

DISTRICTS 7 & 8 PLANNING ADVISORY COMMITTEE
MINUTES

October 28, 2013

PRESENT: Mr. Michael Haddad, Acting Chair
Councillor Jennifer Watts
Councillor Waye Mason
Ms. Katherine Kitching
Ms. Jennifer Powley
Mr. Brenden Sommerhalder
Mr. Michael Bradfield
Ms. Sunday Miller
Mr. Adam Conter

REGRETS: Mr. David Fleming, Interim Chair

STAFF: Mr. Kurt Pyle, Supervisor, Planning Applications and Heritage
Ms. Dali Sahil, Planner, Development Approvals
Mr. Paul Sampson, Planner, Development Approvals
Mr. Mitch Dickey, Planner, Development Approvals
Ms. Cathy Mellett, Municipal Clerk
Ms. Krista Vining, Legislative Assistant
Mr. Darcy Warren, Legislative Support

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1. CALL TO ORDER

Mr. Darcy Warren, Legislative Support called the meeting to order at 4:00 p.m. in the Halifax Hall, City Hall, 1841 Argyle Street, Halifax. Mr. Warren asked for a member to Chair the meeting, as Mr. Fleming was unable to attend.

MOVED by Councillor Mason seconded by Mr. Bradfield that Mr. Haddad Chair the meeting for today. MOTION PUT AND PASSED.

2. COMMUNITY ANNOUNCEMENTS

The African Canadian Museum Tree Planting Ceremony will be held Wednesday, October 30, 2013.

3. APPROVAL OF MINUTES – September 18, 2013

Mr. Bradfield stated he would like the minutes to include his questions on conflict of interest to which the Clerk's Office agreed.

Further corrections were as follows:

Page 5 – half way down remove one "that"

Page 6 – Item 10 should read Monday not Thursday

MOVED by Ms. Powley, seconded by Mr. Sommerhalder that the minutes of September 18, 2013 be approved as amended and with the inclusion of questions/responses in regard to conflict of interest from the meeting of September 18, 2013. MOTION PUT AND PASSED.

At this time Ms. Cathy Mellett, Municipal Clerk provided information on the format and process for reporting recommendations to staff and the Halifax and West Community Council. As well on the processes for recommending that Community Council not approve a project, should that be required. A memorandum outlining the Committee's recommendations on each application will be prepared by the Clerk's Office for review/approval by the Chair and submission to staff. The Clerk's Office will also ensure the memo forwarded to the Community Council when considering the application.

Ms. Mellett noted that should the Committee arrive at a point where the motion was to recommend the Community Council not to approve the application along with their reasons for that recommendation, that the elected officials on the Committee should consider recusing themselves as they will be members of the decision making body.

4. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Defer Item 7.3 Case 18771 to November 25, 2013 meeting.

MOVED by Councillor Watts seconded by Mr. Bradfield that the agenda be approved as amended. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES

5.1 Terms of Reference and Development Approvals

MOVED by Mr. Sommerhalder seconded by Councillor Watts that Item 5.1 Terms of Reference and Development Approvals be addressed following Item 9 Added Items. MOTION PUT AND PASSED.

Refer to page 8.

6. CONSIDERATION OF DEFERRED BUSINESS – None

7. REPORTS/MEMORANDUMS

7.1 Case 18555: Application by Genivar, on behalf of Onyx Properties, to investigate amending the Halifax Peninsula Land Use By-law applying Schedule Q to 2857-2863 Isleville Street and 5559 Bilby Street, Halifax, to allow for an 8-storey residential building by Development Agreement.

A staff memorandum dated October 16, 2013 was before the Committee.

Ms. Dali Salih, Planner presented Case 18555: Application by Genivar, on behalf of Onyx Properties, to investigate amending the Halifax Peninsula Land Use By-law applying Schedule Q to 2857-2863 Isleville Street and 5559 Bilby Street, Halifax, to allow for an 8-storey residential building by Development Agreement, and responded to questions raised by the Committee. Ms. Salih outlined the applicable Municipal Planning Strategy (MPS) and Land Use By-law (LUB) policies to the project and addressed Committee questions regarding Schedule Q additions, Height Precincts

In response to questions regarding Height Precincts, Ms. Salih noted that Schedule “Q” does not contain any specific height limitations, however the MPS does provide for mid-rise development. She further noted that the MPS does not define mid-rise development and staff interpretation is 12 storeys.

