



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

Item No.8.1.1
Halifax and West Community Council
June 26, 2014
August 6, 2014

TO: Chair and Members of Halifax and West Community Council
Original Signed

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

DATE: May 29, 2014

SUBJECT: **Case 18771: Substantive Amendments to Development Agreement,
Gladstone and Almon Streets, Halifax**

ORIGIN

Application by Westwood Developments Limited

LEGISLATIVE AUTHORITY

HRM Charter; Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Halifax and West Community Council:

1. Give Notice of Motion to consider an application by Westwood Developments Limited to amend the development agreement for 2723 - 2761 Gladstone Street and 6136-6150 Almon Street, Halifax, to allow for the replacement of two semi-detached dwellings with a surface parking lot and landscaped open space, as provided in Attachment A of this report, and schedule a public hearing;
2. Approve the proposed Amending Agreement, included as Attachment A of this report; and
3. Require the Amending Agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

An application has been received from Westwood Developments Limited to amend their development agreement for 2723 - 2761 Gladstone Street and 6136-6150 Almon Street, Halifax (“Gladstone North”), to allow for the replacement of two semi-detached dwellings (total of 4 units) with a surface parking lot and landscaped open space. To enable this proposal, the applicant has requested a substantive amendment to the development agreement.

This planning application resulted from a land use compliance case, as a parking lot was developed and used on the site in 2012 without the required approvals. The applicant received a Notice to Comply on October 3, 2012 with a deadline of October 15, 2012 to remedy the situation and bring the site into compliance with the land use regulations. This did not occur and the matter was the subject of a prosecution. On November 21, 2013, the applicant plead guilty to breaching the terms of the development agreement and was fined \$2,000. In June 2013, to resolve the land use compliance case, the applicant submitted this application for a substantive amendment to the development agreement.

Location and Surrounding Uses

The subject site:

- is located at the corner of Gladstone and Almon Streets, Halifax (Maps 1 and 2);
- includes five existing properties, one of which contains the mixed-use “Gladstone North” building which fronts on both Gladstone and Almon Streets and the other four properties which were approved for semi-detached dwellings at the southern end of the site on Gladstone Street and which are currently paved and partially barricaded.

The surrounding area is comprised of a mix of commercial and residential uses. Surrounding land uses include:

- a 5-storey apartment building on the abutting property to the rear (Civic 6116 Almon Street);
- the “Gladstone Ridge” development which includes two 12-storey residential towers, a 6-storey residential building (the “Berkeley”), 13 dwellings, surface and internal parking and public parkland;
- low and medium density residential uses to the west;
- commercial uses to the northwest (taxi company, retail and legion) and southwest (grocery store, professional centre); and
- the Canada post facility on the north side of Almon Street.

Designation and Zoning

The subject site:

- is designated Major Commercial in the Halifax Municipal Planning Strategy (Peninsula North Secondary Planning Strategy)(Map 1); and
- is zoned C-2 (General Business) under the Halifax Peninsula Land Use By-law (LUB)(Map 2).

Enabling Policy and Zoning Context

The subject application is made pursuant to Policy 2.3 of Section XI of the MPS which allows Council to identify areas designated Major Commercial for comprehensive site planning through the development agreement process. This process is achieved through the application of Schedule “Q” of the Halifax Peninsula Land Use By-law, which was originally carried out in June of 1993 and amended for the southern portion of the site in October of 2009. Schedule “Q” was established to address the challenge of introducing new residential uses into existing commercial and industrial areas by negotiating, on a site by site basis, the conditions of a development agreement including:

- the creation of an environment for residential living on sites which may be surrounded by commercial and industrial uses; and
- providing for the continued operation of adjacent commercial and industrial uses without being encumbered by new residential uses.

In this case, Schedule "Q" is currently applied to the “Gladstone Ridge” and “Gladstone North” lands, with the exception of some of the houses on the east side of Gladstone Street, which are zoned R-2 (General Residential)(Map 2).

Development Agreement History

The development agreement for “Gladstone North” allows for the existing mixed residential and commercial development and two semi-detached dwellings (4 units total). The Agreement was approved separately from the original “Gladstone Ridge” development agreement in February of 2010, at which time the southern portion of the site was discharged from the original agreement. The following provides a brief background on the approved agreements:

- In July 2004, Peninsula Community Council approved a development agreement with Westwood Developments Ltd. to allow for a mixed-residential development, known as Gladstone Ridge, on 6.7 acres of land fronting on Gladstone and Clifton Streets in Halifax (Case #00620). That agreement provided for two 12-storey residential towers, a 6-storey residential building (the “Berkeley”), 17 single family dwelling lots, surface parking, parking within the residential buildings and public parkland between Gladstone and Clifton Streets;
- In August of 2006, Peninsula Community Council approved an amendment to the development agreement (Case #00915) to allow for minor changes to the 6-storey “Berkeley” building;
- In October of 2009, Regional Council approved amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to allow for the inclusion of the former Corkum Construction properties at 2751-2761 Gladstone Street and changes to four single family lots in order to permit a 5-storey mixed use building and 2 semi-detached dwellings (Case #01240). Subsequently, in February of 2010, the southern portion of the site was discharged from the original agreement and a new agreement was entered into; and
- In January of 2011, Peninsula Community Council approved amendments to the February 2010 agreement to include land located at 2761 Gladstone Street and 6136-6150 Almon Street (the former CNIB property) to allow for a larger 8-storey mixed residential and commercial building on the site.

Proposal

The applicant is requesting an amending development agreement to allow for the replacement of two semi-detached dwellings (total of 4 units) with a surface parking lot and landscaped open space (Attachment A and Schedule B-2). The parking is being proposed by the developer in order to meet the parking needs of tenants and customers of the development. The proposal includes:

- the expansion of the asphalt parking area and new painted parking spaces, resulting in 24 additional parking spaces;
- an additional (5 ft. x 100 ft.) landscaped parcel to be added to the existing landscaped area along the eastern sidewalk on Gladstone Street; and
- additional plantings and shrubs, a seating area with a minimum of three benches and supplemental plantings in an existing traffic island within the parking area.

While some of the work on the parking area was undertaken without authorization, the proposal includes minor changes to its existing configuration. The applicant also wishes to retain the option of developing this portion of the site with two semi-detached dwellings (4 units) at some point in the future.

DISCUSSION

Staff has reviewed the proposal relative to all relevant policies and has determined that the proposed amending development agreement is consistent with the applicable policies of the MPS. Attachment B provides an evaluation of the proposed amending development agreement against the applicable MPS policies.

Development Agreement

Attachment A contains the proposed amending development agreement for the subject property and the conditions under which the development may occur. The proposed amending development agreement addresses the following matters:

- provides the developer with the option to replace the two semi-detached dwellings (4 units) with a surface parking lot and landscaped open space via an alternate site plan (Schedule B-2 of Attachment A);
- requires that supplemental plantings, landscaped open space and a minimum of three benches are provided within the landscaped portions of the subject site;
- requires that the landscaped open space and seating area is visible from the sidewalk on Gladstone Street;
- requires the submission of a detailed landscape plan by a landscape architect prior to the issuance of municipal permits and that the site work on the parking and landscaped areas be completed within 18 months, or that a security deposit is provided for its completion; and
- retains the option of developing the site with the semi-detached dwellings in the future.

