



**DISTRICTS 7 & 8 PLANNING ADVISORY COMMITTEE  
MINUTES  
May 2, 2016**

PRESENT: Ms. Sunday Miller, Chair  
Mr. Ashley Morton, Vice Chair  
Mr. Michael Bradfield  
Mr. Grant Cooke  
Councillor Waye Mason  
Councillor Jennifer Watts  
Ms. Sarah MacDonald

REGRETS: Ms. Katherine Kitching

ABSENT: Mr. Joe Metlege

STAFF: Mr. Tim Beed, Community Planning Intern  
Mr. Carl Purvis, Acting Supervisor of Community Planning  
Ms. Cailin MacDonald, Legislative Support

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

*The agenda, supporting documents, and information items circulated to the Districts 7 & 8 Planning Advisory Committee are available online: <http://www.halifax.ca/boardscom/D78PAC/160502d78pac-agenda.php>.*

*The meeting was called to order at 4:07 p.m. and adjourned at 5:30 p.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 4:07 p.m. at Halifax City Hall, 1841 Argyle Street.

- Community Announcements

Councillor Watts notified the Committee of the upcoming Centre Plan workshops happening between May 2<sup>nd</sup> and 11, 2016 throughout Dartmouth and Halifax. She also spoke to the Public Information Meeting being held by the Committee at the Olympic Community Centre on May 9, 2016.

Councillor Mason notified the Committee of an upcoming Public Open House regarding Case 20040 on May 18, 2016.

**2. APPROVAL OF MINUTES – March 21, 2016**

MOVED by Councillor Watts, seconded by Councillor Mason

**THAT the minutes of March 21, 2016 be approved as presented.**

**MOTION PUT AND PASSED.**

**3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND**

MOVED by Councillor Mason, Councillor Watts

**THAT the agenda be approved as presented.**

**MOTION PUT AND PASSED.**

- 4. BUSINESS ARISING OUT OF THE MINUTES – NONE**
- 5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE**
- 6. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**7. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**7.1 Correspondence**

Ms. Cailin MacDonald, Legislative Support, noted two pieces of correspondence have been circulated to the Committee: one received by the Park to Park Community Association and one by the Willow Tree Group.

**7.2 Petitions – NONE**

**8. INFORMATION ITEMS BROUGHT FORWARD – NONE**

**9. REPORTS**

**9.1 STAFF**

**9.1.1 Case 20326: Proposal by Michael Napier Architecture for Substantive Amendments to an existing Development Agreement – Bilby Street & Isleville Street, Halifax.**

The following was before the Districts 7 & 8 Planning Advisory Committee:

- A staff memorandum dated April 21, 2016

The Chair invited Mr. Carl Purvis, Acting Supervisor of Community Planning to present Case 20326 to the Committee. Mr. Purvis commented that the existing development agreement allows for consolidating of four properties to create a site 18,000 square feet in area. He noted that the site is currently vacant and that it is surrounded by a mixture of minor commercial uses as well as residential uses including single unit dwellings, duplexes and low-rise multiple unit residential buildings.

Mr. Purvis commented that the applicant has submitted a request to substantively amend the existing Development Agreement to allow for changes. He went on to describe the site as within Area 5 of the Peninsula North Secondary Planning Strategy and designated for major commercial development. He described Policy 2.3 of the Halifax Municipal Planning Strategy and its flexibility to enable modification of the standard Land Use By-law requirements for land-use development on a site by site basis. Mr. Purvis showed a map of the Schedule Q zone to the Committee which applies to this proposed development.

Mr. Purvis shared that on January 21, 2013 Halifax and West Community Council (HWCC) held a public hearing to consider amendments to the Halifax Peninsula Land Use By-law (LUB) and a development agreement. He commented that subsequent to the public hearing, HWCC approved amendments to the Halifax Peninsula LUB to include the lands within Schedule Q and approved the development agreement on March 18, 2013.

Mr. Purvis reviewed the changes being proposed, including: an increase in the number of units from 56 to 71; revisions to the two-storey nature of the townhouses along Bilby and Isleville Streets and a reduction to seven (7) from eight (8) units; changes to the unit type ratio; an increase in the number of parking spaces from 60 to 66; minor modifications to exterior materials; and a minor increase of the streetwall setback along Isleville Street to facilitate landscaped terrace spaces.

