

December 16, 2024

Re: Item 10.1.2

HALIFAX

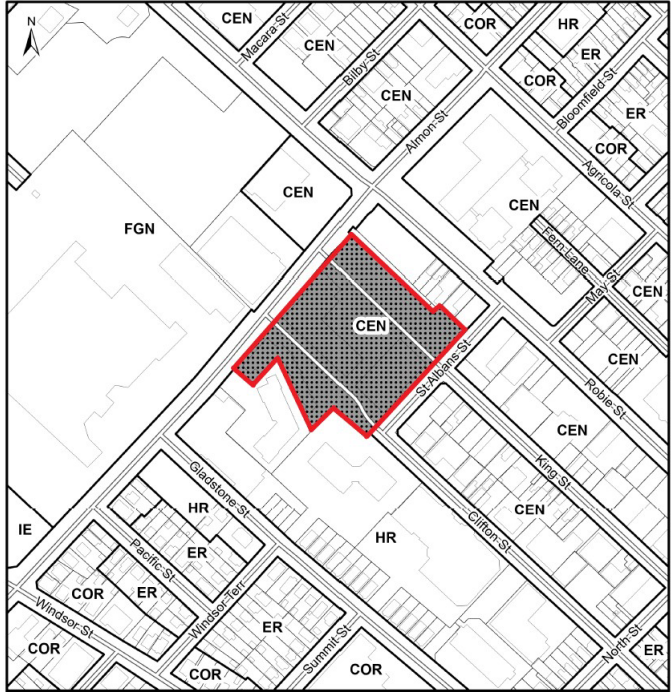
Public Hearing

PLANAPP-2024-00928

Substantive Amendment to a Development Agreement
2755 King St., Halifax

Halifax and West Community Council

Proposed Development



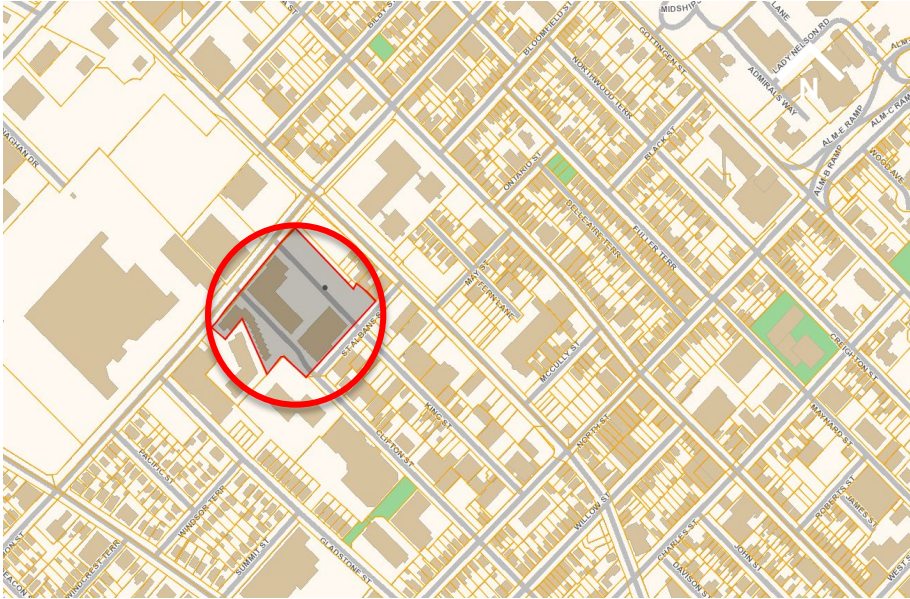
Applicant: Westwood Developments

Location: 2755 King St., Halifax

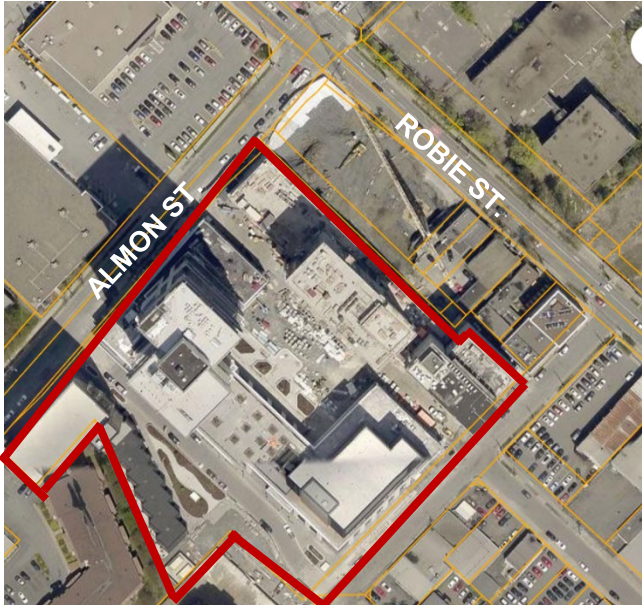
Proposal: To permit the re-allocation of units between buildings.