The attached amending development agreement will permit an alternative site development that is compatible and appropriate with the neighbourhood. Of the matters addressed by the proposed

amending agreement, the following items have been identified for more detailed discussion in relation to the applicable MPS policies (Attachment B).

Neighbourhood Compatibility

The site is designated and zoned for major and minor commercial land uses as well as residential uses. The parking area will be capable of being utilized by residential and commercial tenants and the general public. The proposed surface parking area is relatively small. Overall, the majority of parking spaces in the Gladstone North and Ridge developments will continue to be located underground. The driveway entrances along Gladstone Street are not proposed to change.

The neighbourhood impact will be minimized by additional landscaped open space, supplemental plantings and a minimum of three benches. The existing agreement requires adherence to detailed landscaping requirements, the submission of a detailed landscape plan prepared by a landscape architect and ensures the use of high quality materials and landscape design. While the semi-detached dwellings, pursuant to the existing agreement, would provide for an acceptable addition to the current streetscape, the proposed parking and landscaped area provides a reasonable alternative.

Districts 7 & 8 Planning Advisory Committee

The proposal was reviewed by the District 7 & 8 Planning Advisory Committee (PAC) on November 25, 2013. The recommendations of the PAC regarding the proposal are sent to Community Council via a separate report.

The PAC recommended in favour of the proposal with the following specific recommendations:

- That the proposed green space along Gladstone Street is accessible and visible; and
- That staff find a mechanism by which Community Council can revisit this issue within a certain timeframe to allow for residential development on this site in the future.

Following both the Public Information Meeting (Attachment C) and PAC meeting, the proposal was revised to reflect comments from the public, PAC and staff as follows:

- The parking configuration was altered to replace parallel parking with angled parking spaces and the number of parking spaces was increased by two;
- The width of the proposed landscaped area along the eastern sidewalk on Gladstone Street was reduced, additional plantings and shrubs were included, the number of benches was increased from one to three and the amending development agreement requires that the landscaped open space and seating area be visible from the sidewalk on Gladstone Street; and
- The amending agreement allows the developer the choice of either the parking use or the semi-detached dwellings. There is no ability to require that the dwellings eventually be built at some point in the future, as was requested by the PAC.

Conclusion

The proposed amending development agreement is in keeping with the objectives and policies of the Halifax MPS to develop the lands in a comprehensive manner and to address potential compatibility issues with the surrounding uses. Therefore, staff recommends approval of the proposed amending agreement (Attachment A).

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 2014/15 budget with existing resources.

COMMUNITY ENGAGEMENT

The community engagement process 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 November 21, 2013. Attachment C contains a copy of the minutes from the meeting. Notices of the Public Information Meeting were posted on the HRM website, in the newspaper and mailed to property owners within the notification area shown on Map 2. Written submissions are included as Attachment D.

A public hearing must be held by Community Council before consideration can be given to any substantive amendments to the development agreement. Should Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 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 development agreement will potentially impact the following stakeholders: local residents and property owners, community or neighbourhood organizations, and business and professional associations.

ENVIRONMENTAL IMPLICATIONS

No implications have been identified.

ALTERNATIVES

1. Community Council may choose to approve the proposed amending agreement subject to modifications. This may necessitate further negotiation with the applicant and a supplementary report from staff.
2. Community Council may choose to refuse the proposed amending agreement, and in doing so, must provide reasons based on a conflict with MPS policies. A decision of Council to reject this amending agreement, with or without a public hearing, is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Zoning and Notification
Attachment A	Proposed Amending Development Agreement
Attachment B	Review of Relevant Sections of the Halifax MPS
Attachment C	Minutes of Public Information Meeting
Attachment D	Written Submissions

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> 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.

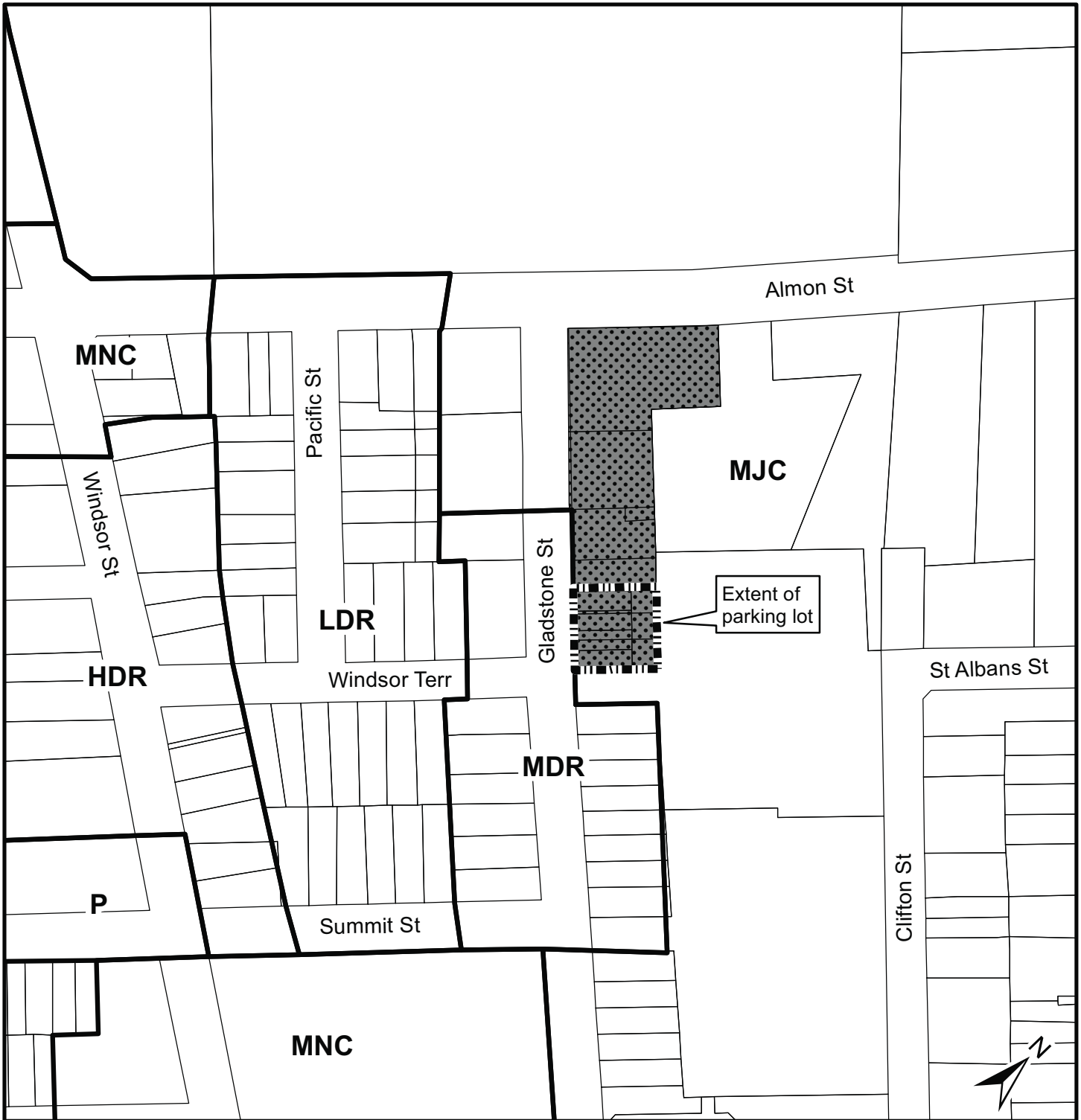
Report Prepared by: Paul Sampson, LPP, Planner, Development Approvals, 490-6259

