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Item No. 4.1
Halifax and West Community Council
November 15, 2016
December 14, 2016

TO: Chair and Members of Halifax and West Community Council

SUBMITTED BY: Original Signed

Bob Bjerke, Chief Planner and Director, Planning and Development

DATE: November 1, 2016

SUBJECT: **Case 18388: Amendments to the Halifax MPS and Peninsula LUB for 6389, 6395 and 6399 North Street, Halifax**

ORIGIN

- Application by Mythos Development Limited
- August 5, 2014, Regional Council initiation of the MPS amendment process

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Halifax and West Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB), as set out in Attachments A and B of this report, to enable a multi-unit residential building at 6389, 6395 and 6399, North Street, Halifax, and schedule a public hearing; and
2. Approve the proposed amendments to the Halifax MPS and Halifax Peninsula LUB, as set out in Attachments A and B of this report.

BACKGROUND

Mythos Development Limited is applying to develop a 7-storey, 81-unit residential building located at the Northeast corner of the intersection of North and Oxford Streets, Halifax. This proposal cannot be considered under the existing policy and zoning of the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB), respectively. The applicant is, therefore, seeking an amendment to the MPS and LUB to enable consideration of the proposal through the development agreement process.

Subject Site	6399, 6395 & 6389 North Street
Location	Northeast corner of the intersection of North and Oxford Streets
Regional Plan Designation	Urban Settlement
Community Plan Designation (Map 1)	(MDR) Medium Density Residential
Zoning (Map 2)	R-2 (General Residential)
Size of Site	2,870 square metres (30,892 square feet)
Street Frontage	156 metres (512 feet) of continuous frontage (corner lot)
Current Land Use(s)	A 44-unit residential building, a single-unit dwelling and a three-unit dwelling.
Surrounding Use(s)	Low density residential to the north and east Church to the west School and public park to the south and southeast

MPS and LUB Context

The subject site is:

- located within Area 3 of the Peninsula North Secondary Planning Strategy (PNSPS) (Section XI of the Halifax MPS);
- designated Medium Density Residential (MDR) by the PNSPS, which envisions a mixed residential environment in the form of single family dwellings, duplex and semi-detached housing and buildings containing three to four units (Map 1);
- zoned R-2 (General Residential), which has limits on lot coverage, setbacks, building height, unit mix and size, and a cap of four units per building, while also allowing for daycares, home occupations, and churches (Map 2).

At the time the planning policies and zoning regulations were devised for the area in 1983, the site was included in the MDR designation and the R-2 Zone. As a result, the use of the property became non-conforming, with the intent that any future redevelopment be low density in character.

The proposed 7-storey, 81-unit residential building is not enabled under existing planning policies given this designation and accompanying zoning.

Proposal Details

As the application has progressed through the planning approval process, the proposal has been modified as outlined in the following sections of this report.

Regional Council Initiation

At the August 5, 2014 meeting of Regional Council the proposal included:

- a building height of seven storeys across the site which was then composed of only two of the three properties that now form the subject site;
- a total of 75 dwelling units (41 two-bedroom units & 34 studio units); and
- one level of partially underground parking accessed from Seaforth Street featuring 70 spaces.

At that time, staff recommended that Regional Council not initiate the MPS amendment process on the basis of the height of the building and its lack of transition to the houses to the north of the site as well as

its lack of integration with the streetscape. However, Regional Council did not support the staff recommendation and passed a motion directing the initiation of the MPS amendment process.

Public Information Meeting

A public information meeting (PIM) chaired by the District 7 and 8 Planning Advisory Committee was held on January 18, 2016. The Applicant presented a revised proposal as compared to the original design featuring the following changes:

- the addition of an adjacent property to the proposed development (Civic No. 6389 North Street);
- an increase in the proposed maximum building height from seven to nine storeys;
- an increase in the number of proposed units from 75 to 106 units (40 two-bedroom and 66 studio units); and
- one level of completely underground parking accessed from Seaforth Street and featuring 70 spaces.

Planning Advisory Committee

At the March 21, 2016 meeting of the District 7 & 8 Planning Advisory Committee, the Committee concluded there was no merit in the requested plan amendment, and therefore, did not discuss the details of the revised proposal.

While the site plan, building footprint and underground parking garage remained largely unchanged, several other aspects of the proposal were amended. Revisions to the proposal as presented to the Planning Advisory Committee included the following:

- a decrease in the proposed maximum building height from nine to seven storeys;
- a decrease in the number of units from 106 to 80 units (31 two-bedroom, seven one-bedroom, and 42 studio units); and
- a reduction in height of the building façade corner architectural feature at the corner of Oxford and North Streets) from five to four storeys.

