
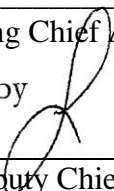


Item No. 11.1.1
Halifax Regional Council
March 8, 2011

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 

Wayne Anstey, Acting Chief Administrative Officer
Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

DATE: February 14, 2011

SUBJECT: **Case 16655: Amendments to Increase the Height Allowances on the
CBC Radio Site, Halifax**

ORIGIN

Application by Michael Napier Architecture

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Authorize staff to initiate a process to consider amending the Regional Municipal Planning Strategy, the Halifax Municipal Planning Strategy, the Downtown Halifax Secondary Municipal Planning Strategy, and the Downtown Halifax Land Use By-law to increase the Maximum Post-bonus Height on the south-east corner of South Park and Sackville streets, to allow a mixed-use development that includes a new YMCA facility; and
2. Direct staff to follow the public participation program as approved by Council in February 1997.

EXECUTIVE SUMMARY

The YMCA proposes amendments to the maximum height requirements on the site of the CBC Radio building, at the corner of Sackville and South Street, to allow for a mixed-use development that includes a new YMCA facility. Maximum permitted building heights are relatively low along the streets that face the Citadel in order to ensure that buildings are sensitive to the historic fort. The YMCA submits that the allowance for additional height does not significantly compromise the overall relationship of development surrounding the Citadel. It also identifies that new the YMCA will offer significant benefits to the public.

This report recommends that Council initiate a process to consider amendments for the YMCA project. This does not commit Council to adopting any amendment; it directs staff to undertake a detailed review of the urban design and public benefit attributes of the proposal, which will involve consultation with the public and other stakeholders.

BACKGROUND

The Halifax YMCA plans to redevelop its site on South Park Street, along with an adjoining property owned by the CBC, with a mixed-use project that will include a new YMCA facility and two residential towers. The CBC will be relocating its radio operations to its Bell Road site. The YMCA and CBC lands are within the Downtown Halifax Secondary Plan Area. The Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By-law regulate building heights. The height of the proposed project that is on the CBC site is approximately 46 metres, whereas the maximum permitted height is 23 metres. The YMCA proposes to amend the height requirement on the CBC site to 49 metres, consistent with the maximum height requirement on the current YMCA site.

The YMCA intends to remove the existing YMCA and CBC buildings and develop a new a complex that has two parts, each with a residential tower, and that includes:

- 70,000 square feet for YMCA facilities including an aquatic complex, indoor running track, childcare services with outdoor garden space, a gymnasium, and fitness areas;
- 5,700 square feet of retail and office space along South Park Street;
- 330,000 square feet of mixed unit type residential space, with some areas being capable of being used for a boutique hotel;
- 300 parking spaces; and
- a pedestrian passageway located between the two building parts that provides an open space and linkage between South Park Street and Annandale Street (see Attachment A for images of the project).

The residential towers and other non-YMCA related land uses are proposed to help off-set the costs of establishing the new YMCA facility.

Amending the height requirement on the CBC site would allow the YMCA building project to be considered, at a later time, through the Site Plan Approval process, including reviews of the building's design, by the Design Review Committee.

DISCUSSION

Existing Height Requirements

There are relatively limited maximum permitted heights facing the Citadel, along Sackville Street, Brunswick Street, and Rainnie Drive (Map 1). The purpose of this is expressed in the Halifax Municipal Planning Strategy through Policy 6.3:

“The City shall maintain or recreate a sensitive and complimentary setting for Citadel Hill by controlling the height of new development in its vicinity to reflect the historic and traditional scale of development.” (Section II, City-wide Objectives and Policies)

This policy was adopted by Council in 1985 following a comprehensive urban design analysis which was outlined in a 1984 staff report. The amendments, at first, established maximum building heights along Brunswick Street, and then shortly thereafter along Sackville Street, to 75 feet (further height restrictions along Rannie Drive were not adopted at that time). This area of special height regulations was called Band A. In 2009, Council adopted the Downtown Secondary Planning Strategy and Land Use By-law. Although no longer referred to as Band A, the same 75 foot maximum height requirement was largely carried forward.

