



**DESIGN REVIEW COMMITTEE  
MINUTES  
May 11, 2017**

PRESENT: Rick Buhr, Chair  
Rob Leblanc, Vice Chair  
Malcolm Pinto  
Catherine Courtney  
Mitra Rad  
John Crace  
Matt Neville  
Jonathan Lampier  
Marianne Abboud  
Emmitt Kelly  
Kautilyn Gandhi

STAFF: Karen Brown, Solicitor  
Jacob Ritchie, Urban Design Program Manager  
Carl Purvis, Planning Application Program Manager  
Maggie Holm, Principal Planner, Urban Enabled Applications  
Liam MacSween, Legislative Assistant, Office of the Municipal Clerk  
Aaron Windsor, Legislative Support, Office of the Municipal Clerk

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

*The agenda, supporting documents, and information items circulated to the Committee are available online at: [halifax.ca](http://halifax.ca)*

*The meeting was called to order at 4:03 p.m., and adjourned at 5:13 p.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 4:03 p.m.

**2. Approval of Minutes – December 1, 2016**

MOVED by the Vice Chair, seconded by Matt Neville

**That the minutes of the December 1, 2016 meeting be approved as distributed.**

**MOTION PUT AND PASSED.**

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

Additions:

10.1 Committee Meeting Time

MOVED by Malcolm Pinto, seconded by Jonathan Lampier

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

Two-third majority vote required.

**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 – NONE**

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

**9. REPORTS**

**9.1 STAFF**

**9.1.1 Case 21123: Amended Substantive Site Plan Approval – 5504 Spring Garden Road, Halifax**

The following was before the Committee:

- A staff recommendation report dated May 11, 2017
- A staff memo to the Committee dated February 24, 2017

Carl Purvis, Principal Planner presented the case as outlined in the staff report dated May 11, 2017.

The Chair invited the proponent to address the Committee. Danny Chedrawe, President Westwood Developments, provided information to the Committee regarding the variances and the staff recommendation. Danny Chedrawe apologized for variances and commended the municipal staff for their professionalism, and noted there was no intent for as-built to vary from Committee approval for the site.

Danny Chedrawe noted that it is his belief that the project “fell through the cracks” of the development process, and that during construction minor changes were made to the design to respect labour code and various site specific issues including density and space constraints with abutting buildings. Danny Chedrawe further noted that when staff identified to him site variance issues he immediately halted further work at the site until the issue could be resolved with the Committee.

The Committee asked about how these variances were incorporated into the building without coming back to the Committee. The Committee members further asked about how these variances were discovered by municipal staff. Staff responded that detailed plans come back to municipal staff several times after the Committee’s approval and checks against variances occur at those times. Staff further elaborated on the context of as-built variances and various other instances of as-built variances from this and other committee approvals and issues surrounding compliance monitoring.

The Committee asked whether the developer thought if the as-built site design had been presented it would have been approved in 2013. Danny Chedrawe noted the benefits of the development and its high quality materials and that he feels the property would have been approved as-built.

MOVED by the Rob Leblanc, seconded by Matt Neville

**THAT the Design Review Committee:**

**1. Approve the amendments to the qualitative elements of the substantive site plan approval application for the mixed-use development at 5504 Spring Garden Road, Halifax, as contained in Attachment A of the February 24, 2017 staff memo, which amends the substantive site plan approval plans for the development which were approved by the Design Review Committee on May 9, 2013, conditional upon the following:**

**a. that the penthouse level be clad in curtain wall and spandrel panels as per the 2013 design approval.**

**2. Approve the additional requested variance to the Land Use By-law requirements regarding side and rear yard setbacks for the mechanical penthouse, as contained in Attachment A of the February 24, 2017 staff memo.**

The Committee discussed the utility of 1a and compelling the developer to change the penthouse level cladding.

MOVED by Matt Neville, seconded by Marianne Abboud

**THAT the motion be amended to remove 1a.**

**MOTION PUT AND PASSED.**

The question was called on the motion amended as follows:

**THAT the Design Review Committee:**

**1. Approve the amendments to the qualitative elements of the substantive site plan approval application for the mixed-use development at 5504 Spring Garden Road, Halifax, as contained in Attachment A of the February 24, 2017 staff memo, which amends the substantive site plan approval plans for the development which were approved by the Design Review Committee on May 9, 2013.**

**2. Approve the additional requested variance to the Land Use By-law requirements regarding side and rear yard setbacks for the mechanical penthouse, as contained in Attachment A of the February 24, 2017 staff memo.**

**AMENDED MOTION PUT AND PASSED.**

**10. ADDED ITEMS**

**10.1 Committee Meeting Time**

MOVED by the Johnathan Lampier, seconded by Malcolm Pinto

**THAT future Committee meetings be held beginning at 4:30 p.m.**

**MOTION PUT AND PASSED.**

**11. IN CAMERA (IN PRIVATE)**

**11.1 Approval of In Camera Minutes – January 14, 2016**

MOVED by Rob Leblanc, seconded by Malcolm Pinto

**THAT the In Camera Minutes of January 14, 2016 be approved as circulated.**

**MOTION PUT AND PASSED.**

**12. DATE OF NEXT MEETING – June 8, 2017**

**13. ADJOURNMENT**

The meeting adjourned at 5:13 p.m.

Aaron Windsor  
Legislative Support