Original Signed

Report Approved by:




Kelly Denty, Manager, Development Approvals, 490-4800



Map 1 - Generalized Future Land Use

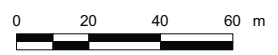
2723 - 2753 Gladstone Street
Halifax



 Area of existing development agreement

Designation

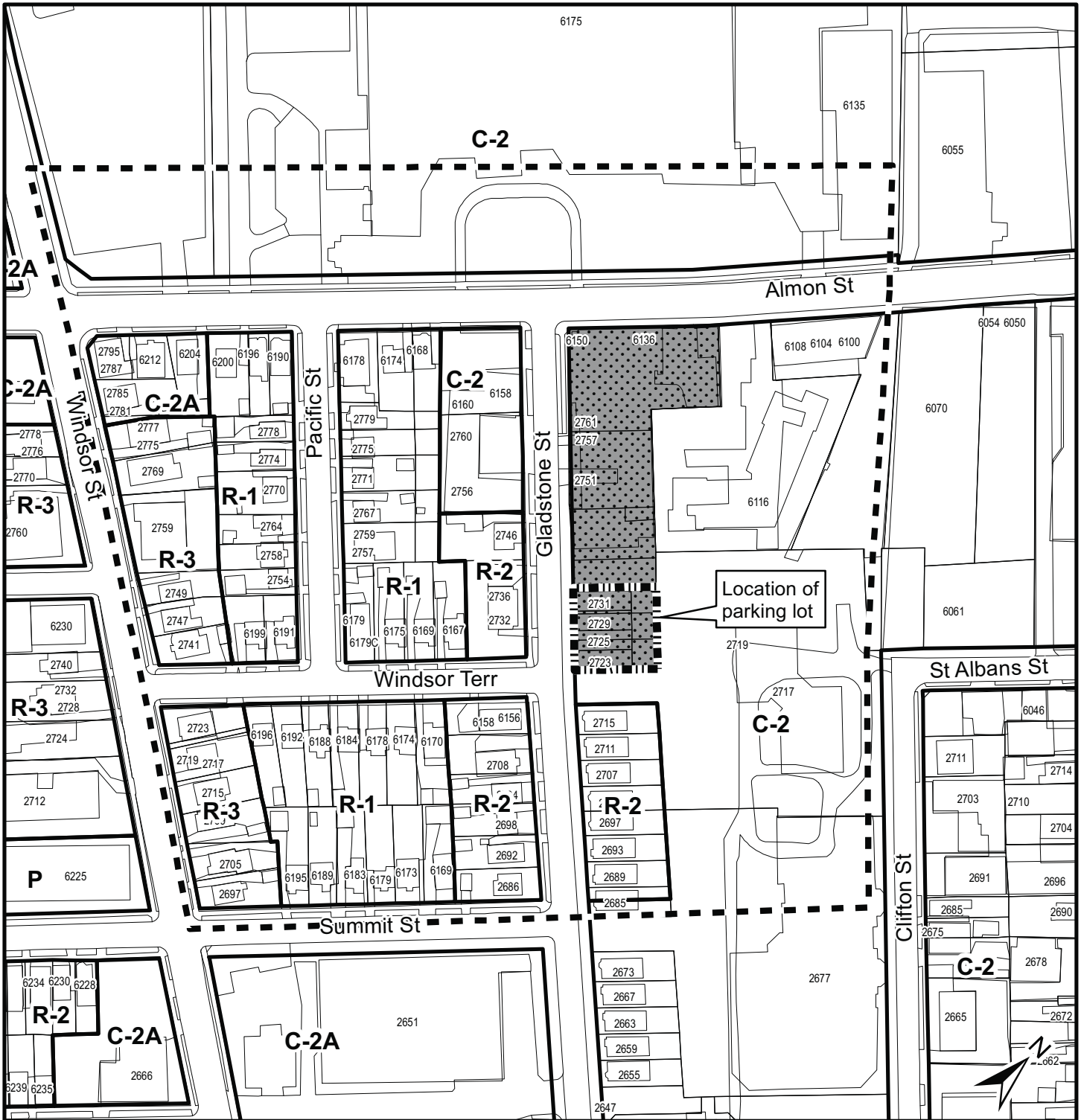
- MDR Medium Density Residential
- HDR High Density Residential
- MJC Major Commercial
- MNC Minor Commercial
- P Park and Institutional



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
Peninsula North Secondary Plan Area



Map 2 - Zoning and Notification

2723 - 2753 Gladstone Street
Halifax

 Area of existing development agreement

 Area of notification

Halifax Plan Area
Peninsula North Secondary Plan Area

Zone

- R-1 Single Family Dwelling
- R-2 General Residential
- R-3 Multiple Dwelling
- C-2 General Business
- C-2A Minor Commercial
- P Park and Institutional

0 20 40 60 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.

ATTACHMENT A:

Proposed Amending Development Agreement

THIS AMENDING AGREEMENT made this day of , 2014,

BETWEEN:

[Insert Name of Corporation/Business 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 2723-2761 Gladstone Street and 6136-6150 Almon Street, Halifax, and which said lands are more particularly described in Schedule A-1 hereto (hereinafter called the "Lands");

AND WHEREAS the Peninsula Community Council of the Municipality, at a meeting held on February 8, 2010, approved an application by the Developer to enter into a development agreement to allow for a mixed commercial-residential development on the lands (referenced as Municipal Case Number 01240), the said agreement being recorded at the Land Registry Office in Halifax on September 17, 2010 as Document # 96800694 (hereinafter called the "Existing Agreement");

AND WHEREAS the Peninsula Community Council of the Municipality, at a meeting held on January 10, 2011, approved an application by the Developer for amendments to the development agreement for a mixed commercial-residential development on the lands (referenced as Municipal Case Number 16248), the said amending agreement being recorded at the Land Registry Office in Halifax on September 14, 2011 as Document # 99110406 (hereinafter called the "First Amending Agreement");

AND WHEREAS the Developer has requested further amendments to the provisions of the Existing Agreement, as amended;

AND WHEREAS the Halifax and West Community Council for the Municipality approved these requests at a meeting held on [INSERT DATE] , referenced as Municipal Case Number **18771**;

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

The Existing Agreement, as amended, is hereby further amended as follows:

1. Section 2.1 (“Schedules”) shall be amended by adding “Schedule B-2 Alternate Site Plan – Parking Area (Case #18771)” to the list of Schedules;
2. Schedule B-2, attached hereto, shall be included as an additional Schedule;
3. The following section shall be added in numerical sequence:

“2.14 Alternate Site Plan – Parking and Landscaped Area

Notwithstanding Section 2.8 and Schedules B-1, M-1 and N-1, the Developer may, as an alternative to developing the southern portion of the Lands with 4 semi-detached dwelling units, develop and use this portion of the Lands for surface parking and landscaped open space uses, as shown on Schedule B-2, provided that:

- a) supplemental plantings, landscaped open space and a minimum of three benches are provided, as shown on Schedule B-2;
- b) the landscaped open space and seating area is visible from the sidewalk on Gladstone Street; and
- c) the parking and landscaped areas comply with Sections 2.9, 2.10 and 2.12 and are completed within 18 months of the date of registration of the Amending Agreement for Case #18771.”