In response to the presentation comment was provided committee that, as of right, a commercial building of the scale outlined in the presentation could be built on the site. In response to questions regarding Schedule Q Ms. Salih noted that properties designated as Schedule Q are subject to more comprehensive planning and can allow Council greater control over the details of project.

In response to a question regarding design, Mr. Jeffry Haggett, Genivar Inc. stated that public consultation was completed before the design was started. He stated that key

elements taken into consideration were no blank walls, family type housing, and no consideration for commercial or industrial business on the property. He also noted that each townhouse would have a different color doors, and be a visually pleasing open space. Mr. Haggett also indicated that they want to include trees to improve the streetscape and attention to detail, especially for the first two stories. It was noted that planting within the sidewalk right of way would be in consultation with HRM.

In response to a question in regard to installation of solar panels or greenroofs in the project, Mr Haggett advised that, based on affordability neither are being considered for the project. Staff advised that there is no requirement for the provision of solar panels or greenroof design in the MPS or LUB policies for the area.

In response to a question regarding underground parking Mr. Haggett advised that another level of underground parking was not considered as it would both increase cost and require blasting and that parking has been accommodated on site with consideration of placement of screening and appropriate access.

In response to a question regarding the provision of visitor parking and bicycle parking Mr. Haggatt stated that there is no provision for visitor parking but that there would be Class A and Class B bicycle parking.

Following discussion the following recommendations were agreed to by the Committee in regard to Case 18555.

The Districts 7 & 8 Planning Advisory Committee recommended that:

1. Appropriate attention is paid in the development agreement to ensure there is adequate pedestrian circulation space in order to support the private green spaces in front of the townhouses, tree planting in the sidewalk right of way and accessible pedestrian access in the sidewalk right of way.
2. In regard to the north and east sides of the building, that attention be paid to consideration of the experience of the abutting properties to consider additional aesthetic considerations and architectural interest possible within the existing building code.
3. Direction is provided within the development agreement that tree planting be carried out by the developer, in consultation with the HRM arborist/urban forest plan on both Bilby and Isleville streets.
4. The change in effect and materials and attention to design detail demonstrated on the first through third floors shown in the presentation be required to be retained in the development agreement.

7.2 Case 18591: Application by Genivar, on behalf of FH Construction Ltd., to investigate amending the Halifax Peninsula Land Use By-law by applying Schedule Q to 5530-5532 Bilby Street, Halifax, to allow for a residential building by Development Agreement.

A staff memorandum dated October 16, 2013 was before the Committee.

Ms. Dali Salih, Planner presented Case 18591 Application by Genivar, on behalf of FH Construction Ltd., to investigate amending the Halifax Peninsula Land Use By-law by applying Schedule Q to 5530-5532 Bilby Street, Halifax, to allow for a residential building by Development Agreement. Ms. Salih advised that a Public Information Meeting was held on September 26, 2013 and a copy of the public's comments were included in the October 16, 2013 staff report. She further clarified that cases are open for approximately five years and that under C-2 Zoning Community Council could apply Schedule Q.

The Committee entered into discussion with staff responding to questions.

Mr. Conter questioned if the two proposals would be constructed at the same time. Staff informed the members that construction would not take place at the same time.

Mr. Haddad asked if there was a timeline for the construction of the two proposals. Ms. Salih indicated that once a development agreement is in place, a timeline would be established. Mr. Haddad suggested that the proposals should have a two year time limit to be completed instead of the normal five to six year period. Ms. Salih stated that this could be included in the Development Agreement.

Councillor Watts expressed her concerns for pedestrian streetscape experience, and the balconies not facing neighbours. Councillor Watts suggested the possibility of greening the blank wall and that terrace spaces be included on all floors.

Ms. Jane Cooper, Operations Manager, Development Approvals, advised that the mandate of the Committee is to raise their concerns and make recommendations to staff. She noted that all concerns and comments would be taken into consideration.

