

P.O. Box 1749 Halifax, Nova Scotia B3J 3A5 Canada

> Districts 7 & 8 PAC June 23, 2014

# MEMORANDUM

- To: Chair and Members of Districts 7 and 8 Planning Advisory Committee
- From: Jillian MacLellan, Planner, HRM Development Approvals
- Date: June 12, 2014
- Subject: <u>Case 18322</u>: Application by Geoff Keddy and Associates for the lands at the corner of Coburg Road and Seymour Street to amend the Municipal Planning Strategy for Halifax and Land Use By-law for Halifax Peninsula to develop a mixed use building through a development agreement.

### **Overview**

An application has been received from Geoff Keddy Architects and Associates to develop a 5 storey residential building with ground floor commercial at the corner of Coburg Road and Seymour Street (6124 Coburg Road and 1460-1474 Seymour Street), Halifax. This proposal cannot be considered under existing policy and zoning established in the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law (LUB) for Halifax Peninsula. As such, the applicant is seeking an amendment to the MPS to enable consideration of their proposal through a development agreement.

This request was addressed in a staff report (Attachment A) that was submitted to Regional Council. The report contains a detailed overview of the request and existing MPS policy. On December 10, 2013, Regional Council initiated the MPS amendment application and directed staff to undertake public consultation on the proposal.

### **Public Meeting**

A public meeting to enable community input on this proposal was hosted by the PAC on February 19, 2014. The minutes of this meeting are included as Attachment B.



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### Proposal

The applicant wishes to demolish the existing buildings on the subject properties, to develop a 5 storey mixed commercial residential building. Features of the development include the following:

- 35 residential units through a mix of one bedroom units and two bedroom units;
- 1,500 square feet of commercial floor area;
- one level of underground parking accessed from Seymour Street \*\*(Please note, after the public information meeting the applicant has removed parking at grade accessed from Coburg Road, which was originally proposed see Attachment C for the revised plans);
- a height of approximately 64 feet; and
- 6,650 square feet of amenity space through a combination of common outdoor space and private balconies.

### Input Sought from the Committee

Pursuant to the Committee's Terms of Reference, feedback is sought from the Committee relative to the applicant's request. The recommendation will be included in the staff report to Halifax and West Community Council. Specific items that the Committee may wish to address include the following:

- The merit of considering an amendment to the Municipal Planning Strategy and Land Use By-law to allow for the proposed development;
- The proposed increase in height and density;
- The relationship with the surrounding neighbourhood and transition along Seymour Street;
- The proposed massing, placement and setbacks of the building; and
- The overall design of the building.

### **Attachments**

Attachment A: Staff Report (dated November 4, 2013)

Attachment B: Public Information Meeting Minutes (February 19, 2014)

Attachment C: Submission from Applicant (includes revised ground floor plans and elevations)



P.O. Box 1749 Halifax, Nova Scotia B3J 3A5 Canada

> Item No. 11.1.6 Halifax Regional Council December 10, 2013

TO:	Mayor Savage and Members of Halifax Regional Council
SUBMITTED BY:	Original signed by
	Richard Butts, Chief Administrative Officer Original Signed by
	Mike Labrecque, Deputy Chief Administrative Officer
DATE:	November 4, 2013
SUBJECT:	Case 18322: Proposed Amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law - 6124 Coburg Road and 1460-1474 Seymour Street, Halifax

### **ORIGIN**

Application from Geoff Keddy Architects and Associates

### **LEGISLATIVE AUTHORITY**

HRM Charter, Part VIII, Planning & Development

### **RECOMMENDATION**

It is recommended that Halifax Regional Council:

- 1. Authorize staff to initiate a process to consider amending the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law to permit a five storey mixed use building at 6124 Coburg Road and 1460-1474 Seymour Street, by development agreement; and
- 2. Request that staff follow the public participation program as approved by Council in February 1997.

### **BACKGROUND**

The subject site, 6124 Coburg Road and 1460-1474 Seymour Street, is comprised of three properties located at the south-west side of the intersection of Coburg Road and Seymour Street (Map 1). The subject site includes a three storey mixed commercial and residential building, a two unit dwelling and a single unit dwelling. The applicant has proposed to develop a 5 storey mixed use (commercial and residential) building on the site, which would include 35 residential units and approximately 1,500 square feet of commercial floor area. This proposal cannot be considered under existing policy and zoning established in the Municipal Planning Strategy (MPS) for Halifax and the Land Use By-law (LUB) for Halifax Peninsula. As such, the applicant is seeking an amendment to the MPS and LUB to enable consideration of their proposal through a development agreement.

### Site Description and Surrounding Land Uses

The subject site consists of three properties which are:

- approximately 8,504 square feet in total area and has a total street frontage of approximately 195 feet;
- currently developed with 3 buildings which include a convenience store with residential units on the second level and a single and two unit dwelling (see Attachment A);
- located adjacent to the Dalhousie University Studely campus. The subject site abuts the Mona Campbell building, a 5 storey building on Colburg Road which was constructed in 2008;
- located across the street from a 10 storey multiple unit building and a 4 storey multiple unit building; and
- further surrounded by a mix of uses including lower density residential uses located north of Coburg Road, small multiple unit residential buildings and institutional uses located to the south of Coburg Road.

### **Designation and Zoning**

The subject site:

- is designated Medium Density Residential (MDR) in the Peninsula Centre Secondary Plan of the Halifax Municipal Planning Strategy as shown on Map 1. The designation is intended to support a mixed residential environment with both family-oriented units and smaller housing units in buildings not exceeding four storeys. Family units are defined as those with more than 800 square feet of floor area, and 50% of the units in any building must be of this form. A key component of the Medium Density Residential designation is the retention of existing housing stock.
- abuts the University (U) Designation on 3 sides. The objective of the U Designation is to support the continued development of the university areas as a focal point for academic, social and the containment of university uses with set boundaries.
- is zoned R-2 (General Residential Zone) and RC-1 (Neighborhood Commercial Zone) under the LUB as shown on Map 2. The R-2 Zone permits those uses permitted in the R-1 (Single Family Dwelling) Zone and two unit dwellings. The RC-1 Zone permits those uses permitted in the R-1 and R-2 Zone, and apartment houses for up to 4 units and a

grocery store or drug store.

• is within the 35 foot height precinct as shown on Map 3. It is important to note that the height at 6124 Coburg Road is measured from the grade to the commencement of the top floor, while the building heights along 1460-1474 Seymour Street are measured from the grade to the highest point of the building, exclusive of any non-habitable roof (Map 3).

### Proposal

The applicant wishes to demolish the existing buildings on the subject site and to develop a 5 storey mixed use building containing residential and commercial space as shown on Attachment B. Features of the development include the following:

- 35 residential units through a mix of one and two bedroom units;
- 1,500 square feet of commercial floor area;
- 33 parking spaces located underground and internally at grade;
- the building will have a height of approximately 64 feet; and
- 6,650 square feet of amenity space will be provided through a combination of common outdoor space and private balconies.

The size, density and height of the proposed building do not comply with the Halifax MPS and Halifax Peninsula LUB (the planning documents). The applicant believes that the proposed building is both suitable for the site and its surroundings despite the area originally being envisioned for low-rise development. Therefore, the applicant is requesting amendments to the planning documents to enable the proposed building subject to a development agreement.

### **DISCUSSION**

### **MPS Amendment Process**

Amendments to an MPS are generally not considered unless it can be shown that circumstances have changed since the document was adopted to the extent that the original land use policy is no longer appropriate. Site specific MPS amendment requests, in particular, require significant justification to be considered. To support the request to amend the MPS in this case, the applicant submits that conditions have changed considerably in the 30 years since the existing Medium Density Residential designation and 35 foot height limit were applied to the subject site. The following reasons are given by the applicant:

- Requirements in the LUB, especially those surrounding the angle controls and setbacks from the street, limit flexibility when designing a building. The MPS does not include any policies that provide the ability to consider changes to the angle control and setback requirements through discretionary approval.
- The allowable density should be increased to invigorate the downtown.
- The allowable heights on two of the subject properties, 1460-1474 Seymour Street, do not allow a building height consistent with what is permitted on 6124 Coburg Road or the adjacent property 1459 LeMarchant Street. All properties are located in the 35 foot height precinct, however, height is measured differently on 6124 Coburg Road and 1459 LeMarchant Street which allows for an additional storey over the 35 feet (Map 3).
- The subject properties are no longer used as single family dwellings and are primarily

occupied by students.

• Allowing an amendment to the MPS will result in assurances through the development agreement process of a better quality of development than can be achieved otherwise.

# **Evaluation of Development Proposal**

The subject properties are located in a unique area as they are adjacent to a university designation, and in close proximity to high density residential. Further, the subject properties are no longer used for family type housing and the majority of the housing on the block does not appear to be family type housing. Staff is of the opinion that there is merit in considering such an amendment due to the unique location of the property and because land use has changed since the secondary plan and land use designation were adopted. Factors of the development that require further consideration include, but are not limited to:

- the building design and whether the design should be more contemporary or traditional in appearance;
- whether the proposed height increase should be permitted over the three subject properties; and
- whether parking should be permitted at grade, or alternatively if additional commercial space or residential space would be more appropriate uses.

It is important to note that staff has received objections to the proposal from the immediate neighbours of the subject site. Comments have included concerns regarding potential impact to neighbouring properties caused by blasting, increase demand for on street parking, and the collection and storage of refuse. Additional concerns have been expressed about the unit mix, the inappropriateness of a commercial use in this location and that the proposal may amount to overdevelopment of the site. Attachment C contains correspondence from the immediate neighbours to the proposed development.

Should Regional Council authorize staff to initiate a process to consider MPS and LUB amendments for the subject site, an opportunity will be provided to further investigate and discuss potential development options related to future land use with the public in a more formal setting.

### **Conclusion:**

Due to the land use changes that have occurred since adoption of the original MPS and LUB, and the unique location of the subject property, staff is of the opinion there is merit in considering an amendment to the planning documents to allow for more height, and density and a wider range in commercial uses. Although feedback has already been received from the immediate neighbours, further public consultation should be undertaken to enable staff to gather a broader collection of the public sentiment.

# FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2013/2014 operating budget for C310 Planning & Applications.

### **COMMUNITY ENGAGEMENT**

Should Council choose to initiate the MPS amendment process for this proposal or to enable an alternate proposal, the *HRM Charter* requires that Council approve a public participation program when considering any amendment to an MPS. In February of 1997, Regional Council approved a public participation resolution which outlines the process to be undertaken for proposed MPS amendments which are considered to be local in nature. This requires a public meeting be held, at a minimum, and any other measures deemed necessary to obtain public opinion.

The proposed level of community engagement would be consultation, achieved through a public meeting and an online forum early in the review process, as well as a public hearing before Regional Council could consider approval of any amendments.

Amendments to the MPS and LUB would potentially impact the following stakeholders: local residents, property owners, developers, community or neighbourhood organizations, other HRM business units, and other levels of government.

### **ENVIRONMENTAL IMPLICATIONS**

The proposal meets all relevant environmental policies contained in the MPS.