Current Proposal

Since the August 2014 Council initiation of the MPS amendment process, staff have worked with the applicant to reduce the height and massing of the proposal, particularly in regard to achieving a gradual transition of the proposed building scale reflective to the existing Seaforth Street neighbourhood.

Following the March 21, 2016 PAC meeting, the applicant made further revisions to the proposal which is the design considered within the Discussion section of this report. Design features of this final proposal include the following:

- a maximum building height of seven storeys in addition to a centrally located rooftop mechanical/exercise room;
- a three storey streetwall;
- a building height transition down to three storeys with abutting low density residential properties to the east; and
- introductions of building height stepback transitions at the third and fifth storeys; and
- a total of 81 units (seven three-bedroom, 31 two-bedroom, 11 one-bedroom and 32 studio units).

Although the details of the actual development proposal are not the subject of this report, Attachment C contains the proposed architectural renderings for Council's information.

The Centre Plan

The Halifax Regional Municipal Planning Strategy (RMPS) identifies the "Regional Centre" as the area encompassing the Halifax Peninsula and Dartmouth between Halifax Harbour and the Circumferential Highway. Through the recent review of the RMPS, the adoption of a Regional Centre Plan was confirmed as a primary objective for the Municipality. The Centre Plan will include the creation of a new Secondary Municipal Planning Strategy (SMPS) for the Regional Centre as well as regulatory and financial tools to ensure that the vision statement and guiding principles endorsed by Regional Council are achieved. The

process is well underway, with on-going stakeholder and community engagement and a full slate of public consultations in line with the Centre Plan Engagement Strategy. The delivery of a draft plan to the Community Design Advisory Committee is anticipated for year-end 2016. The existing MPS will remain in effect on the Halifax Peninsula until the Centre Plan is finalized and approved except for certain site specific MPS amendment applications that may be considered in the interim.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Program approved by Council on February 25, 1997. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area and a public meeting (PM) chaired by the District 7 and 8 Planning Advisory Committee was held on January 18, 2016. Attachment D contains a copy of the minutes from the meeting. The public comments received include concern regarding the following topics:

- height, mass and density of the proposal;
- transition of the building to the existing low density neighbourhood;
- vehicular traffic impact; and
- affordable housing.

A public hearing must be held by Regional Council before they can consider approval of the proposed MPS and LUB amendments. Should Regional Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail.

The proposal will potentially impact local residents and property owners.

DISCUSSION

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development of the Municipality. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. In this case, staff advise that this site provides an excellent opportunity for urban densification within a strategic location, however, it is critical for the ongoing success of the neighbourhood that this density is added in an appropriate manner. The following paragraphs review the rationale and content of the proposed MPS and LUB amendments.

The Centre Plan

HRM has adopted a vision and guiding principles for the Regional Centre which forms the basis for undertaking comprehensive planning. Policy RC-3 of the RMPS identifies the creation of a Centre Plan and accompanying Land Use By-law will be guided by the vision and guiding principles. Included in the vision is a statement which aims to strengthen the Regional Centre's vibrancy, animation and economic health through the cultivation of a compact, civic inspired and human-scaled urban fabric of streets, blocks and buildings.

The guiding principles for the Regional Centre commit to new development being of high quality and compatible with other high quality developments. Additionally, guiding principles developed with the community for the Regional Centre in the drafting and adoption of the Regional Plan include a desire that new developments respond to the natural, cultural, historical, and urban character of their context and that new buildings contribute to the betterment of the public realm and support quality urban design.

To date, the Centre Plan has undertaken a significant public engagement program in an effort to ensure the new policies and regulations guiding development of Regional Centre communities will be consistent

with the desires and vision of the communities themselves. The Centre Plan team has also been involved in ongoing planning application work in the Regional Centre to maintain consistency between current planning decisions, and projected future planning policy.

As of the date of this report, the draft Centre Plan Urban Structure Map includes the proposed site in the Chebucto Road Corridor classification. Features of Corridors include being located along busier roads that can include commercial and/or some existing presence of moderate residential density. They typically have good transit access, are near schools, have parks nearby and are close to employment areas. These areas are appropriate for low (three-storey) to moderate (four to six storey) development with potential for ground floor retail, depending on local conditions. Townhouses are also appropriate along secondary corridors.