Mr. Purvis showed a rendering of the original 2013 proposal and the current proposal including the proposed amendments.

The Committee commented that they had not received the staff report in full.

Mr. Purvis went on to outline the key changes for the Committee including cladding and façade elements, the stepback occurring at streetwall, changes to the landscaped area, as well as changes to the unit type. He also noted that there were no proposed changes to the massing and physicality of the building.

Mr. Purvis commented that pursuant to the Committee's Terms of Reference, staff is seeking feedback on: the acceptability of the proposal; and elements and provisions to be included in the staff report to Halifax and West Community Council.

The Chair thanked Mr. Purvis for his presentation and opened the floor to questions of clarification from the Committee.

Councillor Watts asked for clarification regarding the revisions to the proposed townhouses. Mr. Purvis clarified that the four (4), two-storey townhouses, range from 1235 to 1533 sq. ft. each with two (2) bedrooms plus a den and three (3), one-storey townhouses, range from 707 to 957 square feet.

Councillor Watts asked for further clarification on the unit types. Mr. Purvis cited that 33 per cent of the units proposed would be two bedroom plus den or two-bedroom and that 66 per cent would be one

bedroom plus den or one bedroom. Mr. Morton cited concerns regarding the limited availability of three-bedroom units in the area. Mr. Purvis confirmed three-bedroom units have not been included in this proposal. Mr. Morton inquired about the unit types outlined in the original proposal. Mr. Purvis responded that the unit types were not defined as the proposal had not reached the building permit phase and noted that the proposed unit mix was determined by the developer to reflect current market trends.

Councillor Mason shared his concerns with approving this proposal without having had the opportunity to review the attachments and recommended to the Chair that the Committee defer the motion until the next PAC meeting.

Councillor Watts shared concerns with holding this Committee meeting without the closure of public comments which has been extended until May 16, 2016. She echoed Councillor Mason's recommendation to defer the motion.

MOVED by Mr. Bradfield, seconded by Mr. Morton

**THAT the District 7 & 8 Planning Advisory Committee defer review and approval of Case 20326: Proposal by Michael Napier Architecture for Substantive Amendments to an existing Development Agreement – Bilby Street & Isleville Street, Halifax, to the next Committee meeting on May 30, 2016.**

#### **MOTION PUT AND PASSED.**

**9.1.2 Case 19987: Application by Dino Capital Ltd. and Urban Capital for a Development Agreement allowing a multi-unit residential development of 8 to 10 storeys. The proposed building includes 164 residential units and 140 underground parking stalls. The development is located at 1034, 1042, 1050 and 1056 Wellington Street, Halifax.**

The following was before the Districts 7 & 8 Planning Advisory Committee:

- A staff memorandum dated May 2, 2016

The Chair invited Mr. Tim Beed, Community Planning Intern to present Case 19987 to the Committee. Mr. Beed provided the background of the proposal and noted that the Committee was presented with a previous version of this proposal in January 2016. He continued by stating that a new developer is involved in the project and that based on staff, PAC and public comments the applicant has submitted a revised set of renderings for consideration. Mr. Beed also commented that there were specific changes made to the setbacks, roof space uses, cladding and unit composition.

Mr. Beed provided the context of the site located on the west side of Wellington Street. He described the area surrounding the subject site to be in close proximity to universities, hospitals, community parks and elementary and junior high schools as well as that it is in an area with a mix of high, medium and low density development.

Mr. Beed provided the history of the project. He commented that a site specific Land Use By-law was added to the Municipal Planning Strategy (MPS) policy and was approved in 2015 which permits development of the entire site through the development agreement. He commented that a public information meeting was held in September 2016 and then it was brought to the PAC in January 2016. Urban Capital became involved in the project in winter 2016 and the applicant engaged with staff as well as the public since the last PAC meeting to help make revisions to the application.

