

Halifax and West Community Council
September 23, 2013

TO: Chair and Members of Halifax and West Community Council

SUBMITTED BY: Original Signed by
Brad Anguish, Director, Community and Recreation Services

DATE: September 6, 2013

SUBJECT: Case 17756: Development Agreement – 5659 Almon Street and 2814
Isleville Street, Halifax

SUPPLEMENTARY REPORT

ORIGIN

- Application by Michael Napier Architecture
- On August, 7, 2013, Halifax and West Community Council approved an amendment to the Halifax Peninsula Land Use By-law to include 5659 Almon Street and 2814 Isleville Street, Halifax, in Schedule "Q" (amendment to Map ZM-2)

LEGISLATIVE AUTHORITY

- *Halifax Regional Municipality Charter*, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Halifax and West Community Council:

1. Approve the proposed development agreement, presented as Attachment A to this report, and;
2. Require the 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/DISCUSSION

On August 7, 2013, Halifax and West Community Council held a public hearing to consider the proposed amendments to the Halifax Peninsula Land Use By-law (LUB), as well as a proposed development agreement, to permit a 56-unit residential development at 5534 to 5558 Bilby Street and 2819 to 2827 Isleville Street, Halifax. Subsequent to the public hearing, Community Council gave its approval to the amendments to the Halifax Peninsula LUB (amendment to Map ZM-2) to include the subject properties in Schedule Q. Following the expiration of the 14 day appeal period, the LUB amendment became effective.

As noted in the June 28, 2013 staff report, Community Council could not make a decision on the proposed development agreement until the LUB amendment became effective. The LUB amendment became effective on August 27, 2013, and Council is now in a position to consider the proposed development agreement as contained in Attachment A of this report.

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 2013/14 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 October 4, 2013 and a Public Hearing on August 7, 2013.

Notices of the public information meeting and public hearing were posted on the HRM website, in the newspaper and mailed to property owners within the notification area shown on Map 2 of the June 28, 2013 staff report.

ENVIRONMENTAL IMPLICATIONS

No implications have been identified.

ALTERNATIVES

1. Council may choose to approve the proposed development agreement, as contained in Attachment A of this report. This is the staff recommendation. A decision of Council to approve this development agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

2. Council may choose to refuse to approve the development agreement and, in doing so, must provide reasons why the agreement does not reasonably carry out the intent of the MPS. This is not recommended for the reasons discussed above. A decision of Council to reject this development agreement, with or without a public hearing, is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Council may choose to approve the proposed development agreement subject to modifications. This may necessitate further negotiation with the applicant and may require an additional public hearing.

ATTACHMENTS

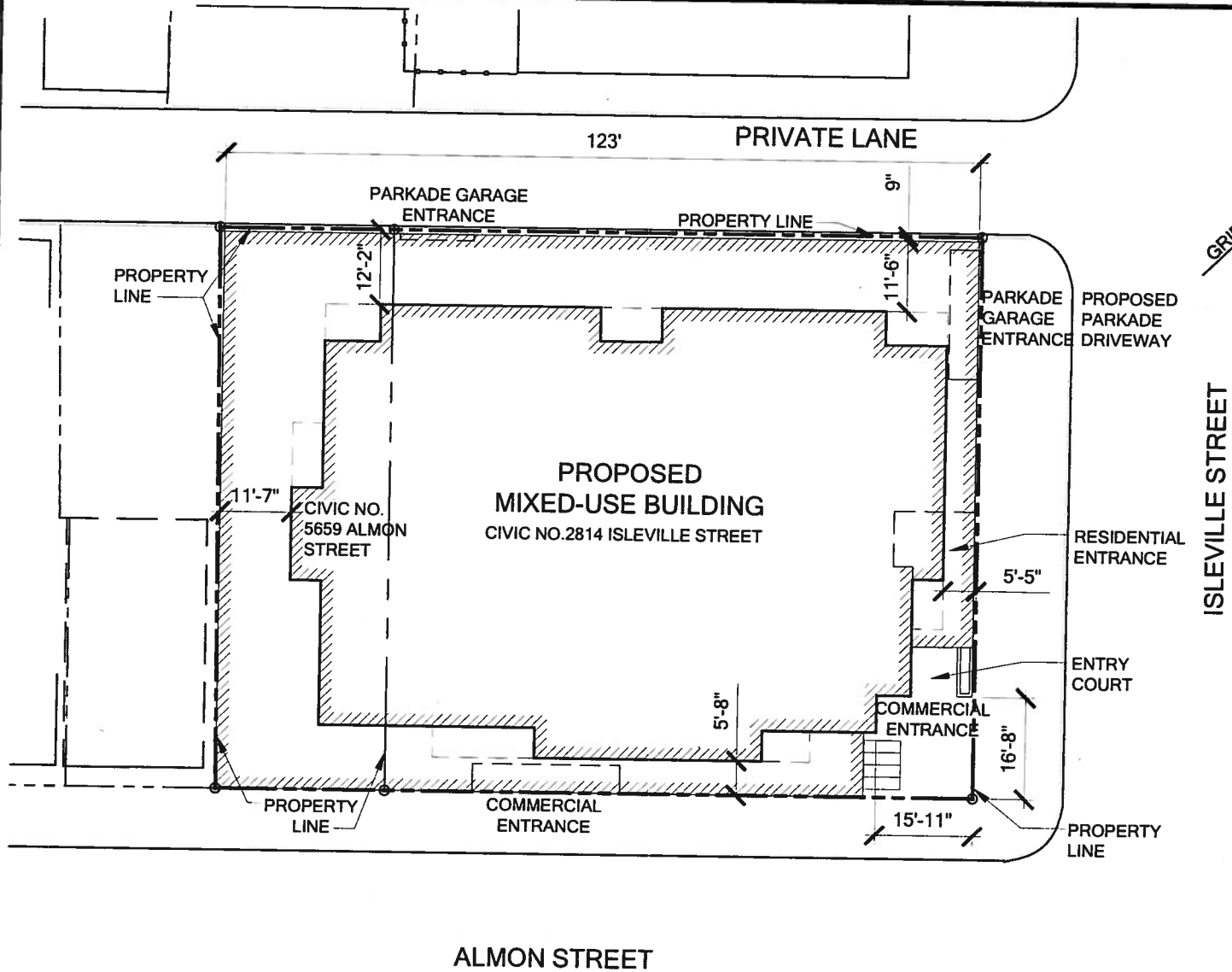
Attachment A: Proposed Development Agreement