In consideration of the likely inclusion of the site in the future Chebucto Road Corridor, coupled with the site fronting on a major intersection, staff advise there is merit in permitting a mid-rise building to a maximum height of six storeys for this site. Notwithstanding this overall maximum height, as the site also transitions to the existing low density Seaforth Street neighbourhood, appropriate sensitivity regarding the building height, mass and streetscape must be regulated in these areas. As such, staff recommend built-form characteristics be included in the proposed MPS policy found in Attachment A.

Proposed Amendments

Staff considered the existing MPS policy context in addition to the surrounding neighbourhood context when drafting the proposed MPS and LUB amendments. Attachments A and B contain the proposed MPS and LUB amendments. A summary of the proposed amendments is as follows:

Building Height

The policy objective relating to building height was identified to address the provision of a transition between the multi-unit building and the existing abutting low rise neighbourhood. To accomplish this, the proposed policy has identified the following standards:

- maximum building height of six storeys;
- maximum streetwall height of three storeys;
- maximum height of three storeys with abutting properties on Seaforth Street and North Street; and
- Seaforth Street setbacks for each storey above the third floor a minimum of 8 feet.

Streetscape

The policy objective relating to streetscape design was identified to ensure the development reflects the low density built form character of the existing neighbourhood. To accomplish this, the proposed policy has identified the following standards:

- primary residential entry be located on Oxford Street;
- main floor units have individual unit entries; and
- high quality and durable building materials shall be used to reflect the prominence of the site.

Dwelling Unit Variation

The policy objective relating to dwelling unit type is to provide for a variety of housing options and encourage diversity of residents. To accomplish this, the proposed policy has identified the following standards:

- a minimum 25% of units shall contain two or more bedrooms, with a minimum unit size of 1100 square feet; and
- each floor of the building shall contain a mix of unit types per floor with a minimum of three 2-bedroom units per floor.

Approval Process

To enable the development of their proposed project, the applicant has requested an MPS amendment and development agreement. Regional Council should consider the appropriateness of the MPS amendments for the subject site and schedule a public hearing regarding the proposed new policies.

Should Regional Council approve the MPS amendments in their current form or as otherwise modified, Halifax and West Community Council would then be able to consider the detailed merits of any resulting development proposal following a separate public hearing on the matter. If Regional Council refuses to approve new policies for the site, any re-development of the site would need to comply with the existing LUB provisions.

Conclusion

Staff have reviewed the application and the existing policy context and advise that the MPS should be amended to enable a six storey multi-unit residential building on the site. The underutilized development potential of the site, strategic regional centre location of the proposal, access to active transportation systems and proximity to the proposed Centre Plan Chebucto Road Secondary Corridor align with the objectives of the Regional Plan for urban densification in strategic locations. Attention to the massing of the building, transition to the existing low density neighbourhood and appropriate streetscaping can be achieved through proposed MPS policy. Therefore, staff recommend that the Halifax and West Community Council recommend that Regional Council approve the proposed MPS and LUB amendments as set out in Attachments A and B of this report.

FINANCIAL IMPLICATIONS

The HRM costs associated with the processing of this planning application can be accommodated within the approved 2016/2017 operating budget C310 Urban and Rural Planning Applications.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

The Halifax and West Community Council may choose to recommend that Regional Council:

1. Modify the proposed amendments to the Halifax MPS and Halifax Peninsula LUB, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the Halifax MPS and Halifax Peninsula LUB. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1: Generalized Future Land Use
Map 2: Zoning

