O. Box 1749
Halifax, Nova Scotia
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Halifax and West Community Council
October 14, 2014

TO: Chair and Members of Halifax and West Community Council

SUBMITTED BY: Original Signed
Bob Bjerke, Director of Planning and Development

DATE: September 26, 2014

SUBJECT: **Case 19326: MPS Amendments and a Development Agreement for 1034, 1042, 1050 and 1056 Wellington Street, Halifax**

ORIGIN

- Application by Dino Capital Ltd.
- September 10, 2013 Regional Council initiation of the MPS amendment process

LEGISLATIVE AUTHORITY

HRM Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Halifax and West Community Council recommend that Halifax Regional Council:

1. Refuse the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB), to enable development of a multiple unit residential building at 1034, 1042, 1050 and 1056 Wellington Street, Halifax, by development agreement, as contained in Attachments A and B of this report.

BACKGROUND

An application has been submitted by Dino Capital Ltd. for four properties located at 1034, 1042, 1050 and 1056 Wellington Street in Halifax. Development permits have already been issued for additions to each of the four single-unit dwellings on the site to enable as-of-right development resulting in a combined total of 23 units, containing 201 bedrooms on the four properties. As an alternative, a staff report was brought to and approved by Regional Council on September 10, 2013 to initiate the process of amending the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to allow for a 58 unit building consisting of two towers of 7 and 9 storeys atop of a shared 3 storey podium (Case 18565).

A public hearing for the application was scheduled at Regional Council for April 29, 2014; however, a motion to rescind its First Reading and to cancel the public hearing was passed before the hearing occurred. As such, a final decision by Regional Council was never made on this first application; however the initiation to amend the MPS policy and LUB remains in effect. The applicant has since submitted a new application for a multi-unit residential building consisting of 8 and 10 storey towers atop of a shared main floor.

Site Description and Surrounding Land Uses

The four subject properties are located on the west side of Wellington Street, as shown on Maps 1 and 2. There is one building on each property, each originally built as single unit dwellings.

The properties:

- have a total area of approximately 26,940 square feet and a total street frontage of approximately 210 feet.
- abut the HRM-owned Gorsebrook Park to the west and south, and to the north properties which contain 13 storey and 15 storey residential buildings; and
- face a high density five storey condominium building on the opposite side of Wellington Street, while the rest of the street is characterized by mixed medium density development consisting largely of three storey apartment buildings with some two unit dwellings. Along Inglis Street, on the same block, development consists of low density dwellings.

Designation and Zoning

The subject properties are located within Area 6 of the South End SMPS, which was adopted in 1983, and are:

- designated Medium Density Residential (MDR) as shown on Map 1. The designation is intended to support a mixed residential environment with both family-oriented units and smaller housing units in buildings not exceeding four storeys. Family units are defined as those with more than 800 square feet of floor area, and 50% of units in any building must be of this form. There are no density limits established within this designation;
- zoned R-2A (General Residential Conversion Zone) under the LUB as shown on Map 2. This zone seeks to implement the MPS intent by establishing limits on lot coverage, setbacks, building height, unit mix and size, and a cap of 14 units per building. There are no density limits established within this zone; and
- within the 35 foot height precinct as shown on Map 3. This height limit is established within the MPS for much of the nearby district.

History

Regional Council's initiation of the MPS amendment process for this application was satisfied through the previously proposed Case 18565 which proposed 12 and 10 storey towers atop of a shared podium. Staff recommended refusal of this application at the initiation stage. Council instead decided to approve initiation, requesting that feedback of the community and planning advisory committee be gathered to fully assess the appropriateness of the development. Through discussions with the applicant, feedback received from the community, and site analysis, staff previously recommended new planning policy which would allow development of a building with a maximum height of 23.0 metres (75.46 feet) and a maximum of 95,000 square feet of gross floor area. Council indicated that these limitations would satisfy

neither the community nor the applicant and as such passed a motion cancelling the public hearing. In light of the previous case never reaching a public hearing, a new case number was assigned to this new application which proposes the development of 8 and 10 storey residential towers atop a shared main floor.

DISCUSSION

MPS Amendment Process

Amendments to an MPS are generally not considered unless it can be shown that circumstances have changed since the document was adopted to the extent that the original land use policy is no longer appropriate. Site specific MPS amendment requests, in particular, require significant justification to be considered. To support the request to amend the MPS in this case, the applicant submits that conditions have changed considerably in the 30 years since the existing Medium Density Residential designation and 35 foot height limit were applied to the properties.

The following reasons are given by the applicant:

- The properties are no longer used as single family homes and can be extensively redeveloped as high density housing under existing policy;
- That larger scale high density development has since taken place on the opposite side of Wellington Street;
- The context of the properties relative to the HDR designation, the presence of existing taller buildings of 13 and 15 storeys, the abutting park, and relative isolation from Low Density Residential properties justifies greater height and density;
- That regulation of urban design and architecture through use of a site specific development agreement policy is a better approach than simply limiting height as a means of ensuring quality development and protecting neighbourhoods;
- Although the 23 units which are permitted as of right meet the LUB definition of “family type units”, it is more likely that these units will be student housing, and that allowing a single larger building would better enable the “family type” goal to be met; and
- Allowing an MPS change will result in assurances through the development agreement process of a better quality of development than can be achieved otherwise.

Evaluation of the Development Proposal

The subject site has been evaluated as an appropriate place to develop a transitional size of building between the high density residential buildings located to the immediate north and the low density homes to the south. The development of Wellington Street could be described as eclectic with no dominant form or scale. As such, a number of built forms could fit into the existing context without being identified as incongruent with the streetscape. With this said, following an evaluation of the proposed building, staff have concluded that the application would not be an appropriate and contextually sensitive addition to the street. Concerns have focused on the following:

- Staff advise that the building being proposed is excessive relative to the size of the site to be developed. The buildings are measured as covering 75 % of the lot with building, in addition to the underground parking garage being constructed flush to the property lines on all sides below grade. Limited provision of setbacks, which range between 4 and 9 feet, add to this concern;
- The blocky massing of the buildings is inconsistent with the context and reflective of a more intensively urban context. In comparison, the Downtown Halifax Land Use By-law would consider this development a mid-rise form and as such require the building to be setback 10% of the lot width or 5.5 metres from an interior lot line, whichever is less, above a height of 60 feet. The proposed building reaches 80 feet on its lower building, and 100 feet in height on its taller building with no additional setback provided in either case above the 60 foot mark. The proposed setback at this height is half, on the north side, and one quarter, on the south side, of what would be required for a building of this size in the denser downtown setting;

- The two towers are proposed to be separated by a distance of 26 feet. In towers of this height, a common and appropriate urban design standard would suggest that separation distances between these buildings be closer to three times this distance. This presents not only an urban design concern with regard to consistency of the street and light penetration, but also a livability concern from the perspective of eventual building inhabitants; and
- The overall proposed height of the two towers does not represent an appropriate transition to the lower density homes located to the south of the property. The combination of a height more than double what exists adjacent, in addition to limited setback or articulation of this southern wall further adds to this concern.

Adding population to the Regional Centre of Halifax is undoubtedly a central goal of the Regional Plan. The objective behind this goal is to develop and grow areas of the municipality which are already well serviced with existing civic amenities inclusive of transit, roads, sewers, parks, community centres, and other core services of HRM. Indeed, it is the existence of this full complement of amenities that tends to attract residents to these types of communities in the first place. By adding population to these already developed areas, growth can be facilitated without the significant costs associated with constructing brand new services in a previously undeveloped area.

As such, added density in the Regional Centre can be seen as a means to an end, and not an end in and of itself. If buildings are constructed which are overly dense and/or poorly designed, this could result in the development of a less livable Regional Centre. A careful balance must be struck between adding density to existing communities and not disturbing the elements of the community which make it livable and desirable to residents. While broadly speaking, increasing density within the Regional Centre is a central objective to the Regional Plan, it is adding density in a sensitive manner that is the more difficult but most important task facing Council. More specifically, the Regional Plan speaks to accommodating low to medium density development within established neighbourhoods without altering the local character of these places. This can often mean development on the edges of these established neighbourhoods, or infill development within these neighbourhoods that is compatible with the existing built form. In assessing this application, staff advise that the development proposed within this application is overly aggressive in the density being sought, and does not meet the test of sensitivity discussed above.

The above notwithstanding, Regional Council has the authority to establish its own planning policy. To enable this course of action, amendments to both the MPS and LUB have been provided in this report (Attachments A and B) which would allow Council to consider approving the proposed development through the Development Agreement process. Given that the purpose of this policy is to enable the applicant's proposed building contrary to the recommendation of staff, this policy does not contain evaluative criteria that would require Council to consider several factors that would typically be included within a site specific policy, and which were included within the previously recommended policy considered under Case 18565. Such elements of policy not included within Attachment A include consideration of how the development would impact the surrounding public realm with regard to wind or shadow, in addition to considering the appropriateness of the massing of the building inclusive of setbacks and tower spacing. Concern for the impact that these building / design elements could have on adjacent lands were factors in the staff recommendation of refusal.

Recommendation of Planning Advisory Committee

A public information meeting hosted by the Districts 7 & 8 Planning Advisory Committee was held for this application on September 3, 2014. This application was also reviewed by the Districts 7 & 8 Planning Advisory Committee at their September 22, 2014 meeting. At this meeting the Committee expressed concern regarding the density, overall heights, and transition of built form that is proposed from the taller buildings to the north to the lower buildings and park space located to the south. The Committee recommended against the approval of the proposed policy and by-law amendments required to facilitate the consideration of a development agreement. A report from the PAC will be submitted to Community Council under separate cover.

Conclusion

Given the concerns outlined above, and further to its own review, staff recommends that Regional Council not approve amendments to the Municipal Planning Strategy which would enable consideration of the attached development agreement (Attachment C). Should Council choose to allow this project to proceed as proposed by the applicant, policy is provided in Attachments A and B of this report, through Alternative 1. This policy would amend the MPS by including a list of urban design, servicing, and site planning criteria which would enable this development through the attached development agreement. Community Council would consider this development agreement approval in a meeting subsequent to Regional Council approving the MPS amendments and their coming into effect following provincial review.

FINANCIAL IMPLICATIONS

There are no budget implications. The Developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the Agreement can be carried out within the approved budget with existing resources.

COMMUNITY ENGAGEMENT

In February of 1997, Regional Council approved a public participation resolution which outlines the process to be undertaken for proposed MPS amendments that are considered to be local in nature. The community engagement process undertaken for this application is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a Public Information Meeting held on September 3, 2014. Notices of the meeting were posted on the HRM website, in the newspaper, and mailed to property owners within the notification area (Map 2).

Prior to considering the approval of any MPS amendments, Regional Council must hold a public hearing. Likewise, Halifax and West Community Council must hold a public hearing before it can consider approving a development agreement. Under these circumstances, and because of the relationship of the proposed amendments to the proposed development agreement, it is recommended that both Councils proceed with a joint public hearing.

Should Regional Council and Halifax and West Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, individual property owners within the notification area will be advised of the public hearing by regular mail. The HRM website will also be updated to indicate notice of the public hearing.

The proposed MPS and LUB amendments, and development agreement, will potentially impact local property owners.

ENVIRONMENTAL IMPLICATIONS

The proposal meets all relevant environmental policies contained in the MPS.

ALTERNATIVES

The Halifax and West Community Council could recommend that Halifax Regional Council:

1. Approve the proposed amendments to the MPS for Halifax and the LUB for Halifax Peninsula, as contained in Attachments A and B of this report. In selecting this alternative, it is recommended that Regional Council:
 - a. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and the Halifax Peninsula Land Use By-law (LUB) as set out in Attachments A and B of this report and schedule a joint public hearing with Halifax and West Community Council;

- b. Approve the proposed amendments to the Halifax MPS and the Halifax Peninsula LUB, as contained in Attachments A and B of this report;
- c. Move Notice of Motion to consider the proposed development agreement as set out in Attachment C of this report to permit the development a multiple unit residential building at 1034, 1042, 1050 and 1056 Wellington Street, Halifax. The public hearing for the development agreement shall be held concurrently with that indicated in Alternative 1.

A decision of Council to not approve potential amendments is not appealable to the Nova Scotia Utility and Review Board as per Section 262 of the *HRM Charter*.