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: _____

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

HALIFAX REGIONAL MUNICIPALITY

Witness

Per: _____

MAYOR

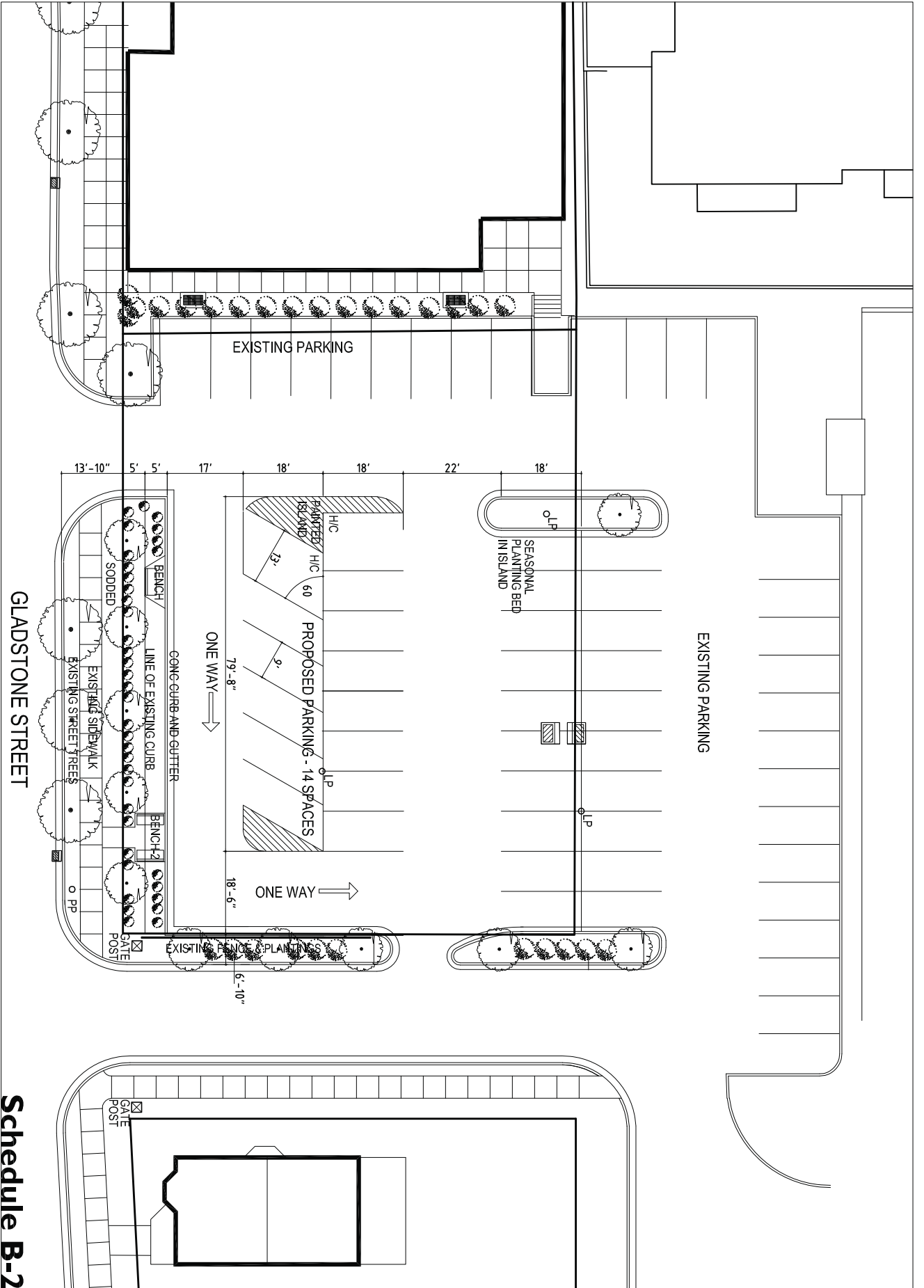
Witness

Per: _____

MUNICIPAL CLERK



Kassner Goodspeed Architects Ltd.
 5663 Cornwallis Street, Suite 200 Halifax, NS B3K 1B6
 tel 902 422 1557 | fax 902 422 8695 | www.kgarch.ns.ca



GLADSTONE NORTH

Gladstone Street, Halifax, NS

Alternate Site Plan

Parking Area Case 18771

Schedule B-2

Case 18771 Attachment B
Review of Relevant Sections of the Halifax Municipal Planning Strategy

Halifax MPS – Section XI (Peninsula North Secondary Planning Strategy) <u>Commercial Facilities – Policies 2.3.1, 2.3.2 & 2.3.3</u>	
<i>Objective: A variety of appropriately located commercial facilities to serve the needs of both the resident and working populations of Peninsula North and the City as a whole.</i>	
Policy Criteria:	Staff Comment:
<p>2.3 <i>In areas designated major commercial, uses consistent with Section II, Policy 3.1.3 shall be permitted.</i> <i>[Section II, 3.1.3: Major commercial centres should service a market area comprising most or all of the City. These centres may include major offices and hotels, in addition to uses suggested for minor commercial centres. The City should encourage parking facilities in these centres to serve several businesses in order to limit nuisance impact. The City's policy for major commercial centres in all other respects should be identical to Policy 3.1.2.]</i></p>	<p>In the Peninsula North Secondary Planning Strategy (Section XI of the Halifax MPS), the site is designated for Major Commercial land uses. The site is zoned C-2 (General Business), which permits major and minor commercial land uses as well as residential uses. The parking area will be capable of being utilized by residential and commercial tenants and the general public. The majority of parking spaces will continue to be the underground tenant spaces.</p>
<p>2.3.1 <i>In order to promote investment in commercial and residential redevelopment and to prevent conflict between new and existing uses the city may, through the land use by-law, identify areas that provide an opportunity for and will benefit from comprehensive site planning.;</i></p>	<p>The subject properties are identified in the LUB as being within Schedule “Q” (LUB Section 92 and Map ZM-2).</p>
<p>2.3.2 <i>In those areas identified in the land use by-law pursuant to Policy 2.3.1 all residential and mixed residential-commercial development over four units shall be by agreement.</i></p>	<p>The draft amending agreement is included in the report as Attachment A.</p>
<p>2.3.3 <i>In considering agreements pursuant to Policy 2.3.2, Council shall consider the following:</i></p>	<p>The subject site is designated and zoned for major commercial uses. The proposed surface parking area is relatively small and the supplemental landscaping</p>