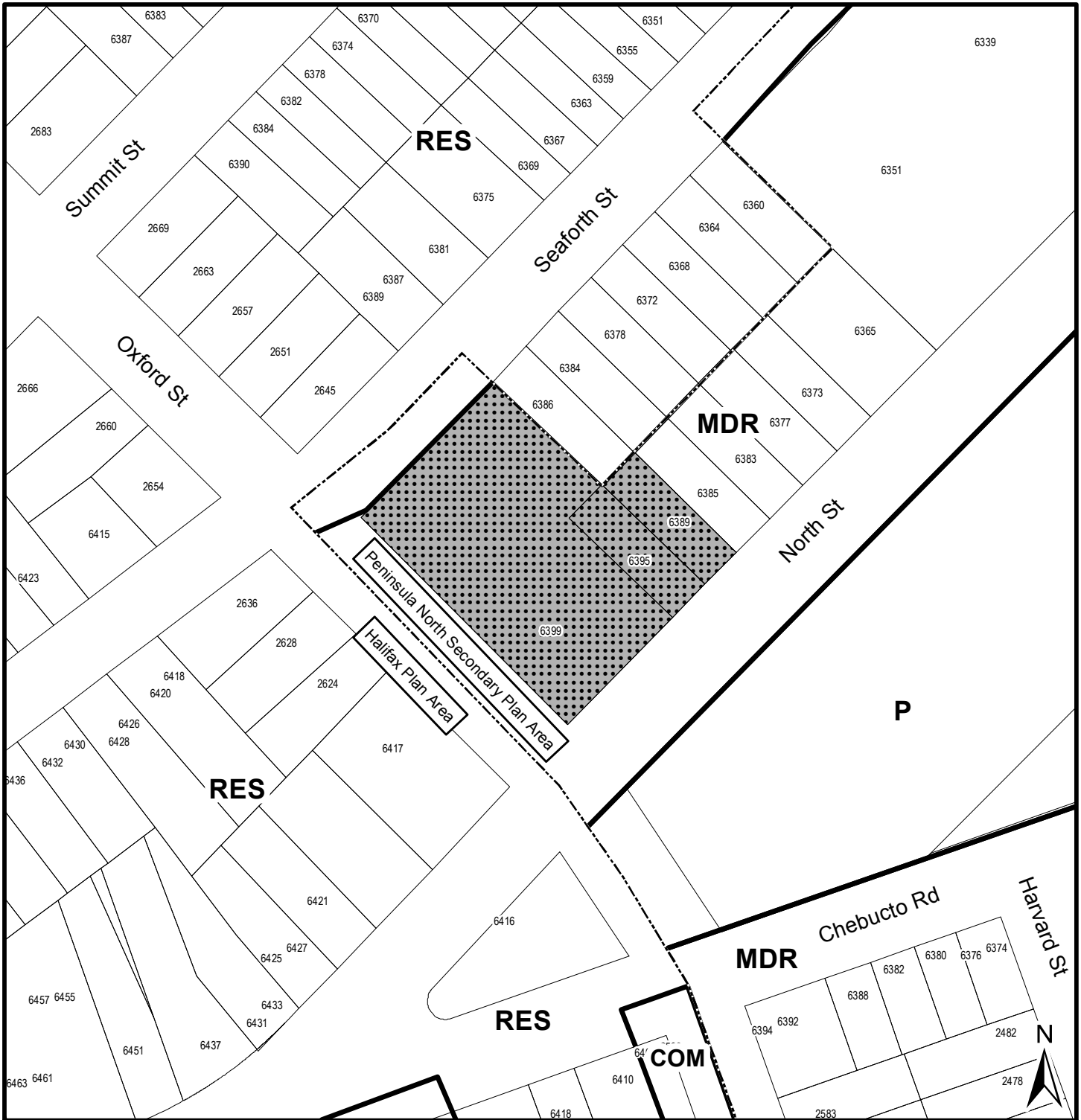
Attachment A: Proposed Amendments to the Halifax MPS
Attachment B: Proposed Amendments to the Halifax Peninsula LUB
Attachment C: Applicant's Proposal
Attachment D: Public Information Meeting Minutes

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: David Lane, Planner III, 902.490.5593