### ALTERNATIVES

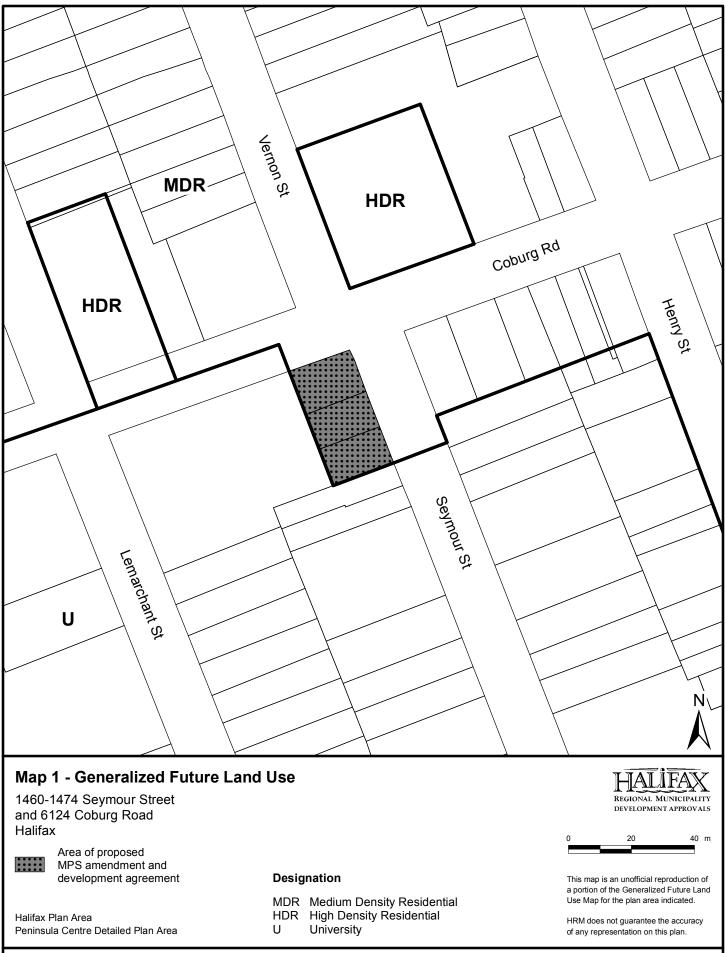
- 1. Council may choose to initiate the MPS amendment process for the proposal. A decision of Council to initiate the potential amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*. This is the staff recommendation.
- 2. Council may choose to refuse to initiate the MPS amendment process for this proposal. A decision of Council to not initiate the potential 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
- Map 3 Height Precincts
- Attachment A Photographs of Existing Buildings
- Attachment B Site Plan and Elevations
- Attachment C Correspondence from Neighbouring Property Owners

A copy of this report can be obtained online at http://www.halifax.ca/commcoun/cc.html then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

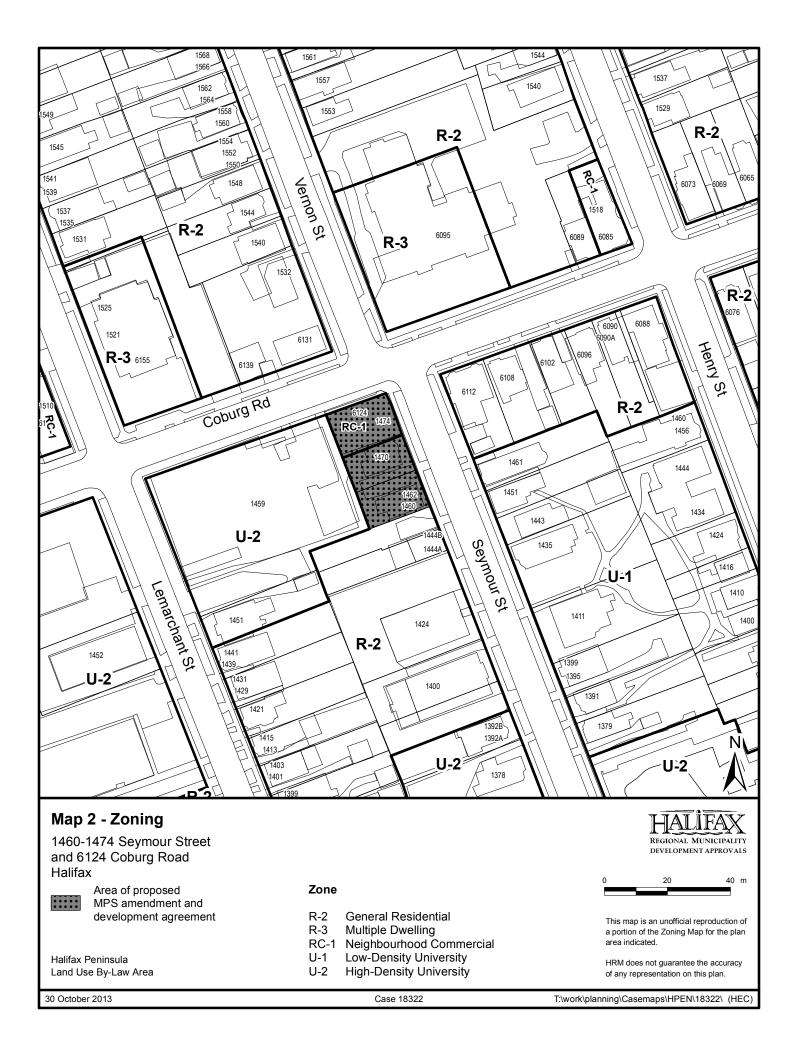
Report Prepared by:	Jillian MacLellan, Planner 1, Development Approvals, 490-4423
	λ
Report Approved by:	for: Kelly Denty, Manager of Development Approvals, 490-4800
Report Approved by:	Austin French, Manager of Planning, 490-6717
Report Approved by:	Brad Anguish, Director of Community & Recreation Services, 490-4933

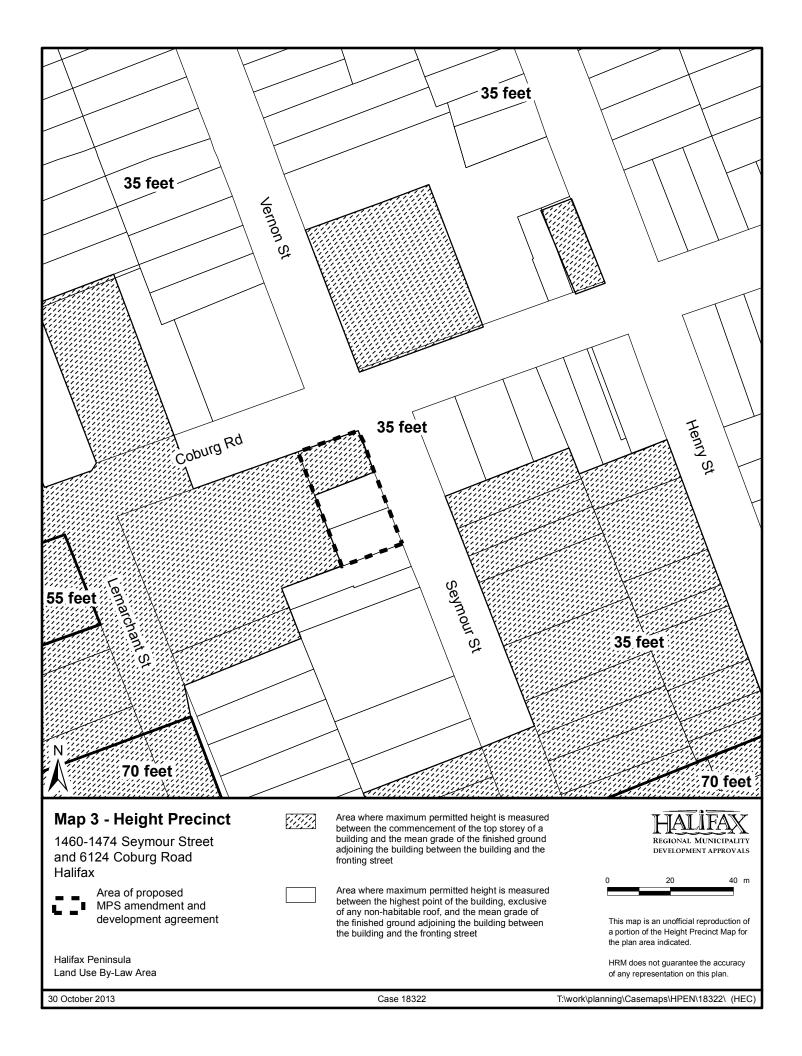


30 October 2013

Case 18322

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Attachment A – Photographs of Existing Site

Subject Properties



View from Vernon Street



View from Seymour Street

# Case 18322 Attachment B - Site Plan and Elevations



# APPLICATION FOR DEVELOPMENT AGREEMENT

ADDRESS : 6124 COBURG ROAD, 1474,1470,1462,1460 SEYMOUR STREET

PID's : 00068452, 00068445, 00465005

TOTAL PROPOSED UNITS: 35 UNITS

ONE-BEDROOM UNITS : 30 UNITS TWO-BEDROOM UNITS : 5 UNITS

PARKING SPACES : 33

TOTAL LOT AREA : 8,504 SQUARE FEET BUILDING FOOTPRINT : 7,770 SQUARE FEET

5 LEVELS + PENTHOUSE

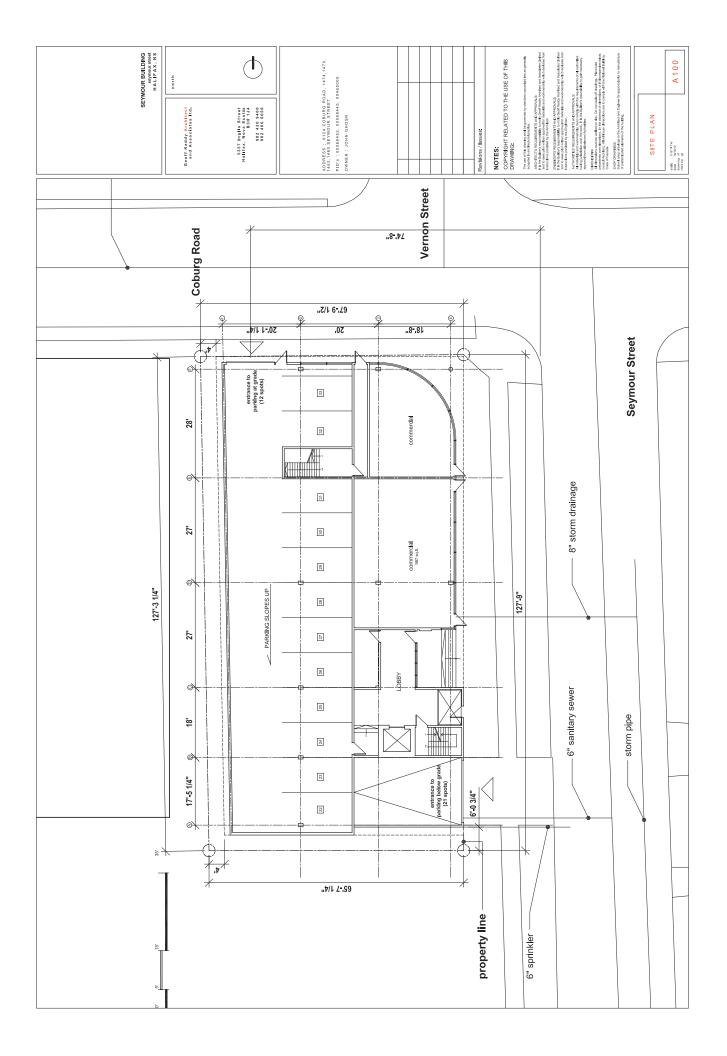
DENSITY PERMITTED UNDER R-3 ZONE : 41.5 PEOPLE

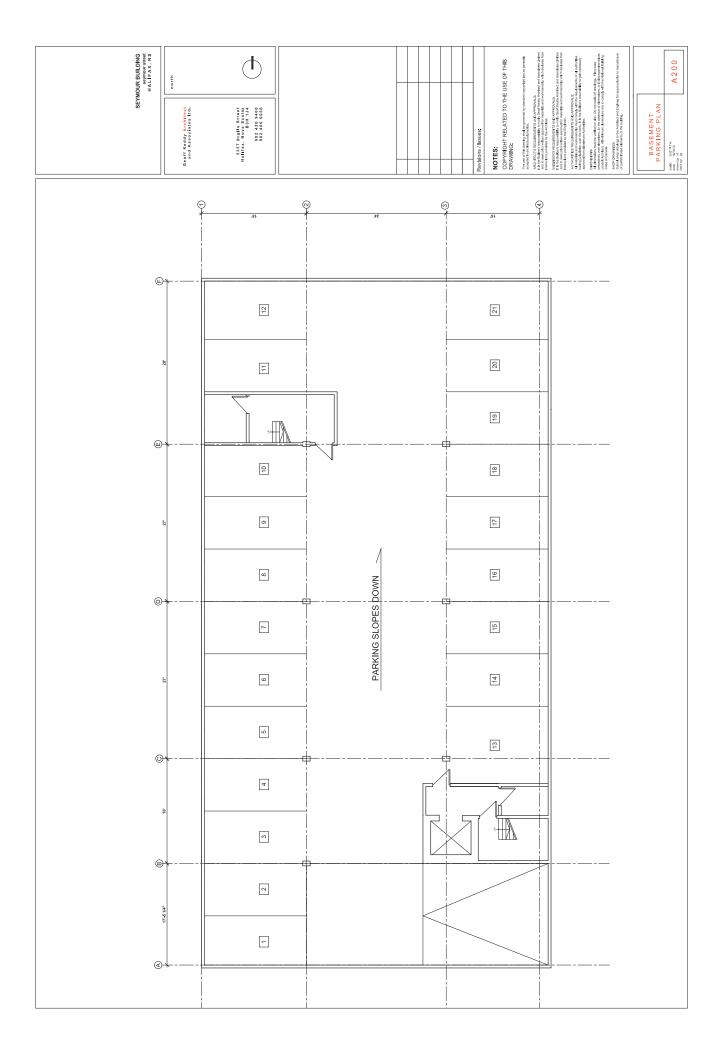
DENSITY PROPOSED :