<p><i>(i) the relationship of new development to adjacent properties and uses; and, the mitigation of impacts on the amenity, convenience and development potential of adjacent properties through effective urban design and landscape treatment;</i></p>	<p>(including plantings and benches) provides an acceptable interface with the abutting street and sidewalk. Although the semi-detached dwellings, pursuant to the existing agreement, would provide for an acceptable addition to the current streetscape, the proposed parking and landscaped area provides a reasonable alternative.</p>
<p><i>(ii) the appropriate integration of the development into the traditional grid street system of the Peninsula;</i></p>	<p>The driveway entrances along Gladstone Street were approved as part of the original development agreement and are not proposed to change. The proposed development integrates with the existing street grid.</p>
<p><i>(iii) the design and layout of the development should encourage vehicular traffic to use Principal Streets and discourage traffic from infiltrating through existing neighbourhoods;</i></p>	<p>As stated above, the original driveway entrances along Gladstone Street were approved and are not proposed to change. Robie and North Streets are identified in the MPS as principal streets. Vehicles will utilize these streets, which minimizes infiltration through neighbourhoods. The original traffic impact study, prepared by the developer's consultant, was reviewed by HRM and deemed acceptable.</p>
<p><i>(iv) the creation of high quality design detail at street level through attention to such matters as landscaping, signs, building entrances, and vehicle layby areas;</i></p>	<p>The proposal will result in additional landscaped open space, plantings and a minimum of three benches. The existing development agreement requires adherence to detailed landscaping requirements and the submission of a detailed landscape plan prepared by a landscape architect. No other aspects of the development agreement are being changed.</p>
<p><i>(v) the provision of high quality open space and leisure areas of a size and type adequate for the resident population;</i></p>	<p>The additional landscaped area will supplement the existing open space and leisure areas of the development, which consist primarily of private rooftop landscaped areas, indoor amenity space for building tenants, individual private balconies and possible opportunity for ground level patio areas in front of some retail storefronts. These spaces are adequate for the resident population. The specifications in the existing development agreement ensure the use of high quality materials and landscape design.</p>
<p><i>(vi) residential and commercial densities consistent with municipal services;</i></p>	<p>Not applicable.</p>
<p><i>(vii) encouraging high quality exterior construction materials such as masonry; and</i></p>	<p>Not applicable.</p>
<p><i>(viii) other relevant land use considerations which are based on the policy guidance of this Section.</i></p>	<p>None identified.</p>

Attachment C - Minutes of Public Information Meeting

**HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE NO. 18771 – DEVELOPMENT AGREEMENT AMENDMENT TO
“GLADSTONE NORTH”**

**7:00 p.m.
Thursday, November 21, 2013
Bloomfield Centre
2786 Agricola Street, Halifax**

STAFF IN

ATTENDANCE: Paul Sampson, Planner
Hillary Campbell, Planning Technician
Rowena Dill, Development Controller

ALSO IN

ATTENDANCE: Councillor Jennifer Watts
Danny Chedrawe - Westwood Developments, Applicant

PUBLIC IN

ATTENDANCE: 17

The meeting commenced at approximately 7:05 p.m.

1. Opening remarks/Introduction – Paul Sampson

Mr. Sampson opened the meeting by thanking everyone for coming. He introduced himself and explained the reason for the meeting was to discuss an application to amend a Development Agreement at Gladstone Ridge, Case #18771.

Mr. Sampson introduced Councillor Watts.

Councillor Watts thanked everyone for coming and stated she looked forward the feedback. Councillor Watts spoke about a letter that was sent to some of the neighbors in the area and was signed by a concerned citizen. Councillor Watts stated she wanted to clarify that it was not a letter that came from her and that she remains impartial during this process. Councillor Watts suggested in the future, if letters like this go out to please make it absolutely clear as possible that it does not look like the letter is coming from her.

Mr. Sampson advised the website contains information regarding this case along with his contact information. He advised there will be a question and comments session after the presentation.

2. Purpose of meeting – Paul Sampson

Mr. Sampson stated the purpose of the meeting was to provide information and to hear how you feel about the proposal. He stated the proposal is a development agreement amendment and gave a brief explanation of a Development Agreement. He noted there is no decision made at the meeting and that decisions on this proposal would be before Halifax and West Community Council.

3. Presentation of Proposal – Paul Sampson

Mr. Sampson explained that the site of the proposal is the corner of Almon Street and Gladstone Street. In particular the site is closest to the intersection at Windsor Terrace. Mr. Sampson displayed a slide of the proposed site. The agreement applies to five parcels of land in total.

Mr. Sampson gave some history on the original development agreement. The agreement for Gladstone Ridge, contained the Berkley, two residential towers, and houses along Gladstone and was approved in '04. The case was appealed and then went to the Utility and Review Board and with the decision of council to approve was upheld. There were some minor amendments to the exterior design of the Berkley and that happened in 2006. There was a process in 2009 and 2010, which saw changes to the planning strategy as well as a development agreement. What happened in that case was a portion of the land was removed from the development agreement for the larger parcel and attached to a separate parcel and was done under its own agreement. That was for a five story building and two semidetached units. In that case it involved a re-designation of a portion of the site and a rezoning from residential to commercial. That is where the parking lot is now. In 2010/2011 there were some amendments to that agreement to allow inclusion to the CNIB lands.

Mr. Sampson stated this application came forward as a result of a land use compliance case with regards to the parking area. The developer has recognized that and came forward with this application with the hope that council will approve some amendments to the agreement.

Mr. Sampson displayed a slide showing what is currently in the development agreement. He stated that permits were received for the Gladstone North building, and so that has been dealt with under the existing agreement. The proposal here is to retain some parking and also to have some additional landscaped area. It is a slightly different parking layout then what is in place now.

Mr. Sampson explained the job of HRM Planning staff is to make a recommendation to council and the decision is solely the decision of council. He explained his role is to draft some amendments to the agreement and as part of that they would put a plan in the agreement to say that this is how this area of land will be developed. He explained what he would like to hear at this meeting is if they are in favor of this proposal or not and do they feel there is some way that this proposal could be done differently or be improved upon.

Mr. Sampson showed pictures of the area and the area that is currently barricaded and mentioned that it does not include the entire parcel that is under this proposal. There is some parking in place now that is not authorized and that is the reason HRM has a compliance case open right now because some of it is being used for parking. There is some landscaping in place as part of the existing agreement and that would stay regardless of what happens with this proposal.

Mr. Sampson explained that the designation under the planning strategy is major commercial and the general business zone is a C-2 zoning. These are the types of things that council has to consider when they review any development agreement in this area. They look at the relationship of new versus existing development and the ways of mitigating any kind of conflicts that could arise between land uses. Other things that council should consider are the design of sites and buildings, landscaping, open space, traffic, sight access, parking and impact on Municipal services. Not all the things mentioned will relate to this proposal but some certainly would.

Mr. Sampson explained the process following this meeting. A detailed review will be done and it will go before the Planning Advisory Committee. The Planning Advisory Committee did receive this proposal at their last meeting and they deferred it. They will meet again on Monday night. Council gets a recommendation from staff and a recommendation from the Planning Advisory Committee. Following that, we would prepare a report with those amendments and proceed to the Community Council. There is an appeal process that is possible any time a development agreement is being amended or a new development agreement is being proposed. In this case it is an amendment.