Report Approved by: Original Signed



Kelly Denty, Manager, Current Planning, 902.490.4800



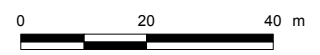
Map 1 - Generalized Future Land Use

6389, 6395 and 6399 North Street
Halifax



-  Area of proposed policy amendments
-  Detailed plan area boundary

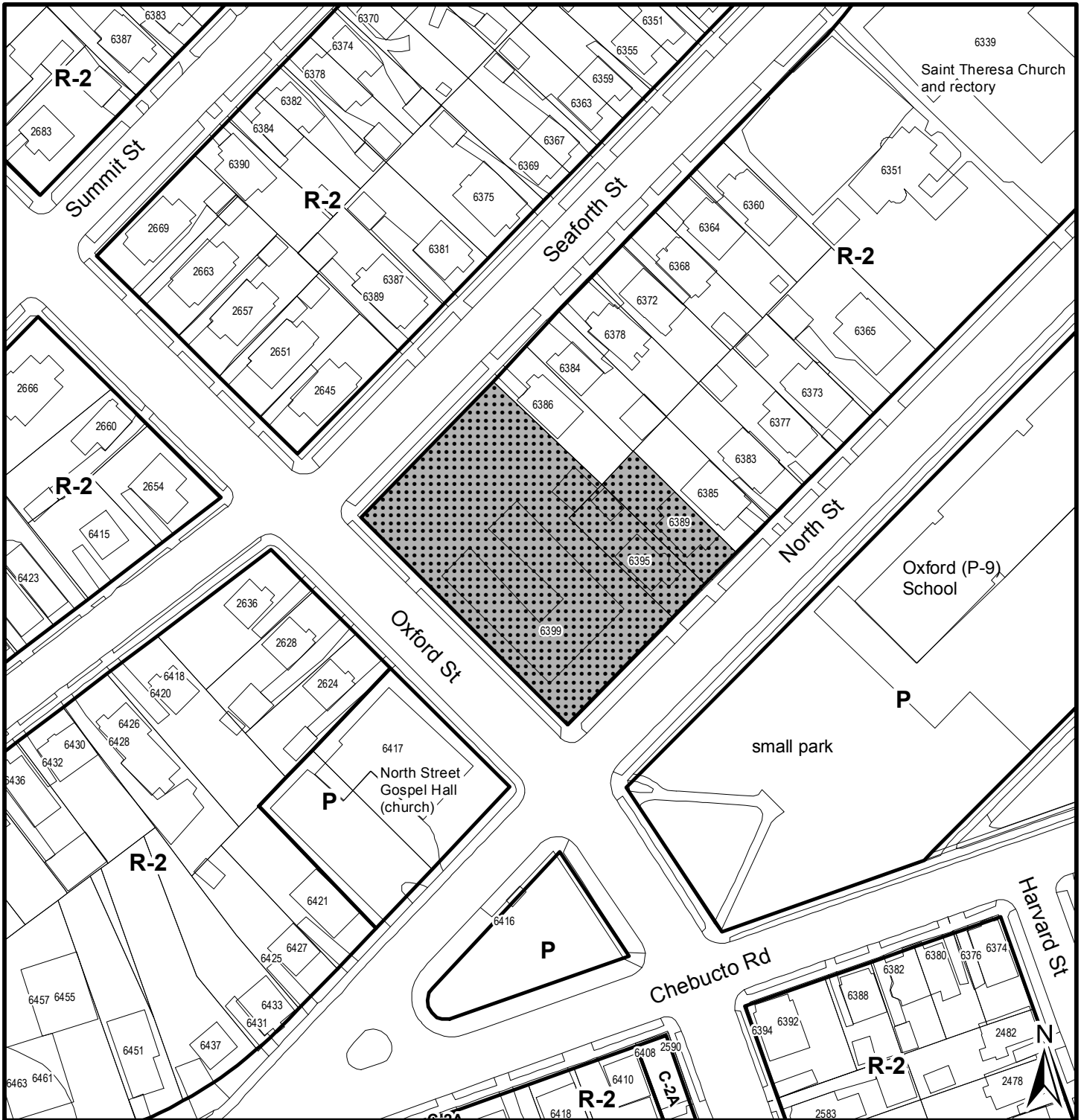
Designation - Peninsula North
MDR Medium Density Residential



Halifax Plan Area
Peninsula North Secondary Plan Area

Designation - Halifax
RES Residential Environments
COM Commercial


This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.
HRM does not guarantee the accuracy of any representation on this plan.



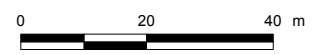
Map 2 - Zoning

6389, 6395, and 6399 North Street
Halifax



 Area of proposed policy amendments

Zone
R-2 General Residential
P Park and Institutional



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

HRM does not guarantee the accuracy of any representation on this plan.

Halifax Peninsula
Land Use By-Law Area

Attachment A
Proposed Amendments to the Halifax MPS

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Halifax as enacted by the Halifax Regional Municipality on the 30th day of March, 1978 and approved by the Minister of Municipal Affairs on the 11th day of August, 1978, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 3rd day of September, 2016, is hereby further amended as follows:

1. Section XI, Peninsula North Secondary Planning Strategy of the Municipal Planning Strategy shall be amended by adding the following after Policy 1.9.1

“1.10 Three properties located at the northeast corner of North Street and Oxford Street (PIDs 00079350, 00079202 and 00079210), comprised of 6399 North Street (Ardmore Hall) and two abutting dwelling houses (6395 & 6389 North Street) located to the east, have been identified as a site for comprehensive multi-unit residential re-development.

Thus, given that the central location of the site provides proximity to Halifax peninsula employment, shopping and institutional amenities, is accessible via active transportation and serviced by high frequency public transit bus routes, and notwithstanding the residential objective and policies of this Section, a multi-unit residential use by development agreement shall be enabled in accordance with the *Halifax Regional Municipality Charter*.