- 2. Modify the proposed amendments to the MPS for Halifax and the LUB for Halifax Peninsula, as contained in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications and amendments is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to refuse the proposed amendments is not appealable to the Nova Scotia Utility and Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

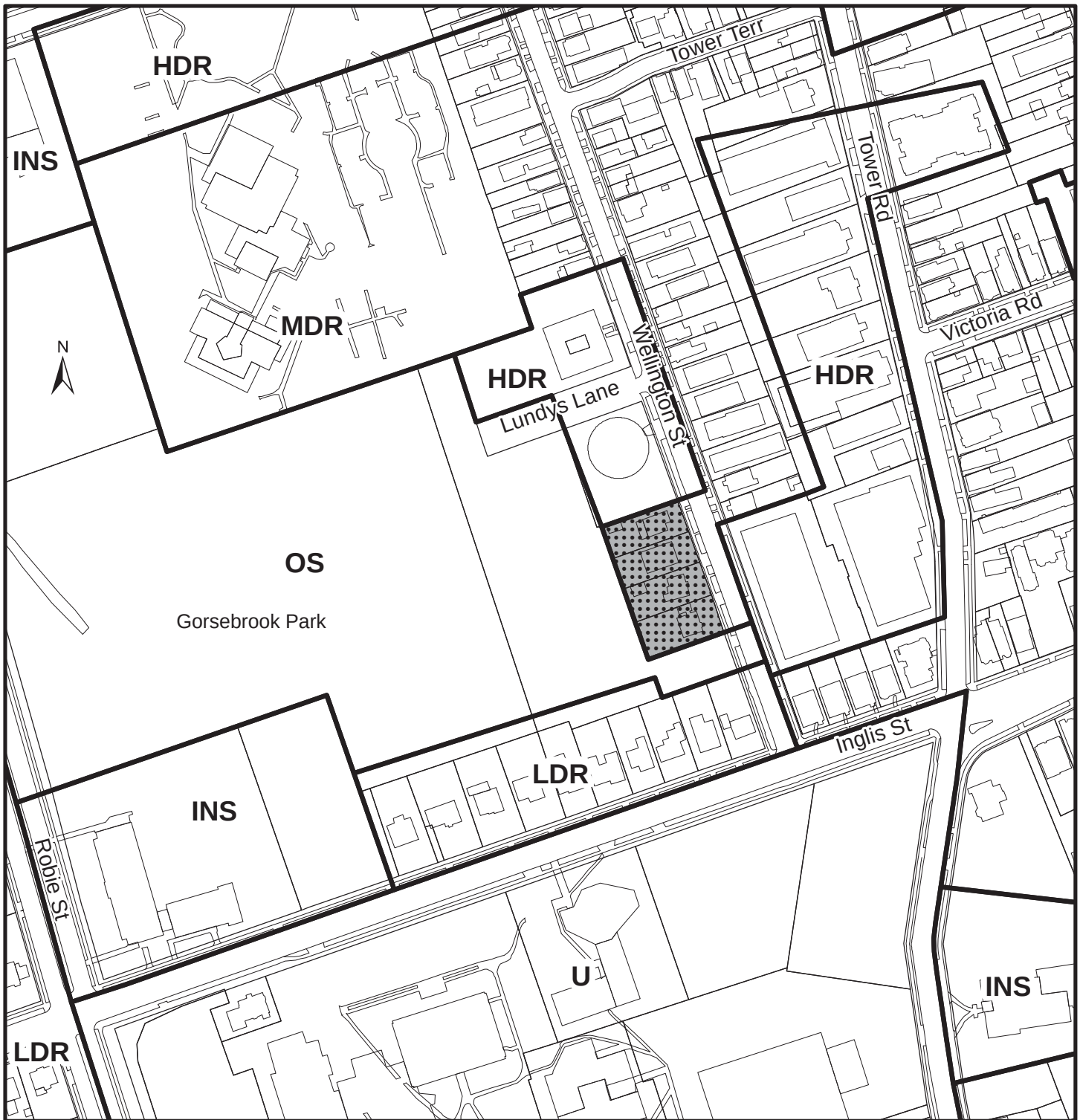
Map 1	Generalized Future Land Use Map
Map 2	Zoning and Notification Map
Map 3	Height Precinct Map
Attachment A	Proposed Amendments to the Halifax MPS
Attachment B	Proposed Amendments to the Halifax Peninsula LUB
Attachment C	Proposed Development Agreement
Attachment D	Renderings

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902-490-4210, or Fax 902-490-4208.

Report Prepared by: Carl Purvis, Major Projects Planner, 902-490-4797

Original Signed

Report Approved by: _____
Kelly Denty, Manager Development Approvals, 902-490-4800



Map 1 - Generalized Future Land Use

1034, 1042, 1050, and 1056 Wellington Street,
Halifax

HALIFAX

 Subject Properties

Designation

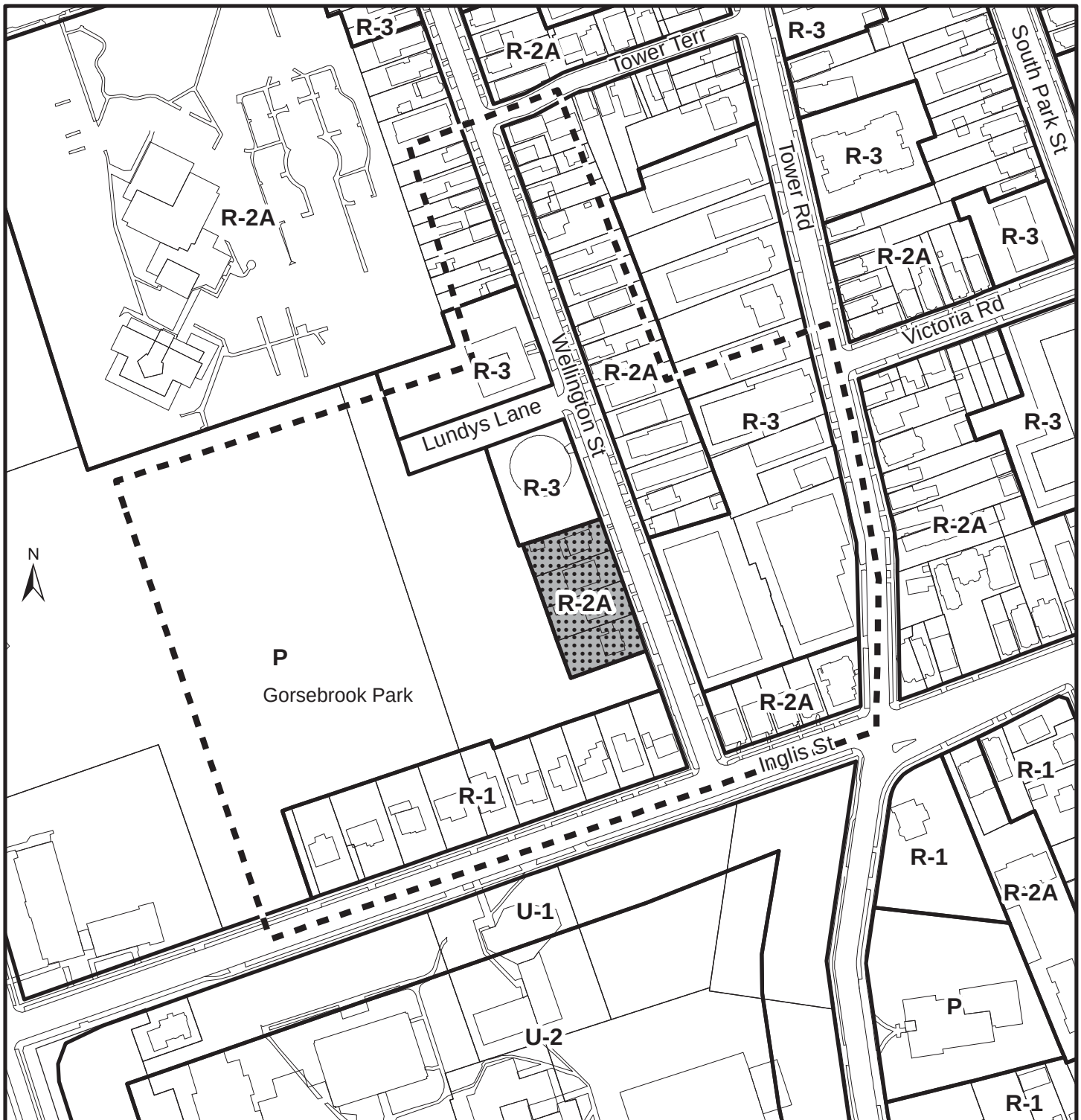
MDR Low Density Residential
HDR Medium Density Residential
LDR High Density Residential
OS Open Space
INS Institutional
U University

0 20 40 60 80 m

This map is an unofficial reproduction of
a portion of the Generalized Future Land
Use Map for the plan area indicated.

HRM does not guarantee the accuracy
of any representation on this plan.

Halifax Plan Area
South End Detailed Plan Area



Map 2 - Zoning and Notification

1034, 1042, 1050, and 1056 Wellington Street
Halifax

 Subject Properties

 Area of notification

Halifax Peninsula
Land Use By-Law Area

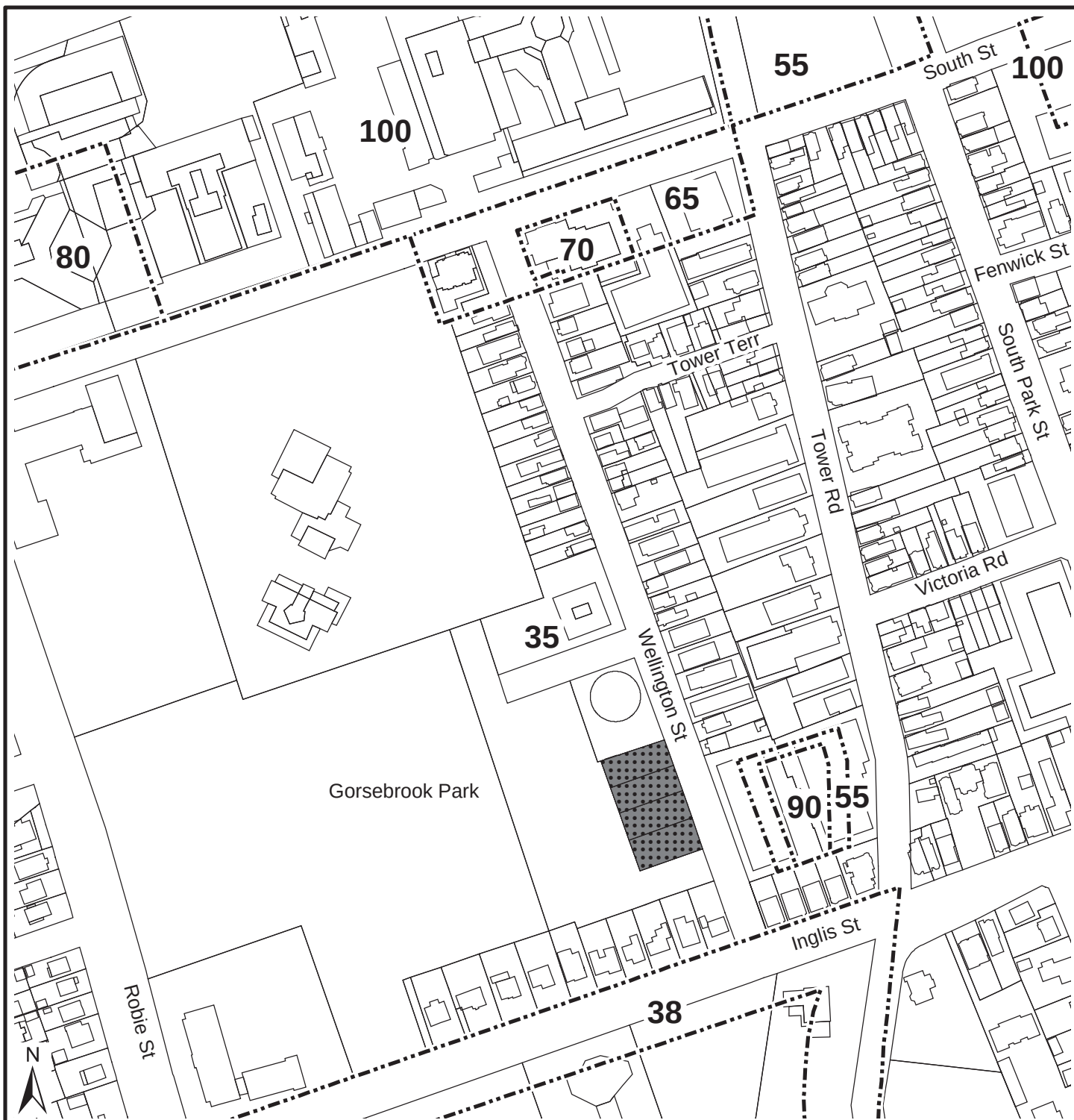
Zone

R-1 Single Family
R-2A General Residential Conversion
R-3 Multiple Dwelling
P Park and Institutional
U-1 Low-Density University
U-2 High-Density University

0 20 40 60 80 m

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

HRM does not guarantee the accuracy of any representation on this plan.



Map 3 - Height Precincts

1034, 1042, 1050, and 1056 Wellington Street,
Halifax

 Existing height precinct boundary
with Height Limit in Feet

 Subject Area

Halifax Peninsula
Land Use By-Law Area

HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS

0 20 40 m


This map is an unofficial reproduction of a
portion of the Height Precincts Map for the
Halifax Peninsula Land Use By-Law Area.

HRM does not guarantee the accuracy of
any representation on this plan.

