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**West Community Council
January 7, 2013**

TO: Chair and Members of West Community Council

Original Signed

SUBMITTED BY: Brad Anguish, Director of Community and Recreation Services

DATE: December 19, 2012

SUBJECT: **Case 16803 – Development Agreement Signing Extension, 2569 -2581
Brunswick St., Halifax**

SUPPLEMENTARY REPORT

ORIGIN

- September 10, 2012 motion of Peninsula Community Council:

“MOVED by Councillor Sloane, seconded by Councillor Blumenthal that Peninsula Community Council approve a 120 day extension to the time frame required for the development agreement at 2569-2581 Brunswick Street, approved by Peninsula Community Council on March 5, 2012 to be signed by the property owner. MOTION PUT AND PASSED”

LEGISLATIVE AUTHORITY

- *HRM Charter*; Part VIII, Planning & Development

RECOMMENDATION

It is recommended that West Community Council:

1. Approve a further 240 day extension to the time period required for the development agreement at 2569-2581 Brunswick Street, as originally approved by Peninsula Community Council on March 5, 2012, and extended on September 10, 2012, to be signed by the property owner.

BACKGROUND / DISCUSSION

On March 5, 2012, Peninsula Community Council (PCC) approved a development agreement for 2569-2581 Brunswick Street to permit the development of a 34 unit residential building by Harbour City Homes (Case 16803). Council's motion required the development agreement to be signed within 180 days of Council's decision including any applicable appeal periods. This signing period was extended a further 120 days during PPC's September 10, 2012 meeting, requiring the development agreement to be signed by January 18, 2013.

At the date of Council's decision, a portion of the lands to be developed was owned by HRM and the developer, Harbour City Homes, was negotiating with HRM for their purchase (see Attachment A). It was anticipated that the sale of the subject properties would be finalized soon after Council's decision on the proposed development agreement. To date, the property transaction has not been finalized.

The proposed development agreement cannot be signed by Harbour City Homes until it takes ownership of the subject lands. West Community Council is scheduled to meet only once before the January 18, 2012 deadline. Therefore, staff recommend that Community Council pass a motion to extend the signing period of the development agreement by an additional 240 days. It is hoped that this will provide ample time for the sale of the property to be completed. The deadline for signing the development agreement by Harbour City Homes would then be extended to September 15, 2013.

FINANCIAL IMPLICATIONS

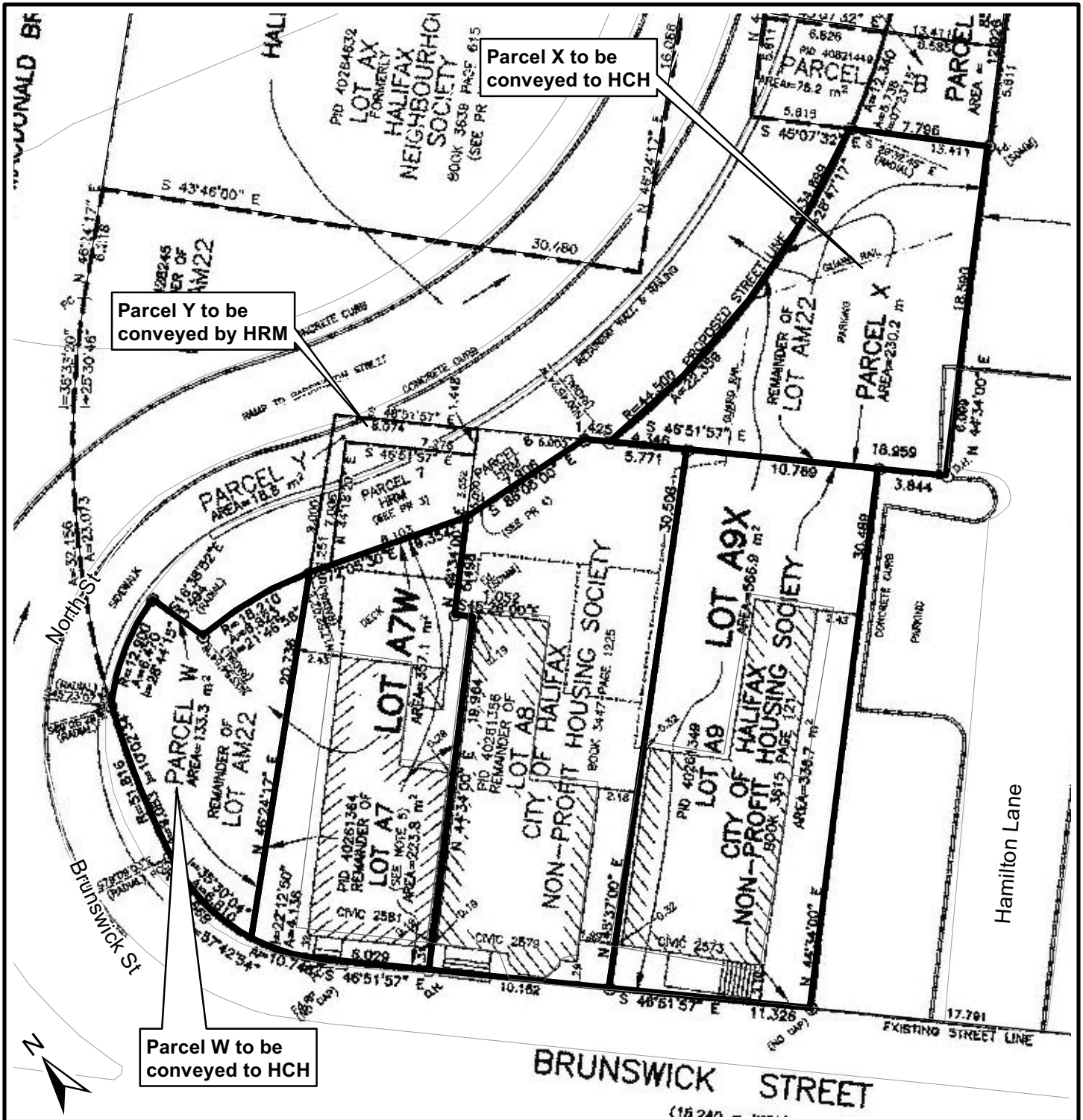
There are no financial implications. The developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of the development agreement. The administration of the agreement can be carried out within the approved budget with existing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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. As the matter under discussion is regarding the time required to sign the development agreement, community engagement was not required.

ENVIRONMENTAL IMPLICATIONS

No implications have been identified.



Attachment A - Properties to be Purchased/Sold

2571-2581 Brunswick Street
Halifax



Survey information extracted from preliminary survey plan, 22 November 2004

Halifax Peninsula
Land Use By-Law Area

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