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: Dali H. Salih, Planner, Development Approvals, 490-1948

Original Signed by

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



SCHEDULE 'B' - SITE PLAN
PROPOSED MIXED-USE DEVELOPMENT
 5659 ALMON ST AND 2814 ISLEVILLE ST
 HALIFAX, NOVA SCOTIA

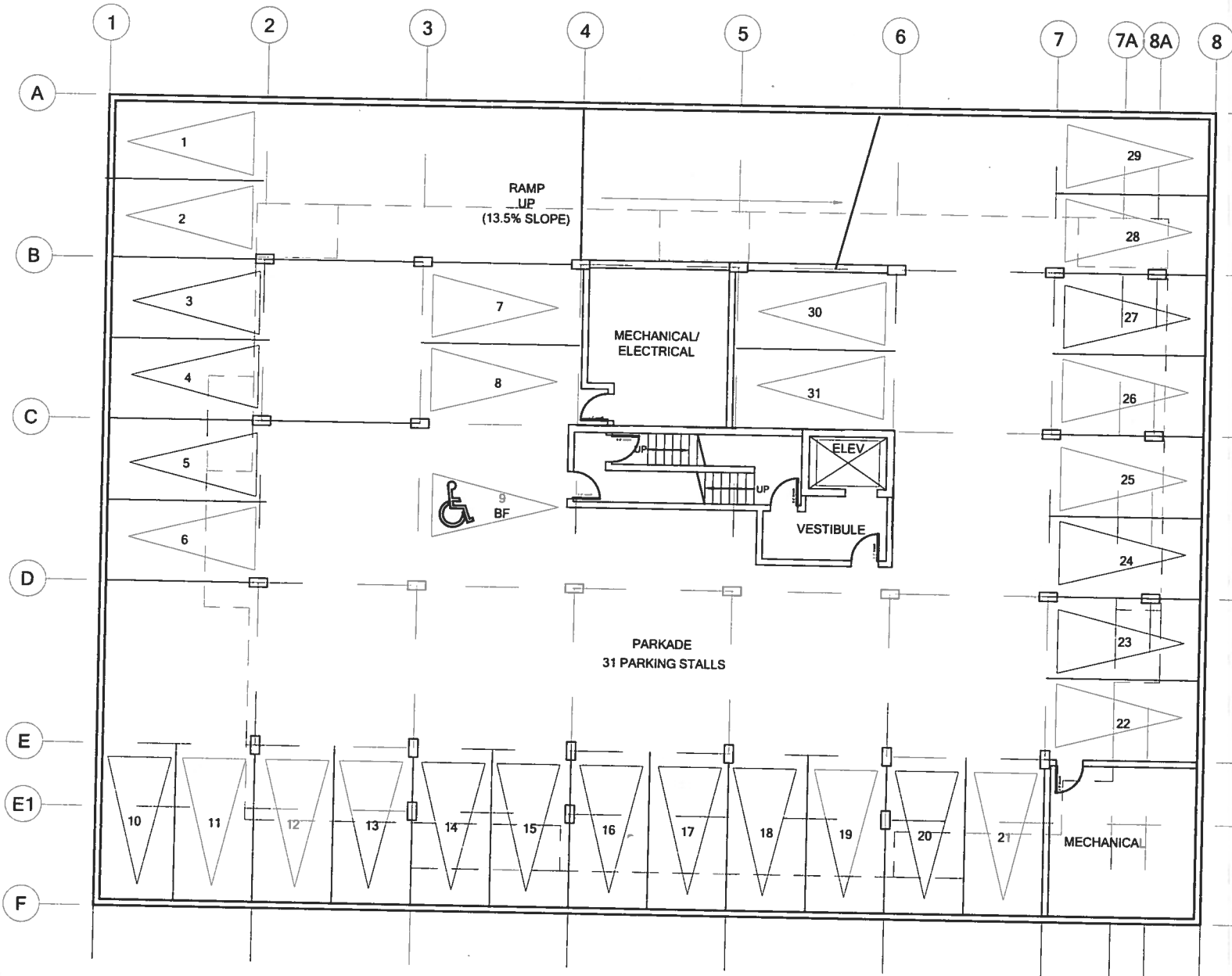
AZM

ARCHITECTURE

REVISIONS		
NO.	REVISION NAME	DATE
1	ISSUED FOR DA APPLICATION	16/03/12
2	RE-ISSUED FOR DA APPLICATION	19/09/12
3	RE-ISSUED FOR DA APPLICATION	06/05/13
4	RE-ISSUED FOR DA APPLICATION	13/05/13
5	RE-ISSUED FOR DA APPLICATION	22/05/13