1.10.1 Any redevelopment permitted pursuant to Policy 1.10 shall be achieved by consideration of a variety of factors for which conditions may be set out in the development agreement, such as, but not limited to, the following:

- a) Appropriate scale and massing of the building for the lot area and configuration.
- b) An overall building height which does not exceed the following:
 - i) Maximum building height of 21 metres to a maximum of six storeys;
 - ii) Maximum streetwall height of 10.5 metres to a maximum of three storeys;
 - iii) Maximum height of 10.5 metres to a maximum of three storeys with abutting properties on Seaforth Street and North Street; and
 - iv) Seaforth Street setbacks for each storey above the third floor a minimum of 2.43 metres.
- c) Building elevations which face the street should include complementary streetscaping elements reflecting characteristics of the low density built form of the existing surrounding neighbourhood. More specifically, the building should ensure the streetscape accomplishes the following:
 - i) The primary residential entry shall be located on Oxford Street;
 - ii) Main floor units facing Oxford Street or North Street shall have individual unit entries; and
 - iii) High quality and durable building materials shall be used to reflect the prominence of the site.
- d) Dwelling unit variation shall be required in the building in accordance with the following:
 - i) A minimum 25% of units shall contain two or more bedrooms, with a minimum unit size of 102 square metres; and
 - ii) Each floor of the building shall contain a mix of unit types per floor with a minimum of three 2-bedroom units per floor.
- e) High quality exterior building materials and variations in the façade and mass of the building to provide visual interest.
- f) Vehicular parking be provided underground, with no surface parking provided.

- g) The size and visual impact of utility features such as garage doors, service entries and storage areas shall be minimized and mechanical equipment is concealed.
- h) The creation of high quality design detail at the pedestrian level through attention to details including but not limited to entrance treatments, landscaping and lighting.
- i) The adequacy of sewer and water servicing for the site.”

I HEREBY CERTIFY that the amendments to the Halifax Municipal Planning Strategy as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the day of , 2016

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this day of , 2016

Municipal Clerk

Attachment B
Proposed Amendments to the Halifax Peninsula LUB

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Peninsula as enacted by the Halifax Regional Municipality on the 30th day of March, 1978 and approved by the Minister of Municipal Affairs on the 11th day of August, 1978, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 21st day of May, 2016, is hereby further amended as follows:

1. Section 98 of the Land Use By-law shall be amended by adding the following after part 98(3)

“98(4) Civic Nos. 6389, 6395 and 6399 North Street, Halifax

Council may, by development agreement, pursuant to policies 1.10 and 1.10.1 of Section XI of the Halifax Municipal Planning Strategy, permit a multi-unit residential development.”

I HEREBY CERTIFY that the amendments to the Halifax Peninsula Land Use By-law as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the day of , 2016

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this day of , 2016

Municipal Clerk

Attachment C
Applicant's Proposal









Attachment D
Public Information Meeting Minutes



**DISTRICT 7 & 8 PLANNING ADVISORY COMMITTEE
PUBLIC MEETING MINUTES
JANUARY 18, 2016**

PRESENT: Mr. Brenden Sommerhalder, Chair
Ms. Sarah MacDonald
Mr. Michael Bradfield
Mr. Joe Metlege
Mr. Grant Cooke
Councillor Jennifer Watts
Councillor Wayne Mason

REGRETS: Ms. Katherine Kitching, Vice Chair
Ms. Sunday Miller
Mr. Adam Hayter

STAFF: Mr. Mitch Dickey, Planner
Mr. Andrew Reid, Legislative Assistant

OTHERS: Mr. Greg Johnston, Architect Paul Skerry Associates

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

The agenda, supporting documents, and information items circulated to the District 7 & 8 Planning Advisory Committee are available online: <http://www.halifax.ca/boardscom/D78PAC/160118d78-agenda.php>

The meeting was called to order at 7:10 p.m. and was adjourned at 9:04 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 7:10 p.m. in the Maritime Hall, Halifax Forum and introduced the Planning Advisory Committee and its purpose in hosting the public meeting.

2. PUBLIC PARTICIPATION

2.1 2.1 Case 18388 - Application by Mythos Development Ltd. to amend the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law (LUB) for Halifax Peninsula to develop a multiple unit residential building at 6389, 6395, and 6399 North Street, Halifax.