Attachment A
Proposed Amendments to the Halifax Municipal Planning Strategy

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Halifax be amended as follows:

In Section V – SOUTH END AREA PLAN, within segment 7 – DISTRICT POLICIES and after policy 7.7A.1, inserting text as shown in **bold** as follows:

- “7.7B.1 For the properties designated as Medium Density Residential located at 1034, 1042, 1050, and 1056 Wellington Street, and notwithstanding policies 1.1.1.1, 1.4.2, and 1.4.2.3, Council may consider a redevelopment proposal for the entirety of these lands by development agreement for a comprehensively designed residential multi-unit development which would not exceed 30.5 metres in height or ten storeys whichever is less not including rooftop amenity space access and mechanical space, and with a maximum total of 194,000 square feet of Gross Floor Area.**
- 7.7B.2 In considering a development agreement proposal pursuant to policy 1.4.2.4, Council shall have regard for the following:**
- a) the adequacy of servicing to the site;**
 - b) the required parking being wholly contained within an enclosed structure and architecturally integrated into the residential building;**
 - c) adequate building height transition from a high point at the north end of the site to a low point at the south end of the site in recognition of the surrounding context;**
 - d) access and egress patterns which minimize the impact of vehicle access on the public realm;**
 - e) a building design which utilizes appropriately durable and high quality finishing materials; and**
 - f) that the development is comprised of a mixture of residential dwelling unit types, with a minimum of 50% of the dwelling units that are comprised of a minimum of two bedrooms and that are spread throughout the development.**

Attachment B
Proposed Amendments to the Halifax Peninsula Land Use By-Law

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Peninsula is hereby amended as follows:

1. BY adding the following Section after Section 94(1)(s):

“1034-1056 Wellington Street

- (t) Council may permit a residential development at 1034-1056 Wellington Street in accordance with Policies 7.7B.1 and 7.7B2 of Section V of the Halifax Municipal Planning Strategy.”

I HEREBY CERTIFY that the amendments to the Halifax Peninsula Land Use By-law, as set out above, were duly passed by a majority vote of the Halifax Regional Municipality Council at a meeting held on the day of , 2014.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2014.

Municipal Clerk

ATTACHMENT C
PROPOSED DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of **[Insert Month]**, 20__,

BETWEEN:

Dino Capital LTD.

a body corporate, in the Province of Nova Scotia
(hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY

a municipal body corporate, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at 1034, 1042, 1050, and 1056 Wellington Street, Halifax and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer has requested that the Municipality enter into a Development Agreement to allow for a multi-unit residential development consisting of 2 towers of eight and ten storeys respectively on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to Policies 7.7B1 and 7.7B2 of the Halifax Municipal Planning Strategy and Section 94(1)(t) of the Halifax Peninsula Land Use By-law;

AND WHEREAS the Halifax and West Community Council for the Municipality approved this request at a meeting held on **[Insert - Date]**, referenced as Municipal Case Number 19326;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 Applicability of Agreement

The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

1.2 Applicability of Land Use By-law and Subdivision By-law

Except as otherwise provided for herein, the development, use and subdivision of the Lands shall comply with the requirements of the Land Use By-law for Halifax Peninsula and the Regional Subdivision By-law, as may be amended from time to time.

1.3 Applicability of Other By-laws, Statutes and Regulations

1.3.1 Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement), or any statute or regulation of the Provincial/Federal Government and the Developer or Lot Owner agree(s) to observe and comply with all such laws, by-laws and regulations, as may be amended from time to time, in connection with the development and use of the Lands.

1.3.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

1.4 Conflict

1.4.1 Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.

1.4.2 Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

1.5 Costs, Expenses, Liabilities and Obligations

The Developer shall be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all Federal, Provincial and Municipal laws, by-laws, regulations and codes applicable to the Lands.

1.6 Provisions Severable

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

PART 2: DEFINITIONS

2.1 Words Not Defined under this Agreement

All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and Subdivision By-law, if not defined in these documents their customary meaning shall apply.

PART 3: USE OF LANDS, SUBDIVISION AND DEVELOPMENT PROVISIONS

3.1 Schedules

The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Agreement **and filed in the Halifax Regional Municipality as Case Number 19326:**

Schedule A	Legal Description of the Lands(s)
Schedule B	Site Plan / Service Plan – Plan Number A-001
Schedule C	Parkade Plan Level 03 – Plan Number A-101A
Schedule D	Parkade Plan Level 02 – Plan Number A-101B
Schedule E	Parkade Plan Level 01 – Plan Number A-101C
Schedule F	Ground Floor Plan – Plan Number A-102
Schedule G	Level 9 – Roof Plan South- Typical Floor North – Plan Number A-106
Schedule H	Roof Plan North – Plan Number A-108
Schedule I	East Elevation – Plan Number A-201
Schedule J	West Elevation – Plan Number A-202
Schedule K	South Elevation – Plan Number A-203
Schedule L	North Elevation – Plan Number A-204
Schedule M	South Elevation (North Tower) – Plan Number A-205
Schedule N	North Elevation (South Tower) – Plan Number A-206

3.2 Requirements Prior to Approval

3.2.1 Prior to the issuance of a Development Permit, the Developer shall provide the following to the Development Officer, unless otherwise permitted by the Development Officer:

- (a) Written confirmation and photograph demonstrating the existing buildings/structures on the Lands have been removed as described within Section 3.7 of this Agreement;
- (b) Consolidation of the lands as described within Section 3.7 of this Agreement;
- (c) A detailed Landscape Plan prepared by a Landscape Architect in accordance with Section 3.10 of this Agreement;
- (d) A Stormwater Management Plan, Sedimentation Control Plan and Grading Plan as per Part 5 of this Agreement.

3.2.2 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the Lands for any of the uses permitted by this Agreement unless an Occupancy Permit has been issued by the Municipality. No Occupancy Permit shall be issued by the Municipality unless and until the Developer has complied with all applicable provisions of this Agreement and the Land Use By-law (except to the extent that the provisions of the Land Use By-law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.

3.3 General Description of Land Use

3.3.1 The use(s) of the Lands permitted by this Agreement are the following:

- (a) a multi-unit residential development consisting of 2 towers of eight and ten storeys respectively.

3.4 Detailed Provision for Land Use

3.4.1 A maximum of 142 Dwelling Units shall be permitted within the multiple-unit residential development.

3.4.2 A minimum of 50% of the Dwelling Units must contain two or more bedrooms.

3.6 Siting And Architectural Requirements

Siting

3.6.1 The building's siting, bulk and scale shall comply to the following:

- (a) the building shall be a minimum of **10 feet** from the front lot line excluding unenclosed outdoor terrace areas open to the sky;
- (b) all portions of the building below grade can be constructed with zero setback from all property lines and all portions of the building above grade conforming to the following setbacks:
 - (i) a minimum of 5 feet from the west property line;
 - (ii) a minimum of 4 feet from the south property line; and
 - (iii) a minimum of 9 feet from the north property line.
- (c) the maximum height of the southern tower shall not exceed **80 feet** as measured from the mean grade of the finished ground adjoining the building to the roof. An additional 16 feet for amenity space lobby, elevator overrun, mechanical space, and screening covering a maximum 10% of the rooftop is also permitted.
- (d) the maximum height of the northern tower shall not exceed **100 feet** as measured from the mean grade of the finished ground adjoining the building to the roof. An additional 16 feet for amenity space lobby, elevator overrun, mechanical space, and screening covering a maximum 10% of the rooftop is also permitted.
- (e) the minimum separation distance between any portion of the north and south towers above the ground floor shall be a minimum of 26 feet.
- (f) where setbacks as referenced in this Section are permitted, they are subject to a detailed review by the Development Officer in consultation with the Development Engineer to ensure compliance with all relevant building codes and by-laws. Any excavation, construction or landscaping shall be carried out in a safe manner, with the appropriate measures put into place to ensure the protection and preservation of the adjacent properties.
- (g) the maximum lot coverage of the development shall be 75%.

Architectural Requirements

Entrances:

- 3.6.2 The main entrance to each tower shall face Wellington Street and be clad with clear glazing. Entrances to side yard setback areas shall be controlled through access gates and accessed only for maintenance purposes.

Rear and side facades:

- 3.6.3 The façades facing Wellington Street shall be designed and detailed as primary façades. Further, architectural treatment shall be continued around all sides of the building as identified on Schedules I through N.

Blank Walls:

- 3.6.4 Large blank or unadorned walls shall not be permitted. The scale of large walls shall be tempered by the introduction of artwork, such as murals, textural plantings and trellises, and architectural detail to create shadow lines (implied windows, cornice lines, or offsets in the vertical plane) as identified on Schedules I through N.

Exposed Foundation

- 3.6.5 Any exposed foundation in excess of 2 feet in height shall be architecturally detailed, veneered with stone or brick or treated in an equivalent manner acceptable to the Development Officer.

Building Materials:

- 3.6.6 Exterior building materials shall not include vinyl siding but may include any one or more of the following:
- (a) clay masonry;
 - (b) porcelain panel;
 - (c) aluminium panel;
 - (d) cut stone masonry;
 - (e) architectural concrete / concrete panel; or
 - (f) acceptable equivalent in the opinion of the Development Officer following the of provision of a letter from a certified Architect licensed in the Province of Nova Scotia stating the opinion that newly proposed materials are of an equivalent or of a higher quality which enhances the overall appearance or functionality of the building.

Functional Elements:

- 3.6.7 All vents, down spouts, flashing, electrical conduits, metres, service connections, and other functional elements shall be treated as integral parts of the design. Where appropriate these elements shall be painted to match the colour of the adjacent surface, except where used expressly as an accent.
- 3.6.8 The building shall be designed such that the mechanical systems (HVAC, exhaust fans, etc.) are not visible from Wellington Street, Gorsebrook Field or abutting residential properties. Furthermore, no mechanical equipment or exhaust fans shall be located between the building and the adjacent residential properties unless screened as an integral part of the building design and noise reduction measures are implemented. This shall exclude individual residential mechanical systems.

3.7 CONSOLIDATION OF THE LANDS

Existing properties on the lands shall be consolidated into a single parcel as per the Municipality's Regional Subdivision By-law prior to the approval of a Development Permit for the Lands. Further, existing buildings/structures on the Lands shall be removed from the Lands prior to the approval of a Development Permit for the building.

3.8 PARKING, CIRCULATION AND ACCESS

- 3.8.1 The underground parking area shall be constructed as shown on Schedules C, D, and E. The parking area shall maintain setbacks from the property lines as shown on these Schedules and as per Section 3.6.
- 3.8.2 The parking area shall provide a minimum of 150 parking spaces of which a minimum of 8 spaces shall be dedicated and signed for visitor use.
- 3.8.3 The parking spaces within this development shall be for the exclusive use of residents and visitors of the building.
- 3.8.4 The development shall provide a minimum of 74 bicycle parking spaces of which a minimum of 60 must be 'Class A' and located within the building.
- 3.8.5 A single driveway access to the underground parking area is permitted as shown on Schedules C, D, and E and shall be no wider than permitted as per the HRM S-300 Streets By-law.
- 3.8.6 The overhead garage doors leading to the underground parking area shall include an element of transparency as per Schedule I to aid in pedestrian safety when vehicles exit the underground parking area.
- 3.8.7 Pedestrian access walkways shall be a minimum of 10 feet in width provided from Wellington Street to the main entrances of the towers. Walkways shall be finished in pavers or stamped concrete and shall be accessible with grades no greater than 5%.

3.9 OUTDOOR LIGHTING

Lighting shall be directed to driveways, building entrances and walkways and shall be arranged so as to divert the light away from streets, adjacent lots and buildings.

3.10 LANDSCAPING

- 3.10.1 All plant material shall conform to the Canadian Nursery Trades Association Metric Guide Specifications and Standards and sodded areas to the Canadian Nursery Sod Growers' Specifications.
- 3.10.2 The adjacent HRM Park Land is identified as a non-disturbance area and shall be protected by the Developer with a snow fence or other appropriate continuous physical barrier or delineation signage in the field prior to any site preparation (ie: tree cutting and excavation activity). The snow fence or other appropriate continuous physical barrier or delineation signage shall be maintained by the Developer for the duration of the construction.

- 3.10.3 If trees are removed or tree habitat damaged beyond repair in HRM Park Land the Developer or land owner shall replace the trees using the following calculation method:
- (a) Any tree removed smaller than 10' Diameter at Breast Height (DBH) shall be replaced with a 60mm tree of the same species; and
 - (b) For any tree removed larger than 10' Diameter at Breast Height (DBH) the following formula shall be used to determine the number of trees to be replaced (60mm divided into the diameter of the tree removed; the result is the number of trees to be replaced, i.e., if the result is 300mm at breast height then the result will be five (5) trees for replacement).

Landscape Plan

- 3.10.4 Prior to the issuance of a Development Permit, the Developer agrees to provide a Landscape Plan which complies with the provisions of this section and generally conforms with the overall intentions of the Ground Floor Plan, Level 9 – Roof Plan South, and Roof Plan North, shown on Schedules F, G, and H. The Landscape Plan shall be prepared by a Landscape Architect (a full member, in good standing with Canadian Society of Landscape Architects) and comply with all provisions of this section.
- 3.10.5 Further to Section 3.10.4 extensive green roof areas shall be provided on outdoor roof top areas not displaced with mechanical, lobby, elevator, or lobby spaces, in addition to the roof of the common amenity area on Floor 2.

Compliance with Landscape Plan

- 3.10.6 At the time of the first Occupancy Permit the Developer shall submit to the Development Officer a letter prepared by a member in good standing of the Canadian Society of Landscape Architects certifying that all landscaping has been completed according to the terms of this Development Agreement.
- 3.10.7 Notwithstanding Section 3.10.6, where the weather and time of year does not allow the completion of the outstanding landscape works at the time of issuance of the first Occupancy Permit, the Developer may supply a security deposit in the amount of 110 percent of the estimated cost to complete the landscaping. The cost estimate is to be prepared by a member in good standing of the Canadian Society of Landscape Architects. The security shall be in favour of the Municipality and shall be in the form of a certified cheque or automatically renewing, irrevocable letter of credit issued by a chartered bank. The security shall be returned to the Developer only upon completion of the work as described herein and illustrated on the Schedules, and as approved by the Development Officer in consultation with the Development Engineer. Should the Developer not complete the landscaping within twelve months of issuance of the Occupancy Permit, the Municipality may use the deposit to complete the landscaping as set out in this section of the Agreement. The Developer shall be responsible for all costs in this regard exceeding the deposit. The security deposit or unused portion of the security deposit shall be returned to the Developer upon completion of the work and its certification.