DRAWING	
SCHEDULE 'B'	
SITE PLAN	
SCALE	
N.T.S.	

DATE	DRAWING NO.
MAY 22 2013	A-100



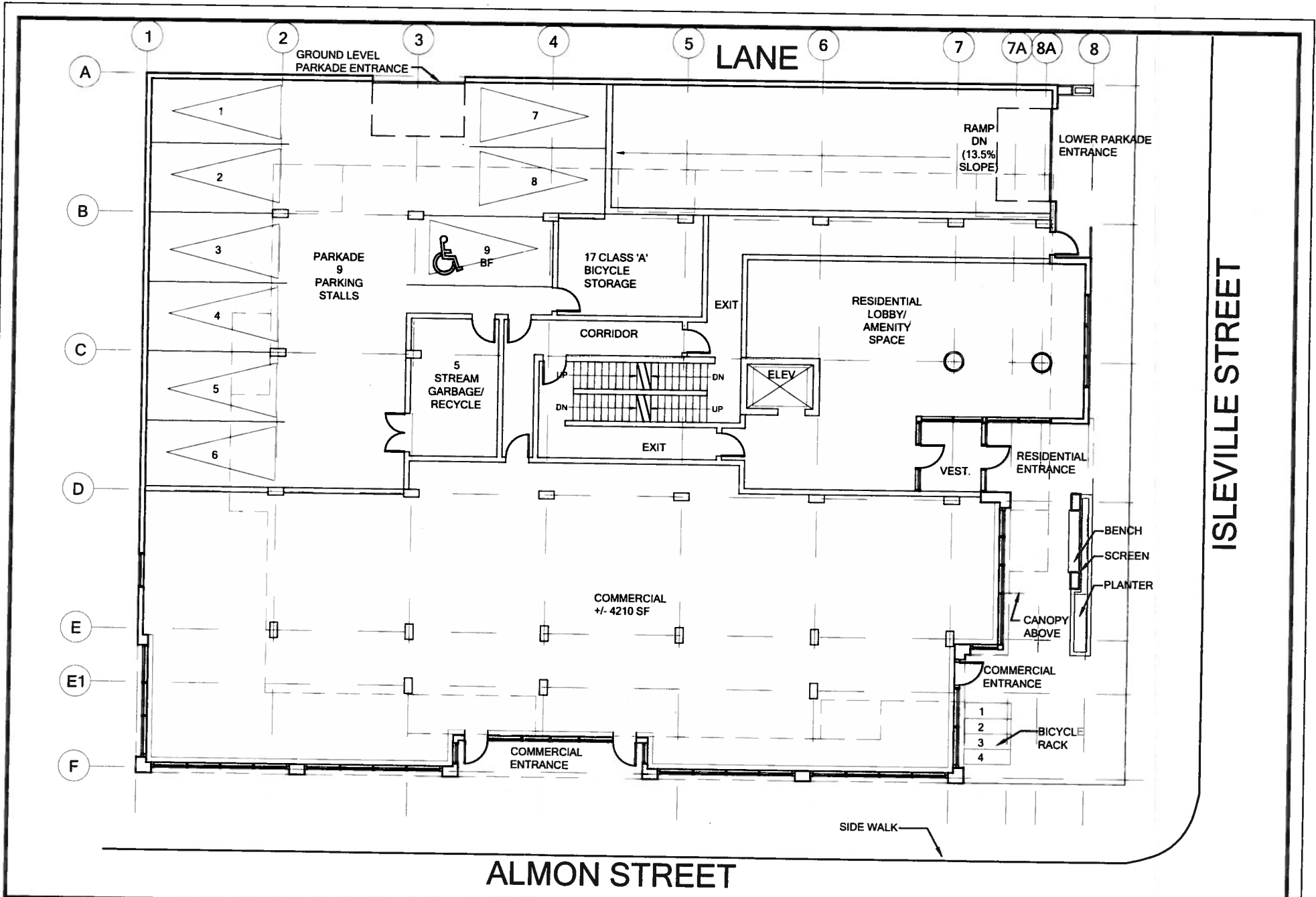
SCHEDULE 'C' - PARKING FLOOR PLAN
PROPOSED MIXED-USE DEVELOPMENT
 5659 ALMON ST AND 2814 ISLEVILLE ST
 HALIFAX, NOVA SCOTIA

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 ARCHITECTURE

REVISIONS		
NO.	REVISION NAME	DATE
1	ISSUED FOR DA APPLICATION	16/03/12
2	RE-ISSUED FOR DA APPLICATION	19/09/12
3	RE-ISSUED FOR DA APPLICATION	13/05/13

DRAWING	
SCHEDULE 'C' PARKADE FLOOR PLAN	
SCALE	N.T.S.