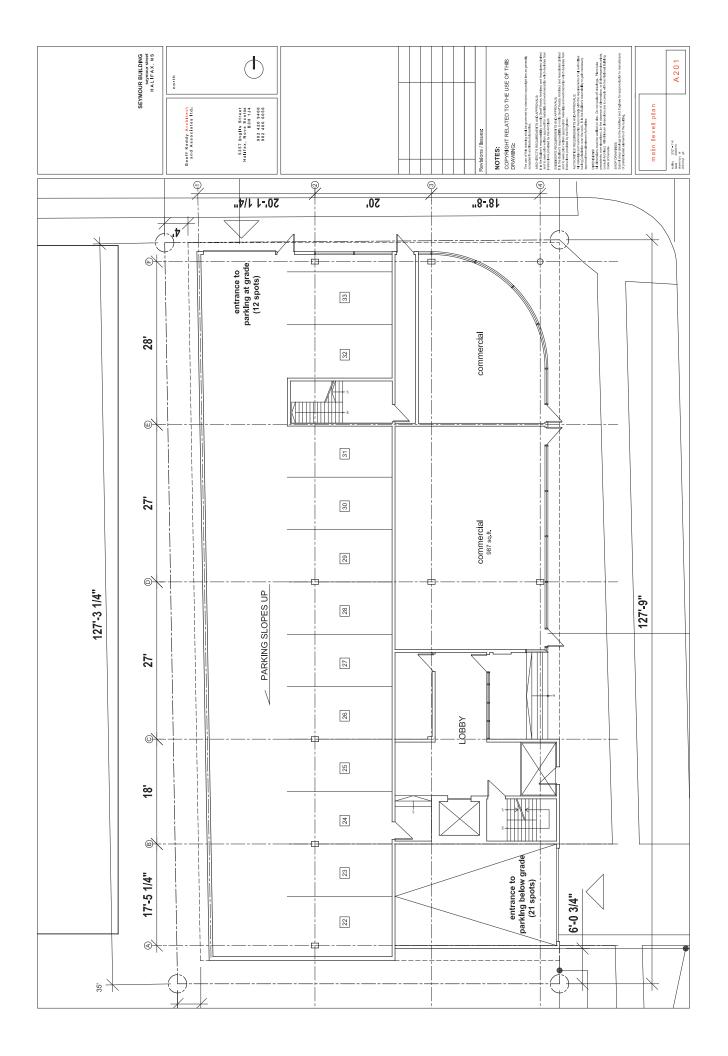
30 - 1 BEDROOMS = 60 PEOPLE 5 - 2 BEDROOMS = 15 PEOPLE TOTAL = 75 PEOPLE OPEN SPACE REQUIRED UNDER R-3 ZONE: 6,600 SQ.FT IN WHICH 5,700 SQ.FT. TO BE LANDSCAPED OPEN SPACE

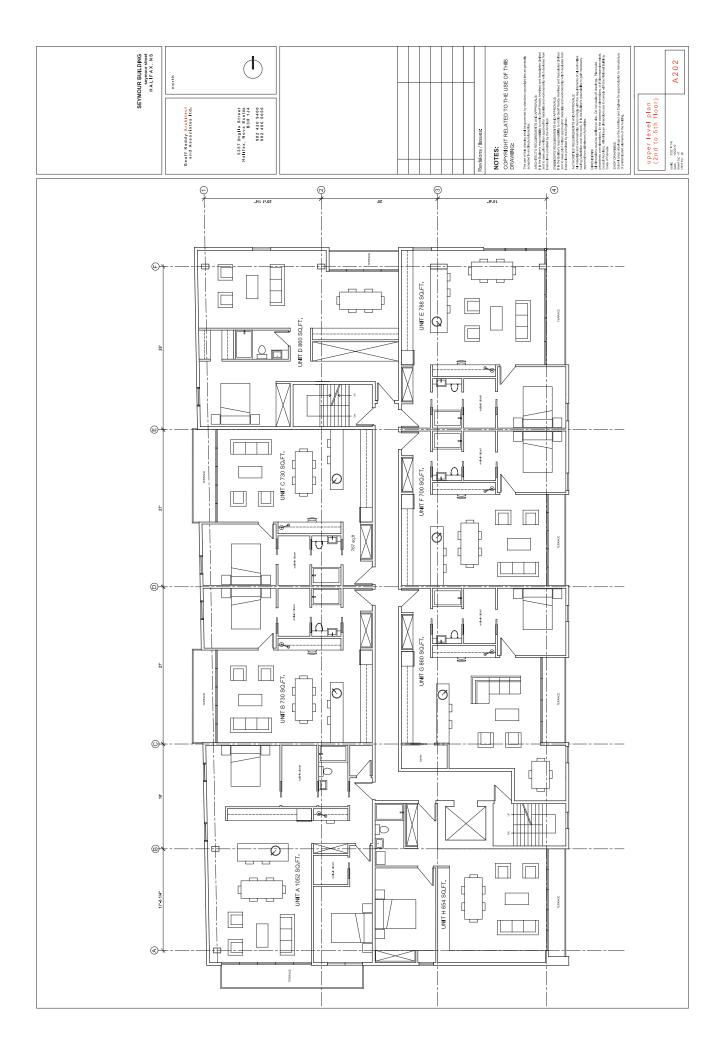
PROPOSE OPEN SPACE AT GRADE : 1,400 SQ.FT. PROPOSED LANDSCAPED OPEN SPACE ON THE ROOF ; 2,395 SQ.FT. BALCONIES : 2,855 SQ.FT.

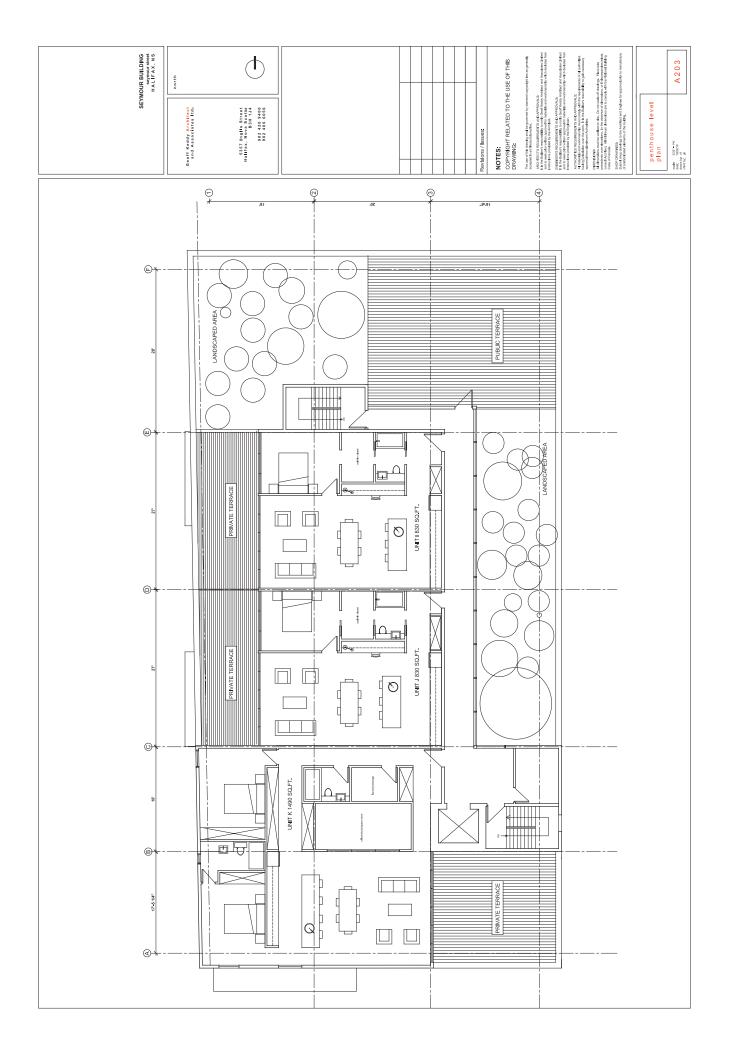
TOTAL : 6,650 SQ.FT.