Mr. Beed then described Policy 7.7B.1 and 7.7B.2 of the Halifax MPS and its application to this proposal. He noted that the policies require height limits not exceeding 30.5 metres; maximum 141,000 square feet

gross floor area, minimum of 50 percent two (2) plus bedroom units throughout the development, use of durable high quality material, and architecturally concealed and enclosed parking facilities.

Mr. Beed outlined the comments received at the public information meeting held in September 2015. He noted key concerns including: building height, form and density, environmental and mature tree protection, parking and traffic demand, concerns regarding how the development would interact and transition within the lower density neighbourhood, concerns with the of prolonged construction timelines, and the interim design between the first and second phases.

Mr. Beed outlined key considerations made by the Committee on January 25, 2016 regarding the initial application. He noted that the Committee expressed concerns with phasing, recommended three (3) and four (4) bedroom unit townhouses on the front face of the building, reduction in tower height, included tower separation, valuing of setbacks at the east and west of the proposal, as well as greenscaping.

Mr. Beed commented that the applicant has made revisions to address some of these concerns. He shared some of the applicants' revisions including: retaining the one tower design, reduction of underground parking levels; and the change in setbacks from 7.76 metres to 9.95 metres on the rear, 2.98 metres along Wellington Street, 0.21 metres to 0.37 metres to the south and 0.12 metres to 0.46 metres facing north.

Mr. Beed shared a rendering of the proposed development and outlined some of the project's key features including: that the development will have 164 residential dwelling units and 13 two-storey townhouse units, a design proposed for the interim south-facing wall if phasing occurs, south rooftop access and use for top floor units only, and exterior cladding using predominantly iron spot brick.

Mr. Beed showed the Committee the proposed floorplan as well as elevations. He also described the proposed detailing for the south-facing wall should the development be phased.

Mr. Beed commented that staff is looking to receive feedback on the changes proposed including the reduced setbacks; altered roof space access and uses; changes to exterior cladding; proposed south wall interim design; and unit composition and count.

The Chair thanked Mr. Beed for the presentation and opened the floor to questions of clarification from the Committee.

Councillor Mason expressed concerns that Council voted against staff's initial recommendation. He also commented that since Urban Capital has been involved in the project, engagement with the community and residents has improved. He also commented that concerns were eased once knowing the details of the phasing planned as well as that it would be condo as opposed to rental units. Councillor Mason expressed that he believes the developer, staff and the community have collectively reached the best possible outcome regarding this development and that he would support this project.

Councillor Watts asked for clarification on the unit types and number of bedrooms in the proposed townhouse units. Mr. Beed responded that the 13 townhouses have a max two-bedroom per unit. She recommended that the developer look at the inclusion of three (3) or four (4) bedroom units.

Councillor Watts asked for clarification around the proposed setbacks. He commented that the building is setback from the property line and that the foundation and parking garage is almost at the property line. The Committee briefly reviewed and discussed with staff the elevations provided.

Mr. Bradfield shared his concerns with the bulging of the building's design and the relation of the setbacks. He was also concerned with the phasing and recommended that the building be phased

horizontally rather than vertically to eliminate the south facing wall and to potentially limit the building's height. Mr. Beed responded that the proposal is presented as a vertically phased approach. Mr. Bradfield commented that he would be inclined to vote against the project should it not be phased horizontally.

Councillor Watts asked what the phasing was contingent on. Mr. Beed responded that he believed it was related to financing and marketability. Councillor Mason further added that the developer desires to build the development at once however wants that provision in case the market is not there to support selling of all units at once.

Mr. Cooke commented that given Council has restricted the height and footprint of the development; he would be inclined to support the proposal.

Mr. Bradfield asked what would happen to the rest of the property if the project is phased vertically. Mr. Beed responded that staff had not yet discussed the long-term effects and that for the interim staff have requested a landscaping and design plan if it were not built out. As well he noted that the development agreement states that the four sites must be consolidated.

Councillor Mason commented that all four (4) sites are planned to be demolished at once and he agreed with recommending a landscaping plan and design for the south-facing wall. Mr. Purvis clarified that a condition of the development agreement requires that the sites be demolished at once and that staff have asked for an interim landscaping plan and that the applicant has suggested that the area be sodded and fenced. He also commented on the long-term plans should the development agreement expire, which could likely be rezoned and that a new Development Agreement would have to be obtained for the undeveloped half.

