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Item No. 10.1.4
Halifax and West Community Council
August 6, 2014

TO: Chair and Members of Halifax and West Community Council

Original Signed

SUBMITTED BY:

Brad Anguish, Director of Community and Recreation Services

DATE:

July 28, 2014

SUBJECT:

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

SUPPLEMENTARY REPORT

ORIGIN

On August 7, 2013 Halifax and West Community Council passed a motion::

“MOVED by Councillor Watts, seconded by Councillor Mason that Halifax & West Community Council approve a further extension of one year 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 and January 7, 2013, to be signed by the property owner.”

LEGISLATIVE AUTHORITY

HRM Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Halifax and West Community Council approve a further extension of one year to the time period required for the development agreement at 2569-2581 Brunswick Street 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, Halifax, to permit the development of a 34 unit residential building by Harbour City Homes (Case 16803). Community 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 for the development agreement has been extended three times, most recently until September 15, 2014.

At the date of Community 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. 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; however, staff are in the process of completing the required steps to allow the conveyance of the properties.

The proposed development agreement cannot be signed by Harbour City Homes until it takes ownership of the subject lands. Therefore, staff recommends that Community Council pass a motion to extend the signing period of the development agreement by an additional one year as it should provide enough 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, 2015.

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 this 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

ALTERNATIVES

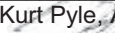
1. Community Council may choose to approve an alternative time period required for the development agreement at 2569-2581 Brunswick Street, Halifax, to be signed by the property owner.
2. Community Council may choose to refuse an extension to the time required for the development agreement at 2569-2581 Brunswick Street, Halifax, to be signed by the property owner. This alternative is not recommended and may result in the approved development agreement becoming null and void.

ATTACHMENTS

None

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

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Original Signed

Report Approved by:  Kurt Pyle, Acting Manager Development Approvals, 490-6011