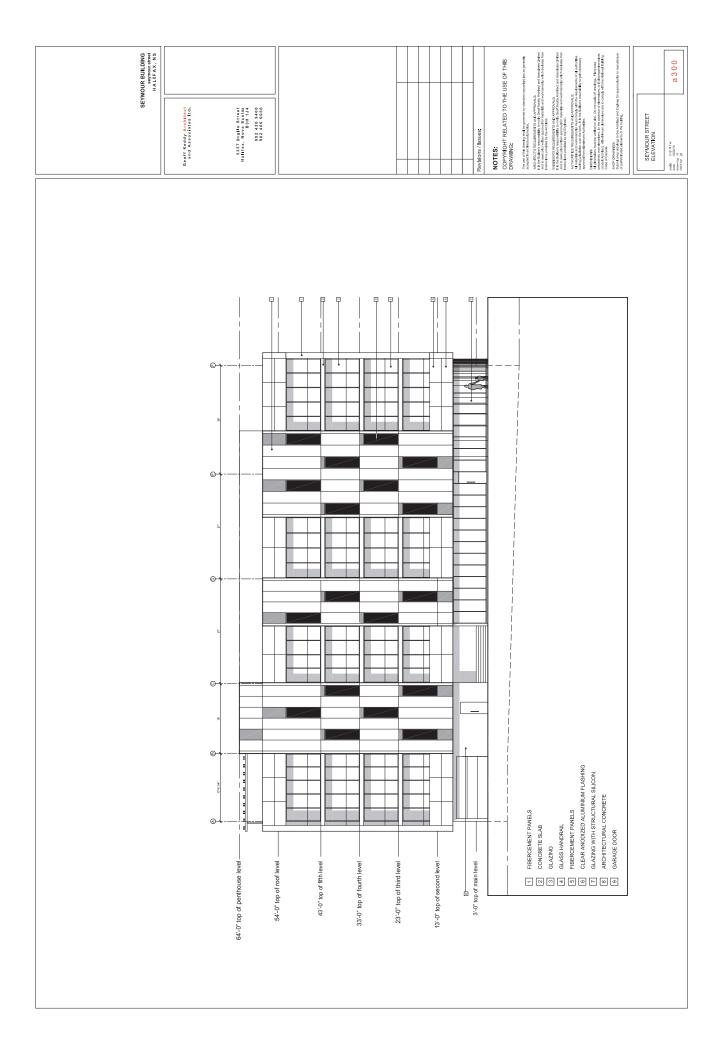


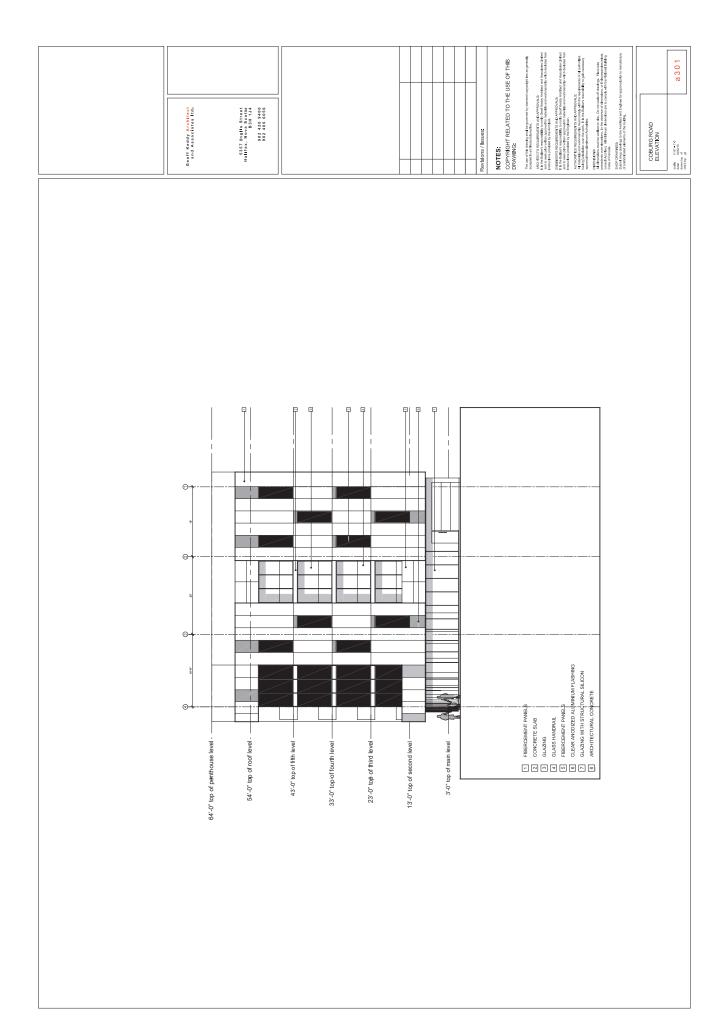


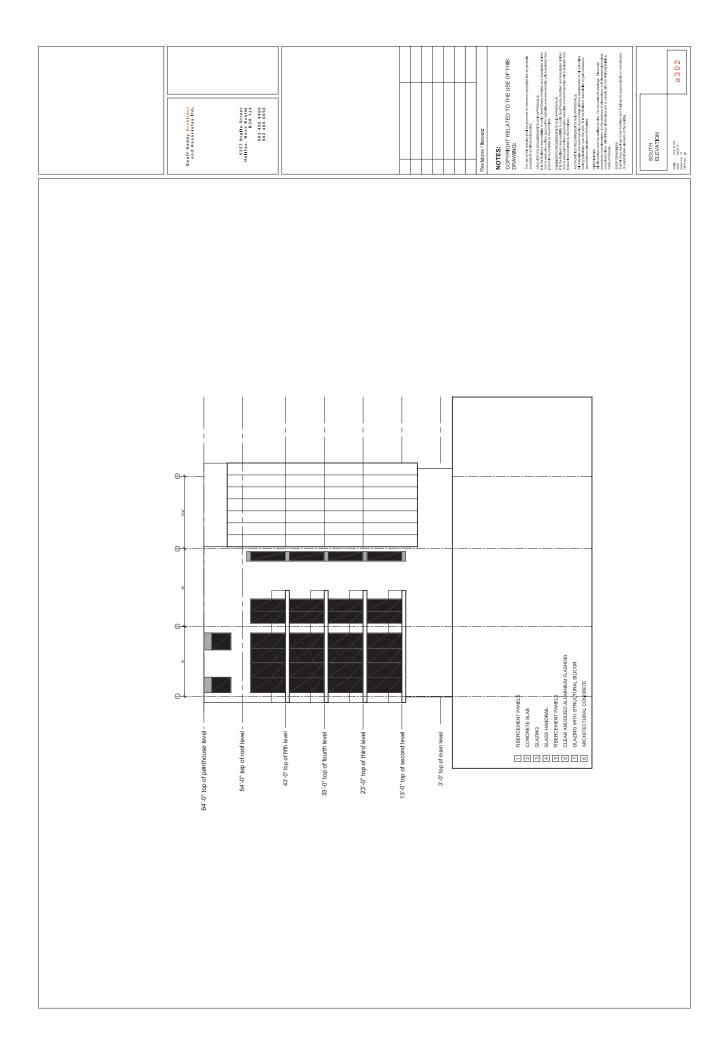


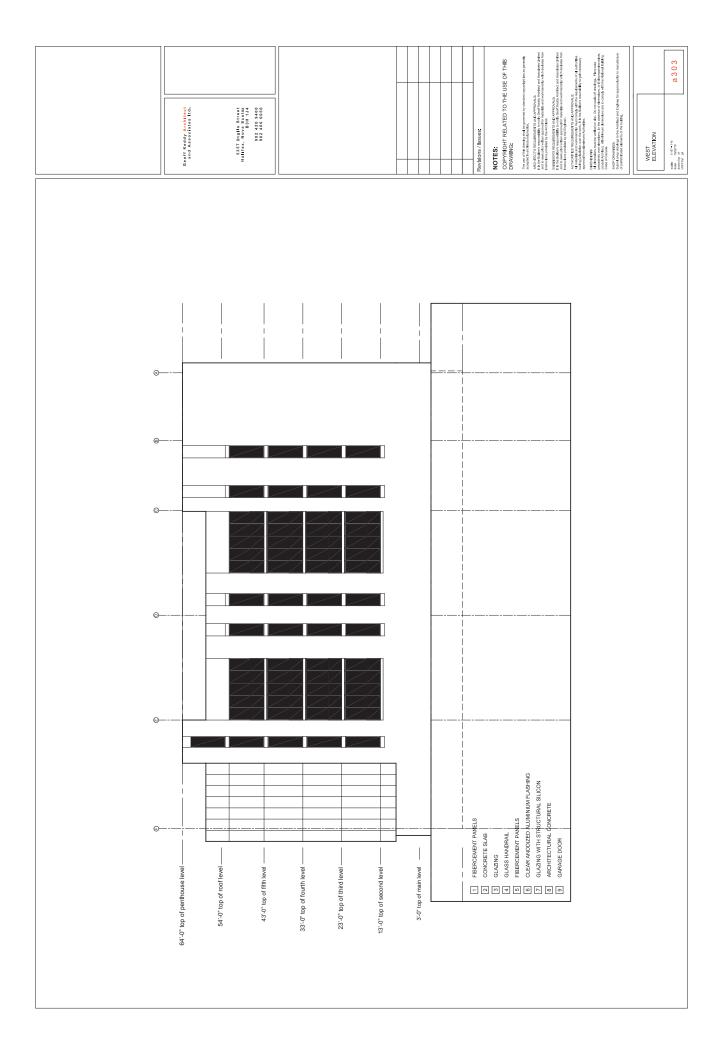












# Re: Case # 18322 Application by Geoff Keddy

This is a second round by this architect and his developer client. The first application to amend the land use by-law and Municipal planning strategy was abandoned early on. There was widespread opposition to the project both by immediate neighbours as well as residents throughout the area. The opposition included the Board of Directors of The Carlyle Condominium Corporation at 6095 Coburg Rd. The developer and architect were also made aware that there would be appeals to any changes to the zoning or by-laws and ultimately legal action if necessary. In spite of all this the developer seems to have decided to take another kick at the can. There is a long list of reasons for the opposition to the developer's proposal.

1. Because Coburg Rd. is a main artery all construction related activity would be concentrated on Seymour St. This is a small residential street. No parking is permitted along the side that the proposed building would front on. Also parking is not permitted for a long length leading to the corner of Seymour and Coburg. Parking on the remainder of that side of the street is time limited by parking meters.

Tearing down the three buildings involved in the project would entail the use of heavy equipment and large trucks. This would create major traffic tie ups, noise, dust, and danger for both cars and pedestrians. This would be the beginning of approximately two years of misery.

Construction would involve a continuous flow of large concrete and delivery trucks as well traffic and parking problems from the construction workers. This would flow over to adjoining streets. It would create a traffic nightmare on the streets and danger to the large number of pedestrians. This includes not only university students but children from the various neighbourhoods going back and forth to Le Marchant-St. Thomas Elementary School and Gorsebrook Jr. High School.

The area beneath the surface is solid rock. This necessitates blasting and the extended use of Pneumatic drilling equipment as was the case with the construction of the new Dalhousie University Business building. This is located immediately behind the lots proposed for the new apartment building. When the drills were going it felt as if they were digging in my basement. The blasting and drilling caused damage to my home. The construction phase of this project would make it miserable for the entire neighbourhood and infringe our rights to the peaceful enjoyment of our homes.

2. According to the plans most of the apartments in the building would be one bedroom apartments. This practically screams "STUDENT DORMITORY." In fact everybody that I have mentioned this to immediately responded, "Students." The plan also calls for balconies outside all apartments fronting on Seymour street. Judging by current observations of student residences these would be turned into garbage dumps, places to hang towels and clothing, accommodations to sit outside and drink, and places to yell from during parties. Windows would be covered by everything but blinds. The place would soon deteriorate into an eyesore. The addition of over one hundred people at that intersection would add substantially to the pedestrian traffic and danger. Many students pay little attention to crosswalks. A heavy concentration of students, such as this building would create, would further contribute to the student ghettoization of the area. It would mean more noise, more crime, more street garbage, more problems for the police, and more expenditures for HRM. All this would be especially disturbing to the large number of seniors and retired people living near by.

3. Garbage from apartment buildings must be picked up by private contractors. This usually entails a large outside metal container and the periodic pickup by a very large garbage truck. The container would be a magnet for mice, rats, racoons, seagulls, and other vermin. This would bring them into the neighbourhood and create a nuisance and health dangers for nearby residents.

4. The parking exit from the building would front on Seymour street as would the main entrance. This would add substantially to the traffic on Seymour street. It would also add to the illegal parking problem because there would be visitors in need of places to park.

5. The proposal includes commercial space on the ground floor. This would be yet another violation of the existing zoning regulations. Commercial space generates more truck traffic, changes the residential nature of the neighbourhood, and if there are retail outlets it also generates crime as the existing Needs store has done.

6. The building lot is really too small for the size of the proposed building. According to the blueprints the structure will extend to the edge of the sidewalk on two sides and the edge of the property on the other two sides so there will be no room for green spaces. Also it will cast a shadow on what is now a sunny street and on my house as well.

7. If this developer gets a permit it will set a precedent for others. Many property owners in the area own a number of properties adjacent to each other. They would be encouraged to apply for a development permit. BLOCKBUSTING is a favourite tactic of developers.

8. The owner knew what the zoning and by-law regulations were when he or she bought the properties. One of the three buildings has two apartments, one has been operated as an illegal rooming house, the third one is rented to a convenience store which is a non conforming usage It also has rental rooms on the upper floor. All three have been operated as rental units for a number of years. The owner or owners apparently were content with the return on their investment but now they would like to make even more money at the expense of the peace and enjoyment of residents. There would be no injustice in turning down an application for a contract development. Can you imagine what the developer 's reaction would be if someone showed up at his house and said they were going to put up a five story apartment building next door?

9. Along with the inconvenience, aggravation, destruction of the neighbourhood, interference with the peace and enjoyment of our homes, this project would cause a deterioration of the entire neighbourhood and cause a drop in our property values.

10. As the above outline points out this apartment building would not contribute any social, esthetic, or economic value to the neighbourhood. It would do the opposite. It would be a focal point and catalyst for a host of problems that residential neighbourhoods fight to avoid.

11. An interesting question that should be asked is where is the financing coming from? If there is off shore investment then it raises the issue of foreign ownership. Even if an owner lives outside the province it raises problems for by-law enforcement, police matters related to tenants, and difficulties in dealing with any problems related to the operation of the building. Foreign investment also raises the legal issue of potential money laundering.

D. Owen Carrigan

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Where is Street View - Street View - Google Maps

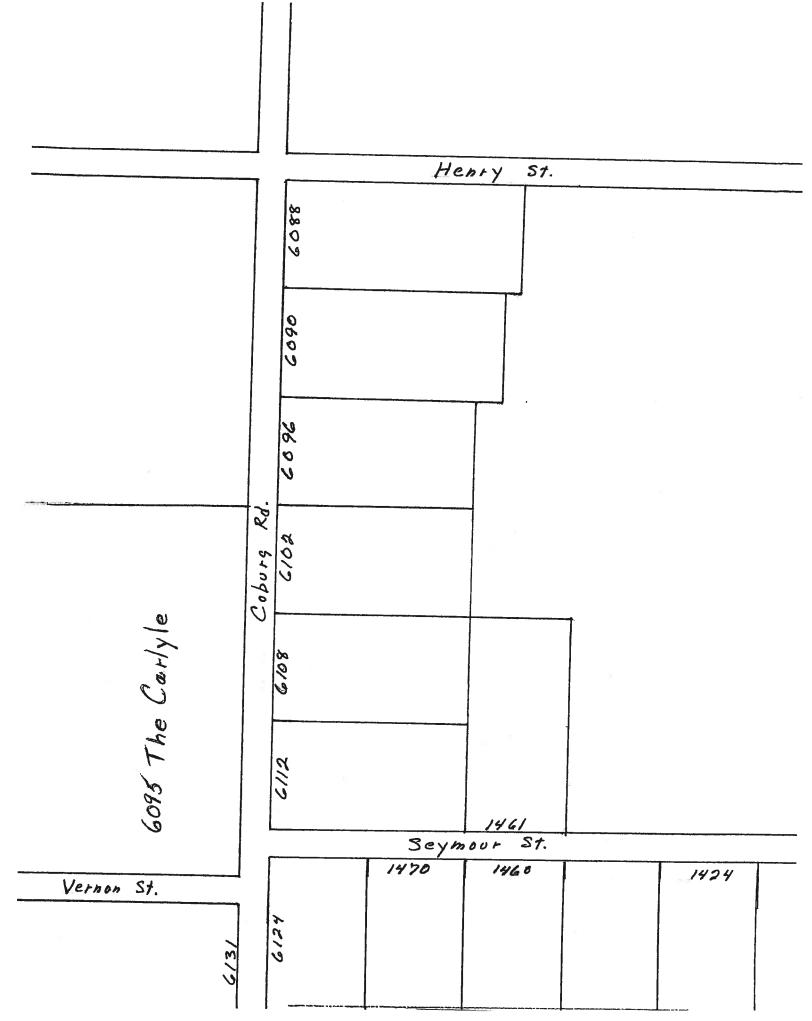
Google Maps

**Street View** 

# Where is Street View available?

The blue overlay shows where Street View imagery is available. You can zoom in to an area to see more detail.





April 17,2013

Jullian MacLellan Community & Recreation Development Approvals PO Box 1749 Halifax, NS B3L 3A5

Re: Case # 18322

Dear Ms. MacLellan:

As President of the Board of the Halifax Condominium Corporation #11 (The Carlyle), I am writing to you at the request of the Board on behalf of the condominium owners. The case I am referring to is #18322 submitted by Geoff Keddy. This is an application to build a 38 unit apartment building on the corner of Seymour St. and Coburg Rd.

The residents living in The Carlyle strongly object to the proposal for several reasons. The zoning by-laws will be violated by this proposal with regard to height restrictions, density and commercial use. It is a non conforming proposal and is in fact a spot re-zoning.

The parking issue is a concern for residents. We have limited metered parking on Coburg Rd. and Vernon St. outside our building. This will likely be the area large trucks will monopolize while waiting to make their deliveries during the construction phase as well as after. This is after all, primarily a residential area.