Mr. Mitch Dickey described the proposal in terms of site context, planning context for the MPS and Peninsula North Secondary Plan. Mr. Dickey described the original proposal, which was recommended to be rejected by Regional Council. He noted that Council had pursued the alternative recommendation to initiate the public participation process. He stated that Council had recognized staff's concerns about height, design, transitions to adjacent properties, and how the building would sit in the streetscape. Council directed these points be addressed in a revised proposal. He described the revised proposal as a nine storey building containing 106 units. Mr. Dickey highlighted that at this stage, the Planning and Development unit has not reviewed the proposal or yet formed an opinion on the proposal. Mr. Dickey noted that the revised site plan featured an additional property to the site. He displayed renderings at North and Oxford Streets and Seaforth and Oxford Street and described where the application was in the process. Mr. Dickey noted that a number of submissions had been received that would form part of the record in addition to the minutes of the public meeting. He described future steps in the application process, which would potentially include a public hearing at Regional Council.

Mr. Greg Johnston, Skerry Architects, described the potential impact of the development. He described the site as fronting on three streets with two major thoroughfares. Mr. Johnston described the area as dense and a highly desirable place to live. He noted nearby public amenities. He noted the setbacks and stepbacks of the proposal and presented a shadow study of the proposed building. He also described a number of 5 and 6 storey buildings in the vicinity of the site, stating that the area was aging and had not seen a new construction project in some time.

The Chair explained the ground rules and called the names recorded on the speaker's list.

Mr. Pat White, of Seaforth Street, described the initial application as 7 storeys and 75 units with staff recommendation against the proposal. Mr. White described the staff issues with lot coverage, setbacks, height, massing and transition. He also described meetings of residents with the developer in terms of height, shadowing, and traffic. He questioned why the revised application would add 2 storeys. He stated that the building did not fit the neighbourhood and suggested a 3 and a half to 4 storey building be built instead.

Ms. Joan Fraser, resident of Seaforth Street, opposed the proposal. Ms. Fraser commented that there have been no additional consultations with the developer since September 2014. She described the site's neighbourhood context and stated the proposal violated urban design principles developed in the Centre Plan process. She stated the development should not proceed before the Centre Plan is completed, or the footprint of the proposal is considerably less.

Ms. Leslie McMillan, of Seaforth Street, stated concerns relative to the shadow impact on Seaforth Street and Summit Street. She stated that parking was a further issue and stated concern for on street parking given the suggested number of parking spots for residents in the proposal. She also stated concern for potential blasting with the construction of the parking garage. Ms. McMillan stated concern for traffic impediments due to construction. She suggested the parking garage entrance be located on North Street instead of Seaforth Street, due to the latter's residential nature.

Mr. Mike Tanner, resident of Seaforth Street, highlighted the number of neighbourhood children in the vicinity of the parking garage entrance and stated that Seaforth Street was often times impassable during the winter. He stated that his first feedback to the developer had been agreeing to 4-5 storeys. He noted the developer was clearly told by the community that a certain height was acceptable to alter the planning strategy. He voiced no concern for the modern aesthetic; however, disagreed with the height and stated concerns for traffic, shadow impact and loss of sun.

Ms. Sheilagh Fougere, of Dublin Street, stated that the revised application had a 40% increase in units, three times the height and two times the building footprint as the existing building. She noted that the precedent buildings referenced by the applicant's presentation were on former industrial lands and not residential. She stated that the application did not bring a significant enough benefit to the community to warrant the site specific amendment in terms of parking, mass, setbacks and height. She stated that the proposal was not to human scale and she noted concern for precedent being set.

Ms. Sarah Cooke, resident of Berlin St., requested an explanation on how the revision was proposed given the original, which was of a lesser height, was recommended against by staff. She questioned the Peninsula North Secondary Planning Strategy and requested if the other precedents given by the architect were pre-1993. She stated support for the community as being walkable and conducive to cycling. She also voiced concern for the added traffic. She questioned if a traffic statement report had been prepared. In terms of design criteria, Mr. Dickey responded that the HRM by Design process currently only applied to the downtown Halifax precinct. He noted that a traffic study had been submitted and an additional study would be performed.

Ms. Evelyn Sutton, of Seaforth Street, stated concern for loss of sunlight and the traffic impact. She echoed previous statements that the proposal was not to human scale.

Mr. Talan Iskan, of Almon Street, stated no opposition for density but was concerned about the height of the proposal. He stated concern for the development becoming an eyesore and disturbing the scenery in the neighbourhood. He further stated concern to potential wind tunnels created by the high-rise. Mr. Iskan stated that other means were available for increasing density than increasing the permitted height.

Mr. Irvine Carvery, of Maynard Street, encouraged residents not to compromise on concerns respecting height. He stated concern for shadow impacts. He encouraged residents to voice their concerns to the Planning Advisory Committee.

A resident noted that North Street was a major artery, with 15,000 cars each day. He voiced concern for increasing traffic in the neighbourhood and vehicles shortcutting.