DATE	MAY 13 2013
DRAWING NO.	A-101



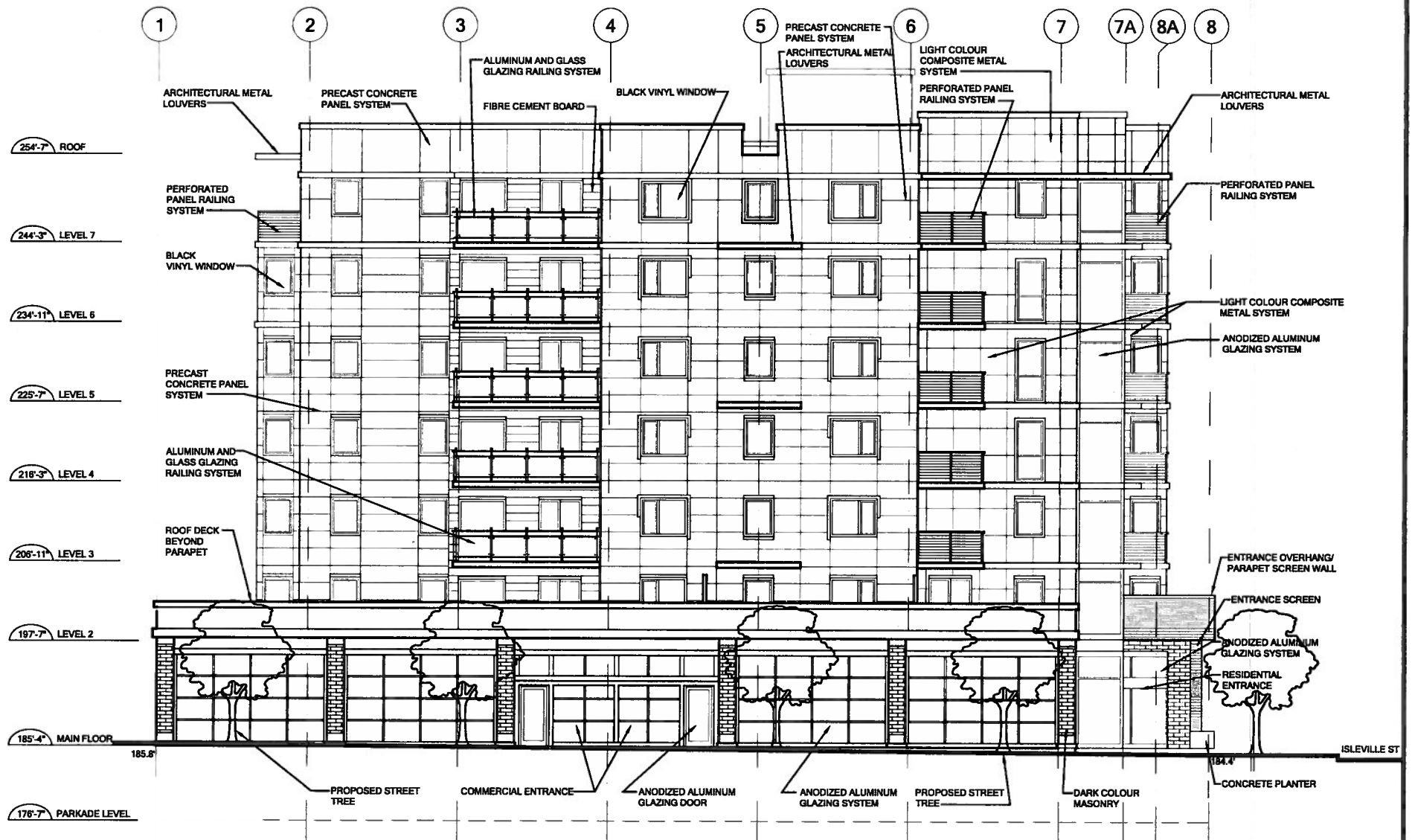
SCHEDULE 'D' - GROUND FLOOR PLAN (PARKING AND COMMERCIAL SPACE) PROPOSED MIXED USE DEVELOPMENT
 5659 ALMON ST AND 2814 ISLEVILLE ST
 HALIFAX, NOVA SCOTIA

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 ARCHITECTURE

REVISIONS		
NO	REVISION NAME	DATE
1	ISSUED FOR DA APPLICATION	16/03/12
2	RE-ISSUED FOR DA APPLICATION	19/09/12
3	RE-ISSUED FOR DA APPLICATION	13/05/13

DRAWING	
SCHEDULE 'D' GROUND FLOOR PLAN	
SCALE	
N.T.S.	