It is also our understanding that the proposed building includes more commercial space on the ground floor than the zoning restrictions allow. The size of the proposed building allows it to extend to the sidewalk and the density is above zoning restrictions. There is no green space on two sides which would appear more commercial than residential.

Therefore, we appeal to you to take into consideration our right to the quiet and peaceful enjoyment of our homes. The zoning laws were put into place for a reason and we hope they will be upheld.

Sincerely, Original signed Heather Wood Board President – The Carlyle

### HALIFAX REGIONAL MUNICIPALITY

# DISTRICTS 7 & 8 PLANNING ADVISORY COMMITTEE PUBLIC MEETING MINUTES

February 19, 2014

- PRESENT: Ms. Jennifer Powley Mr. Adam Conter Mr. Brenden Sommerhalder, Chair Mr. Michael Bradfield Ms. Sunday Miller Councillor Waye Mason
- REGRETS: Councillor Jennifer Watts Mr. John Czenze Ms. Katherine Kitching, Vice Chair Mr. Michael Haddad
- STAFF: Mr. Jillian MacLellan, Planner, Community and Recreation Ms. Melissa Eavis, Legislative Support Ms. Hilary Campbell, Planning Technician

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## 1. CALL TO ORDER / OPENING REMARKS / PURPOSE OF MEETING

Mr. Brendan Sommerhalder called the meeting to order at 7:10 p.m. in Room 1020 of the Kenneth C. Rowe Management Building at 6100 University Avenue, Halifax.

Mr. Sommerhalder described the Public Information Meeting purpose, process, and rules, and introduced the Planning Advisory Committee members in attendance, and the Planner and Applicant.

### 2. Case 18322: Application by Geoff Keddy and Associates for the lands at the corner of Coburg Road and Seymour Street to amend the Municipal Planning Strategy for Halifax and Land Use By-law for Halifax Peninsula to develop a mixed use building through a development agreement.

A staff report dated November 4, 2013 regarding Case 18322 was distributed at the meeting.

Ms. Jill MacLellan, Planner, Community and Recreation Services, presented Case 18322. She provided an overview of the proposal, the current site and its uses, the current zoning and applicable policies, surrounding uses and densities, and where the application is in the planning process.

Mr. Nick Fudge made a presentation on behalf of the applicant. He described the proposed project and existing site context.

Mr. Sommerhalder opened the floor to questions of clarification.

**Mr. Owen Carrigan**, a resident of Coburg Road, asked how many one bedroom and multi bedroom apartments are in the proposed building. Mr. Carrigan also asked if the applicant considered the one bedroom to be a family unit.

In response, Mr. John Ghosn, Applicant stated that there were thirty-one bedroom units and five multi-bedroom units. He went on to note that one-bedroom units could support a variety of people at various life stages.

Mr. Fudge added that the rental cost per unit would be between \$1500 and \$2000 per month, which would deter students.

**Ms. Dulcie Conrad** of Pepperell Street asked where the exit and entrances are located and if there are alternative options. Ms. Conrad also asked what was going to be done with the mature trees currently located on the property.

In response, Ms. MacLellan stated that it is still fairly early in the process and the location of entrances would likely change as the project evolves. Ms. MacLellan also

advised that any street tree removal would need to be approved by the urban forester who has not yet conducted an analysis of the project.

**Ms. Judy Wells,** of Coburg Road, stated that the entrance to the parking garage on Coburg Road may be dangerous and sought confirmation that this is what is being proposed.

Ms. MacLellan confirmed that the current proposal does have a parking garage entrance on Coburg Road. She went on to state that the applicant has provided a traffic study which is being reviewed by HRM's traffic engineers.

**Mr. Mark Veysey,** a resident of Howe Hall, asked about the construction activities and their potential damage to the community. He also asked if staff could speak toward the safety of the project; the existing and proposed garbage system and the potential impact on neighborhood traffic; the commercial space use and potential commercial tenants, whether the proposed development constitutes blockbusting and if other developers will continue to develop in this pattern; and how the project is being financed.

In response, Ms. MacLellan stated that HRM's construction by-laws regulate construction activity and will ensure the project is executed safely, which is a standard practice throughout Halifax. Regarding the garbage system, she stated that the requirements would likely be the same as those of any multi-unit dwelling in HRM and pick-up can be negotiated through the Development Agreement process. Ms. MacLellan was unable to speak to the issue of other developers proposing similar projects as this is a site-specific application and it would be difficult to predict how other developers will react. Further that staff does not have knowledge as to how the project is being funded.

Mr. Fudge stated that the intent is to rent the commercial space out as office space. Mr. Ghosn added that the commercial space would improve the streetscape and residential uses would be inappropriate. He went on to address an earlier concern regarding parking and stated that additional commercial space was eliminated from the project so extra parking spaces could be created. In regards to garbage collection, the proposed project would be an improvement to the current situation as it would be contained within the building and not visible from the street.

**Ms. Mary Clancey**, a resident of Spring Garden Road, asked if there were any regulations limiting how many individuals could live in an apartment.

Mr. Ghosn responded that one to two individuals typically live in a one-bedroom apartment.

**Ms. Molly Mulroney** of Coburg Road asked for clarification regarding at grade parking and whether this would be for the residential tenants or for the commercial customers. She expressed concern with the lack of parking for proposed commercial space.

Mr. Fudge commented that this was a good point but that a decision had not been made.

**Mr. Sebastian Dancin,** a resident of one of the units being replaced by the current proposal on Seymour Street, asked how the additional parking would affect the intersection at Coburg Road and Seymour Street, which is already crowded. He also asked how the project would benefit the neighborhood. He commented that a tight knit community already exists and this project would be destructive.

Mr. Fudge responded that the traffic study will be made available on the HRM website and that any parking at grade would be decided by the Planning Department. Mr. Fudge added that single unit dwellings are not appropriate for this site.

**Mr. Nathan Rogers**, a resident of Connolly Street, asked what percentage of the rooftop is covered by the penthouse and how the applicant confirmed which surrounding properties were being used as student housing.

Mr. Fudge responded that the penthouse takes up less than fifty percent (50%) of the rooftop but he was unsure of the exact percentage. Mr. Fudge stated that the applicant compiled housing data from canvassing the neighborhood and through observation and that these figures may not be completely accurate. Dalhousie University also contributed some data.

**Mr. Conner Reed**, a resident of Lemarchant Street, asked whether there was an expected target date for the project to begin construction.

Ms. MacLellan responded that a planning application takes approximately one year and if approved, the developer could move forward with the project after that point.

**Ms. Mary Clancy**, a resident of Spring Garden Road, asked how many digressions from current policy are being requested with this application.

Ms. MacLellan reiterated the details of the current project and stated that requested amendments included height, units permitted, setbacks, parking, amenity space, and changes to permitted uses and location.

**Mr. David Gordon**, a resident of Waverly, requested clarification around student housing, if this development constitutes gentrification, and if the intention of this development is to change the socio economic status of the neighborhood.

Mr. Fudge clarified that this development is not intended to be student housing.

**Mr. Peter March,** a business owner in the neighborhood, expressed concern with traffic in the area. Noting his dissatisfaction that the traffic report was not available to the public; adding that it is already a congested and dangerous intersection.

Ms. MacLellan responded that the traffic report will be made available on the case website the following day.

Mr. Sommerhalder opened the floor for comments.

**Mr. Mike Kilfoy,** a resident of Henry Street, asked how the pricing model compares to that of the student housing in the area.

Mr. Ghosn responded that students generally pay approximately \$500 per bedroom and this development would be approximately three times that price.

**Ms. Margo Christy,** a resident of Waterloo Street, asked if the unit on the top floor is in addition to the five stories; to which Mr. Fudge confirmed that was correct. Ms. Christy asked if there would be any green space at ground level.

Mr. Fudge stated that there are setbacks along the back of the site adjacent to the Mona Campbell Building and along the south side of the project.

**Ms. Beverly Miller**, a resident of South Street, cited a Stantec report that stated there is currently enough land supply to support thirty-nine years of growth on the Halifax Peninsula without disturbing existing neighborhoods and this should be taken into consideration. She went on to ask if current vacancy rates are being considered and stated that there are many "for rent" signs throughout the peninsula. She also asked how one-bedroom units increase density.

Ms. MacLellan stated that the Stantec Report should be considered when looking at Municipal Planning Strategy amendments. In response to the question regarding vacancy rates, she stated that staff will consider existing housing in the area but vacancy rates are not specifically considered. She stated that staff will consider the types of units being proposed and whether density would be increased.

**Mr. Danny Chedrawe**, a resident of Spring Garden Road, stated that he is in favor of the development because it contributes to investment within the community, that the architect is well respected, and the developer and his past projects have a good reputation. He went on to state that he was confident this would be a positive contribution to the community, would improve the streetscape along Coburg Road, and complement the neighboring Mona Campbell Building. He stated that universities contribute to the local economy, though it can be challenging to live in close proximity to these institutions. He also expressed support for one-bedroom units as he felt that two or three bedroom units would attract students. He recommended that the developer remove the garage entrance on Coburg Road and revert that space to commercial use.

**Mr. Owen Carrigan**, a resident of Coburg Road, expressed gratitude toward the developer who has made positive contributions to Halifax. He went on to state that although the applicant has renovated these units in the past in hopes of attracting a different type of tenant, his efforts have been unsuccessful. He went on to state that

this development will be no different and that it will not attract a different type of tenant. He was concerned for the proposed sixteen balconies that overhang Seymour Street and stated that these are dangerous in such a high traffic residential area. He also noted that the Mona Campbell building although large, simply replaced an existing large building so the change was not substantial. Other large buildings in the area including The Carlyle have significant setbacks. He reiterated his concern regarding the balconies along Seymour Street, and expressed concern regarding the proposed commercial space and questioned the need for additional commercial uses in the neighborhood. He also expressed concern for the types of commercial uses that could be located there and the lack of landscaping in the proposed project.

**Mr. Mark Veysey,** a resident of Howe Hall, asked how long the project would take to be completed after construction begins. He also asked if there was a response to the correspondence as there appeared to be mixed emotions.

Ms. MacLellan responded that the process for a Municipal Planning Strategy amendment usually takes about a year, although timelines can vary. She also clarified that the correspondence being referred to was from staff's initiation report to Council (November 4, 2013 staff report) and copies are included in the handout.

Mr. Keddy, the project architect, clarified that once construction has begun; it would take approximately ten to twelve months to complete this particular project.

**Ms. Mary Clancy**, a resident of Spring Garden Road, commented that she was not concerned with the types of tenants in the building but was more concerned with the density of the development and potential traffic issues. She stated that that is already a bad corner and the safety of children and elderly residents should be considered. Further, that it was unfortunate that the traffic study was not made available prior to the meeting. She Ms. Clancy was not in support of the proposal.

**Ms. Christy**, a resident of Coburg Road, stated that although she understands the financial benefits to the developer, she was not in support of the proposal. Ms. Christy commented that she would have preferred to see a townhouse development and that Halifax does not have the climate, mentality, or infrastructure for walking and cycling. As well, that the tenants of the proposed building would likely be car owners and that that the one-bedroom units will be used as student housing. Ms. Christy suggested that the units would be too small for retirees who require more space, reiterating that townhouses would be more appropriate.

Mr. Sommerhalder reminded members of the public that submissions could be made to the Clerk's Office.

**Lindsay**, a resident of Bedford, stated that it was unfortunate that students are being stereotyped as undesirable tenants and did not think the building was anti-student.

**Mr. Konresh Ral**, a resident of Bedford and former Dalhousie student, commented that \$1500 per unit is expensive. He stated that he is in support of the proposed commercial space and that it would help the Dalhousie campus; that the additional residential space on the peninsula made sense, and as per the Stantec report, Halifax Peninsula missed its growth targets. He also stated that the proposed building is architecturally pleasing and would encourage people to live on the peninsula. Further, that parking should not be an issue in this location because of access to public transit and walking and that this building would make the neighborhood more vibrant and the height is appropriate.

**Chris,** a resident of Edward Street, stated that he was in support of the building and that it was architecturally attractive. He also supports the commercial space proposed and the development would support walking and cycling in the community.

Ms. Jane Merchant, an owner of Coburg Coffee located on Coburg Road, commented on the proposed building's architectural attractiveness. She and her co-owner of Coburg Coffee have a long history in the neighborhood noting that her primary objection was to the commercial component of the building as this would allow an unfair advantage to the tenants of the commercial space. She was concerned that HRM is giving an advantage to a new investor that is not offered to current businesses. She stated that prior to starting a business she had done considerable research and based her location decision on the confidence that no land use by-laws or regulation changes would occur without a broad and thorough review, which this site-specific zoning does not entail. She commented that the proposed building, specifically the commercial component, would be more appropriate for a higher density zone and the thirty-five units proposed with this building does not warrant additional commercial space. She also added that the Neighborhood Commercial designation currently in place does not allow for commercial development that adversely affects the surrounding neighborhood. Further, that the proposal is inconsistent with the intent of the Land Use By-law. She reiterated that allowing commercial space on this property was unfair and would lead to the financial ruin of businesses in the area.

