



**DISTRICT 7 & 8 PLANNING ADVISORY COMMITTEE
PUBLIC MEETING MINUTES
JANUARY 19, 2015**

PRESENT: Mr. Brenden Sommerhalder, Chair
Ms. Katherine Kitching, Vice Chair
Ms. Sunday Miller
Mr. Adam Hayter
Mr. Michael Bradfield
Mr. Michael Haddad
Mr. Grant Cooke
Councillor Jennifer Watts
Councillor Wayne Mason

REGRETS: Mr. John Czenze

STAFF: Ms. Dali Salih, Planner
Mr. Andrew Reid, Legislative Assistant

OTHERS: Mr. Jacob JeBaily, Reign Architects
Mr. Cesar Saleh, WM Fares Group

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to the District 7 & 8 Planning Advisory Committee are available online: <http://www.halifax.ca/boardscom/D78PAC/140119d78-agenda.php>

The meeting was called to order at 7:03 p.m. and was adjourned at 9:04 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 7:03 p.m. and introduced the planning advisory committee and its purpose in hosting the public meeting.

2. PUBLIC PARTICIPATION

2.1 2.1 Case 19353 - Application by W. M. Fares Group, for the lands of Maynard Holdings Limited, to consider amending the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law to allow for an 8 storey multi-unit residential building with ground floor commercial at 2480 Maynard Street, Halifax, by development agreement.

Ms. Dali Salih presented Case 19353, explaining the purpose of the meeting, site location, context and designation. Ms. Salih stated that the site was located in a growing and transitioning area. Ms. Salih indicated a correction to the maillot handout that the designation was Major Commercial and not Medium Density. Ms. Salih highlighted the zoning designation as C-2, stating that the site's zoning allowed for a multitude of buildings from low density to high density. Ms. Salih explained three as of right development options under the LUB: commercial, residential, or inclusion in "Schedule Q" as a development agreement, with each being held to a 50 ft. height limit. Ms. Salih presented how the current proposal sought to amend the Municipal Planning Strategy and Land Use Bylaw to create an 8 storey, 70 unit residential building with ground floor commercial, two levels of underground parking. Ms. Salih also outlined the planning process for amending the documents for submission to Regional Council.

Mr. Jacob JeBailey, Reign Architects, introduced himself and described various up and coming projects by WM Fares. Mr. JeBailey highlighted the site context, commenting on the urban fabric in the area. Mr. JeBailey presented the project information for the site: 13,636 sq.ft. building area, 80% site coverage, 70 units, and mixture of units (10% bachelor, 11% 1 bdrm, 40% 1 bdrm + den, 25% 2 bdrm, 6% 2 bdrm + den, 5% live-work). Mr. JeBailey stated that live work spaces were flexible and could either be commercial or residential. Mr. JeBailey indicated vehicular access would be off Maynard and there would be multiple access to the residences on Roberts St. Mr. JeBailey also stated that there would be a total of 60 parking units. He underscored that the focus of the building's design was on the street wall. He also commented on the 3 to 4 storey stepback and 8 storey stepback. Mr. JeBailey presented a street context elevation of Maynard and Agricola Streets.

Ms. Linda Forbes, a resident of Pleasant St, introduced herself as the President of Heritage Trust. Ms. Forbes stated concern for the development from the perspective of creating a precedent for nearby lots, in particular a Maynard and Roberts St. lot that was recently sold. Ms. Forbes described the Morris House project, its object to provide safe, affordable housing and its proximity to the site. She stated that renovations for photovoltaic panels to the Morris House were based on an assessment of existing allowable building envelope for the area. Ms. Forbes voiced concern for the effect the proposed and other developments may have on the Morris House. She stated that rules should be predictable and reliable.

Mr. Peter Lavell, resident of Bellaire Terrace, stated concern for the proposal, indicating that it did not encourage long term residential presence in the North End. Mr. Lavell stated that the building would not attract families and its architecture did not solve densification. Mr. Lavell stated concern for this proposal setting a precedent for size in the area. Mr. Lavell furthermore stated that he understood that the HRM Centre Plan would introduce a public process for planning in the area. Mr. Lavell stated that a moratorium should be in place until this occurs and until then development should occur as-of-right.