DATE
MAY 13 2013
DRAWING NO.
A-102



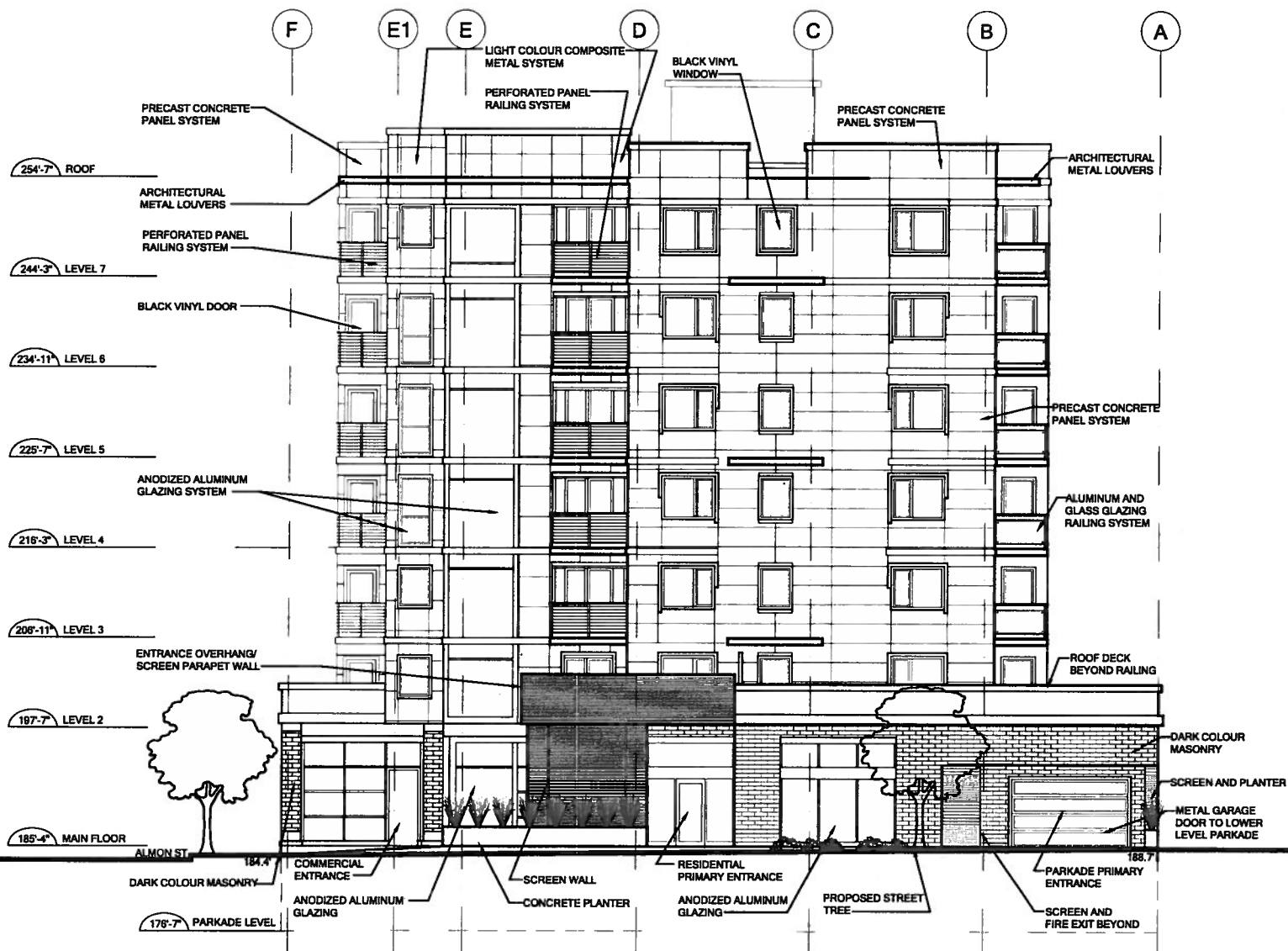
SCHEDULE E-1 - SOUTH ELEVATION (ALMON STREET)
PROPOSED MIXED USE DEVELOPMENT
 5659 ALMON ST AND 2814 ISLEVILLE ST
 HALIFAX, NOVA SCOTIA

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REVISIONS		
NO.	REVISION NAME	DATE
1	ISSUED FOR DA APPLICATION	18/03/12
2	RE-ISSUED FOR DA APPLICATION	19/08/12
3	RE-ISSUED FOR DA APPLICATION	26/05/13

DRAWING	
SOUTH ELEVATION	
SCALE	
N.T.S.	