3.11 MAINTENANCE

3.11.1 The Developer shall maintain and keep in good repair all portions of the development on the Lands, including but not limited to, the exterior of the building, fencing, walkways, recreational amenities, parking areas and driveways, and the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow and ice control, salting of walkways and driveways.

3.11.2 Prior to the issuance of an Occupancy Permit, the Developer shall provide confirmation to the Development Officer, in consultation with the Development Engineer, that all disturbed areas located in the HRM right-of-way have been reinstated to original condition or better.

3.12 TEMPORARY CONSTRUCTION BUILDING

A construction building shall be permitted on the Lands for the purpose of housing equipment, materials and office related matters relating to the construction and sale of the development in accordance with this Agreement. The construction building shall be removed from the Lands prior to the issuance of the last Occupancy Permit.

3.13 SIGNS

3.13.1 The sign requirements shall be accordance with the Halifax Peninsula Land Use By-law as amended from time to time.

3.13.2 Signs depicting the name or corporate logo of the Developer shall be permitted while a sales office is located on the Lands.

3.13.3 Signs shall only be externally illuminated.

PART 4: STREETS AND MUNICIPAL SERVICES

4.1 General Provisions

4.1.1 All construction shall conform to the most current edition of the HRM Municipal Design Guidelines and Halifax Water's Design and Construction Specifications and shall receive written approval from the Development Engineer prior to undertaking any work.

4.1.2 Any disturbance to existing off-site infrastructure resulting from the development, including streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer and shall be reinstated, removed, replaced, or relocated by the Developer as directed by the Development Engineer. Furthermore, the Developer shall be responsible for all costs and work associated with the relocation of on-site/ off-site underground services, overhead wires and traffic signals to accommodate the needs of the development.

4.2 Off-Site Disturbance

Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, parks, curbs and gutters, street trees, park trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the Development Engineer.

4.3 Underground Services

All secondary or primary (as applicable) electrical, telephone and cable service to the building shall be underground installation.

4.4 Outstanding Site Work

Securities for the completion of outstanding on-site paving and landscaping work (at the time of issuance of the first Occupancy Permit) may be permitted. Such securities shall consist of a security deposit in the amount of 110 percent of the estimated cost to complete the work. The security shall be in favour of the Municipality and may be in the form of a certified cheque or irrevocable automatically renewing letter of credit issued by a chartered bank. The security shall be returned to the Developer by the Development Officer when all outstanding work is satisfactorily completed.

4.5 Solid Waste Facilities

- 4.5.1 The building shall include designated space for three five stream (refuse, recycling and composting) source separation services in accordance with By-law S-600 as amended from time to time. This designated space for source separation services shall be shown on the building plans and approved by the Development Officer and Building Inspector in consultation with Solid Waste Resources.
- 4.5.2 All refuse and recycling materials shall be contained within a building consistent with Schedule E.

PART 5: ENVIRONMENTAL PROTECTION MEASURES

5.1 Stormwater Management Plans and Erosion and Sedimentation Control Plans

5.1.1 Prior to the commencement of any site work on the Lands for construction of streets and services, including grade alteration or tree removal other than that required for preliminary survey purposes, or associated off-site works, the Developer shall:

- a) Submit to the Development Officer a detailed Site Disturbance Plan, prepared, stamped and certified by a Professional Engineer indicating the sequence and phasing of construction and the areas to be disturbed or undisturbed;
- b) Submit to the Development Officer a detailed Erosion and Sedimentation Control Plan prepared, stamped and certified by a Professional Engineer in accordance with the Erosion and Sedimentation Control Handbook for Construction Sites as prepared and revised from time to time by Nova Scotia Environment. Notwithstanding other Sections of this Agreement, no work is permitted on the Lands until the requirements of this clause have been met and implemented. The Erosion and Sedimentation Control Plan shall indicate the sequence of construction, all proposed detailed erosion and sedimentation control measures and interim stormwater management measures to be put in place prior to and during construction; and
- c) Submit to the Development Officer a detailed Site Grading Plan prepared, stamped and certified by a Professional Engineer, which shall include an appropriate stormwater management system. The Site Grading Plan shall identify structural and vegetative stormwater management measures, which may include infiltration, retention, and detention controls, wetlands, vegetative swales, filter strips, and buffers that will minimize adverse impacts on receiving watercourses during and after construction.

5.2 Failure to Conform to Plans

If the Developer fails at any time during any site work or construction to fully conform to the approved plans as required under this Agreement, the Municipality shall require that all site and construction works cease, except for works which may be approved by the Development Engineer to ensure compliance with the environmental protection measures.

PART 6: AMENDMENTS

6.1 Non-Substantive Amendments

The following items are considered by both parties to be not substantive and may be amended by resolution of Council.

- (a) Changes to the **landscaping measures** as detailed in Section **3.10 with the exception of Section 3.10.3** or which, in the opinion of the Development Officer, do not conform with Schedule **F**;
- (b) The granting of an extension to the date of commencement of construction as identified in Section **7.3** of this Agreement;
- (c) Where there is a reduction in the size of the building, Council may consider a reduction in the parking requirement as referenced in Section 3.8; and
- (d) An increase to the total allowable enclosed rooftop space referenced in Section 3.6.1 for amenity space lobby, elevator overrun, mechanical space, and screening to a maximum 30% of the rooftop.

6.2 Substantive Amendments

Amendments to any matters not identified under Section 6.1 shall be deemed substantive and may only be amended in accordance with the approval requirements of the *Halifax Regional Municipality Charter*.

PART 7: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

7.1 Registration

A copy of this Agreement and every amendment or discharge of this Agreement shall be recorded at the Registry of Deeds or Land Registry Office at Halifax, Nova Scotia and the Developer shall incur all costs in recording such documents.

7.2 Subsequent Owners

- 7.2.1 This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Lands which are the subject of this Agreement until this Agreement is discharged by Council.
- 7.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

7.3 Commencement of Development

- 7.3.1 In the event that development on the Lands has not commenced within four (4) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law.

7.3.2 For the purpose of this section, commencement of development shall mean installation of the footings and foundation for the proposed building

7.3.3 For the purpose of this section, Council may consider granting an extension of the commencement of development time period through a resolution under Section 6.2, if the Municipality receives a written request from the Developer at least sixty (60) calendar days prior to the expiry of the commencement of development time period.

7.4. Completion of Development

Upon the completion of the whole development or complete phases of the development, Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;
- (b) negotiate a new Agreement;
- (c) discharge this Agreement; or
- (d) for those portions of the development which are completed, discharge this Agreement and apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use By-law for Halifax / Halifax Peninsula as may be amended from time to time.

7.5 Discharge of Agreement

7.5.1 If the Developer fails to complete the development after **eight (8)** years from the date of registration of this Agreement at the Registry of Deeds or Land Registration Office Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;
- (b) negotiate a new Agreement; or
- (c) discharge this Agreement.

PART 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

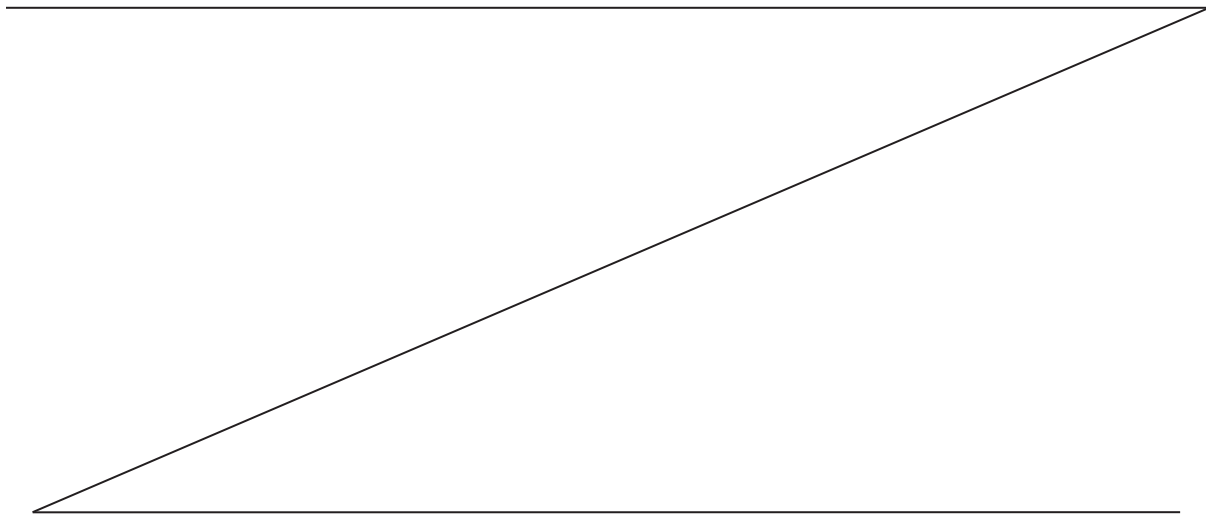
8.1 Enforcement

The Developer agrees that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within twenty four hours of receiving such a request.

8.2 Failure to Comply

If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer [**Insert-number**] days written notice of the failure or default, then in each such case:

- (a) The Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defense based upon the allegation that damages would be an adequate remedy;
- (b) The Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the *Assessment Act*;
- (c) The Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; or
- (d) In addition to the above remedies, the Municipality reserves the right to pursue any other remedy under the *Halifax Regional Municipality Charter* or Common Law in order to ensure compliance with this Agreement.



IN WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in
the presence of:

(Insert Registered Owner Name)

Witness

Per: _____

HALIFAX REGIONAL MUNICIPALITY

SIGNED, DELIVERED AND ATTESTED
to by the proper signing officers of Halifax
Regional Municipality, duly authorized in that
behalf, in the presence of:

Witness

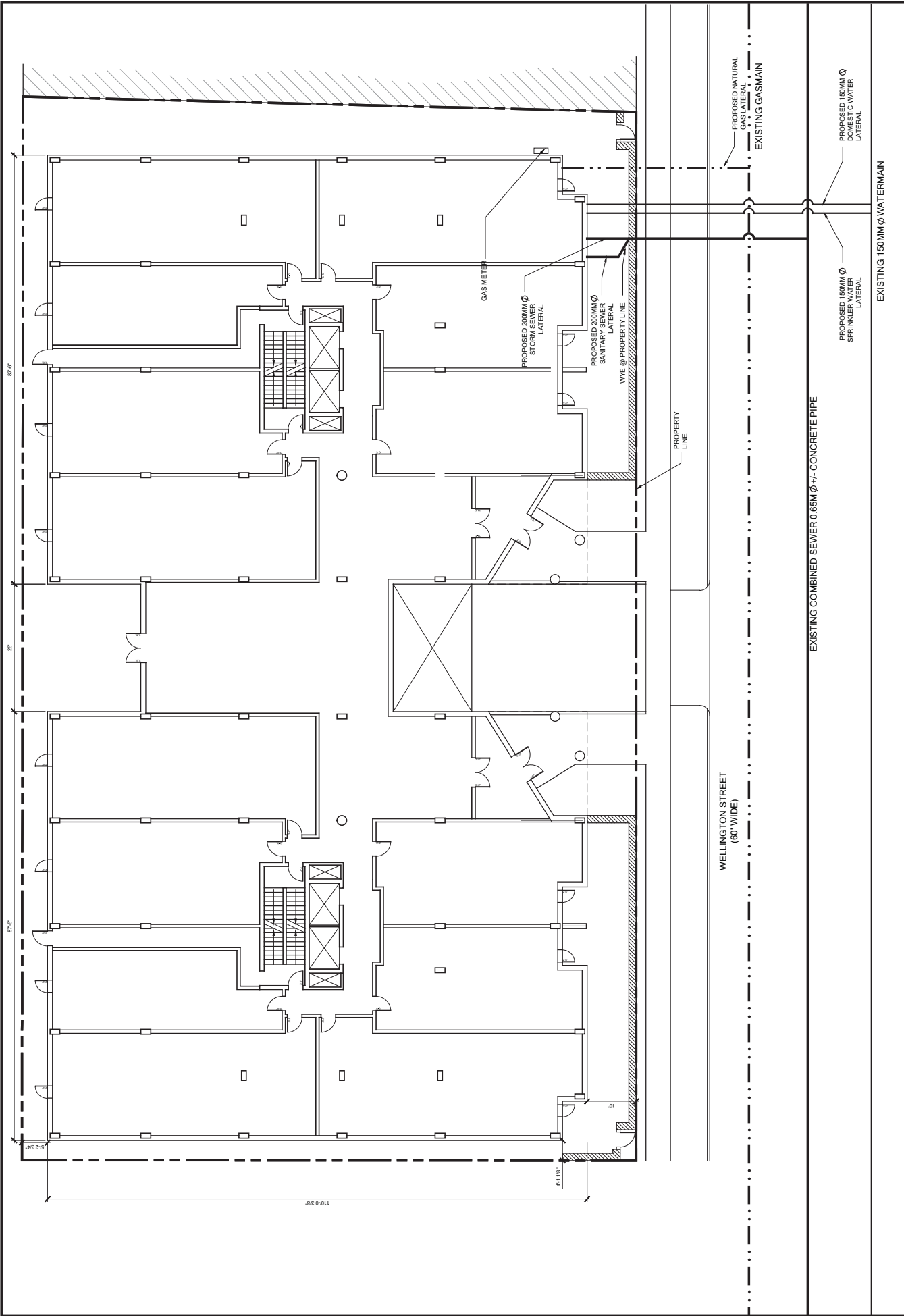
Per: _____

MAYOR

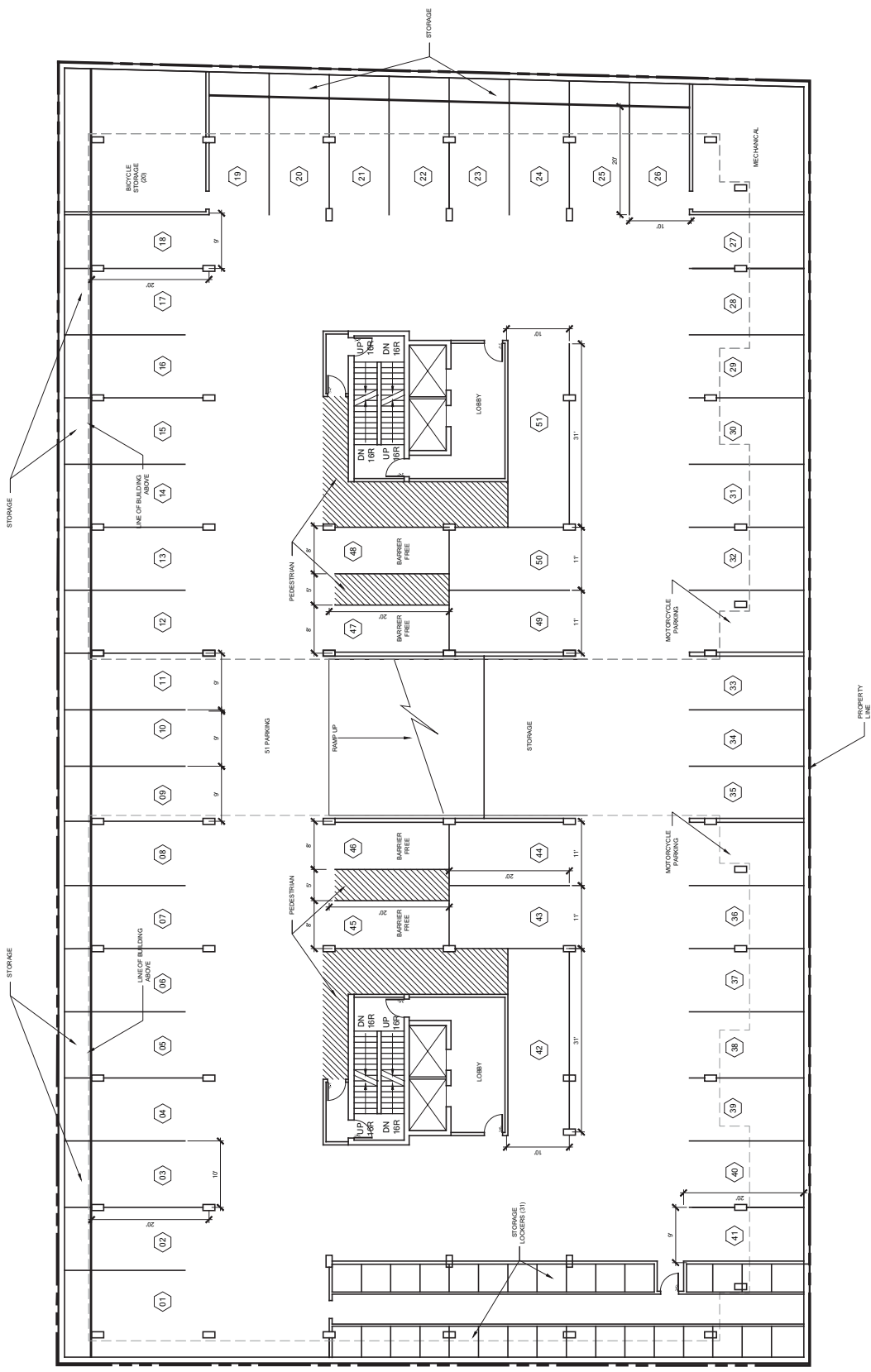
Witness

Per: _____

MUNICIPAL CLERK



WELLINGTON STREET PROJECT WELLINGTON STREET HALIFAX, NOVA SCOTIA	REVISION		DATE	MICHAEL NZ APIER ARCHITECTURE INC	DRAWING SITEPLAN / SITE SERVICE SCALE NTS	DATE MAY 30, 2014 DRAWING NO. A-001
	1. REVISED FOR DA		11/06/14			
	2. REVISED FOR DA		24/09/14			



WELLINGTON STREET PROJECT
WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION
1. REVISED FOR DA

DATE
11/06/14

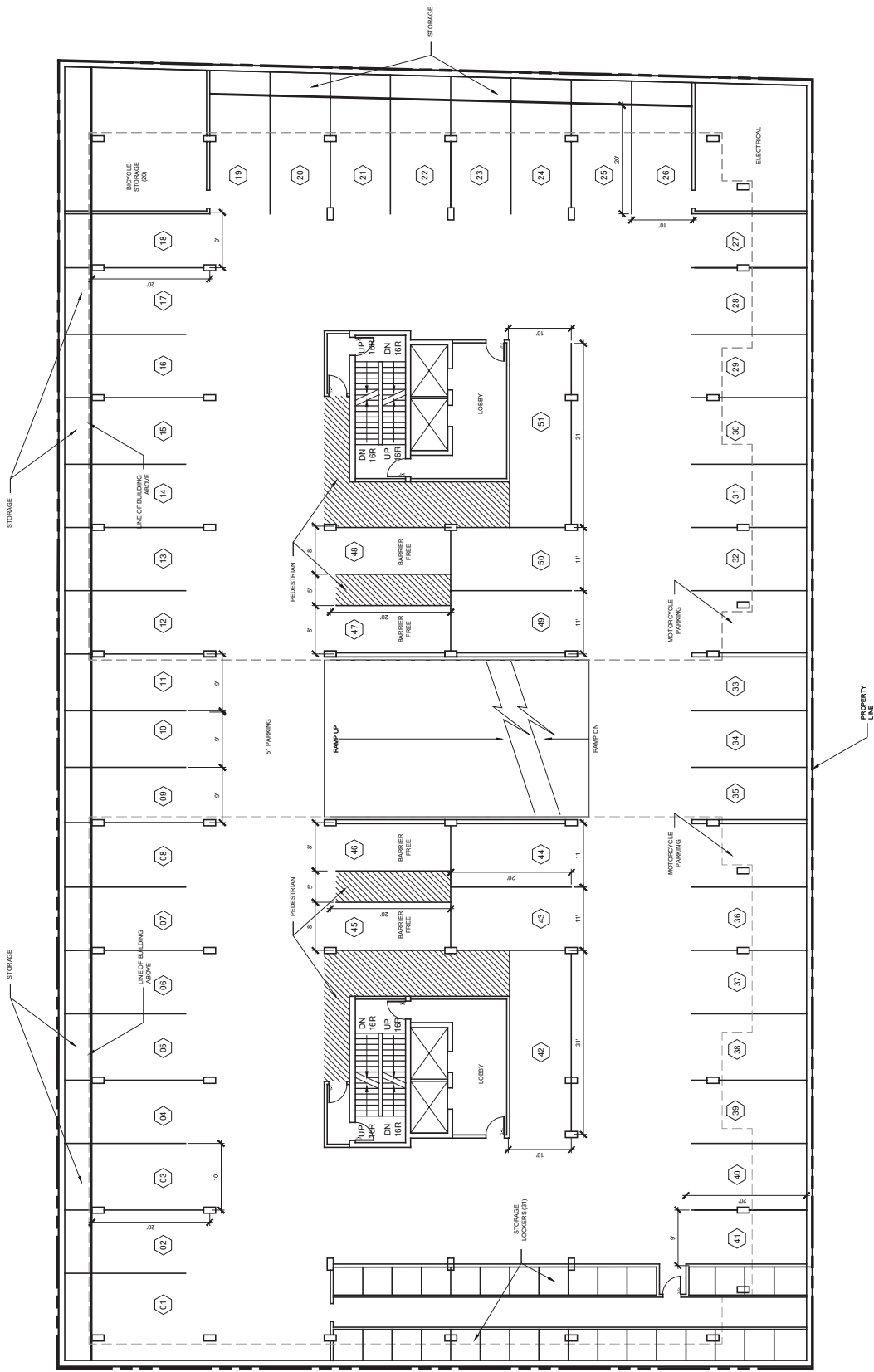


DRAWING
PARKADE PLAN LEVEL 03

DATE
MAY 30, 2014

SCALE
NOT TO SCALE

DRAWING NO.
A-101A



WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION

1. REVISED FOR DA

DATE

11/06/14

DRAWING

PARKADE PLAN LEVEL 02

DATE

MAY 30, 2014

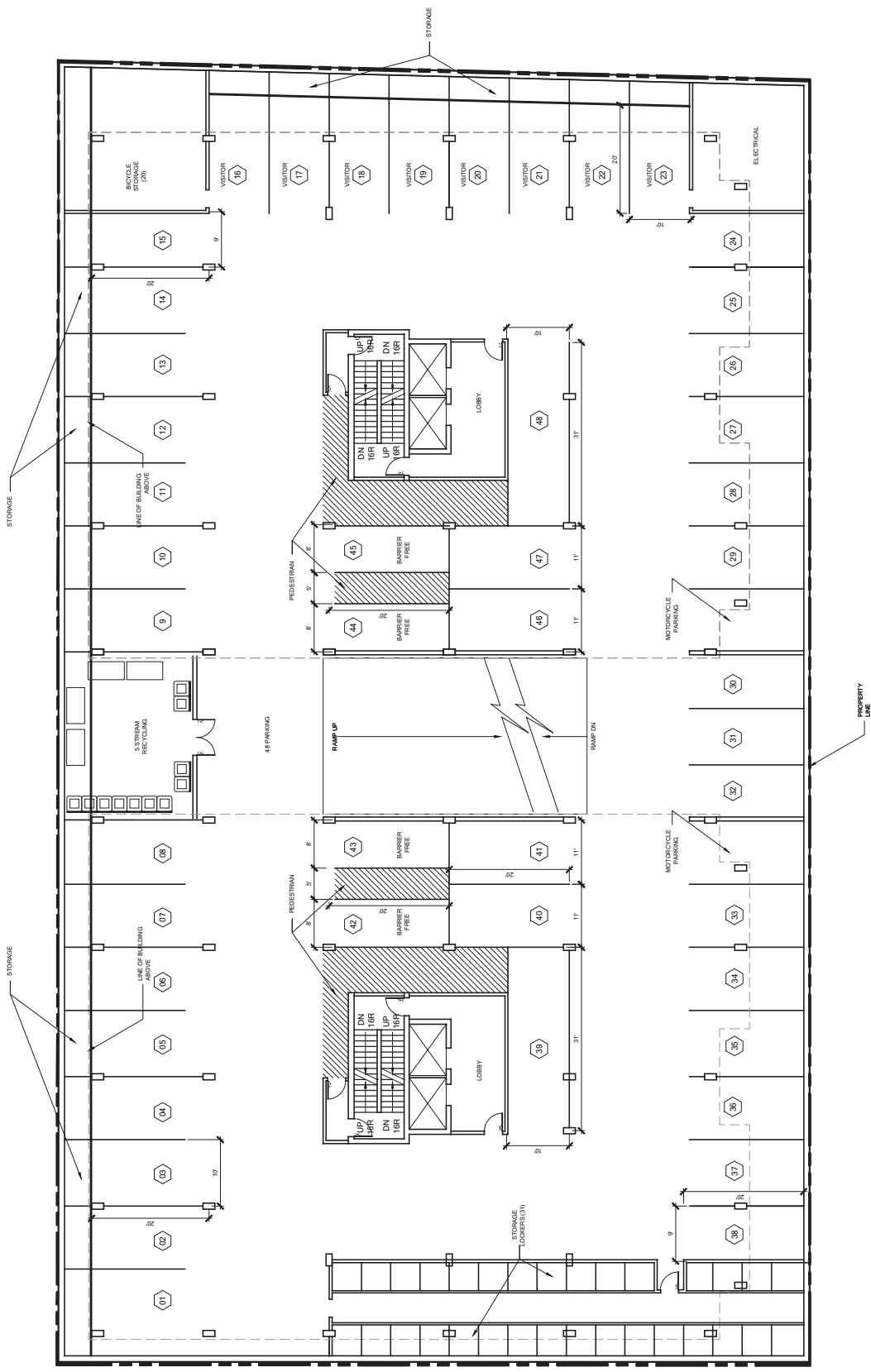


SCALE

NOT TO SCALE

DRAWING NO.

A-101B



WELLINGTON STREET PROJECT
WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION
1. REVISED FOR DA

DATE
11/06/14

MZA MICHAEL
APIER
ARCHITECTURE INC.

