

8.1 Case 18388 – Amendments to the Halifax Municipal Planning Strategy (MPS) and the Halifax Peninsula Land Use By-law (LUB), and Development Agreement – 6395 and 6399 North Street, Halifax

The following was before Council:

- A staff recommendation report dated July 7, 2014
- Correspondence from Graham MacDougall and Daniel Scott

MOVED by Councillor Watts, seconded by Councillor Mason that Halifax Regional Council not initiate the process to consider amending the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law for the lands located at 6395 and 6399 North Street, Halifax, to permit a seven storey residential building by development agreement.

Councillors Watts indicated that there has been clear direction around the specific issues of concern raised by staff. From the emails she had received, residents support development, but agree with some of the issues raised by staff and would like to have community consultation around these concerns. Councillor Watts asked staff to provide clarification around their concerns with how the building height was measured, the number of parking levels, and their concern with the base of the building and setbacks.

Ms. Dali Salih, Planner, Development Approvals, explained that in the staff report the base coverage was calculated at 95%. She noted that lot coverage under the definition of the Land Use By-law for Halifax Peninsula was the total area of the land covered by all buildings on the lot; which included the podium and the tower in this proposal at 95%. Ms. Salih clarified that parking was one level not two. She further explained that the one level of underground parking, at grade parking or enclosed parking could include 62 parking spaces. Ms. Salih further confirmed that the total height of the building, including the mechanical equipment, was at 85 feet. She added that from ground level to the roof, the building height was calculated between 75 to 80 feet but that staff considered the total height massing by including different elements of the structure.

Councillor Watts spoke to this location being an important development site on the peninsula and for District 8, and supporting density and development but ensuing this was the best development suitable for the neighbourhood.

Councillor Hendsbee spoke against the motion, expressing that there was an opportunity for a proposal to come forward and for having community engagement; especially for a major corridor on North Street. He further spoke to support for densification in this area.

Councillor Walker was also supportive of initiating the process and hearing from the community to gain understanding of their views of the proposal around height, and other matters.

Councillor Mosher supported the motion and provided an example of how Halifax and West Community Council reviews these types of proposals on a case by case basis; taking into consideration the existing community profile, defining characteristics of the neighbourhood and neighbourhood compatibility. She referred to the reasons outlined by staff in the report dated July 7, 2014 for not supporting the initiation of the MPS amendments process for the proposal on the basis of the proposed height, massing, transition and streetscape issues. As well, she was not supportive of the developer's decision to proceed with the application without community consultation as suggested by staff, and was concerned that the proposal does not fit within the characteristics of the neighbourhood.

Councillor Karsten did not support the motion pointing out that the Regional Plan calls for densification in the urban core, and agreed with Councillor Walker that initiating the process and going through the various stages was appropriate. He further pointed out that he has not received any correspondence from residents on this proposal.

Councillor Mason spoke in support of the motion, explaining that although the Regional Plan encourages densification in the downtown core it does not mean that a high rise development would be appropriate at any location. The Regional Plan provides for the Centre Plan which encourages opportunity sites and corridors where densification is appropriate.

Council continued to discuss the motion with members speaking for and against the motion. In response to a request, Mr. Richard Harvey, Major Projects Planner spoke to the reasons around staff's recommendation as identified in the July 7, 2014 staff report. He explained that when staff looks at places identified as being suitable for redevelopment, consideration is given to the site, the context and surrounding land uses. There are certain parts of the proposal that staff reviewed and indicated that do not meet the expectations for the existing circumstances. In response to a question raised around the lot coverage, Ms. Salih advised that the maximum lot coverage under the current R-2 zoning applied to this site was 35% which allowed for setbacks.

MOTION PUT AND DEFEATED. (6 in favour, 9 against)

In favour: Mayor Savage, Councillors Nicoll, Mason, Watts, Mosher and Outhit

Against: Deputy Mayor Fisher, Councillors Dalrymple, Hendsbee, Karsten, Walker, Adams, Rankin, Whitman and Craig

Not present: Councillors McCluskey and Johns

As requested by Councillor Hendsbee, Ms. Salih provided clarification on the two alternatives provided in the July 7, 2014 staff report.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten that Halifax Regional Council approve Alternative 1 of the staff report dated July 7, 2014 to initiate the Municipal Planning Strategy (MPS) amendment process for the proposal, subject to changes being made to the proposal as outlined in the staff report dated July 7, 2014 and gained through public consultation. MOTION PUT AND PASSED. (12 in favour, 3 against)

In favour: Mayor Savage, Deputy Mayor Fisher, Councillors Dalrymple, Hendsbee, Karsten, Nicoll, Walker, Adams, Rankin, Whitman, Craig and Outhit

Against: Councillors Mason, Watts and Mosher

Not present: Councillors McCluskey and Johns