Mr. Michael Murphy, of North Street, noted concern for the affordability of the development.

Ms. Liz Cunningham, drew similarity with a separate proposal—the St. John's site proposal—stating that both were out of scale for the neighbourhood.

Ms. Susan Tooke, of Elm Street commented regarding height and shadow. She stated that nearby residents would lose solar potential. She stated that legislation was required to guarantee a right to light.

Ms. Heather Hansen, of Seaforth Street, expressed concern regarding the development in terms of loss of sunlight to her sideyard and backyard. She stated that there were many students walking in the neighbourhood who would be affected by the increased traffic. She stated she was opposed to bargaining or compromising on the proposal's height.

Mr. Lindell Smith, of Gottingen Street, stated that there was no comparison between this development and others in the area. He questioned if the development would affect residential property tax, and how the proposal would provide for diverse residents in terms of a plan for affordability. Mr. Dickey responded that the impact was largely market-driven and there was no study in the Halifax area that measured this.

Ms. Susan Meyers, of Vienna Street, stated she was affected by the existing six storey building on Seaforth Street and that the proposal would influence more than those neighbours adjacent to it. She stated that the proposal would have a direct impact on the privacy of residents' backyards. She suggested that the nine storey building was out of place. She stated support for a proposal adhering to the 35 ft height, as per the municipal plan. Ms. Meyers also stated that Oxford and North Streets were both residential streets near the site and were not major thoroughfares.

Mr. Bill Chernin, of Oxford Street, stated concern for loss of sun and the potentially dangerous traffic impact. He also stated concern for noise, noting the proposal's balconies.

Ms. Leslie MacMillon, questioned the Peninsula North Secondary Plan in terms of the ability to rezone. Mr. Dickey responded that within each secondary plan, there is further division with unique rules. This particular site, area 2, is predominantly R-2 zone and has no ability for an apartment building by development agreement, whereas in other areas this may be possible. He noted the rules were deliberately written with little flexibility in this respect in 1993. Mr. Dickey stated that Council will consider the appropriateness of the request and if something changed since 1993 to warrant the rules being changed.

Ms. Ray, of Duncan Street, echoed residents' concerns, stating the neighbourhood should be walkable and noting concern for the unprecedented height of the proposal. She voiced concern for traffic safety. She disagreed with the nine storeys and stated that Council should uphold the current policy.

Mr. Richard Rudnicki, of Elm Street, stated that the size of the proposal was out of scale for the neighbourhood and he would like to see a proposal of a lesser scale. He stated that Council had a responsibility to maintain harmony in the neighbourhood and questioned why certain proposals were able to advance.

Ms. Melanie Bryan, of Elm Street, questioned the age of the existing building and if it had any heritage importance. She stated there were a number of examples where older buildings were renovated, including St. Joseph's School and Halifax Grammar School. Mr. Dickey responded that the building was constructed in the 1930s-40s and that it did not meet the Municipality's heritage criteria.

Ms. Ariel Harper Nave, of Russell Street, highlighted the St. Joseph's Square development in her neighbourhood, stating it had no precedent in the neighbourhood. She stated the development had created a dangerous traffic scenario. She stated the proposal should not move forward.

Ms. Michelle Daniel, of Windsor Street, echoed concerns regarding the proposal relative to the St. John's Church development. She stated that the proposal would change the nature of the R-2 community and that there were other locations available to put this kind of development.

A resident stated concern for the height of the proposal. He stated that the traffic impacts of the proposal would be considerable and questioned how on street parking might change because of the development. Mr. Dickey responded that no study had yet been performed regarding on-street parking.

Mr. Pat White questioned the existing six storey building and suggested that the precedents used by the applicant were inappropriate. He stated that the community should not compromise on height.

Ms. Joan Fraser stated that residents' interest in the development sent a message to Council. She further highlighted that Stage 3 of the Centre Plan included a public participation forum. Mr. Dickey highlighted that shapeyourcityhalifax.ca featured information on the Centre Plan process and encouraged members in the audience to participate in the process. He highlighted the applicability of the feedback given to the Centre Plan.

Mr. Ross Evans, commented that the height of the building would prohibit solar panels in proximity.

Ms. Beaty Popescu, of Summit Street, echoed previous residents' concerns, stating that the neighbourhood was of a human scale and many were motivated to live there because of the open space and access to light.

Mr. Greg Johnston, representative of the applicant, thanked the public for their feedback.

3.0 ADJOURNMENT

The Chair adjourned the meeting at 9:27 p.m.

Andrew Reid
Legislative Assistant