The Regional Plan, adopted in 2006, further entrenches the protection of views as a matter of regional significance through Policy CH-5:

“HRM shall support views and viewplane policies and regulations adopted under the Halifax Secondary Planning Strategy and Halifax Peninsula Land Use By-law, the Downtown Halifax Secondary Municipal Planing Strategy (RC-Jun 16/09;E-Oct 24/09) and Downtown Halifax Land Use By-law and the Downtown Dartmouth Secondary Planning Strategy and Downtown Dartmouth Land Use By-law. These shall not be relaxed by way of any land use regulation or development agreement process. Any alteration shall only be considered as an amendment to this Plan.”

YMCA’s Rationale for Requested Amendment

The YMCA’s application is to increase the maximum height requirement solely for the CBC site. Although limited in scope, the request is a substantial change to Council’s planning policies. Through Policy 87, the Downtown Halifax Secondary Municipal Planning Strategy states that substantial changes to the Strategy are to be considered during a regular five-year review. However, it also allows that, “Development projects with highly significant benefits for the downtown and HRM at large that exceed the maximum height or building mass may be proposed from time to time.” This is implemented through Policy 89, which states:

“Notwithstanding the foregoing policies, where a proposed amendment addresses unforeseen circumstances, or is deemed by Council to confer significant economic, or social, or cultural benefits to HRM beyond the bonus zoning provisions of this

Plan, such amendments shall be considered by Council at any time regardless of the schedule for reviews.”

The YMCA has submitted its application pursuant to this policy, on the basis that its development will confer significant benefits to HRM through the establishment of a new YMCA facility for community use.

Permitting an increase in the maximum height requirement would allow for a residential tower on the CBC site, which in turn, as part of a larger development plan, would help the YMCA offset some of the costs associated with developing its new facility. In addition to the public benefit of a new YMCA facility, the YMCA suggests that allowing for additional height on the CBC site does not significantly compromise the intent of limiting heights facing the Citadel. It states that the site is further away from the toe of slope of Citadel Hill when compared to other sites along Sackville and Brunswick streets. In addition, the proposal from the YMCA points out that their design deals appropriately with:

- shadowing impacts on the Public Gardens;
- view planes from Citadel Hill, and
- the aesthetic character of the building as an entrance to the downtown core.

Preliminary Analysis of the Anticipated Public Benefit

In order to understand the public benefit associated with the YMCA project, it is important to assess how its facilities might relate to other existing or future recreational facilities, such as those provided by HRM. HRM categorizes recreational facilities as follows:

- Community Centres (Category 1) facilities, which range in size of between 10,000 and 20,000 square feet and serve a population of approximately 10,000 to 15,000. They might include a gymnasium, multi-use program space, stage, meeting rooms, and kitchen space. Examples on the Peninsula include the St. Andrew’s Centre, Needham Centre, Citadel Community Centre, and George Dixon Centre.
- Multi-district (Category 2) facilities, which are larger centres of between 100,000 and 120,000 square feet and serve a population of approximately 60,000. They might include elements such as skating rinks, gymnasiums, meeting rooms, community gathering places, art studios, playing fields, and indoor pools. Examples include Dartmouth Sportsplex, Cole Harbour Place, and the new Canada Games Centre.¹

HRM does not have a Category 2 facility on the Peninsula, which is the facility type that is proposed by the YMCA. Over the past year, HRM has examined the possibility of establishing such a facility at the site of the Halifax Forum, through a study entitled “Peninsula Recreation Facility and Service Review” and subsequently, through a more focused study, entitled “Halifax Forum Revitalization Report.” The complete findings and recommendations of these studies are soon to be presented to Council. However, with particular regard to the establishment of a

¹ Planning Together for Our Future, FAQ’s, Halifax Peninsula, Recreation Facility and Services Review, <http://www.halifax.ca/facilities/CFMP/documents/FAQFinalHalifaxPeninsulaReview.pdf>

municipal Category 2 facility, it has been found if the YMCA proposal proceeds, a considerable amount of the need for such a facility will be met. Therefore, the new YMCA is viewed as offering a substantial public benefit.

Preliminary Analysis of Impact of the Changes to the Height Requirements

As identified above, the YMCA has identified several reasons from an urban design perspective for allowing additional height on the CBC site. Of these, it is felt that the notion of a taller building at the convergence of Bell Road, Sackville Street, and South Park Street, to create an entrance to the Spring Garden Road area and to establish a terminus view from Bell Road, has particular merit. Additional factors such as the limited amount of shading upon the Public Gardens are also seen as positive attributes of the project.