DRAWING
PARKADE PLAN LEVEL 01

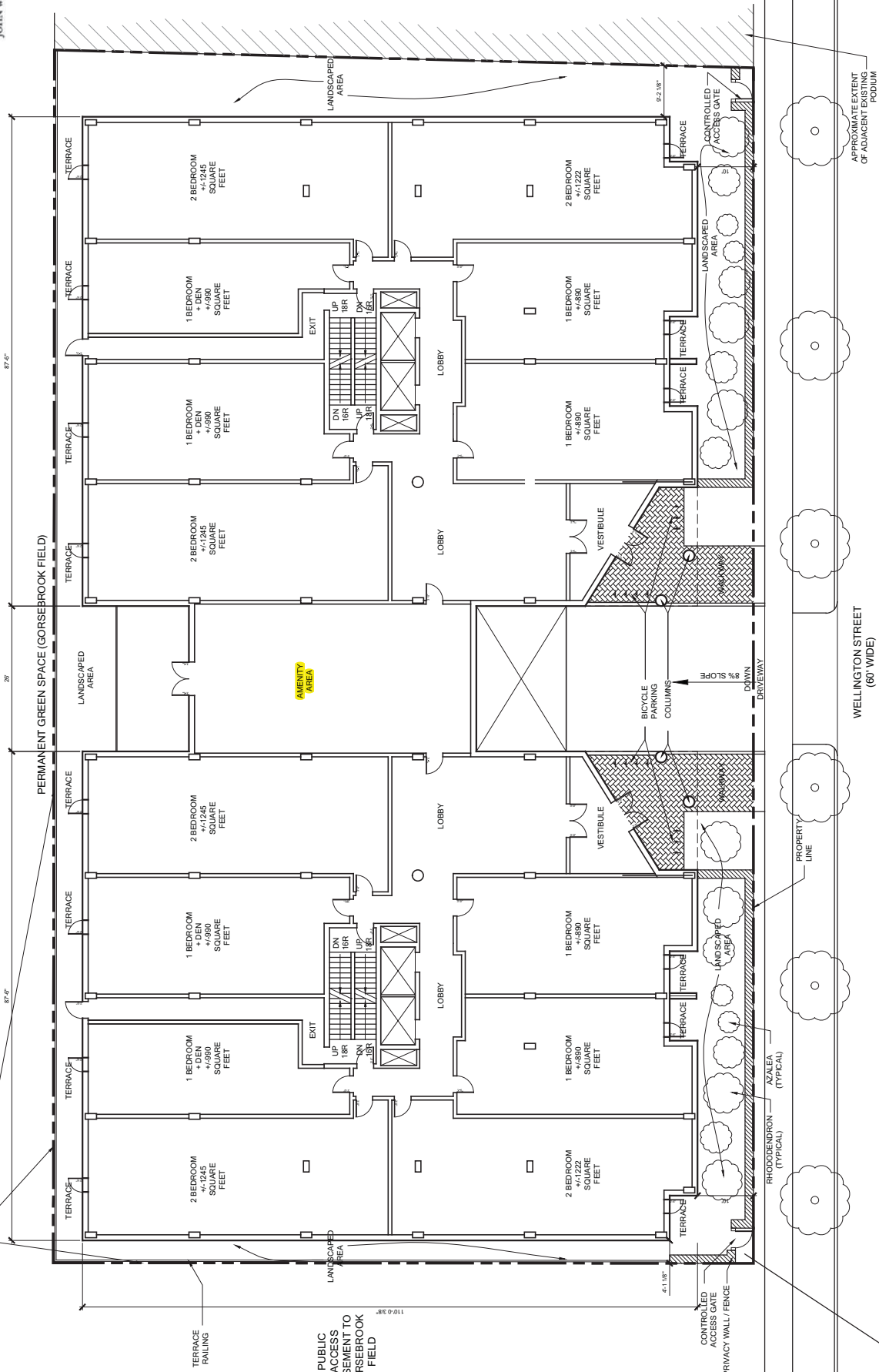
DATE
MAY 30, 2014

SCALE
NOT TO SCALE

DRAWING NO.
A-101C



42" HIGH ALUMINUM +
GLASS RAILING
SYSTEM



WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

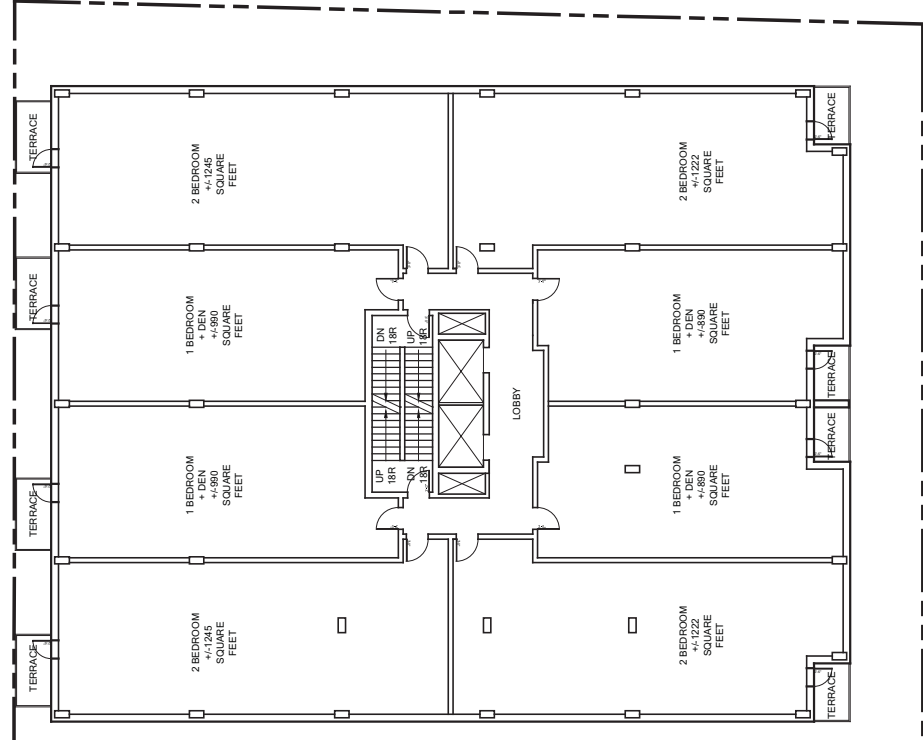
REVISION		DATE	DRAWING	DATE
1. REVISED FOR DA		11/06/14	MICHAEL APIER ARCHITECTURE INC	GROUND FLOOR PLAN
2. REVISED FOR DA		24/09/14		
			SCALE	NOT TO SCALE
			DRAWING NO.	A-102

WELLINGTON STREET
(60' WIDE)

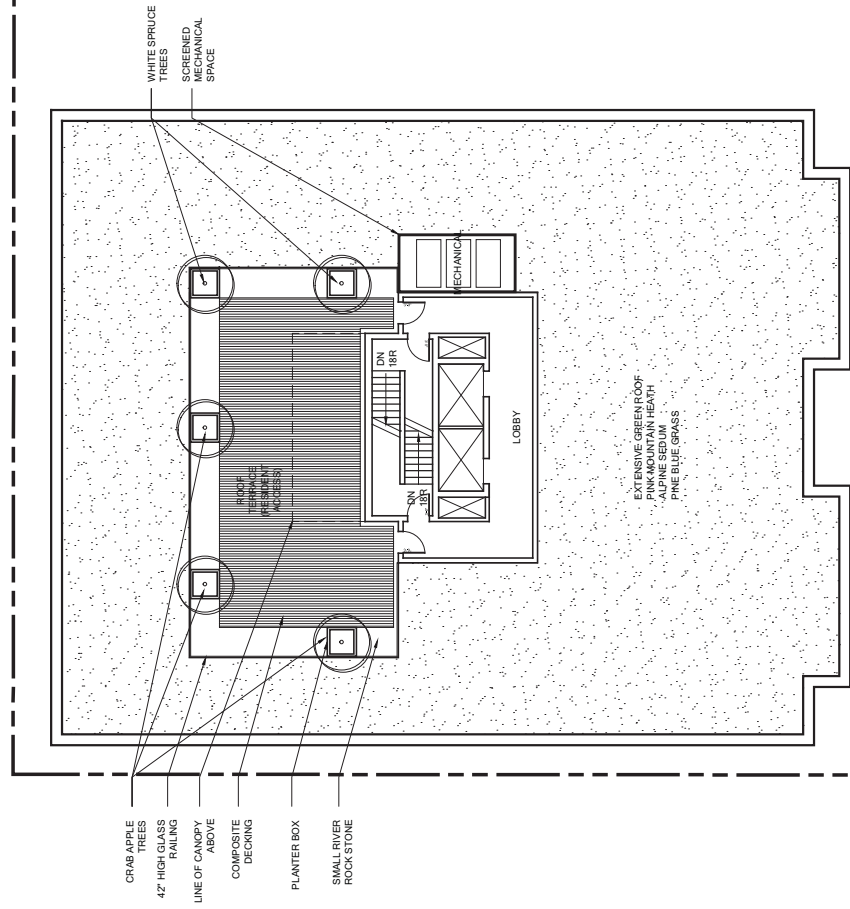
APPROXIMATE EXTENT
OF ADJACENT EXISTING
PODIUM

l'association des architectes-atlantiques
atlantic provinces association of landscape architects
JOHN W. ZUCK

NORTH TOWER



SOUTH TOWER



WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION
1. REVISED FOR DA

DATE
11/06/14

DATE
11/06/14

DRAWING
LEVEL 9 - ROOF PLAN SOUTH,
TYPICAL FLOOR NORTH

DATE
MAY 30, 2014

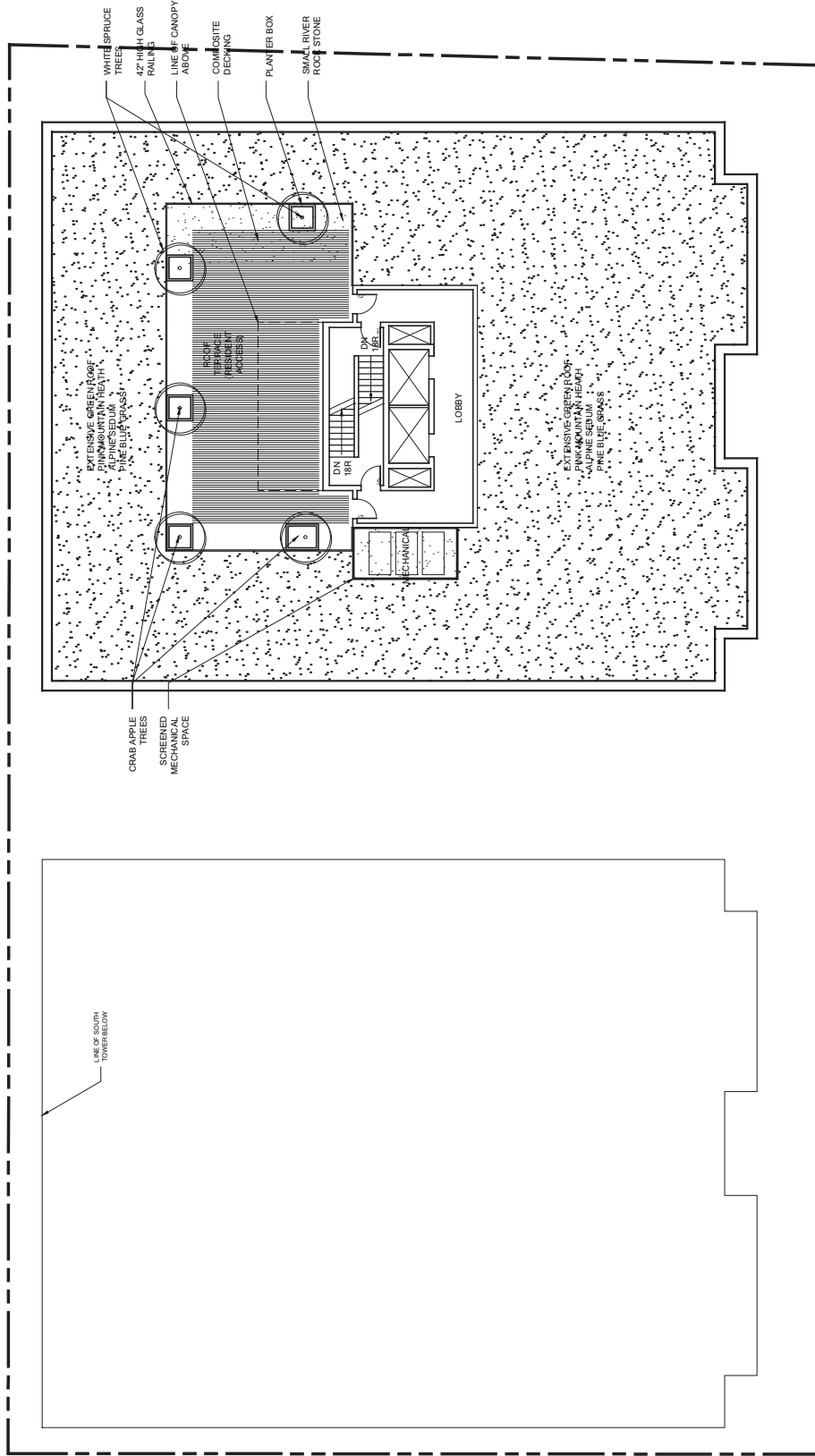
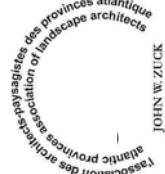
SCALE
NOT TO SCALE

DRAWING NO.
A-106

ICHAEL
APIER
ARCHITECTURE INC.

SOUTH TOWER

NORTH TOWER



WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION

1. REVISED FOR DA

DATE

11/06/14

MZA

ICHAEL
APIER
ARCHITECTURE INC.