Mr. Sampson showed a site plan of the existing versus proposed. Mr. Sampson advised that there are two companies Westwood Developments and Westwood Construction that has ownership on this site. Mr. Sampson introduced the applicants, Mr. Danny Chedrawe, Mr. Jamie and Michael Haddad. He asked if they have any comments at this point.

Mr. Sampson explained the ground rules and advised the meeting is not to discuss issues on other properties but to hear about the thoughts on this proposal. He asked that all opinions in the room be respected and to please state your name for the record. Mr. Sampson advised that if someone is not comfortable speaking at this meeting their comments can be sent to him by email or phone call.

3. Questions/Comments

Mr. Merv Norwood, Gladstone Street stated that he is confused because in the notice it states, “the applicant wishes to retain the option of developing this portion of the site with two semi-detached dwellings at some point in the future.”

Mr. Sampson explained that part of the proposal is to have that right to either keep it as parking or be able to develop the four units. That could only be an option for a limited time period. The development agreements have time frames attached to them and that is because we don’t want a developer to have an unlimited time period where they could come back ten years from now and do something. It would be something like a two or three year time period. We would have to put a time period in and that is something that we would recommend as part of the development agreement amendment.

Mr. David Driscoll, Gladstone Street stated that he realizes they are doing this because they need parking in the area but is concerned as to why are they having such a space for trees and grass because it is going to eliminate the possibility for parking.

Mr. Sampson asked if there is something he would prefer?

Mr. Driscoll stated that if you wish to put parking there you should put enough room for parking. You could reduce the amount taken up by trees.

Mr. Derek Mathers, Gladstone Street stated that he owns a property on Almon Street and on Gladstone Street. He also operates a business on Gladstone Street. Mr. Mathers advised that he is in support of the change to the amendment. There is the CNIB, there is Credit Union Atlantic, a coffee shop and the Medical Arts building. The pressure with all the people using those facilities, the apartment buildings, the visitors and the service vehicles has created quite a traffic jam. It appears that if we approve this then we get additional parking in the area and if we don't approve it and the units went up then we would lose parking. There is also the pressure now that Windsor Street has the bicycle lane.

Mr. Geoff Atkinson, Gladstone Street stated the he is in support of both previous comments. Gladstone is under a lot of pressure and ends up being a shortcut for people that want to avoid the traffic on Robie and Almon and it's a bit of a speedway. The bike lanes on Windsor Street has put additional parking pressure on the arterials, one of which is Gladstone Street so he advised that he supports it the way it is. If you want to increase the volume then you would remove the existing barriers and if you want more of a streetscape then you would go with the proposal you have. Right now it is not being used for anything so it seems like a waste. Gladstone has significant traffic volume and a significant speed problem. The parking is going to happen somewhere, it is happening now in great volume and where it is not a parking area they park anyway.

Ms. Karen Gunther, Gladstone Street stated that she is in favor of the way the plan is drawn with the parking and the more heavily landscaped area. She thinks a previous comment made about carrying the parking right down to the sidewalk would gain about eight to ten more spaces. She stated the grass would be welcomed to alleviate the stripped parking lot look that there is on the other corner. By having the landscaping done it would help to not look like we are all surrounded by asphalt. She stated that she likes the grass because she thinks it gives a nice finish to Windsor Terrace and it doesn't look like it goes right on into the parking lot and gives an end to the street sense and helps direct the traffic in that way. Ms. Gunther thinks it is a nice solution to the rest of what is happening on the street.

Ms. Madeline Conrad, Gladstone Street, asked who will have access to this parking and the use of it?

Mr. Chedrawe explained that if council grants the extension it will continue to be used as it is being used now. That is by visitors to both 2717 Gladstone Street, and visitors to the Gladstone North building and in the daytime to customers or visitors to the commercial. It will be available to be used by everyone and at night it would be visitors parking. If people come to visit homes we haven't had a problem with that, except if it is done in the daytime where parking is at a premium but the evening the parking is pretty open. It is not meant for one particular use it is meant for the whole entire development. It is controlled by Westwood and has never restricted people from parking there. In the winter when there is the over night parking ban a lot of people have taken advantage of the parking lot to get off the roads. It will continue to operate the way it has over the past few years.

Ms. Conrad stated that if this is the case then it won't alleviate the parking problem that is there.

Mr. Chedrawe explained that in the daytime they would be more restrictive by making sure that people parking there are visiting the Westwood properties. The resident managers now police the parking lot during the daytime to ensure that there is no one parking there without a permit. We have some people that park that have a sticker in their car showing they are allowed to do that. Those that don't have a sticker in the car that park more than two hours we would give them a notice and if they continue to offend then they would get a ticket.

Ms. Conrad asked how many extra parking spots does he think he will need for the new engineering business that will be going in?

Mr. Chedrawe stated that the new tenants would take about the same amount of parking spaces as the old tenants, which would be approximately six or eight spaces.

Ms. Conrad states that it is essentially already used up. We aren't getting any relief from the congestion.

Mr. Chedrawe stated that if it doesn't go forward then we would lose more parking than what we have now.

Ms. Conrad asked Mr. Chedrawe if he doesn't get it, where are the new people going to park?

Mr. Chedrawe stated that they do not know.

Ms. Conrad advised that she would like to make a point on the development agreements. The city in each case has agreed that the proposed number of parking spots in the development were going to be sufficient and clearly they weren't. Ms. Conrad stated that this put people like herself between a rock and a hard place because they have been there for seven years and during five years of broken construction and they wouldn't be looking forward to more construction. On the other hand, they would like to see the development that they bought into completed.

Mr. Sampson clarified about the parking in cities. He advised he is not speaking on behalf of the traffic or engineering staff, but would like to advise that there is a balance between parking on surface parking lots or parking within developments and on street parking. Halifax is no different than any other city as we have on-street parking and most of our on-street parking is not dedicated to individual people of businesses. It is whoever gets there first has that right. In the Land Use By-Law on the peninsula of Halifax it does not require parking for commercial uses. That is why you see in some locations there are buildings going up and if it is commercial use then it does not require parking. There are lots of different reasons why that is the case. On the Peninsula of Halifax it is an urban built form. There has to be a combination of on-street, and onsite and parking that is either surface parking or parking in underground garages or above ground parking structures.

Ms. Conrad stated that at the end of Gladstone Street there is parking on both sides and the streets can't handle that. It has gotten worse since the bike lanes got put in. She stated that she would recommend that the handicapped parking be put in the Legion parking lot.

Geoff Atkison, Gladstone Street, mentioned that Gladstone is a speedway. On Gladstone there is parking on both sides of the street. You have heavy pedestrian traffic back and forth between the buildings, parking on both sides of streets and cars that want to avoid Robie Street and Windsor Street and they are speeding down. There are two phenomena and they are bike paths putting pressure on Windsor Street and the city charging for on-street parking during the days. These are decisions that the city made.