**Ms. Beverly Miller,** a resident of South Street, stated that existing zoning by-laws and policies have been developed with public input and should only be changed due to necessity. She also noted that there are increased vacancies in the area and that Dalhousie would be opening a new residence in the near future, which may make one-bedroom units unmarketable. She expressed concern with noise being generated during construction and stated that although students occupy the current dwellings on the site; this could change in the future. She commented that the development was not necessary to improve the quality of the neighborhood and the balconies fronting on Seymour Street pose a particular safety concern. She was further concerned with the potential noise generated from the balconies during the evening, the lack of setbacks from the street such as those found at Lemarchant Tower, and the effect of the development on the surrounding low-rise residential neighborhood. She reiterated her opposition to the proposal and stated traffic would also be an issue and that staff should not recommend approval.

**Margot,** a resident of Waterloo Street, stated that the site does need to be developed and she would prefer to see a development that was setback from the street as the current design detracts from the comfort of the area. She noted that the project would benefit from more green space. As well, that the proposed building complements the Mona Campbell Building but does not fit with the surrounding residential neighborhood. She suggested that a more historical architectural style would be more appropriate while also keeping the benefit of balcony space. She commented that residents of the South End feel bombarded with these types of applications and suggested that residential neighborhoods do not need more density.

**Mr. Nathan Rodgers**, a resident of Connolly Street, stated that the proposed development is generally a good project with a lot of merit. He supported the previous comment that the Coburg Street garage entrance should be removed and transitioned back to commercial space as traffic would be an issue. He expressed concern for the offset intersection at Vernon and Seymour Street, suggesting alternatives should be considered. He also suggested that HRM adopt an area wide by-law amendment to limit penthouse areas to less than ten percent (10%) of the total roof. Further, that the Needs Convenience Store currently located on the property should be invited to stay on as a tenant

**Ms. Christine Townsend**, a resident of Argyle Street, stated that she was in support of the development and that this was exactly the type of residence she and her partner would like to live in and would be beneficial to the peninsula. She also stated that the height was appropriate especially considering the location on a corner lot. She supported the lack of setbacks which improves walkability. Also, that the mixed use aspect was important and all developments should have this aspect. She noted support for increasing density which is a goal of the Regional Plan and growth targets.

**Mr. Peter Marsh**, a resident of Jubilee Road, commented that the standard for development in Halifax should be very high. He noted that HRM should pay particular attention to how other cities integrate universities into the city fabric without destroying neighborhoods. He suggested that creating a contrast between the university and surrounding neighborhood would allow the Victorian character of the area to be protected. He concluded that it was objectionable to construct a building that is only acceptable as the standard should be much higher. He reiterated his concern for the traffic issues the current proposal presents.

In response, Mr. Ghosn commented the final project will be acceptable to residents of the neighborhood and that he did not want to propose a project that would make the community uncomfortable. He clarified that the target tenants would not be disruptive to the community and that traffic would likely be improved with this development, as it would decrease the number of individuals moving through the site. Further, that parking would be increased which would improve the parking in the area.

### 3. CLOSING COMMENTS

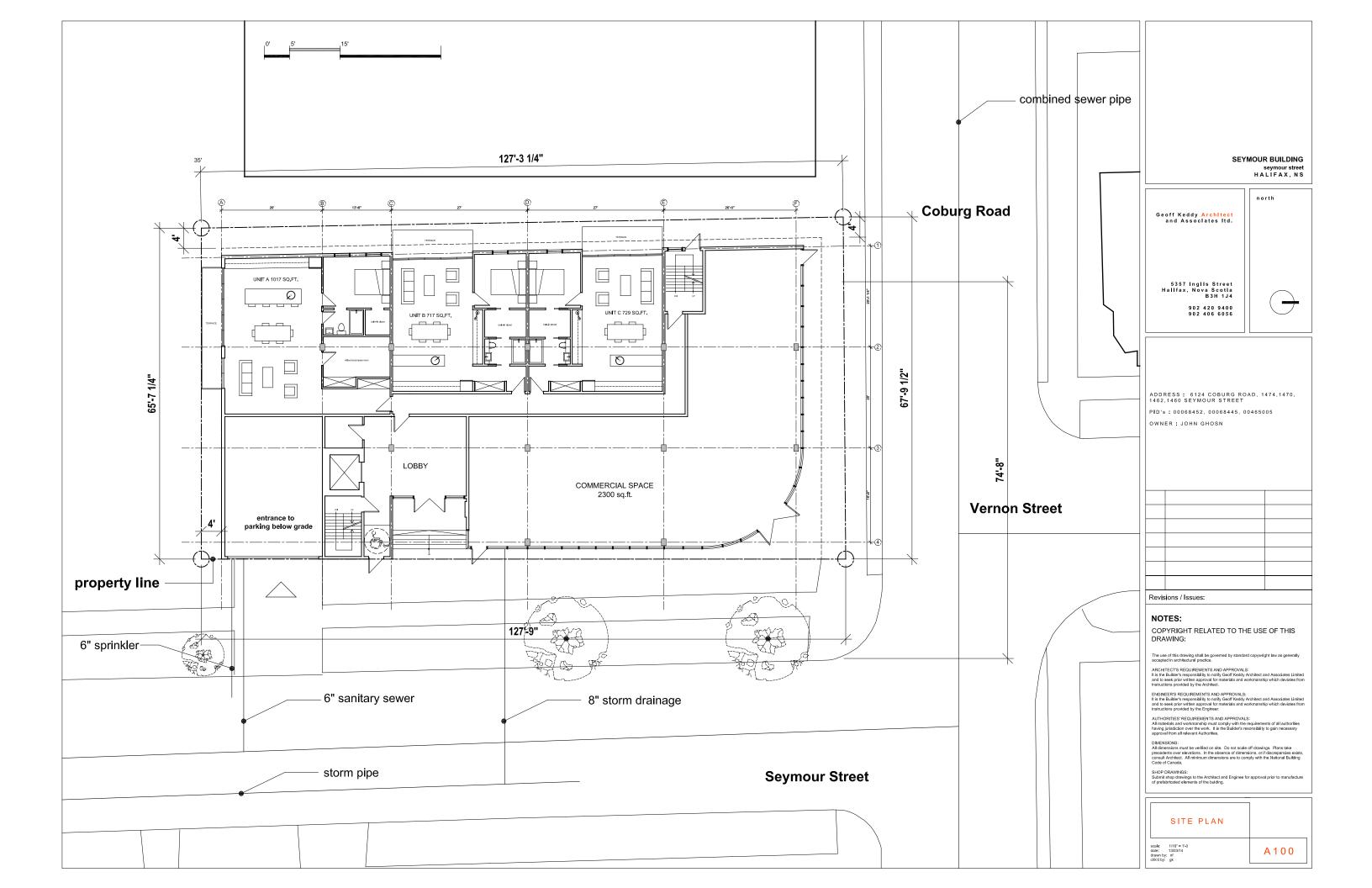
Councilor Mason stated that public input is valued and he thanked the Chair of the meeting for his hard work.

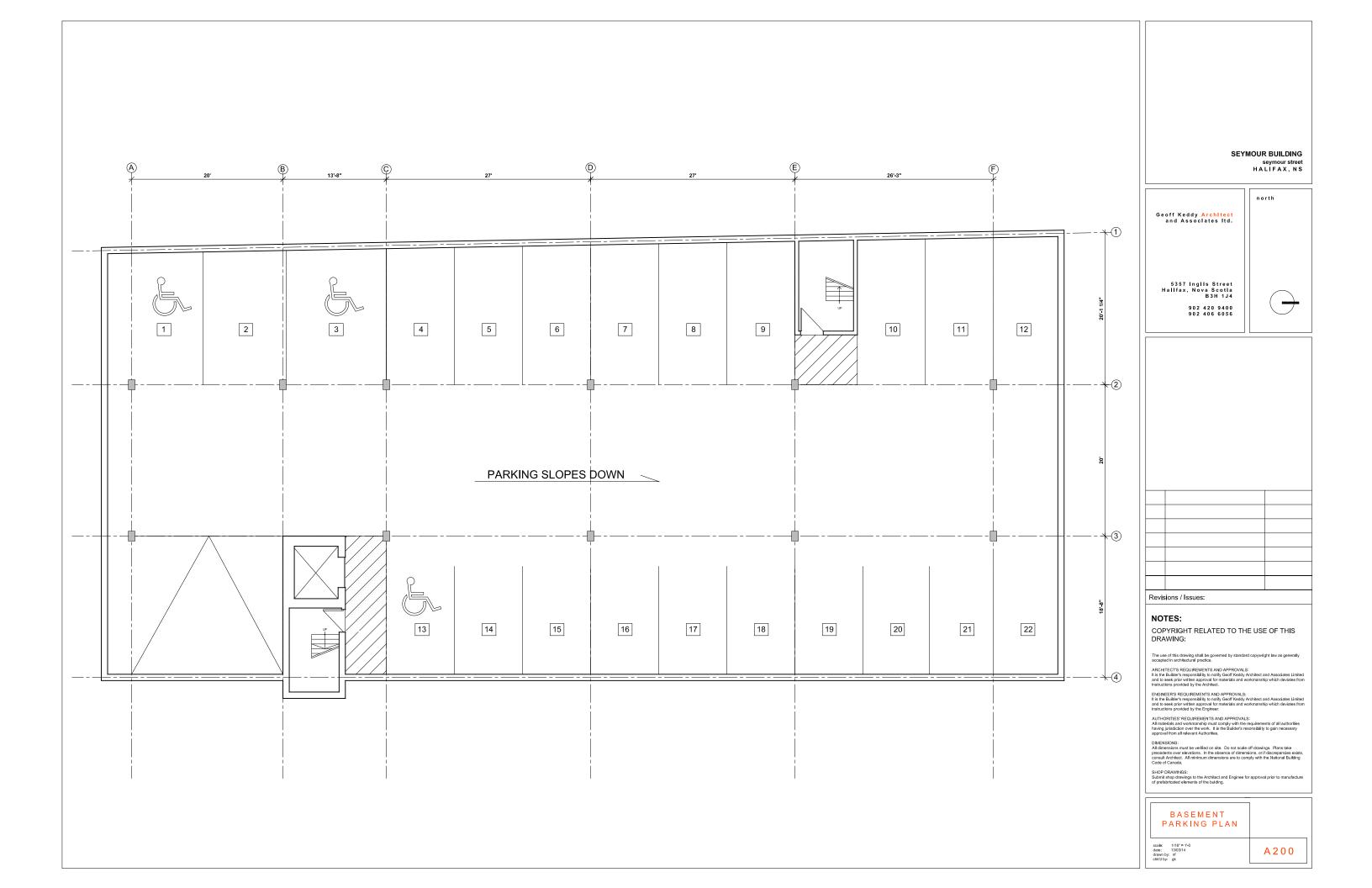
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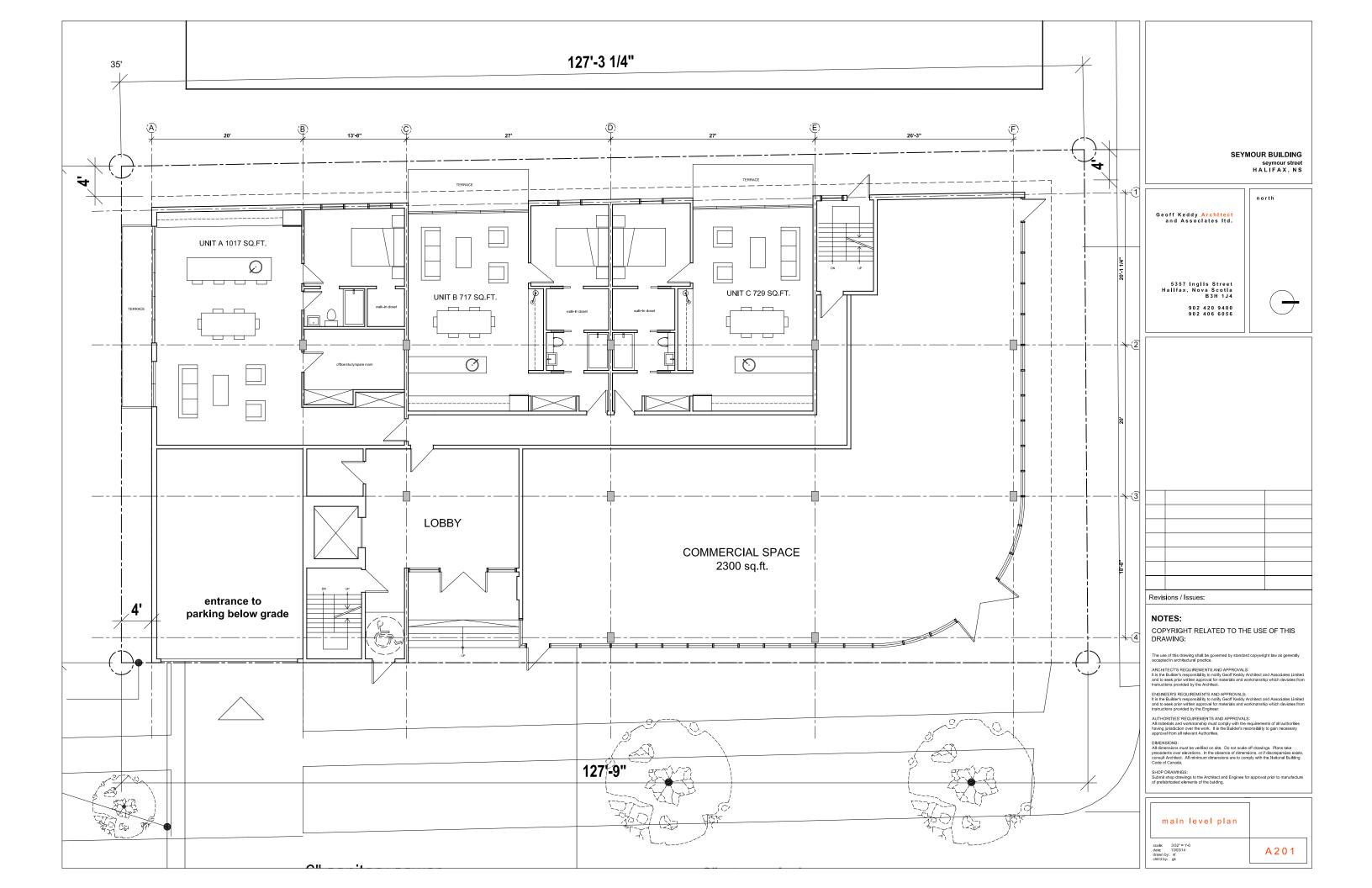
The meeting was adjourned at 9:08 p.m.