DRAWING

ROOF PLAN NORTH

DATE

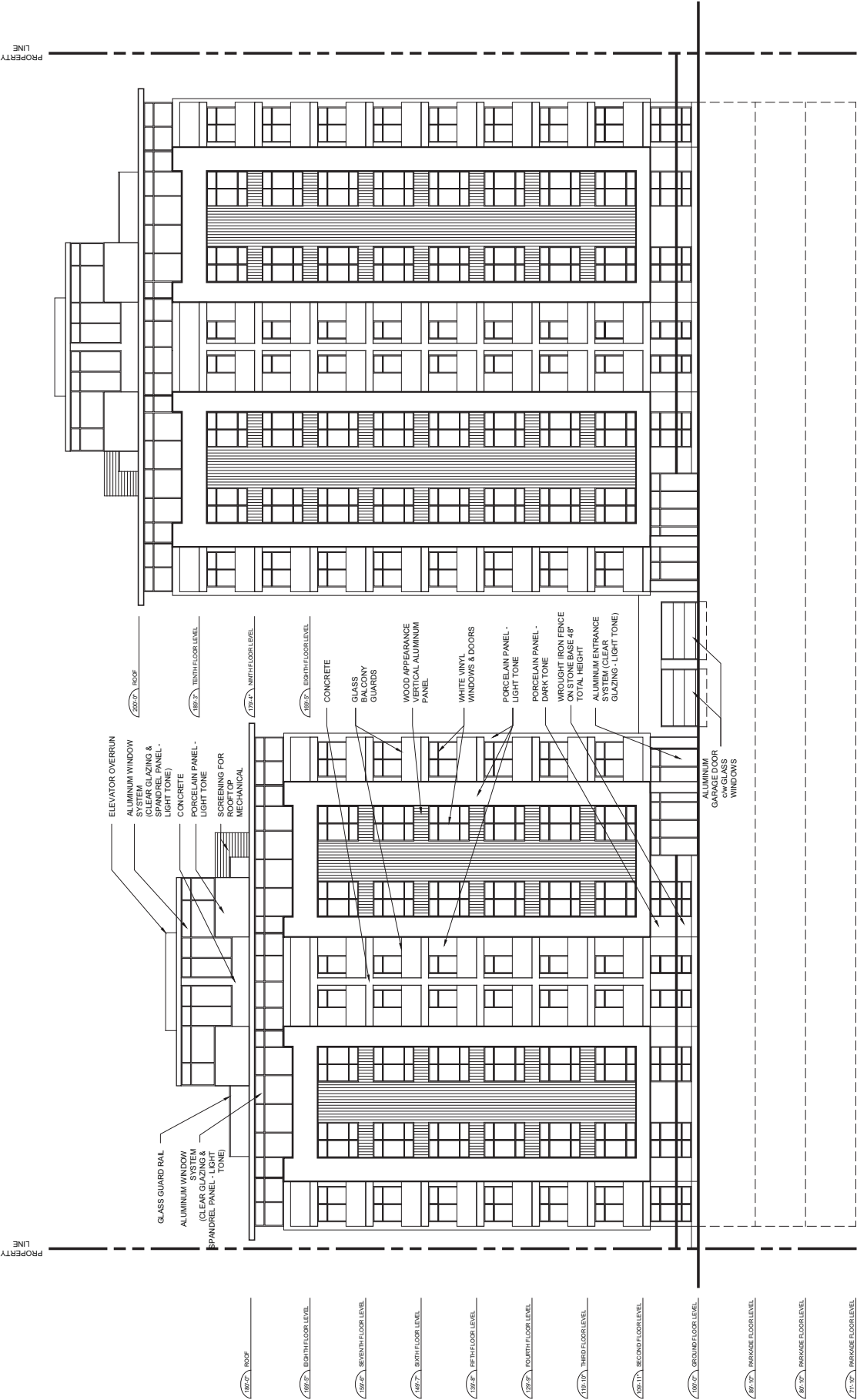
MAY 30, 2014

SCALE

NOT TO SCALE

DRAWING NO.

A-108



WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION

1. REVISED FOR DA

DATE

11/06/14

MICHAEL
APIER
ARCHITECTURE INC.

DRAWING
EAST ELEVATION

DATE

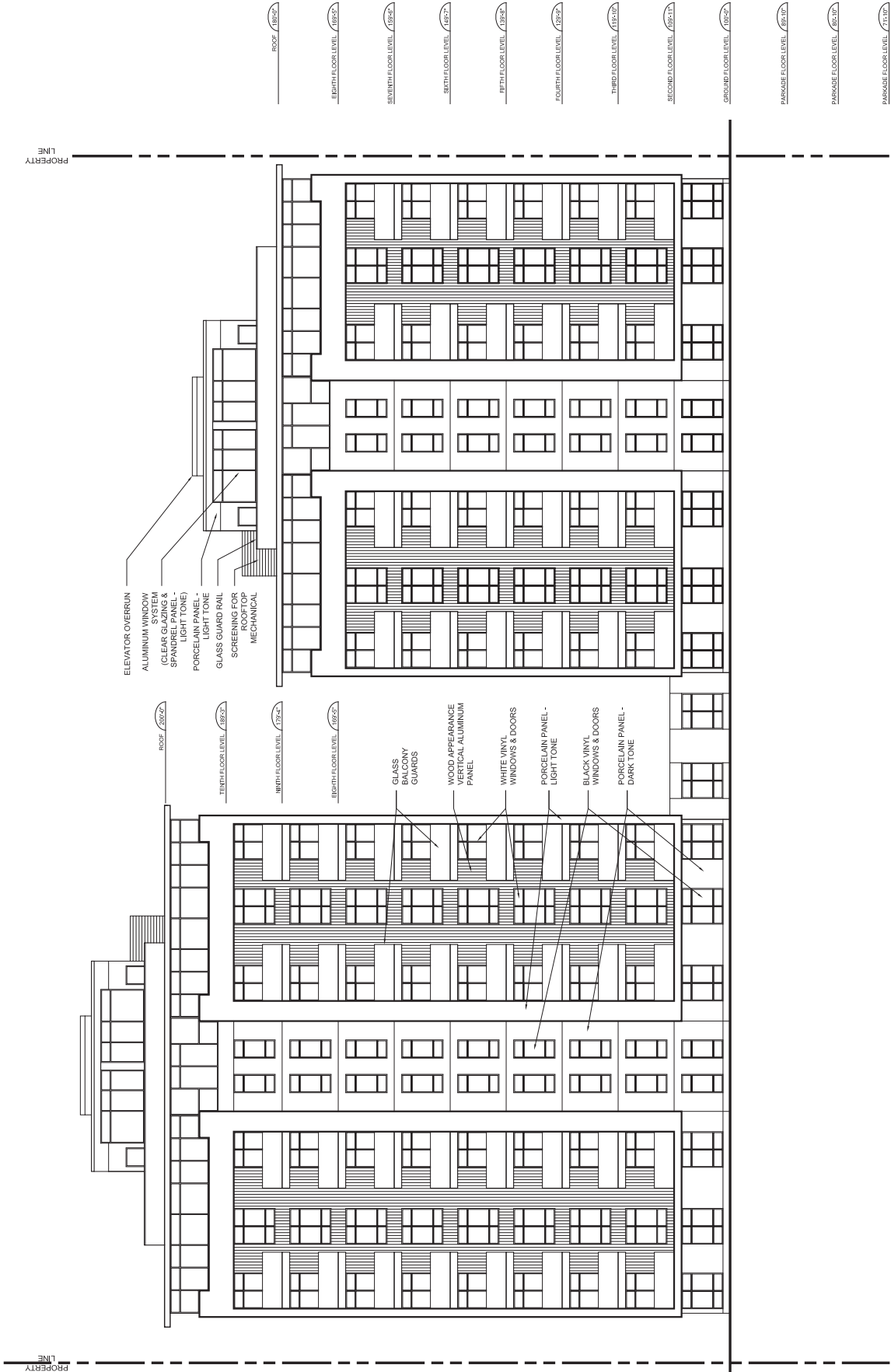
MAY 30, 2014

SCALE

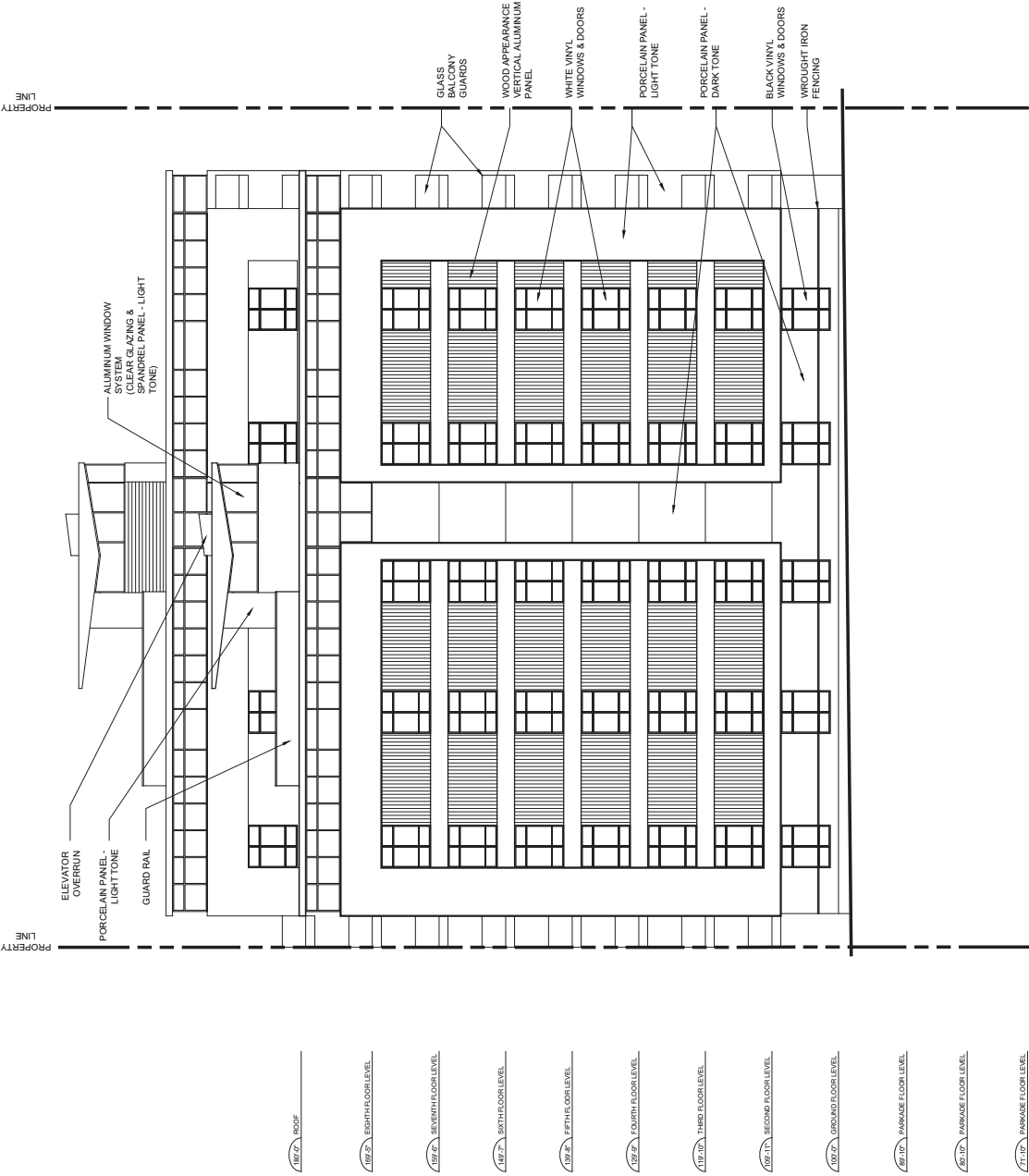
NOT TO SCALE

DRAWING NO.