Mr. Chedrawe advised that he would like to make a point to Ms. Conrad. He states that they are very proud of their development and the vision they started with in 2003. This is a large 7 acre parcel of land and to have a vision and to follow it from “a” to “z” takes a lot of effort and a lot of planning. They believe in this development because of its success and success is measured not in financial success but it is measured by having people live there and enjoy living there. A community has been created that has seniors, single family homes, condominiums, apartments, office, commercial all working together. He admits that starting from day one they did underestimate the parking in the area. He recalls that in the early days of moving forth with the planning process, the two biggest issues were parking and travel. He stated that this development was appealed by the existing residents on Gladstone to the Utility and Review Board. Their biggest issues were traffic and parking. He stated that they were proud that they designed this in such a way to have a minimum impact on the neighborhood, but they did underestimate the need for parking. This is why they are here tonight.

Mr. Chedrawe explained that he still believes in the vision and they still want to build the four townhouses. He believes they need commercial and a lot of the people that work there are looking to live in that neighborhood because they want to be closer to work. As time goes on there will be tremendous residential development in the neighborhood. As more and more people live in this neighborhood there will be less traffic because the businesses will now be able to depend on the walking people who live in the neighborhood.

Mr. Chedrawe stated that the land was zoned commercial, but our vision was not commercial but primarily residential with mixed use commercial. Mr. Chedrawe stated that he thinks their vision is still valid, just had a little bump in the road by underestimating the amount of parking needed to make these businesses viable. They were careful who they selected to go there and felt that they only wanted a small pharmacy with medical clinic, and the light office uses like the Credit Union in the neighborhood. Unfortunately they can't survive in the neighborhood, so people are using their cars to access those services. In the long term we need more people to move in to the peninsula then traffic will go back down.

Ms. Sara Lipson, Windsor Terrace, stated that she is in favor of the duplexes as in the existing agreement. She thinks that it is good urban design to have the dwellings at the street and the parking behind. If the proposed amendment goes ahead she would like to see storm water management best management practices put in place as much as possible. She feels the parking lot will increase the amount of paving in the area and the storm water that is created as a result will need to be managed.

Paul Conrad, Gladstone Street, stated that he is opposed in the proposal. He is tired of being lied to, said he was told it was two condo towers, then it became one condo tower, then an apartment, then it changed from four houses to four semis and now a parking lot. He doesn't believe that the parking will be public parking. It will be parking for the other tenants that will be going in on the ground floor of

the north development. Mr. Conrad feels that the people who are hoping to see more parking are not going to have access to that and if so it may be for a short period but not forever.

Jim Burgess, Windsor Terrace, stated that he does not believe that they will have less traffic with more development in their area. It will increase because of Sobey's. He believes that people that live at the corner of Robie Street and Almon Street or those that live in the development where the post offices are, are not going to walk to Sobey's for their groceries. He lives in Windsor Terrace and he drives for his groceries, he does not walk for them therefore he is part of the traffic problem. He is in favor of the parking lot, but is not in favor of any parking on Gladstone Street on the development side. Trying to get out on Almon Street is terrible because people are parking where the sign says no parking. There is hardly any parking on Windsor Terrace. Mr. Burgess mentioned that he can't park in front of his house because the traffic just increased because of the bicycle lanes and because of the development on Gladstone Street. The residents of Windsor Terrace are thinking of asking for residential parking only on Windsor Terrace. Mr. Burgess stated that he does not agree with Mr. Chedrawe's statement that parking is going to decrease.

4. Closing comments

Mr. Sampson thanked everyone for coming and mentioned that they can send comments or call. Comments will be attached to a staff report. He also advised that they will be notified prior to council holding a public hearing.

Councillor Watts thanked everyone for the comments. She stated that she will ask traffic staff to look at the issue of speeding and traffic on Gladstone. She stated that she had been waiting to see the build out of the development as well. Based on the comments about the parking between Almon and Windcrest Terrace she will have staff go back and look at that and see if parking is in the appropriate places based on the concerns. She will have them look again at the crosswalk and will ask for police to look at speeding and to monitor as well.

5. Adjournment

The meeting adjourned at 7:58 p.m.

CAMPBELL COMEAU ENGINEERING LIMITED



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November 21, 2013

Councillor Jennifer Watts
Halifax Regional Municipality
P.O. Box 1749
Halifax, NS B3J 3A5

Dear Councillor Watts:

RE: *Case #18771*
Gladstone & Almon Streets
Halifax, NS

Please be advised that Campbell Comeau Engineering Limited, new tenants at 2719 Gladstone Street located immediately behind the parking lot in question.

Please be advised that we are in favour of the additional parking being provided by the Developer and the landscaping which has been placed on the sidewalk area.

We are of the opinion that the additional parking will certainly be beneficial for our business as we have visitors attending at our office premises.

Further, I am of the opinion that the additional parking to the existing off-site location is beneficial to the street and will perhaps reduce curb parking.

I am enclosing a site plan of the proposed parking layout.

Yours very truly,

CAMPBELL COMEAU ENGINEERING LIMITED

Original signed

Wesley G. Campbell, P. Eng.

WGC/emc

March 11, 2014

Although we spoke last fall at the Residents' Meeting re the Westwood Parking Lot Case, we would like to further comment on and clarify our rationale as per Mr. Sampson's suggestion.

1. Although it would be difficult to accurately assess, creating a parking lot rather than building four new residences here would affect the **value of our property**. It leaves an unfinished look to our development/community.
2. We hope we made it clear that allowing the developer to have a parking lot **will not alleviate the problem of cars parking** here during the week days. Any parking lot will not be for public parking so will not alleviate the daily scramble for on street parking. Mr. Chedrawe stated that there will be at least 6 more cars associated with the engineering firm that is to be located in the Gladstone Ridge apartment building which is an underestimate given the size of the space allocated for that new business. As well, he stated that the parking lot will be for the two apartment buildings here.
3. Mr. Chedrawe should have been asked if the indoor parking of the two apartment buildings is fully used. We know that there is an extra cost to have a parking space in them which is likely a deterrent to tenants or people who work around here renting parking spaces.
4. Given that parking was removed from Windsor Street for two bicycle lanes that are hardly used but are supposed to reduce the number of cars in the City, **it seems to go against HRM's policy to create a parking lot which would encourage more cars on the peninsula**.
5. Safety within the development is a concern and has been for some time. Mr. Chedrawe promised speed bumps and directional markings ages ago. A stop sign is needed at the egress from Westwood North and Westwood Ridge and within because the 8 foot fences block any ability to see cars entering from Gladstone. Further, there are many children here now and no speed limits posted and no children playing signs.
6. With the new bicycle lanes on Windsor St, traffic has increased on Gladstone. Cars are still cutting through to avoid the line ups at the intersections which are caused by having to sit behind any car that is making a left turn. We have to pick up our grandson at Ecole St. Catherine's so we go to Oxford St to catch the light at Bayer's Road to avoid having to sit in lines of traffic. And cars speed through the streets around St. Catherine's to avoid the tangle of traffic on Bayers Road.
7. Mr. Chedrawe stated that he miscalculated the amount of parking that would be needed here but HRM gave approval of his calculations in both development agreements. We submit that the only person who will benefit from additional parking here is Mr. Chedrawe who needs it for his commercial tenants. It is very likely that they were promised a certain amount of parking upon committing to their leases.
8. Mr. Chedrawe has a legacy of broken promises to owners here from promising that Gladstone Ridge Apts would be a condominium and built before the houses to his promise in January 2013 that he would build the houses by April 2013 on the parking lot that he had done after hours

and knowing better than any of us that it was illegal. It is time HRM showed owners and residents here that we count.

