

HALIFAX REGIONAL MUNICIPALITY

DISTRICT 12 PLANNING ADVISORY COMMITTEE MINUTES

February 27, 2006

PRESENT: Beverly Miller, Vice Chair
Lucy Trull
Councillor Dawn Sloane
Graeme Gunn

**ABSENT WITH
REGRETS:** Heather Ternoway
Clary Kempton
Mia Rankin

STAFF: Mr. Richard Harvey, Planner
Gail Harnish, Admin/PAC Coordinator
Jennifer Weagle, Legislative Assistant

TABLE OF CONTENTS

- 1. CALL TO ORDER 3
- 2. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS
AND DELETIONS 3
- 3. APPROVAL OF THE MINUTES 3
- 5. REPORTS 3
 - 5.1 Case 00866: Amendments to the Halifax Peninsula Land Use By-Law
Respecting Gross Floor Area Requirements 4
 - 5.2 Case 00877: Halifax Port Authority Development Agreement 5
- 6. PUBLIC PARTICIPATION 6
- 7. STATUS UPDATES 6
 - 7.3.1 Harvey Street Parking Lot - Townhouses 6
 - 7.1 Monthly Status Updates 7
 - 7.2 Decisions of Community Council 7
 - 7.3 Review of District 12 PAC Status Sheet 7
 - 7.3.2 Gerrard Lodge 7
 - 7.4 Update - Grand Parade/Province House/Birks Site Public Lands 7
 - 7.5 Update - Spring Garden/Queen Street Area Public Lands 7
- 8. ADDED ITEMS 7
- 9. NEXT REGULAR MEETING DATE 7
- 10. ADJOURNMENT 8

1. **CALL TO ORDER**

The meeting was called to order at 7:02 p.m. in the Trophy Room, City Hall.

2. **APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

Item 7.3.2 - Gerrard Lodge was deferred to the March 27, 2006 meeting of the District 12 PAC.

MOVED BY Councillor Sloane, seconded by Lucy Trull, that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. **APPROVAL OF THE MINUTES**

MOVED BY Councillor Sloane, seconded by Lucy Trull, that the minutes of November 28, 2006 be approved as distributed. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED BY Councillor Sloane, seconded by Lucy Trull, that the minutes of January 16, 2006 be approved as distributed. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED BY Councillor Sloane, seconded by Graeme Gunn, that the minutes of January 23, 2006, be approved as distributed. MOTION PUT AND PASSED UNANIMOUSLY.

4. **BUSINESS ARISING OUT OF THE MINUTES**

Copies of the Development Agreement for Gerrard Lodge are to be provided to Ms. Trull and Mr. Gunn, who were not members of the Committee at the time of the approval, prior to the March 27, 2006 meeting.

Note was made of Ms. Ternoway's comments in the January 23, 2006 minutes regarding the role of the Committee relative to public meetings and public hearings. A future agenda is to include an item regarding the Committee's obligations around public information sessions and the difference between public information session and public hearing.

5. **REPORTS**

5.1 Case 00866: Amendments to the Halifax Peninsula Land Use By-Law Respecting Gross Floor Area Requirements

C This matter was considered by the Committee at its January 23, 2006 meeting. A Supplementary Report dated February 13, 2006 in response to the Committee's request for additional information was before the Committee.

Mr. Richard Harvey, Planner II, addressed the Committee providing a brief overview of the February 13, 2006 staff report. Mr. Harvey's presentation included the following highlights:

- Staff are suggesting that the Gross Floor Area (GFA) amendments responding to the quasi rooming house issue are not necessary,
- The rationale to adopt both the restrictions on number of bedrooms and the GFA amendments was to be comprehensive in scope,
- With the regulations in place staff have determined that the restrictions the number of bedrooms is addressing the quasi rooming house issues,
- The applications and inquiries have been receiving relative to the GFA are straightforward property improvements.

In response to a question from Councillor Sloane, Mr. Harvey noted that there were no variance applications received within the boundaries of District 12, however, there have been inquiries. Individuals do not proceed with planned renovations when they realize it will involve an appeal. Instead they revise their plans to allow the renovation to proceed without appeal.

Ms. Miller indicated that she did not support this change. She went on to indicate that the variance appeal process provides an opportunity for the neighbourhood to have input to these modifications. Ms. Miller went on to suggest that the By-law be modified so that staff would have discretion up to 15%.

Mr. Harvey indicated that this would be achieved by simply increasing the GFA by 15%. He went on to indicate that the economic reason for renovation is the development of additional bedrooms. The legislation in place restricting the number of bedrooms has addressed this issue. Mr. Harvey indicated that HRM still has the opportunity to apply the GFA in a specific area that is encountering problems should this amendment be approved.

Mr. Harvey indicated that if staff believed there was a possibility that a small number of the 30 inquiries received were 'quasi rooming house' requests, they would recommend the regulations stay in place. He indicated that the 30 inquiries are, in fact, typical renovations.