A-201



WELLINGTON STREET PROJECT WELLINGTON STREET HALIFAX, NOVA SCOTIA	REVISION	DATE	MICHAEL APIER ARCHITECTURE INC	DRAWING WEST ELEVATION SCALE NOT TO SCALE	DATE MAY 30, 2014 DRAWING NO. A-202
	1. REVISED FOR DA	11/06/14			



WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION

1. REVISED FOR DA

DATE

11/06/14

DRAWING

SOUTH ELEVATION

DATE

MAY 30, 2014

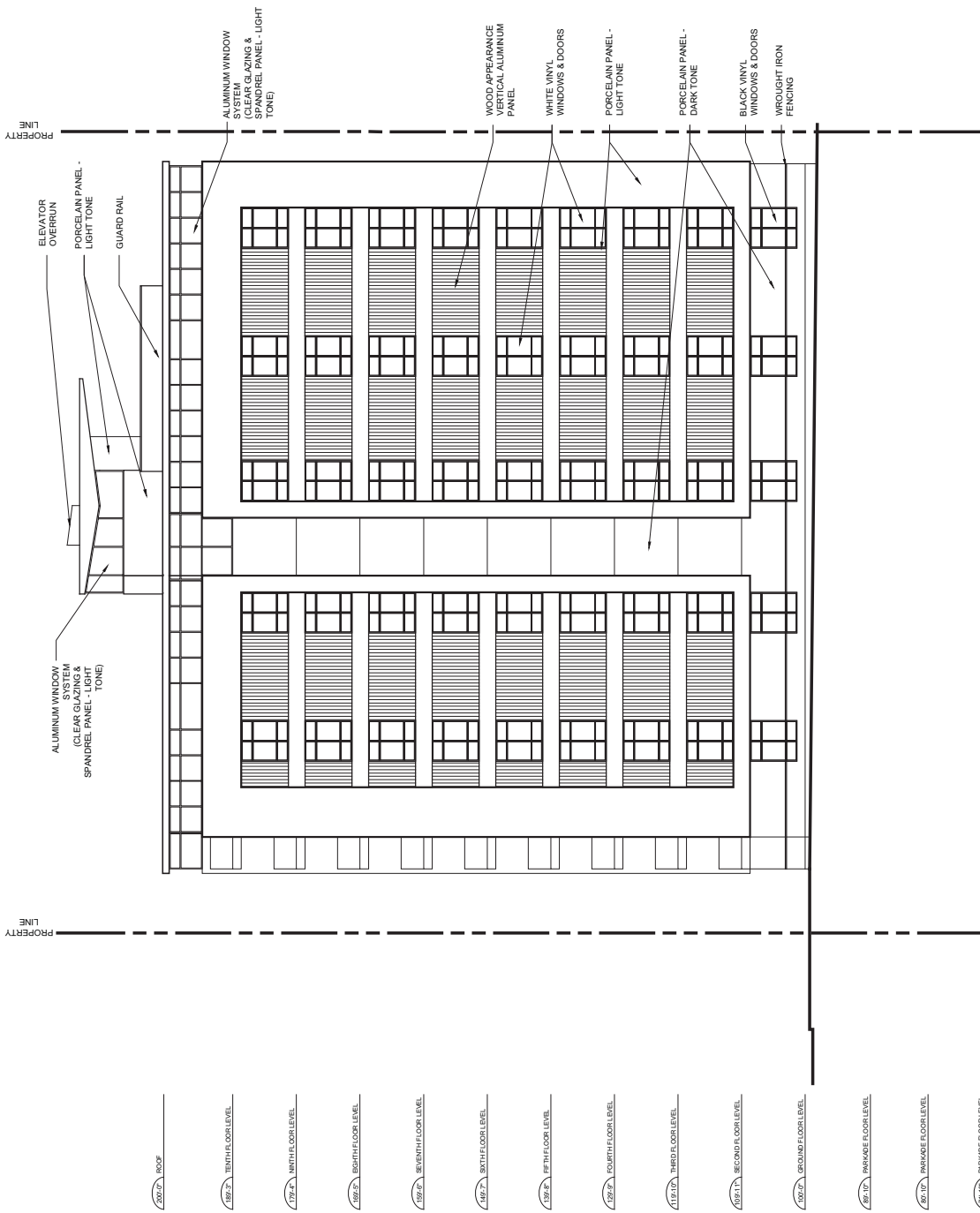
SCALE

NOT TO SCALE

DRAWING NO.

A-203





WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION
1. REVISED FOR DA

DATE
11/06/14

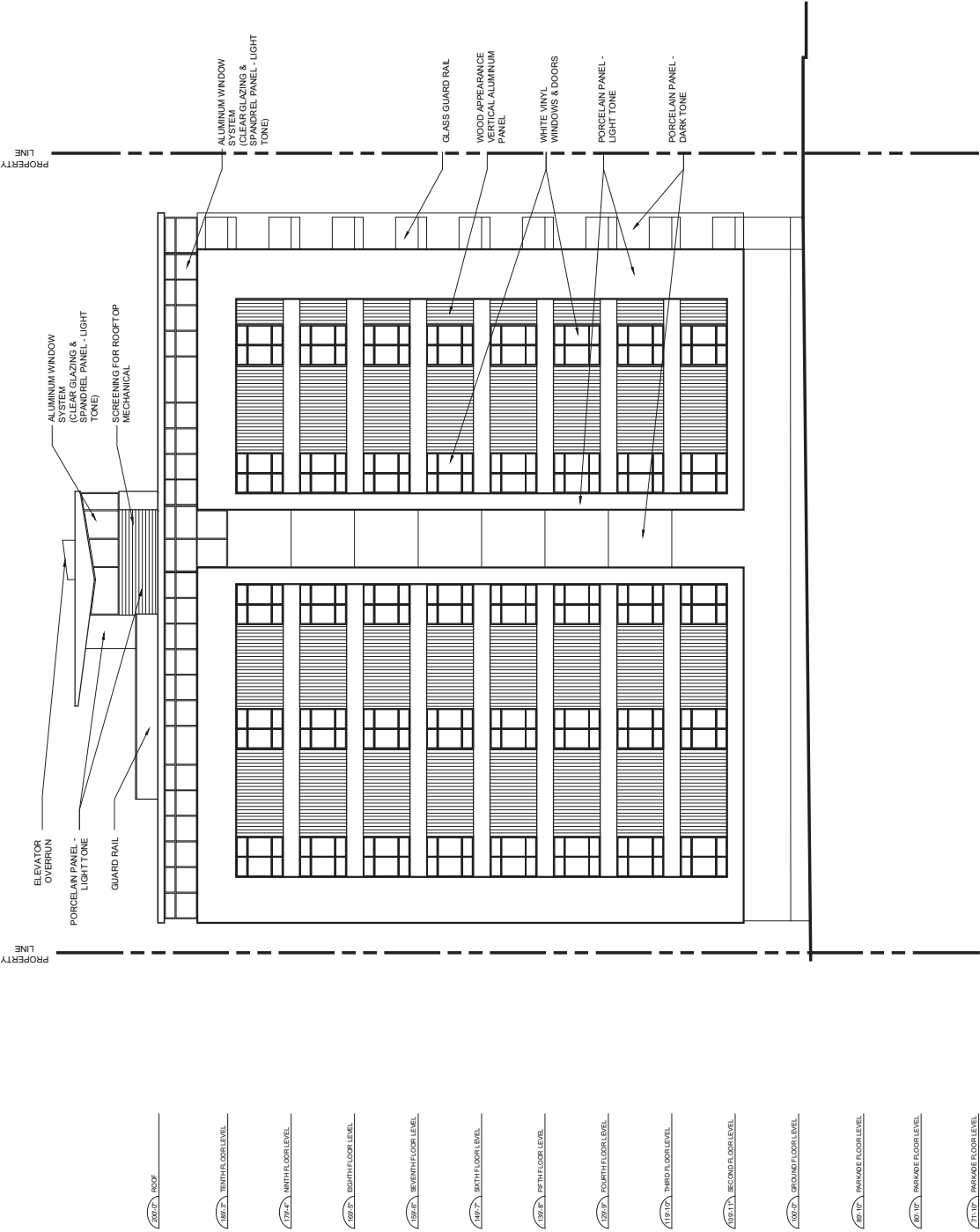
MICHAEL
APIER
ARCHITECTURE INC

DRAWING
NORTH ELEVATION

DATE
MAY 30, 2014

SCALE
NOT TO SCALE

DRAWING NO.
A-204



WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION
1. REVISED FOR DA

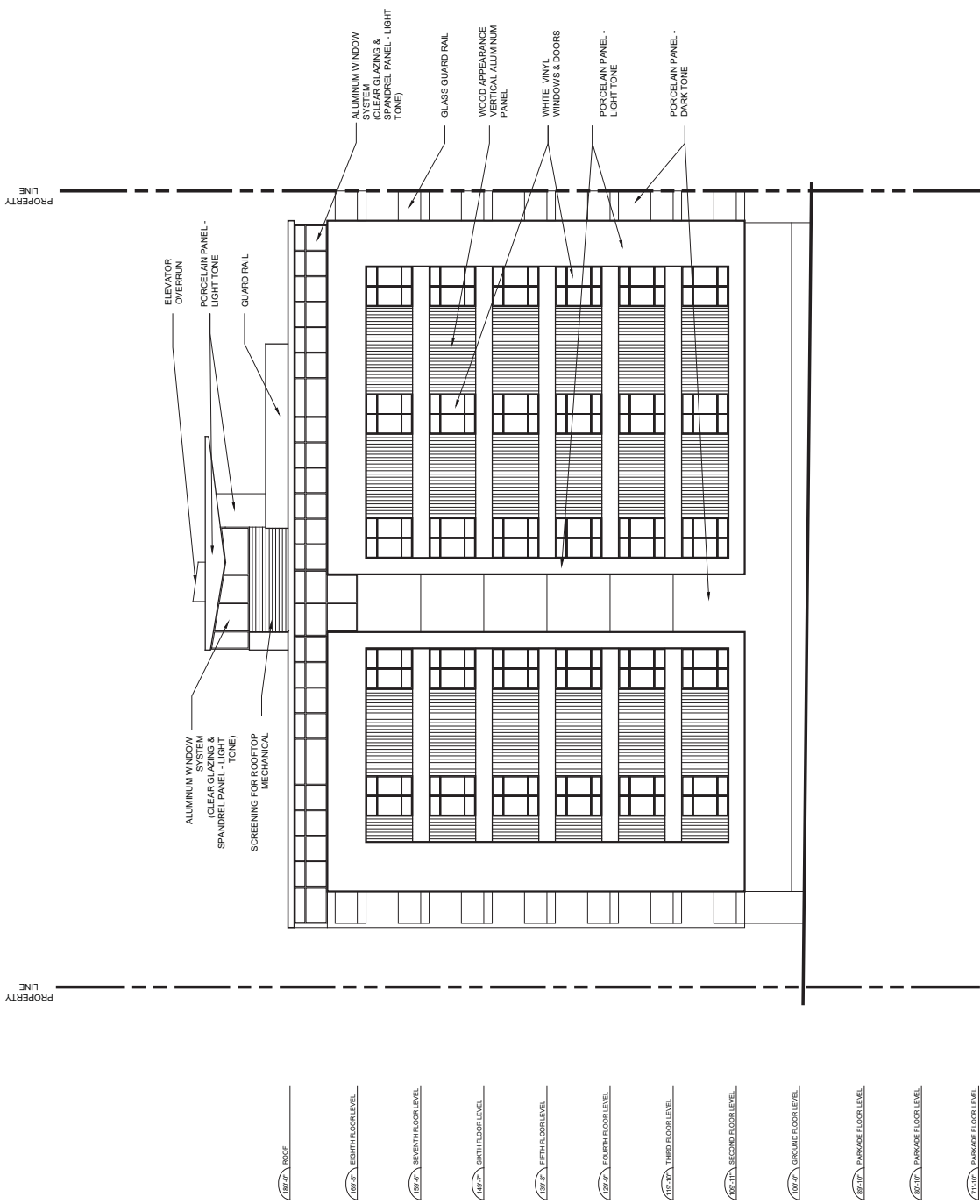
DATE
11/06/14

DATE
MAY 30, 2014

DRAWING
SOUTH ELEVATION
(NORTH TOWER)

SCALE
NOT TO SCALE

DRAWING NO.
A-205



WELLINGTON STREET PROJECT
WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION
1. REVISED FOR DA

DATE
11/06/14



DRAWING
NORTH ELEVATION
(SOUTH TOWER)
SCALE

NOT TO SCALE

DATE
MAY 30, 2014

DRAWING NO.

A-206



WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION
1. REVISED FOR DA

DATE
11/06/14

DRAWING
3D VIEW

DATE
MAY 30, 2014

SCALE
NOT TO SCALE

DRAWING NO.

A-920

MICHAEL
APIER
ARCHITECTURE INC.



WELLINGTON STREET PROJECT

WELLINGTON STREET
HALIFAX, NOVA SCOTIA

REVISION		DATE	DRAWING		DATE
1.	REVISED FOR DA	11/06/14	3D VIEW		MAY 30, 2014
			SCALE		DRAWING NO.
			NOT TO SCALE		A-924



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

MEMORANDUM

TO: Chair and Members of the Halifax and West Community Council
CC: Ms. Gail Harnish, PAC Coordinator
Mr. Carl Purvis, Major Projects Planner

FROM: Mr. Brenden Sommerhalder, Chair, Districts 7 & 8 Planning Advisory Committee

DATE: September 23, 2014

SUBJECT: Case 19326 - Application by Dino Capital Limited to amend the Halifax Municipal Planning Strategy (MPS) and to enter into a development agreement which would allow a multi-unit residential development consisting of 2 towers of eight and ten storeys respectively containing a total of 142 dwelling units and 150 parking stalls on the properties located at 1034, 1042, 1050 and 1056 Wellington Street, Halifax

The Districts 7 & 8 Planning Advisory Committee received a staff memorandum dated September 8th, 2014 and heard a Staff presentation on Case 19326 at their September 22nd, 2014 meeting. The following motion was defeated by the Districts 7 & 8 Planning Advisory Committee.

The Districts 7 & 8 Planning Advisory Committee recommends that the Halifax and West Community Council approve the application by Dino Capital Limited to amend the Halifax Municipal Planning Strategy (MPS) and to enter into a development agreement which would allow a multi-unit residential development consisting of 2 towers of eight and ten storeys respectively containing a total of 142 dwelling units and 150 parking stalls on the properties located at 1034, 1042, 1050 and 1056 Wellington Street, Halifax.

As per the defeat of this motion, the Districts 7 & 8 Planning Advisory Committee recommends that Halifax and West Community Council reject the application by Dino Capital Limited.

This recommendation has been provided to HRM planning staff for review and consideration, and will be addressed in their staff report to the Halifax and West Community Council.