Melissa Eavis Legislative Support Attachment C - Submissions From Applicant

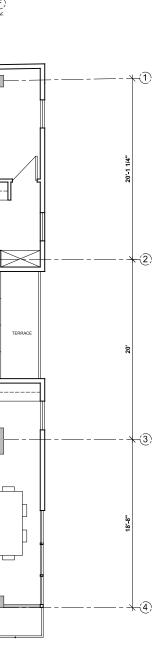




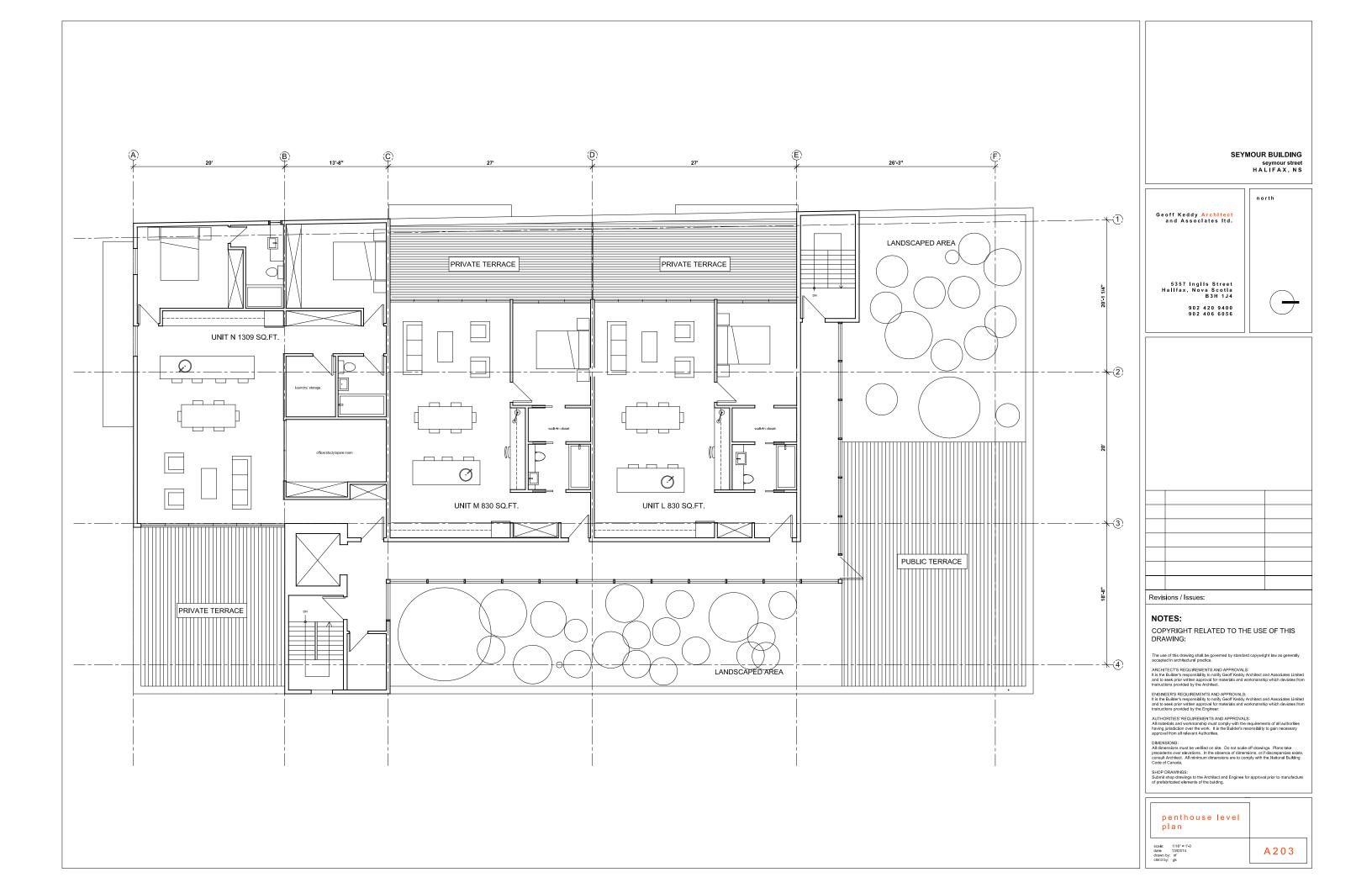


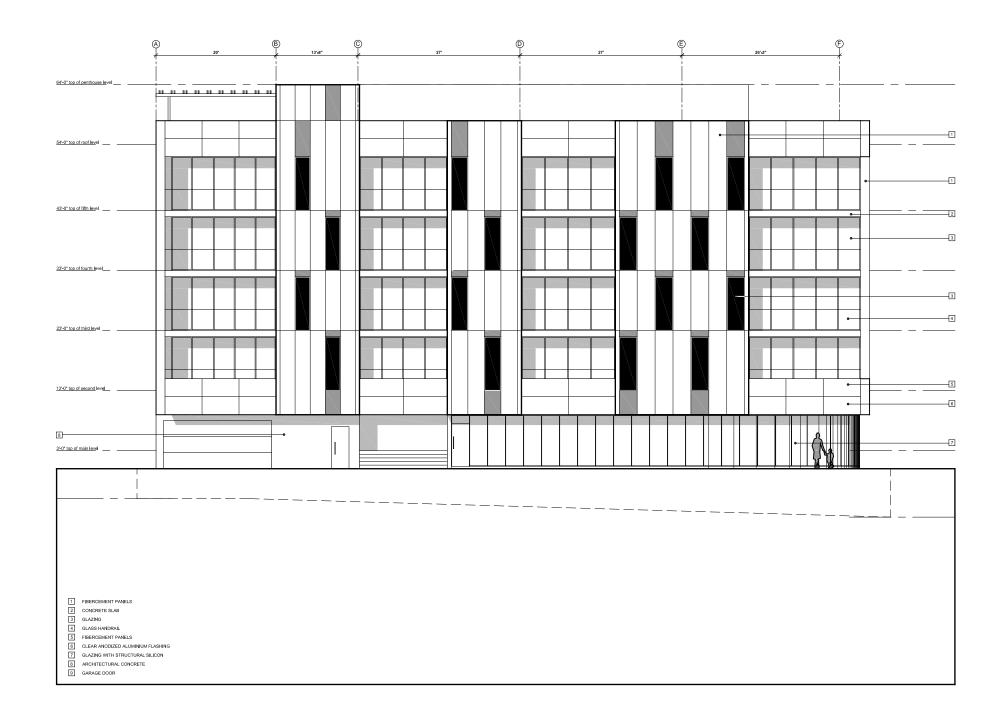


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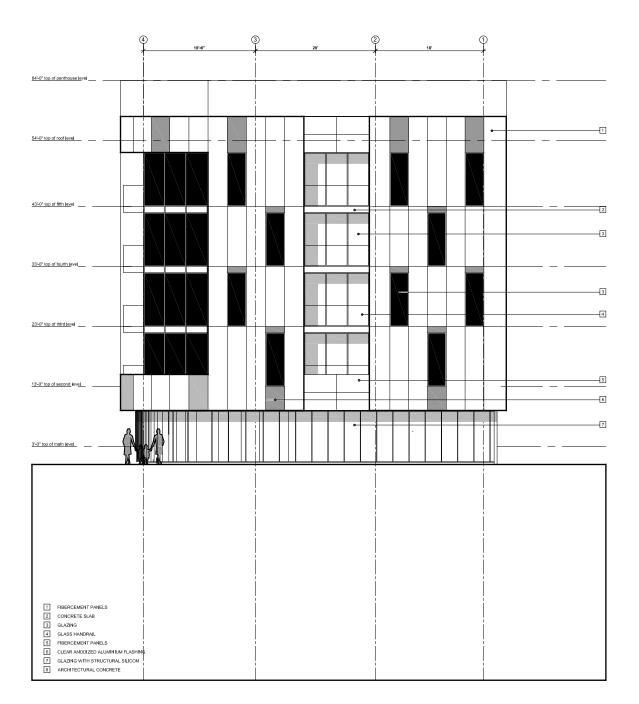


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Ref. No. DA10506

November 24, 2010

Ms. Ashley Blissett, P. Eng., Development Engineer HRM Community Development PO Box 1749 HALIFAX NS B3J 3A5

### RE: Traffic Impact Statement, Proposed Residential and Commercial Development, Seymour Building, Southwest Corner of Seymour Street and Coburg Road, Halifax

Dear Ms. Blissett:

*Geoff Keddy Architect and Associates* is preparing plans for construction of a new residential building with ground floor commercial space at the southwest corner of Seymour Street and Coburg Road (Figure 1). The project includes a five story building plus a penthouse level with a total of approximately 38 apartments and about 2,000 square feet of commercial space on the ground floor. This is the Traffic Impact Statement (TIS) required to accompany the development application.

**Description of Site Accesses**. The proposed development will have one driveway on Seymour Street at the south end of the building to access an underground parkade with 21 parking spaces. Sight distances are adequate for both Seymour Street approaches to the parkade driveway as illustrated in Photos 1 and 2.

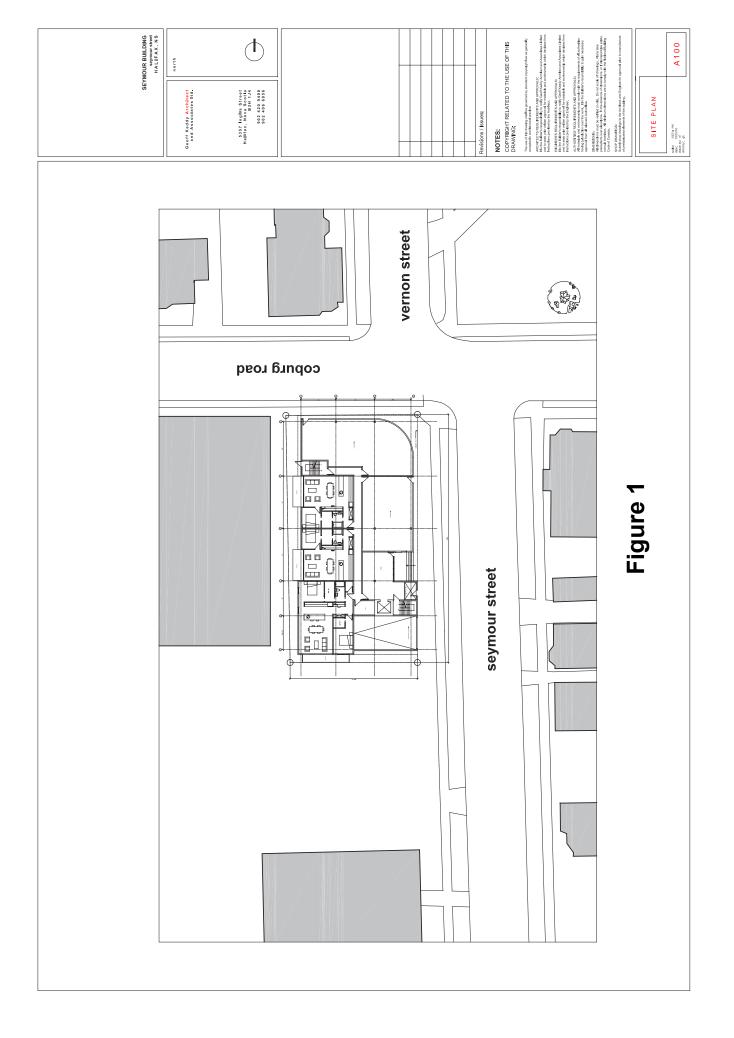
While sight distance to the proposed driveway and visibility along Seymour Street are adequate, the final design of the parking garage entrance must ensure that drivers exiting the garage will have adequate visibility of pedestrians on the sidewalk.