DATE
MAY 06 2013
DRAWING NO.
A-201

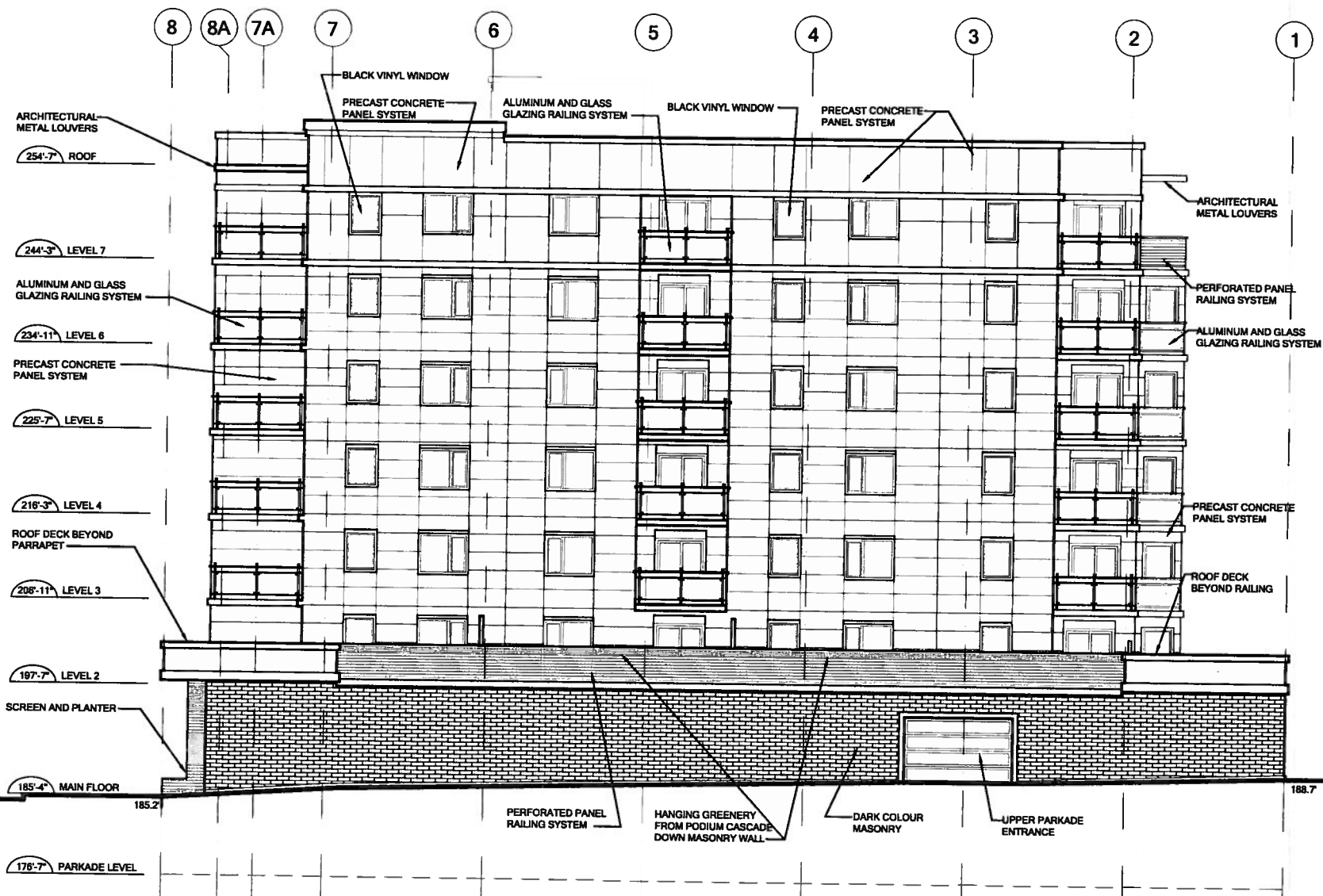


SCHEDULE E-2 - EAST ELEVATION (ISLEVILLE STREET)
PROPOSED MIXED USE DEVELOPMENT
 5659 ALMON ST AND 2814 ISLEVILLE ST
 HALIFAX, NOVA SCOTIA

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REVISIONS		
NO.	REVISION NAME	DATE
1	ISSUED FOR DA APPLICATION	18/03/13
2	RE-ISSUED FOR DA APPLICATION	18/08/13
3	RE-ISSUED FOR DA APPLICATION	06/05/13