Type of Application: Substantive Amendment to existing DA.

Site Context



General Site location in Red



Site Boundaries in Red

2021 Development Agreement

HWCC April 27, 2021: Richmond Yards (Case 20871)

- Development of 5 separate multi-unit buildings (A to E)
 - 8 to 30 storeys, and a block of townhouses.
- Enables commercial floorspace in all 5 multi-unit buildings.
- Establishes shared underground parking for the entire site.
- Establishes two common shared private driveways that connect from Almon Street through the site to Clifton Street and King Street.

Site Context

Building A - 30 storeys

- 257 units

Building B - 8 Storeys

- 94 units

Building C - 13 Storeys

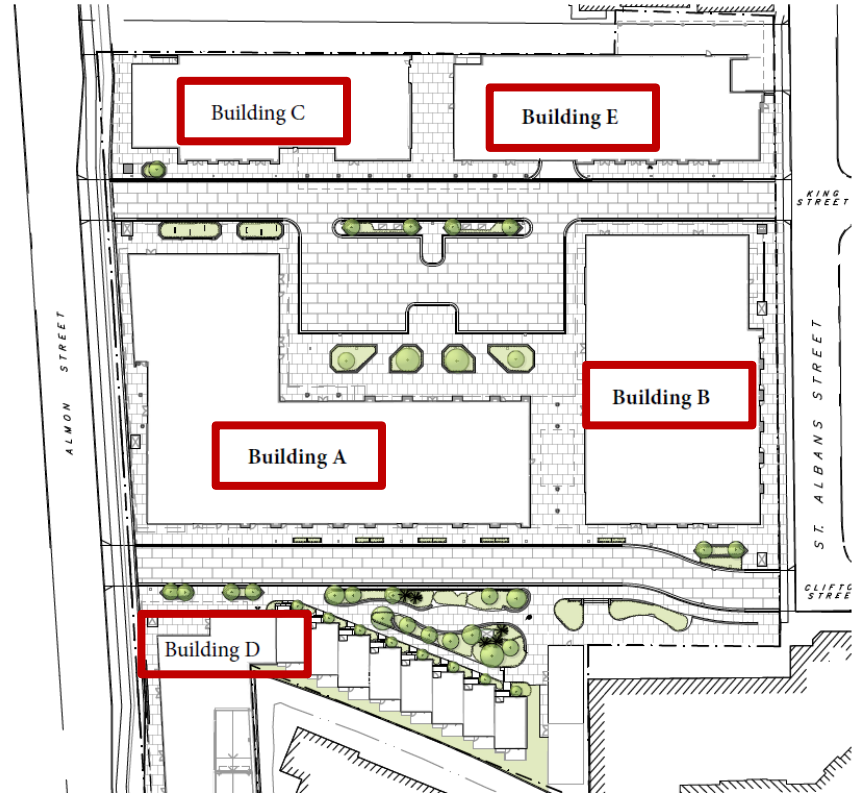
- 110 units

Building D - 12 storeys

- 86 units + 8 Townhouses

Building E - 10 Storeys + Penthouse

- 65 units



2024 HAF Amendments

Regional Council - June 13, 2024

IM-33.5: Applications for substantive amendments to certain existing development agreements may be considered under this Policy IM-33.5 for the following matters:

(a) if the built form is substantially the same and the minimum required number of 3-bedroom units is maintained in Building A, changes that allow the re-allocation of units from Building Elements A & B to Building Elements C & E on PID 41503343 (Case 20871);

Planning Policy Overview

Regional Plan &
Subdivision By-law

Community Plan

Land Use By-law
(Zoning)

Guide where population growth and the investment of services like transit, piped water and sewer should occur.

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Planning Policy Overview

Regional Plan &
Subdivision By-law

Community Plan

Land Use By-law
(Zoning)

Outlines where, how, and which types of development may occur. Some uses may only be allowed after community consultation and Council approval.