MOVED by Councillor Sloane, seconded by Mr. Gunn the District 12 PAC recommend that Peninsula Community Council and Chebucto Community Council:

- **Give First Reading to the proposed amendments to the Halifax Peninsula Land Use Bylaw as contained in Attachment A of the January 5, 2006 staff report, and schedule a joint public hearing of the Peninsula Community Council and the Chebucto Community Council.**
- **Approve the proposed amendments to Halifax Peninsula Land Use Bylaw included as Attachment A in the January 5, 2006 staff report.**

MOTION PUT AND PASSED.

5.2 Case 00877: Halifax Port Authority Development Agreement

C A staff report dated February 15, 2006, on the above noted, was before the Committee.

Mr. Richard Harvey, Planner II, addressed the Committee, briefly reviewing the February 15, 2006 report, including the following highlights:

- In August 2005 Peninsula Community Council approved non-harbour related industrial uses on lands of the Port Authority,
- The Port Authority has since realized that through the development agreement they may be ceding Crown rights of the Port Authority,
- The Port Authority has requested that some language be added to the agreement, which will not change the meaning but will recognize those rights,
- The 120 days in which in the Development Agreement must be signed has expired and a second public hearing is required,
- The Port has also requested a broadening of the allowable uses within the Immigration Annex space which was previously identified for bakery/café use.

In response to concerns from Mr. Gunn regarding the possibility of a fast food franchise, Mr. Harvey indicated that from a land use perspective it is difficult to differentiate the various types of restaurants. Councillor Sloane indicated that the Port Authority has clearly identified that they want the café to be high end.

MOVED by Councillor Sloane, seconded by Councillor Mr Gunn the District 12 PAC recommend that Peninsula Community Council:

- **Give Notice of Motion to consider the proposed development agreement as contained in Attachment A of the February 15, 2006 staff report and schedule a public hearing.**

- Approve the entering into the proposed Development Agreement to allow for the establishment of the non-harbour related industrial uses described within the proposed agreement.
- Require that the agreement be signed within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

MOTION PUT AND PASSED UNANIMOUSLY.

6. PUBLIC PARTICIPATION - GENERAL PLANNING ISSUES

There were no requests to present relative to general planning issues.

7. STATUS UPDATES

The Committee agreed to deal with the status updates in the following order:

7.3.1 Harvey Street Parking Lot - Townhouses

Mr. Harvey indicated that staff would like to have additional discussion with the Committee regarding this matter. He went on to indicate that this is a federal property, a parking lot associated with a building fronting on Barrington Street, having a split zone. Staff is suggesting that rather than zone Townhouse, which still allows a number of uses, provisions be included which would only allow townhouses on the parking lot portion of the property. This would require an amendment of the MPS and could only be amended by development agreement.

A brief discussion ensued during which members noted the following:

- Even though this appears to be a reasonable proposition, a concern was expressed that the fear of taller buildings will restrict all development to two stories,
- The added measure of amendment by development agreement is needed.

Mr. Harvey cautioned that this proposal is unusual to the MPS even though this is an appropriate use for the area. He stressed that the proposed amendment would be site specific and represent very rigorous requirements for a specific piece of property. Essentially, staff would put forward a zone for the parking lot for which the only permitted use would be a

townhouse. In addition to this there would be a requirement that no permit would be issued without a development agreement.

Ms. Miller indicated that the intent of the Committee was to represent the neighbourhood in terms of what they would like to see on the property.

7.1 Monthly Status Updates

The Committee reviewed the monthly status sheet with no action being requested.

7.2 Decisions of Community Council - None

7.3 Review of District 12 PAC Status Sheet

The District 12 PAC status sheet was reviewed with no action being required.

7.3.2 Gerrard Lodge

Consideration of this matter was deferred to the March 27, 2006 meeting of District 12 PAC during the setting of the agenda.

7.4 Update - Grand Parade/Province House/Birks Site Public Lands

Mr. Gunn advised that a report had been received from CBCL, the design consultant, outlining the go forward time line. Public design workshops are proposed for April with business people, Council, staff and other stakeholders attending.

7.5 Update - Spring Garden/Queen Street Area Public Lands

Councillor Sloane reported that the potential sites for the Courthouse are at Sackville and Water Streets, the Sackville Interchange, Spring Garden and Queen Streets, and the Centennial Pool. Residents of Spring Garden and Queen Streets do not want the courthouse located in their neighbourhood. Residents in the area of the Birmingham Street and Queen Street blocks are interested in having the live work concept introduced into the area. The residents had the opportunity to move design pieces around a model to determine the best use of the site. The consultants will utilize the input and bring back a proposal for additional public input.

8. ADDED ITEMS - None

9. NEXT REGULAR MEETING DATE

The Committee agreed that the Building Conservation Standards checklist for the Heritage Property Program be added to the agenda for the March 27, 2006 meeting.

The next meeting of the District 12 Planning Advisory Committee is scheduled for Monday, March 27, 2006 at 7:00 p.m. in the Trophy Room, City Hall.

10. ADJOURNMENT

There being no further business, the meeting adjourned at 8:37 p.m.

Jennifer Weagle
Legislative Assistant