The YMCA has reviewed its project with the Parks Canada. Consequently, Parks Canada has expressed to HRM staff that while it is generally supportive of enhanced recreational facilities, its position is that the current height restrictions around the Citadel are important and should be retained. If Council initiates this application, staff will consult further with Parks Canada.

Initiation of Amendments

It is anticipated that the amendments that will be necessary to enable the YMCA project will include changes to the Regional Municipal Planning Strategy, the Halifax Municipal Planning Strategy, the Downtown Halifax Secondary Municipal Planning Strategy, and the Downtown Halifax Land Use By-law. If Council decides to initiate this application, a detailed analysis of the YMCA project from an urban design and a public benefit perspective will occur, along with consultation with the public and other stakeholders. This does not commit Council to any prospective amendments. Unlike with a proposed land use by-law amendment or a development agreement, Council has complete discretion to retain or to change its planning policies and its decision is not subject to an appeal.

BUDGET IMPLICATIONS

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

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

At this point, Regional Council is being asked to initiate a process to consider the amendments being sought by the YMCA. If Council agrees to this, staff will undertake a comprehensive review of the issues associated with the application. We will also consult with the public and other stakeholders, through a public information meeting and other means, following which we will submit a report and recommendation to Council. Depending upon the exact nature of the amendments, the Design Review Committee and the Regional Plan Committee will also be asked to consider this matter and to make a recommendation to Council. With this information, if Council wishes to consider adopting amendments, it will need to hold a public hearing.

ALTERNATIVES

1. Council may choose to initiate the application from the YMCA, which is the recommended alternative for the reasons outlined in this report.
2. Council may choose not to initiate the application from the YMCA, which would retain the existing maximum permitted height allowance on the CBC site. Refusing to initiate the application is not recommended as there is merit to the YMCA proposal that warrants further detailed review and public consultation.

ATTACHMENTS

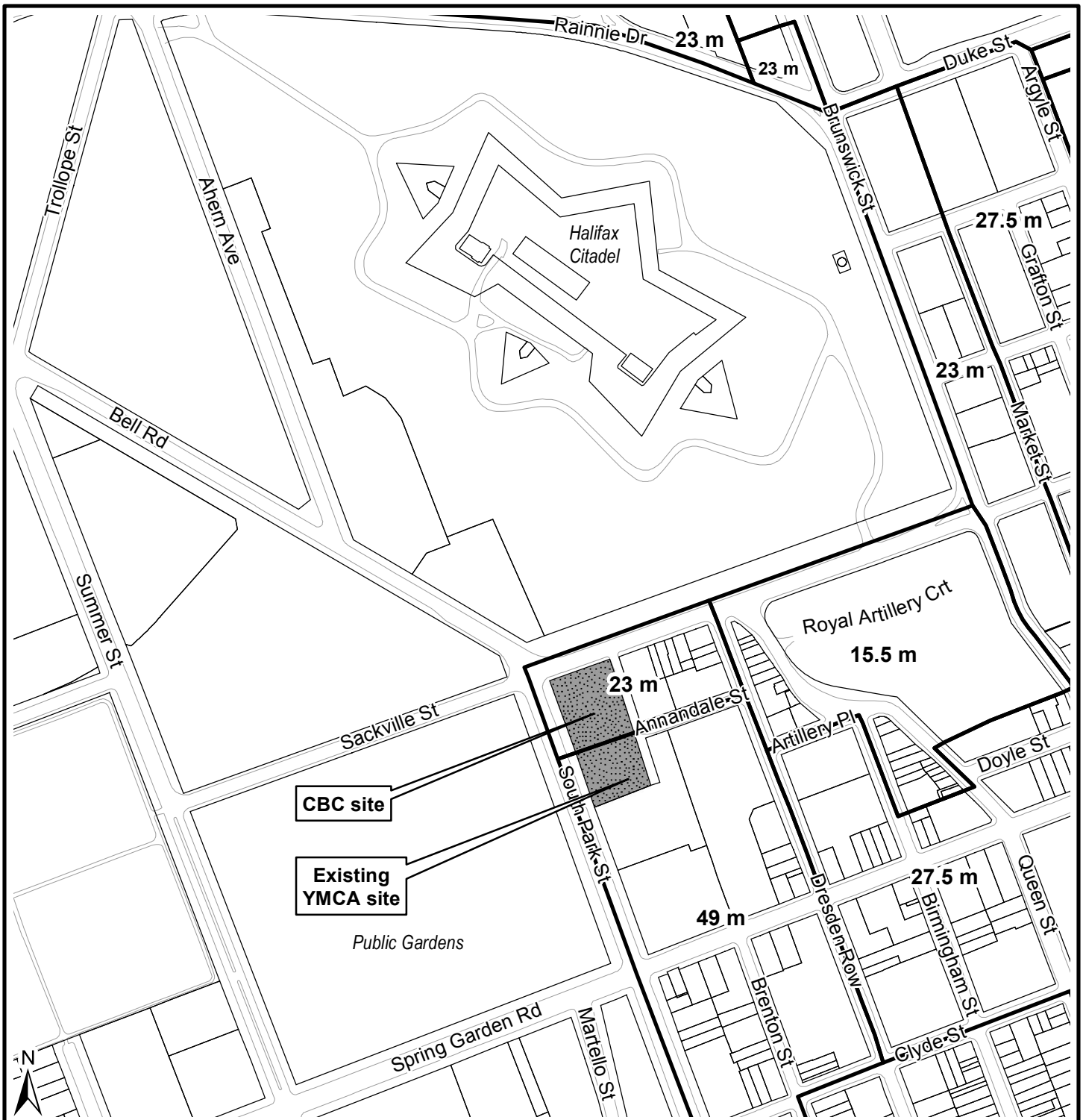
Map 1	Location and Maximum Post-bonus Heights
Attachment A	Selected Images of the Proposed YMCA Development