Planning Policy Overview

Regional Plan &
Subdivision By-law

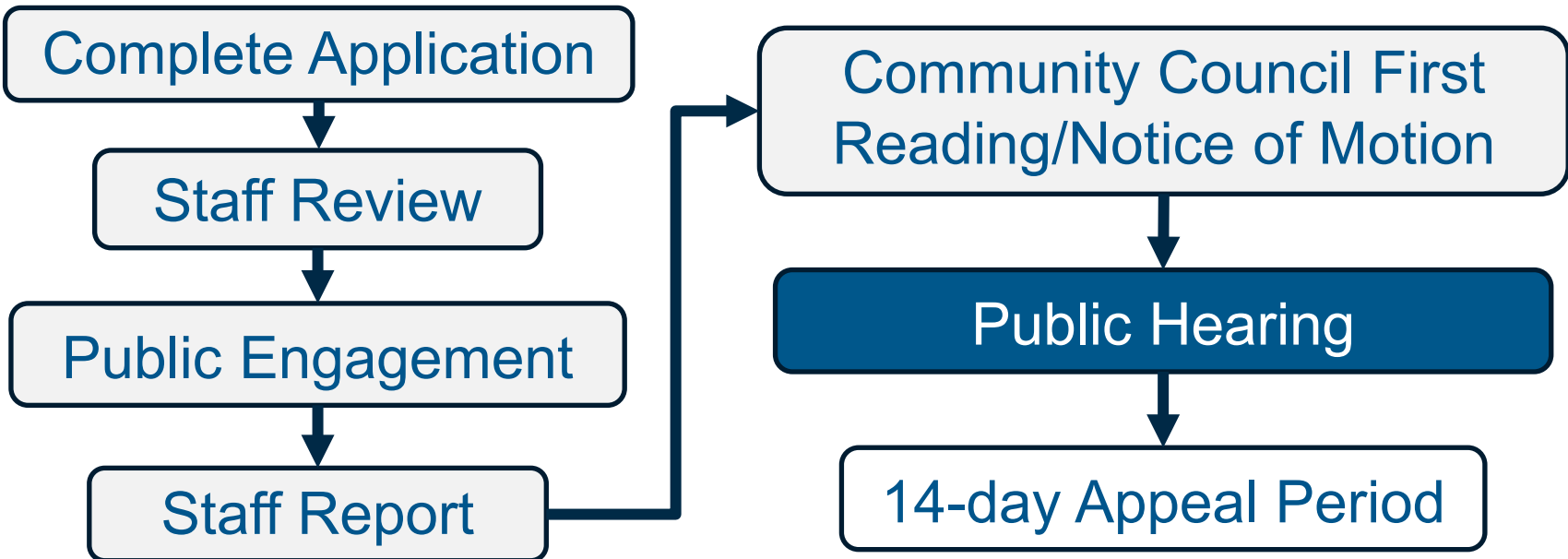
Community Plan

Land Use By-law
(Zoning)

Specifies what can be approved without going to Council and seeking feedback from the public.

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Amending Development Agreement



Planning Overview



Municipal Sewer and/or Water: **Serviced**



Zone: **CEN-2 (under Development Agreement)**



Designation: **CEN (Centre)**



Existing Use: **Multi-unit buildings, TH, comm. space**



Enabling Policy: **IM-33.5(a)**

Policy Consideration

Enabling Policy IM-33.5(a):

This policy enables Council to consider amendments to existing development agreements for specific sites.

Council must consider the following in rendering their decision on an amendment to the Development Agreement:

- Built form is substantially the same
- Number of 3-bedroom units is maintained in Building A
- Units re-allocated from Buildings A&B to C&E