The following recommendations were agreed to by the Committee in regard to Case 18591.

The Districts 7 & 8 Planning Advisory Committee recommended that:

1. Appropriate attention be paid in the development agreement to ensure that the pedestrian experience and safety be considered in regard to competition with parking entrance/exits of the development.
2. Appropriate attention be paid in the development agreement to the south side elevation and the experience of neighbour is regarding the massing of the wall,

privacy and other quality of life issues and that the landscape plan include landscape include landscape and architectural features that address this ex) green wall planting.

3. The clapboard finishes on the east side façade be of high quality materials that reflect the experience of the use/application of materials in this climate.
4. It was noted that bike parking was not in the plan as provided, and that the development agreement must reflect the current requirements in the land use bylaws.

Discussion was held on the usual length of time to construction is allowed for under development agreements. The Committee requested that further information be provided by planning services as to the usual length of time allowed for in a Development Agreement for construction and the background/rationale for those time lines and the definition of “commence construction”. The Committee intends to provide comment/recommendations on the time limits included in the Development Agreements to ensure that approval leads to speedy construction.

7.3 Case 18771: Application by Westwood Construction Limited to amend the development agreement for “Gladstone North” located at Gladstone and Almond Streets, Halifax, to allow for the replacement of two approved semi-detached dwellings (4 units) with a commercial surface parking lot and associated landscaping.

The following was before the Committee:

- Staff memorandum dated October 17, 2013
- Correspondence from Sara Lipson and John Kyle dated October 27, 2013

This item was deferred to the November 25, 2013 meeting during the approval of the agenda.

7.4 Case 18547: Request by the Housing Trust of Nova Scotia for lands at 2183 Gottingen Street to amend the height precinct to increase allowable building height; and to enter into a development agreement to allow for a 6 storey, 115 unit building with ground floor commercial space; and

Case 18548: Request by the Housing trust of Nova Scotia for lands at 2215 Gottingen Street to amend the Halifax Peninsula Land Use By-law by adding the site to schedule Q and to amend the height precinct to increase allowable building height; and to enter into a development agreement to allow a 9 storey, 124 unit building with ground floor commercial space.

The following correspondence was circulated to the committee:

- Staff memorandum dated October 16, 2013
- Edward Edelstein, President, EcoGreen Homes dated October 28, 2013

- Phil Pacey, Chair, Heritage Trust of Nova Scotia dated October 28, 2013
- Beverly Miller dated October 28, 2013

Mr. Mitch Dickey, Planner presented Case 18547: Request by the Housing Trust of Nova Scotia for lands at 2183 Gottingen Street to amend the height precinct to increase allowable building height; and to enter into a development agreement to allow for a 6 storey, 115 unit building with ground floor commercial space; and Case 18548 Request by the Housing trust of Nova Scotia for lands at 2215 Gottingen Street to amend the Halifax Peninsula Land Use By-law by adding the site to schedule Q and to amend the height precinct to increase allowable building height; and to enter into a development agreement to allow a 9 storey, 124 unit building with ground floor commercial space.

Due to time constraints the Committee agreed to schedule a special meeting to complete their review. Refer to Item 10 for special meeting date.

8. STATUS UPDATES

8.1 Monthly status updates – planning applications

Monthly status updates on planning applications was before the Committee for review. No updates were provided at this time.

9. ADDED ITEMS – NONE

Item 5.1 was addressed at this time.

5.1 Terms of Reference and Development Approvals

Due to time constraints, the Committee agreed to defer this matter to their November 25, 2013 meeting.

10. NEXT MEETING DATE – November 25, 2013

A special meeting to consider Case 18547 and Case 18548 has been scheduled for Monday November 4, 2013 at 7:00 p.m. in Halifax Hall, City Hall, 1841 Argyle Street, Halifax.

The next regular meeting will be held on Monday November 25, 2013 at 4:00 p.m. in Halifax Hall, City Hall, 1841 Argyle Street, Halifax.

11. ADJOURNMENT

The meeting was adjourned at 6:58 p.m.

Darcy Warren
Legislative Support