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Richard Harvey, Senior Planner, 490-5637


Report Approved by: _____
Austin French, Manager, Planning Services, 490-6717


Report Approved by: _____
Paul Dunphy, Director, Community Development Services



Map 1 - Location and Maximum Post-bonus Heights

1565, 1599 and 1601 South Park Street
and 5600 Sackville Street
Halifax

 Subject area

 Post-bonus Height Area

Downtown Halifax
Secondary Municipal Plan Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 50 100 m


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

Attachment A – Selected Images of the Proposed YMCA Development



Bell Street View



South Park Street View

Attachment A – Selected Images of the Proposed YMCA Development



Bell Street Aerial View

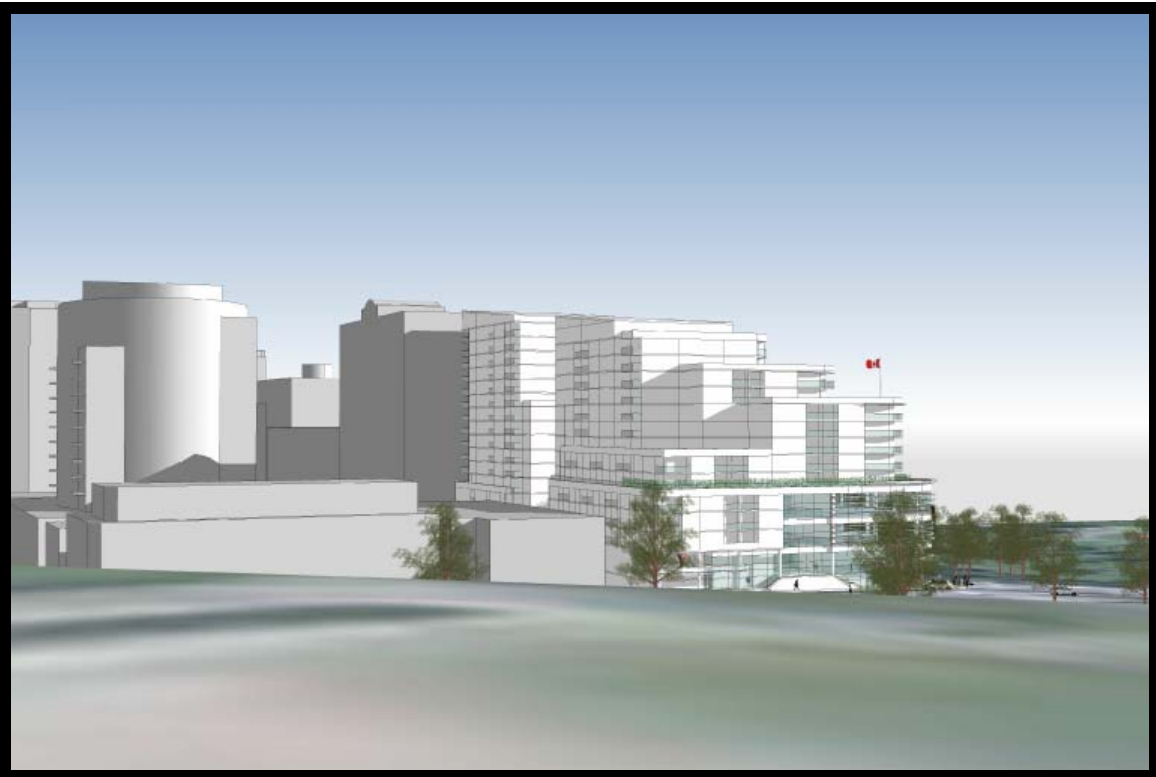


Briar Lane Aerial View

Attachment A – Selected Images of the Proposed YMCA Development

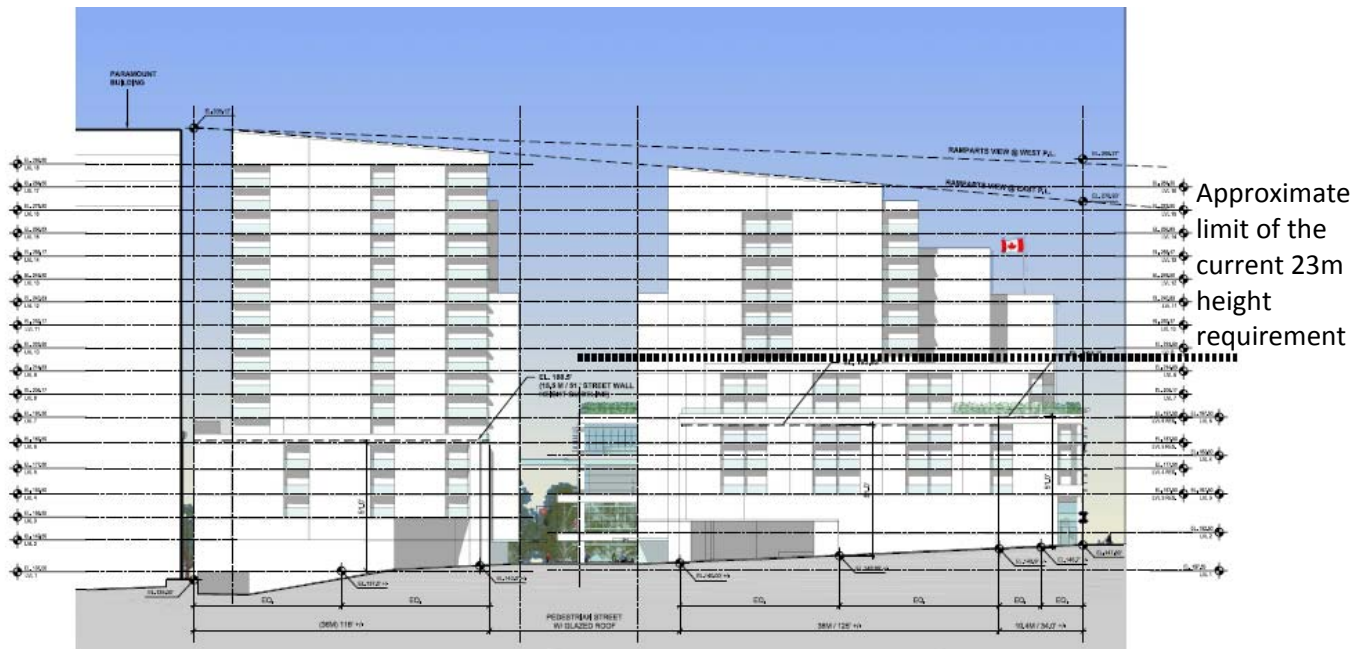


South Park Street View



Citadel View

Attachment A – Selected Images of the Proposed YMCA Development



East elevation showing the approximate limit of the current 23m height requirement