Proposed Amendments

Building A - 30 storeys

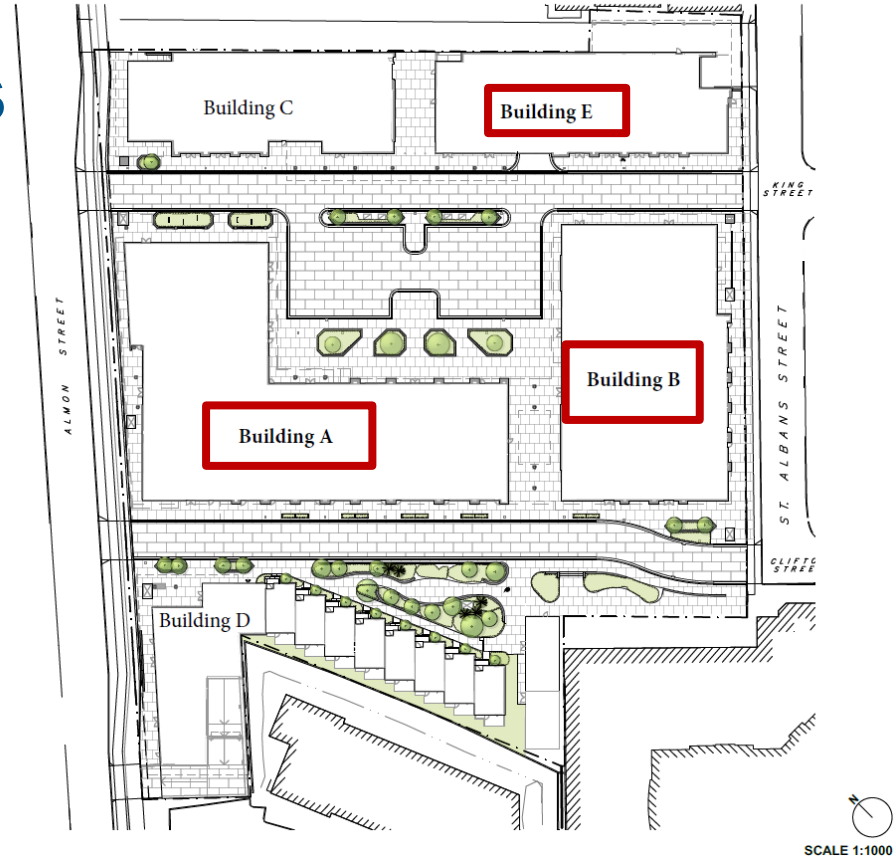
- 257 units to 252 (- 5 units)

Building B - 8 Storeys

- 94 units to 91 units (- 3 units)

Building E - 10 Storeys + Penthouse

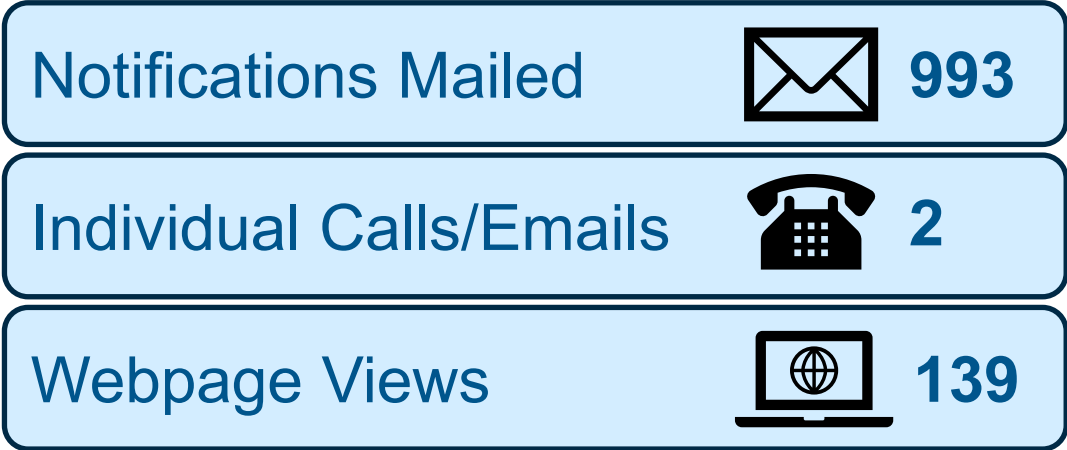
- 65 units to 73 units (+ 8 units)



Key Aspects of Amendments

- All buildings are already constructed or under construction.
- Total # of 3-bedroom units in Building A unchanged.
- No changes to the exterior, height, or footprint of the existing buildings.
- Units are not being removed - Unit maximums permitted is changing between buildings.

Public Engagement Feedback



Level of engagement completed was consultation achieved through a mail out notification (August 2024).

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Canada Post Strike

- Staff Report indicates that property owners within the notification area will be notified of the hearing by regular mail
- Report was completed prior to the ongoing Canada Post Strike
- Staff worked with a private mail delivery service to ensure that all property owners within the notification area were notified, who reside within the municipality

Public Engagement Feedback

Feedback included :

- Clarification on what was occurring through the application.
- Feedback did not lead to any changes to the proposed amendments.

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Staff Recommendation

Staff recommend that Halifax and West Community Council:

1. Approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A; and
2. Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

Thank You

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