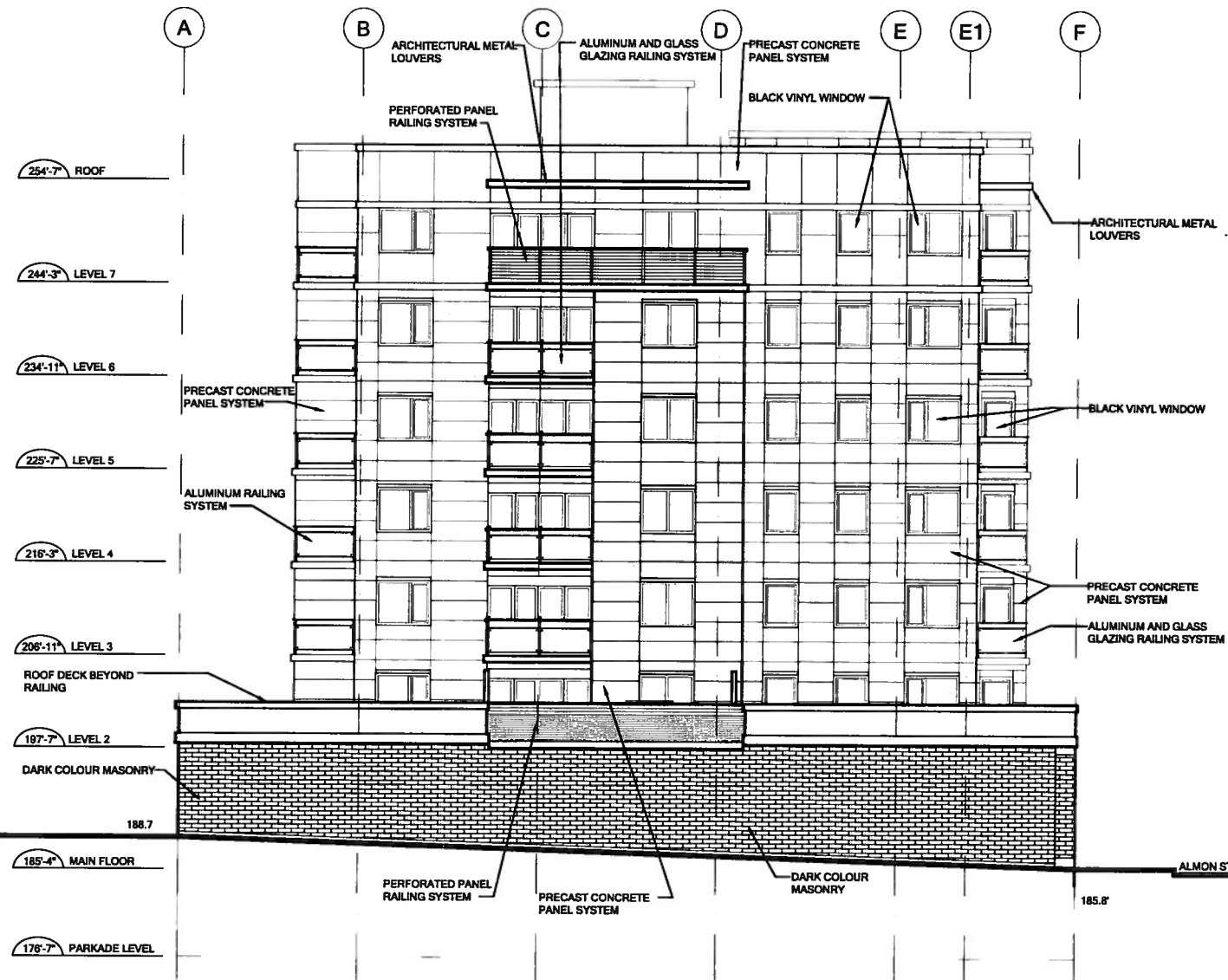
DRAWING		DATE
EAST ELEVATION		MAY 06 2013
SCALE		DRAWING NO.
N.T.S.		A-202



SCHEDULE E-3 - NORTH ELEVATION (PRIVATE LANE)
PROPOSED MIXED USE DEVELOPMENT
 5659 ALMON ST AND 2814 ISLEVILLE ST
 HALIFAX, NOVA SCOTIA

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REVISIONS			DRAWING	DATE
NO.	REVISION NAME	DATE	NORTH ELEVATION	MAY 06 2013
1	ISSUED FOR DA APPLICATION	18/03/12		
2	RE-ISSUED FOR DA APPLICATION	13/08/12		
3	RE-ISSUED FOR DA APPLICATION	09/05/13	SCALE	DRAWING NO.
			N.T.S.	A-203



SCHEDULE E-4 - WEST ELEVATION
PROPOSED MIXED USE DEVELOPMENT
 5659 ALMON ST AND 2814 ISLEVILLE ST
 HALIFAX, NOVA SCOTIA

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REVISIONS		
NO.	REVISION NAME	DATE
1	ISSUED FOR DA APPLICATION	18/03/12
2	RE-ISSUED FOR DA APPLICATION	19/09/12
3	RE-ISSUED FOR DA APPLICATION	08/09/13

DRAWING	
WEST ELEVATION	
SCALE	
N.T.S.	