Councillor Watts suggested that the Committee look at considerations related to interim landscaping and cladding of the south-facing wall within six months of construction as well as when the development agreement should expire. Mr. Purvis shared that development agreements typically expire within four (4) to five (5) years. Mr. Bradfield commented that he would also like to see the trees maintained until the second phase commences. Mr. Beed responded that there is protocol in the municipality that when developments remove mature trees a percentage must be replanted. The Committee continued to discuss with staff the implications of the interim south-facing wall becoming permanent.

Councillor Watts asked for clarification around the scenario should the second building not be built and asked what process would be triggered once the development agreement expires. Mr. Beed commented what has been presented by the applicant is the amount of detail staff currently has should the second building not be built. Councillor Watts suggested including something to address this within the Committee's considerations. The Committee continued to discuss with staff the implications and possible scenarios should the second building not go forward.

MOVED by Mr. Cooke, seconded by Ms. MacDonald

**THAT the Districts 7 & 8 Planning Advisory Committee has reviewed Case 19987: Application by Dino Capital Ltd. and Urban Capital for a Development Agreement allowing a multi-unit residential development of 8 to 10 storeys, including 164 residential units and 140 underground parking stalls, located at 1034, 1042, 1050 and 1056 Wellington Street, Halifax and recommends approval of the application as contained in the staff memorandum dated May 2, 2016.**

The Committee entered into discussions and further refined their proposed amendment to the motion.

MOVED by Councillor Mason, seconded by Mr. Morton

**THAT the motion be amended to include the following suggestions:**

- 1. Encourages a mix of unit types that includes more three (3) bedroom or at least two (2) bedroom plus den configurations to encourage family occupancy.**
- 2. Views the increase in setback from Gorsebrook Park positively.**
- 3. Strongly encourages trees be retained on the land until commencement of construction on the second phase.**
- 4. Believes that a comprehensive landscaping plan is required. In the case that the second phase is not commenced within six months of completion of the first phase, appropriate greenscaping be required, to include sod and fence, in addition to the retention of the existing trees.**
- 5. Encourages a clear plan be developed to ensure the greatest positive aesthetic impact possible. Given that the south wall will exist when only phase one has been constructed and in light of the possibility that it might be permanent.**
- 6. That the Development Agreement have a duration of three (3) years.**

**MOTION TO AMEND PUT AND PASSED.**

The motion now reads:

MOVED by Councillor Mason, seconded by Ms. MacDonald

**THAT the Districts 7 & 8 Planning Advisory Committee has reviewed Case 19987: Application by Dino Capital Ltd. and Urban Capital for a Development Agreement allowing a multi-unit residential development of 8 to 10 storeys, including 164 residential units and 140 underground parking stalls, located at 1034, 1042, 1050 and 1056 Wellington Street, Halifax and recommends approval of the application as contained in the staff memorandum dated May 2, 2016, with the following suggestions:**

- 1. Encourages a mix of unit types that includes more three (3) bedroom or at least two (2) bedroom plus den configurations to encourage family occupancy.**
- 2. Views the increase in setback from Gorsebrook Park positively.**
- 3. Strongly encourages trees be retained on the land until commencement of construction on the second phase.**
- 4. Believes that a comprehensive landscaping plan is required. In the case that the second phase is not commenced within six months of completion of the first phase, appropriate greenscaping be required, to include sod and fence, in addition to the retention of the existing trees.**
- 5. Encourages a clear plan be developed to ensure the greatest positive aesthetic impact possible. Given that the south wall will exist when only phase one has been constructed and in light of the possibility that it might be permanent.**
- 6. That the Development Agreement have a duration of three (3) years.**

**MOTION PUT AND PASSED.**

**10. ADDED ITEMS – NONE**

**11. DATE OF NEXT MEETING – May 9 (PIM) & May 30, 2016**

**12. ADJOURNMENT**

The meeting adjourned at 5:30 p.m.

Cailin MacDonald,  
Legislative Support