Photo 1 - Looking north on Seymour Street towards Coburg Road from the proposed parking garage driveway at the south end of the building.



Photo 2 - Looking south on Seymour Street towards University Avenue from the proposed parking garage driveway at the south end of the building.



**Description of Seymour Street** -Seymour Street is a two-lane local street with sidewalks on both sides as illustrated in the three photos. Parking is not permitted on either side of Seymour Street along the length of the proposed building site. The section of Seymour Street adjacent to the proposed site is just south of a STOP sign controlled intersection with Coburg Road.



Photo 3 - Looking south on Seymour Street towards the south end of the site from Coburg Road. Parking is not permitted on either side of Seymour Street from Coburg Road to the first car visible on the left side of the photo. The site is on the right side of the photo.

Coburg Road is a two-lane collector street with sidewalks on both sides. There is a marked pedestrian crosswalk across Coburg Road just east of Seymour Street. A turning movement count obtained by HRM Traffic & Right of Way Services at the Robie Street / Coburg Road / Spring Garden Road intersection about 250 meters east of Seymour Street in early May, 2008, indicated that the section of Coburg Road near Seymour Street has two-way volumes of approximately 600 vehicles per hour during the AM peak hour and 850 vph during the PM peak hour.

**Trip Generation** - Trip generation estimates, prepared using published trip generation rates from *Trip Generation*,  $8^{th}$  *Edition*, are included in Table 1. It is estimated that the proposed mid-rise apartment building with ground floor commercial will generate about 16 vehicles trips with 6 vph entering and 10 vph exiting during the AM peak hour and 22 trips (12 vph entering and 10 vph exiting) during the PM peak hour.

Land Number Use <sup>1</sup> Units <sup>2</sup>		Trip Generation Rates <sup>1</sup>				Trips Generated <sup>3</sup>			
	AM Peak		PM Peak		AM Peak		PM Peak		
		In	Out	In	Out	In	Out	In	Out
Apartment <sup>4</sup> (ITE 223)	38 units	0.093	0.207	0.226	0.164	4	8	9	6
Retail <sup>5</sup> (ITE 814)	2.00 KGLA	1.01	0.79	1.58	2.01	2	2	3	4
	Tot	al Estimate	d Trips for F	ull Site Dev	elopment	6	10	12	10
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low, AM trip rates have been assumed to be 50% of the PM rate with reversal of the directional split.

**Description of Transit Service** - While there are two Metro Transit routes (1 and 58) that provide service on Coburg Road past the site, the site is only about 250 meters west of the Robie Street / Spring Garden Road intersection which also is served by many transit routes.

### Summary and Conclusions -

- 1. The proposed project at the southwest corner of the Coburg Road / Seymour Street intersection will include a five story building plus a penthouse level with a total of approximately 38 apartments and about 2,000 square feet of commercial space on the ground floor.
- 2. Site access will be a parkade driveway on Seymour Street at the south end of the site. While sight distance to the proposed driveway and visibility along Seymour Street are adequate, the final design of the parking garage entrance must ensure that drivers exiting the garage will have adequate visibility of pedestrians on the sidewalk.
- 3. Trip generation estimates for the development include 16 vehicles trips with 6 vph entering and 10 vph exiting during the AM peak hour and 22 trips (12 vph entering and 10 vph exiting) during the PM peak hour.
- 4. Two Metro Transit routes (1 and 58) provide service on Coburg Road past the site. The site is only about 250 meters west of the Robie Street / Spring Garden Road intersection which also is served by many transit routes.
- 5. Seymour Street meets Coburg Road at a STOP controlled intersection. There is a marked pedestrian crosswalk across Coburg Road just east of Seymour Street. Coburg Road near Seymour Street has two-way volumes of approximately 600 vehicles per hour during the AM peak hour and 850 vph during the PM peak hour.
- 6. The low numbers of site generated trips are not expected to have any noticeable impact to Seymour Street at the parkade driveway. Also, since peak hour volumes on Coburg Road are moderate, there is not expected to be any significant impact on the Seymour Street / Coburg Road intersection or the regional street network.

If you have any questions or comments, please contact me by Email to <u>ken.obrien@genivar.com</u> or telephone 443-7747.

Sincerely:

# Original signed

Ken O'Brien, P. Eng. Senior Traffic Engineer GENIVAR Consultants Limited Partnership



Ref. No. 121-

October 23, 2012

DRAFT LETTER

Geoff Keddy Architect and Associates 5357 Inglis Street HALIFAX NS B3H 1J4

### RE: Addendum - Traffic Impact Statement, Proposed Residential and Commercial Development, Seymour Building, Southwest Corner of Seymour Street and Coburg Road, Halifax (GENIVAR Consultants Limited Partnership, November 24, 2010)

Dear Mr. Keddy:

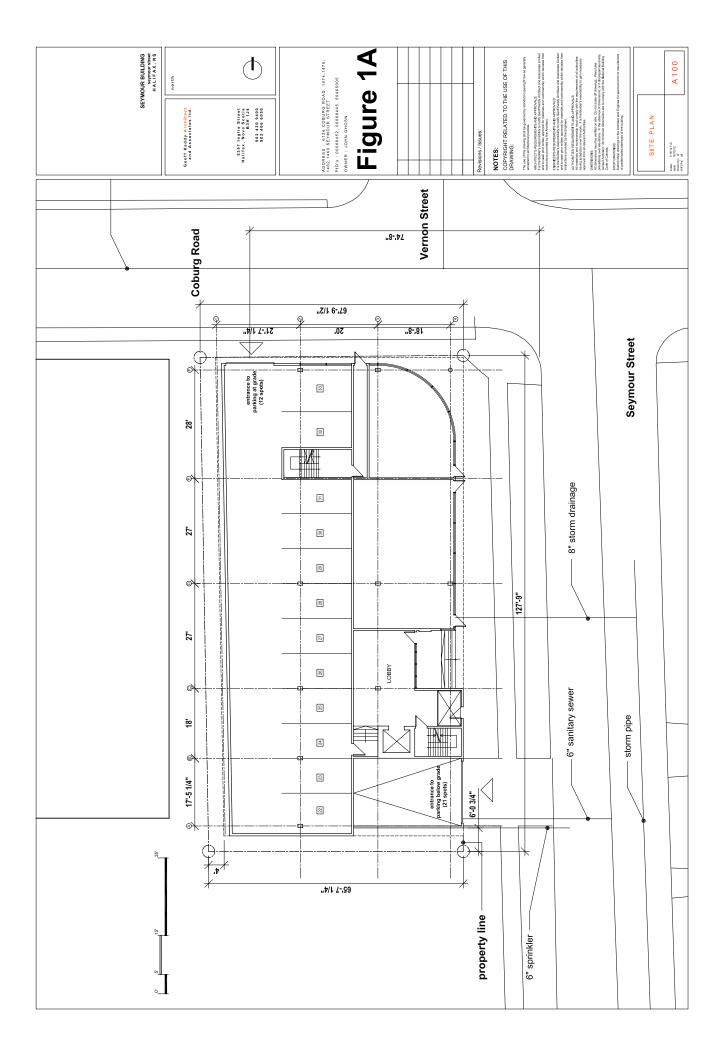
*Geoff Keddy Architect and Associates* are preparing plans for construction of a new residential building with ground floor commercial space at the southwest corner of Seymour Street and Coburg Road (Figure 1A). This is the Addendum letter that HRM requires to consider the traffic impacts of the requested changes in land use and site access since the Traffic Impact Statement was prepared in 2010.

**Background** - The Traffic Impact Statement prepared in November, 2010, was for a building with approximately 38 apartment units, 2,000 square feet of commercial space on the ground floor, and one driveway on Seymour Street at the south end of the building to access an underground parkade with 21 parking spaces. The current project (Figure 1A) includes 35 apartment units, 1550 square feet of commercial space, a driveway on Seymour Street at the south end of the building to access an underground parkade with 21 parking spaces, a driveway on Seymour Street at the south end of the building to access an underground parkade with 21 parking spaces, and another driveway on Coburg Road at the west property line to access 12 surface parking spaces.

**Description of Site Accesses**- The Seymour Street site access has not changed from that included in the 2010 site review, however, the current plan includes a second driveway on Coburg Road. While Street By-Law S 300 Section 36 (2) indicates that the site access should be restricted to the lesser volume street which in this case would be Seymour Street, it is understood that HRM officials have accepted the proposed second site driveway.

While a recent site visit indicates that sight distance to the proposed Coburg Road driveway and visibility along Coburg Road are adequate, the final design of the parking garage entrance must ensure that drivers exiting the garage will have adequate visibility of pedestrians on the Coburg Road sidewalk.

**Trip Generation** - Trip generation estimate comparisons for the proposed 2010 and 2012 development proposals, prepared using published trip generation rates from *Trip Generation*, 8<sup>th</sup> *Edition*, are included in Table 1. As one would expect, the reduction in the number of apartment units and commercial floor area will result in a slight reduction in the number of vehicle trips generated during AM and PM peak hours. It is estimated that the proposed 2012 development will generate about 13 vehicles trips with 5 vph entering and 8 vph exiting during the AM peak hour and 19 trips (10 vph entering and 9 vph exiting) during the PM peak hour.



#### DRAFT - Addendum - Traffic Impact Statement, Proposed Residential and Commercial Development, Page 3 Seymour Building, Southwest Corner of Seymour Street and Coburg Road, Halifax

Land Number	Trip Generation Rates <sup>1</sup>				Trips Generated <sup>3</sup>					
Use <sup>1</sup> Units <sup>2</sup>	Units <sup>2</sup>	AM	Peak	PM	PM Peak		AM Peak		PM Peak	
		In	Out	In	Out	In	Out	In	Out	
Trip Generation	Estimates (N	ovember 20	D10)							
Apartment <sup>4</sup> (ITE 223)	38 units	0.093	0.207	0.226	0.164	4	8	9	6	
Retail ⁵ (ITE 814)	2.00 KGLA	1.01	0.79	1.58	2.01	2	2	3	4	
	otal Estimate	d Trips for	the Propos	ed 2010 Dev	elopment	6	10	12	10	
Trip Generation	Estimates (O	ctober 201	2)							
Apartment <sup>4</sup> (ITE 223)	35 units	0.093	0.207	0.226	0.164	3	7	8	6	
Retail <sup>₅</sup> (ITE 814)	1.55 KGLA	1.01	0.79	1.58	2.01	2	1	2	3	
1	otal Estimate	d Trips for	the Propos	ed 2012 Dev	elopment	5	8	10	9	
Reduction in Trip Generation Estimates from 2010 to 2012					10 to 2012	1	2	2	1	
(ITE 814) 1 NOTES: 1. Ti G	KGLA otal Estimate	ed Trips for Trip Genera rates are 've <i>Edition</i> , Insti	the Proposition Estimation Estimation the period of the second strain the second strain strai	ed 2012 Dev ates from 20 pur per unit'.	relopment 10 to 2012 Rates are for i gineers, 2008	5 1 ndicated L	8	10 2	Co	

4. Published average trip generation rates for Mid-Rise Apartment (Land Use 223) have been used.

5. Speciality Retail (Land Use 814) rates have been used. Since the unit is considerably smaller than the average 69.0 KGLA in the published data (Page 1339), the mid-range trip generation rate has been used. Also, since there is no published rate for the AM peak hour for this Land Use, and since AM peak hour trips to Speciality Retail are generally low, AM trip rates have been assumed to be 50% of the PM rate with reversal of the directional split.

### Conclusions

- Since the proposed change in land use includes a reduction in number of apartment units and 1. commercial floor area, and there is a corresponding reduction in the number of vehicle trips generated during AM and PM peak hours, the revised development will have slightly less impact than the proposed 2010 development.
- 2. The low numbers of site generated trips are not expected to have any noticeable impact to Seymour Street at the parkade driveway or Coburg Road at the surface lot driveway. Also, since peak hour volumes on Coburg Road are moderate, there is not expected to be any significant impact on the Seymour Street / Coburg Road intersection or the regional street network.

If you have any questions or comments, please contact me by Email to ken.obrien@genivar.com or telephone 443-7747.

Sincerely:

## **Original signed**

Ken O'Brien, P. Eng. Senior Traffic Engineer GENIVAR Inc.