Mr. Tom Creighton, resident of Bellaire Terrace, stated concern for the development, stating that the site was located in a residential area. Mr. Creighton stated that rules existed for height, massing and density that which this proposal did not obey. Mr. Creighton indicated concern over the proposal creating a precedent. He stated that spot development often speeds up the erosion of the neighbourhood. Mr. Creighton stated that he understood development was to be taking place along the main corridors while

this development was in a residential area. Mr. Creighton stated that the neighbourhood did not need this development.

Mr. Dib Alcid, shop owner on Maynard St., stated that the site was quite close to his shop and he would like the building line to be at a greater distance from his shop.

Mr. Phil Pacey, resident of Yukon St., stated that he was a member of the Planning Advisory Committee at the time the 50 ft. height limit was put in place. Mr. Pacey stated that the building lot line's proximity to the auto repair shop posed a problem to future residents who may be adverse to noise. Mr. Pacey said that the setback of 20 ft. should be respected for the R-3 requirements, as it was respected by many other developments in the area. Mr. Pacey also stated concern over the 60 degree angle. Mr. Pacey disproved of the proposal exceeding the population density limit of the area. Mr. Pacey also stated concern over the lack of open space. Mr. Pacey commented that the current policies should be upheld in terms of amenity, compatibility, landscaped open space and density.

Ms. Beverley Miller, citizen, questioned who was responsible for submitting the proposal to Schedule Q. Ms. Miller Ms. Miller also stated concern for the effect of this development on the neighbourhood in terms of open space and lack of exterior landscaping. Ms. Miller stated that the development was not compatible with the neighbourhood. Ms. Miller indicated that many recent developments on the peninsula were adding to density without making exceptions to the rules. Ms. Miller stated that more family units were required.

Ms. Peggy Cameron, resident of Charles St., inquired regarding the process and whether it had staff's support. In response to this question and also in response to Ms. Miller's, Ms. Salih indicated this was not a Schedule Q amendment but a plan amendment and that Regional Council initiated the process. Ms. Salih responded that staff's recommendation was to proceed through the process to hear public feedback. Ms. Cameron commented that at this moment in HRM there was little logic or consistency occurring due to the number of exemptions and exceptions in the existing rules. Ms. Cameron questioned the location of the public information meeting in terms of its proximity to residents. Ms. Cameron furthermore stated that precedents were being set by developers and levels of predictability have become destabilized. Ms. Cameron stated that neighbourhoods were not in favour of spot rezoning. Ms. Cameron highlighted the 2013 Stantec report's findings regarding density on the peninsula. Ms. Cameron stated that the building was completely out of scale and the development was unnecessary.

Mr. Max Haven, resident of Agricola St., introduced himself as a Kabuki Housing Board member. Mr. Haven stated that the idea you could create density through collective ownership and a sense of community espoused by his organization ran contrary to this development. Mr. Haven questioned why the community should accept the extra height. Mr. Haven questioned what opportunities the development offered. Mr. Haven stated that many of his neighbours saw the development as gentrification resulting in change in character and increase in tax rates. Mr. Haven stated a number of concerns of the development impeding light, reduction in privacy, and an aesthetic change to the neighbourhood.

Mr. Andrew Murphy, resident of Keefe Rd., questioned whether the Centre Plan and the peninsula needed this proposal. Mr. Murphy emphasized that many new developments were creating dramatic precedents. Mr. Murphy cited Canadian Mortgage and Housing statistics, indicating that HRM built on average 2,500 units over the past 10 years. Mr. Murphy referenced the 2013 Stantec report, that the peninsula had a 25 year of supply of building units. Mr. Murphy commented that an inventory of units should be made by planning staff before moving forward. Mr. Murphy questioned what demographic would be filling this proposal.

Mr. Sommerhalder indicated that this was the end of the speaker's list. Mr. Sommerhalder proceeded to pose a number of questions from the speakers' comments.