DATE	MAY 06 2013
DRAWING NO.	A-204

PLANTERS W/ HANGING GREENERY TO
CASCADE DOWN MASONRY WALL BELOW

PRIVATE LANE

PROPOSED
PARKADE
DRIVEWAY

ISLEVILLE STREET

LANDSCAPED
PAVER TERRACE

LANDSCAPED PODIUM W/
BEACHSTONE

LANDSCAPED
PODIUM W/
BEACHSTONE

LANDSCAPED
PAVER TERRACE

LANDSCAPED
PAVER TERRACE

LANDSCAPED
PAVER TERRACE

ENTRY
COURT

PROPOSED
CONCRETE
SIDEWALK

LANDSCAPED
PAVER TERRACE

LANDSCAPED
PAVER TERRACE

LANDSCAPED PODIUM W/
BEACHSTONE

LANDSCAPED PODIUM W/
BEACHSTONE

BICYCLE RACK

PLANTER W/ TALL
ORNAMENTAL
GRASSES

EXISTING
CONCRETE SIDEWALK
CONCRETE CURB

ALMON STREET

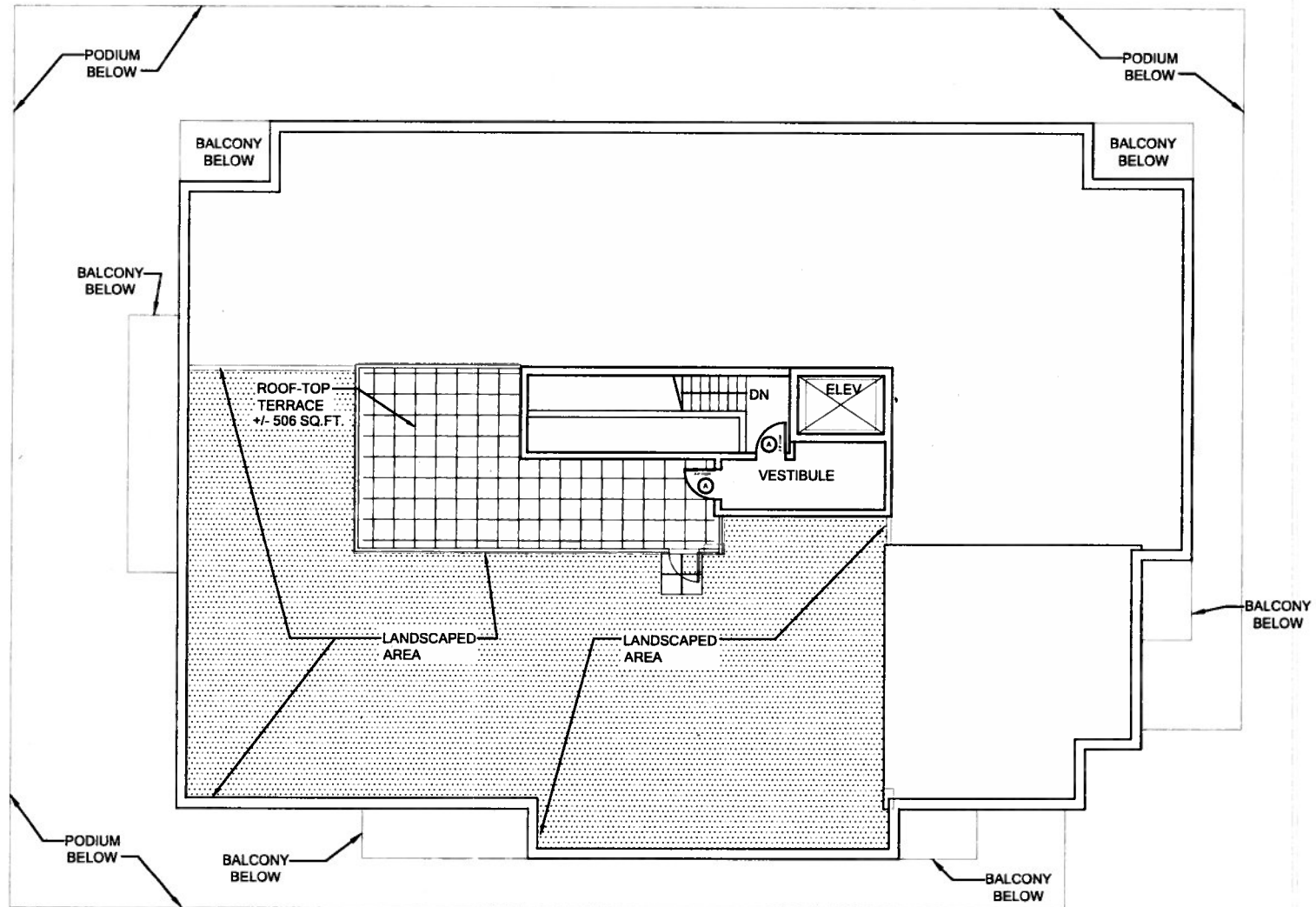
**SCHEDULE 'F-1' - PRELIMINARY LANDSCAPE PLAN (GROUND
& PODIUM LEVELS) PROPOSED MIXED USE DEVELOPMENT**
5659 ALMON ST AND 2814 ISLEVILLE ST
HALIFAX, NOVA SCOTIA

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ARCHITECTURE

NO	REVISION NAME	DATE
1	ISSUED FOR DA APPLICATION	16/04/12
2	RE-ISSUED FOR DA APPLICATION	19/09/12
3	RE-ISSUED FOR DA APPLICATION	06/05/13
4	RE-ISSUED FOR DA APPLICATION	13/05/13
5	RE-ISSUED FOR DA APPLICATION	15/03/13
6	RE-ISSUED FOR DA APPLICATION	22/02/13

DRAWING
**SCHEDULE F-1
PRELIMINARY
LANDSCAPE PLAN**
SCALE
N.T.S.

DATE
MAY 22 2013
DRAWING NO.
A-100b



SCHEDULE 'F-2' - PRELIMINARY LANDSCAPE PLAN (ROOF TOP)
PROPOSED MIXED USE DEVELOPMENT
 5659 ALMON ST AND 2814 ISLEVILLE ST
 HALIFAX, NOVA SCOTIA

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A** ARCHITECTURE

REVISIONS		
NO	REVISION NAME	DATE
1	ISSUED FOR DA APPLICATION	18/04/12
2	RE-ISSUED FOR DA APPLICATION	19/03/12
3	RE-ISSUED FOR DA APPLICATION	06/05/13
4	RE-ISSUED FOR DA APPLICATION	13/05/13
5	RE-ISSUED FOR DA APPLICATION	22/05/13

DRAWING
SCHEDULE F-2
PRELIMINARY
LANDSCAPE PLAN
SCALE
 N.T.S.

DATE
 MAY 22 2013
DRAWING NO.
 A-100c