Respectfully submitted,

Paul and Madeline Conrad

Sampson, Paul

From: Jim Nickle
Sent: November-22-13 7:44 AM
To: Sampson, Paul
Cc: Watts, Jennifer
Subject: #18771 Westwood/Gladstone

I attended last night's meeting and would like to add my support to the amendment.

We have lived in Halifax for only 6 years, but my experience suggests that anyone willing to provide off street parking anywhere on the peninsula should be encouraged.

Mr. & Mrs. Jim Nickle

Sampson, Paul

From: Watts, Jennifer
Sent: November-19-13 11:28 AM
To: Sampson, Paul
Subject: FW: parking on Gladstone

For the record

-----Original Message-----

From: Julia MacKenzie _____
Sent: November-19-13 11:26 AM
To: Watts, Jennifer
Subject: parking on Gladstone

Hello Ms Watts in follow up to our phone conversation re: the townhouse/parking on Gladstone St. Due to the increased number of offices, business and apartment units on the corner of Almon and Gladstone Sts this has resulted in increased traffic to the area.

I live a block away on Pacific St and am unable to park on my street during the day Mon to Fri due to people going to these offices etc.

I don't understand how building more town houses will help in any way to lessen the traffic in the area. What we do need is more parking.

If Mr Chedrawe has "broken the rules", fine him and have him pay taxes on the parking lot which is already there.

Thank You for your time, Julia Mackenzie

Sampson, Paul

From: Watts, Jennifer
Sent: November-19-13 10:25 AM
To: Sampson, Paul
Subject: FW: Re Case No. 18771 by Westwood Construction

FYI

-----Original Message-----

From: Norman Dube _____
Sent: November-18-13 8:10 AM
To: Watts, Jennifer
Subject: Re: Re Case No. 18771 by Westwood Construction

Please do and thank you

Sent from my iPhone

On Nov 17, 2013, at 10:04 PM, "Watts, Jennifer" <wattsj@halifax.ca> wrote:

Norm - would you like me to pass on your comments to staff so that they are part of the public record?

Jennifer

-----Original Message-----

From: Norman Dube _____
Sent: November-12-13 8:37 PM
To: Watts, Jennifer
Subject: Re Case No. 18771 by Westwood Construction

Dear Councillor Watts

I received a notice of a public information Meeting regarding Case No.18771 slated for November 21/13 I regret to say I can not attend this hearing as I will be out of country from November 14 to 26th.

I would like to express by disapproval of this application for the record as you may be aware from my previous email. The residents and myself agree that this parking lot stretches too far into the existing residential community and takes away the residential aspect in our community,decreases property values and increases traffic Trusting you will consider my objections in your decision Yours Respectfully Norm Dube



November 21, 2013

Gracious. Independent. Retirement Living.

Councillor Jennifer Watts
Halifax Regional Municipality
P. O. Box 1749
Halifax, Nova Scotia
B3J 3A5

HALIFAX REGIONAL
MUNICIPALITY

DEC - 4 2013

PLANNING SERVICES

Dear Councillor Watts:

Re: Case #18771
Gladstone & Almon Streets
Halifax, Nova Scotia

As you are aware, The Berkeley at Gladstone Ridge is located on Gladstone Street at the south end of the block to which Case #18771 applies.

I wanted to advise you that we, at The Berkeley, are very much in favour of the additional parking which is being provided by the Developer, and approve of the landscaping which has been placed adjacent to the sidewalk area thereby enhancing the appearance at street level.

We are always very concerned about the safety and well being of our residents at The Berkeley, who regularly cross Gladstone Street to shop at Sobeys and to visit their physicians and the drug store located in the Gladstone Professional Building. We believe that the additional parking, provided by Westwood, will serve to reduce curb parking on the street and increase the visibility for both pedestrians and motorists.

Because there is retail and commercial space in the lower levels of the two buildings at the north end of this block, more traffic is drawn to the area and having adequate off-street parking to accommodate patrons of the commercial and retail space will, in our view, be beneficial to the neighbourhood as a whole.

Yours very truly,

Berkeley Holdings Limited

Original signed

R. Diane Campbell

RDC/

2633 Gladstone Street
Halifax, NS B3K 4W3
Tel: (902) 492.3700
Fax: (902) 492.3232
gladstone@theberkeley.com

5266 Green Street
Halifax, NS B3H 4N2
Tel: (902) 429.2222
Fax: (902) 429.6052
halifax@theberkeley.com

35 Eisener Blvd
Dartmouth, NS B2W 6K2
Tel: (902) 434.9415
Fax: (902) 434.1791
dartmouth@theberkeley.com

2 Convoy Run
Bedford, NS B4A 4J2
Tel: (902) 835.6222
Fax: (902) 835.4466
bedford@theberkeley.com

Sampson, Paul

From: D. Quon
Sent: November-22-13 1:32 PM
To: Sampson, Paul
Cc: Watts, Jennifer
Subject: Gladstone Case 18771

Hello Paul,

Thank you for facilitating the meeting last night. I did not comment last evening because I wanted to come home and look at the proposed drawing. I learned quickly that is not to scale.

I am strongly in favour of the parking lot without ever having the 2 proposed semi dwellings built once the parking lot is in place.

I would like to propose that the developer maximize the amount of parking spaces by re-orienting and mimicking the parking that is up against the building and not adding more landscaping. I looked at different ways of increasing parking by using the proposed and existing parking. Re-orienting parking would increase parking spaces by approximately 7 to 8 more.

The developer indicated that in the future more dwellings would be built on the Halifax peninsula and that people would have a tendency to walk to their services. I do not agree. The developer may have used other cities as a comparison. Other major cities in Canada have a more sophisticated transit system with a higher density of population with a higher tax base to afford good public transit and they don't have the logistical issues of a peninsula like Halifax. There are other factors to consider on a whole and as you mentioned last night that we needed to stay on point I hesitated to say anything about Windsor Street and the bicycle lanes that now also affect parking in our area. You also mentioned that other cities do not incorporate parking for commercial businesses and this being somewhat true, many cities faced with similar problems have created one way streets to alleviate some of the traffic and parking congestion. I would like to propose that Windsor Street become a one way with bike lanes on one side to service bicycles going both ways and parking be allowed on the other side in some areas but not the whole street. The city of Halifax needs to look at being proactive versus being reactive.

Also, Gladstone has become a very dangerous street with increased traffic and people initiating creative parking where they shouldn't. The handicapped parking on Gladstone and Almon should be moved into the Legion's parking lot. A set of traffic lights at Gladstone and Almon would help, otherwise an overhead pedestrian light should be re-installed.

I understand that no one person has all the answers to the issues at hand. The consensus by the majority who attended the meeting on November 21st, 2013 was the opposition to the dwellings to eventually be built and that maximizing parking spaces on the lot be implemented.

Yours truly,

Denise Quon