In response to a question of street wall height, Mr. JeBailey stated that the 50 ft would fall above the step back line. Mr. Cesar Saleh, WM Fares Group responded to a question concerning density by stating that the development met the density allocated for the site. Mr. Saleh stated that the site yielded 117 in

density yet allowed 130 in a development agreement. Mr. Saleh stressed that the development met the density in the development agreement process but did not in the Land Use Bylaw where they were 6 people over. Mr. Saleh also responded to the question of why this development was being proposed. Mr. Saleh stated the proposal meets the city's goal, creates a better form for the site and friendlier streetscape. Mr. Saleh stated that the site falls within the Agricola corridor and that the heights contemplated under the Centre Plan were consistent. Mr. Saleh indicated that the original proposal was 9 storeys. Regarding open space, Mr. Saleh commented that the development had 2,400 sq. ft. of landscaping space at grade and a terrace with 1,500 sq. ft. of outdoor space. Responding to the question of setting precedents, Mr. Saleh stated that each site is considered on its own merit.

Responding to questions around the planning process, Ms. Salih described the site-specific MPS & LUB Amendment process stage by stage and how the public can input feedback. Ms. Salih also responded regarding the Centre Plan.

Ms. Katie Aven, resident of John Street., commented that she agreed with much of the public feedback. Ms. Aven described the neighbourhood's benefits of low cost, walkability, and living on a human scale. Ms. Aven questioned if the architect's design functioned on any demographic or social data to determine there was a population need for this development. Ms. Aven emphasized there were currently many places to live in the neighbourhood.

Ms. Chris Annand, Wellington St., stated concern for the process and its relation to recent developments. Ms. Annand stated that citizens of HRM were promised meaningful engagement, yet had not received it.

Mr. Michael Hodges, resident of James St., asked for consideration to be given for the amount of disruption cause by construction. Mr. Hodges stated that he would like to see what would be built by a developer that stayed within the current guidelines. Mr. Hodges also commented on the need to cater to underprivileged folks in the neighbourhood and affordable housing.

Mr. Phil Pacey, described a series of meetings from 1980-1992 by the PAC of his time. Mr. Pacey described the character of the neighbourhood in that day and the rationale for the 50 ft height limit developed at that time as satisfying a mixture of light industrial uses with residential. Mr. Pacey emphasized that these mixed uses allowed for the people of the day to find employment nearby. Mr. Pacey stated that the area has been residential and industrial use for centuries. Mr. Pacey stated that retaining that height limit would preserve the character of the neighbourhood and prevent speculation.

Mr. Lavell questioned Ms. Salih's flowchart regarding provincial approval of new policies. Ms. Salih responded that any amendments to the MPS required provincial approval.

Mr. Andrew Murphy commented that he would like to make a request for an inventory of buildings/units created and also for a legal opinion be procured on whether this type of development would create precedent.

Ms. Salih responded to the first question that the zoning bylaw was in place for as of right development. She furthermore responded that an answer could be put on the website regarding that question.

Mr. Creighton questioned why this development was not built on a major thoroughfare instead. Ms. Salih responded that no decision has been made yet. Mr. Saleh added that the developer had a right to submit an application.

Mr. Haven questioned the social good of the proposal, and questioned the merit that led the development to Council. Ms. Salih responded to the question over process by stating that after the meeting, all materials would be reviewed, the proposal would be re-examined and staff's position would be determined on the application.

In response to questions over occupants, Mr. Saleh responded that they could not respond to who would be living in the development. Mr. JeBailey added that the development may be flexible and if more 3 bedroom units were wanted they could be added. In response to questions over social good, Mr. Saleh stated that the property was zoned commercial and the applicant had the right to develop. Mr. Saleh commented that they were not asking for more density. Mr. Saleh stated that good questions arose from this meeting and they would be looking into how to improve the development. Mr. Saleh further responded that a shadow assessment would be performed to determine the implications and this would be made public. Mr. Saleh also responded that bringing people to the site to share nearby resources and amenities would be a public benefit. Mr. Saleh stated that they may also go back to the applicant and consider opportunities to include public or include a percentage of units at fair market value. Mr. Saleh commented that the purpose of this process was to provide the avenue to come up with a good solution for the site.

3.0 ADJOURNMENT

The Chair adjourned the meeting at 9:01 p.m.

Andrew Reid
Legislative Assistant