



Item No. 10.1.1
Halifax Regional Council
February 21, 2012

TO: Mayor Kelly 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: January 23, 2012

SUBJECT: **Case 17446 Amendments to Various Planning Documents,
1591 Granville Street, Halifax**

ORIGIN

Application by Jenifer Tsang, representing 3104854 Nova Scotia Limited (United Gulf Developments Limited).

RECOMMENDATION

It is recommended that Halifax Regional Council not initiate amendments to HRM's planning documents to permit a 48 storey mixed use building, comprised of two towers, at 1591 Granville Street, Halifax.

EXECUTIVE SUMMARY

This report addresses the question of whether Regional Council should initiate potential amendments to HRM's planning documents that are needed to allow a proposal from United Gulf Developments Limited for a 48 storey building at 1591 Granville Street (former Tex-park Site). Due to its height, the application would require amendments to the maximum post-bonus height and Citadel Rampart View requirements to permit the proposal. HRM staff recommends that Council not initiate the application on the basis that it would:

- i) Significantly impact the height policies and regulations framework of the Downtown Halifax Plan;
- ii) Undermine the importance of retaining the Citadel Rampart View requirements; and
- iii) Be inconsistent with the policy context that Regional Council has established for considering substantial changes to its planning documents.

Entertaining the application has the potential to create an atmosphere of general uncertainty about Council's commitment to its planning documents.

BACKGROUND

In 2006, Regional Council approved a development agreement with United Gulf Limited to permit a 27 storey mixed-use building comprised of two 23 storey towers above a four storey podium at 1591 Granville Street, Halifax (Map 1). The agreement requires that construction of the building commence by March 21, 2010, but the site remains undeveloped. United Gulf did not proceed with the project or request a time extension.

In June 2011, Regional Council began to consider the possible discharge of the development agreement. In response to this, United Gulf submitted to Regional Council that the development agreement should not be discharged for reasons that include that the company was:

- under the impression that the expiry date was actually in March 2011, due to an appeal to Council's approval, and that any request that it might make to Regional Council was not too far beyond that date; and
- that United Gulf was in the process of devising a new proposal for the property that it would soon submit to HRM.¹

Regional Council has not discharged the development agreement and has requested a staff report on the matter.

New Proposal:

In July 2011, United Gulf submitted an application for its new proposal, a 48 storey building comprised of two 44 storey towers above a four storey shared podium, for a total height of

¹ Regional Council minutes, June 7, 2011

approximately 150 metres (exclusive of any roof top mechanical equipment). Images of the building are found in United Gulf's application document (Attachment A).

Requested Amendments:

The height of the revised United Gulf's project would require significant amendments to HRM's planning documents, including the Regional Municipal Planning Strategy and the Downtown Halifax Secondary Municipal Planning Strategy. Specifically, the building would exceed the maximum permitted height for the site, which is 66 metres (Map 2). It would also violate the Citadel Rampart requirements, which stipulate that the buildings are not to be seen from within defined areas of the fort's parade square, over the ramparts of the Citadel. United Gulf has submitted technical documentation that indicates that upper part of the towers, above a point between the 24 and 25 floors, would be visible from inside the parade square (Attachment B)². A rendering of the project shows how much of the towers would be visible from inside the parade square (Attachment C). The proposal does not violate the View Plane requirements, which are protected views between the Citadel and the harbour, with the closest view plane being shown on Map 1.

United Gulf's application is to amend HRM's planning documents solely for its site, through "site-specific" amendments. This report solely addresses this new proposal and the question of whether Regional Council should initiate potential amendments in support of United Gulf's application. A separate staff report, to be considered at a future time, will focus on whether Regional Council should discharge the existing development agreement.

DISCUSSION

Merits of the United Gulf Proposal:

United Gulf has submitted a detailed rationale for its proposal as part of its application, that describes a significant number of benefits to downtown Halifax and HRM in general that would be realized, if the project was allowed to proceed (Attachment A). This includes an increase in the number of downtown residents, a range of dwelling unit sizes, and slender towers that would result in relatively narrow shadows. A comparison between the building that was approved by Regional Council in 2006 and the current proposal, is shown following page 8 of the United Gulf application document (Attachment A).

At this time, United Gulf has not prepared technical supporting documents such as wind and shadow studies. These will be undertaken if Regional Council decides to initiate this application.

Evaluation of the United Gulf Proposal:

Elements of the project, including the points that have been made about attracting more people to Halifax downtown through residential development and the benefits of slender towers, have unquestionable merit. However, there are negative aspects of the proposal which lead HRM staff to conclude that Regional Council should not initiate any further review of United Gulf's proposal. These are categorized as follows:

² View position no. 8 is used in the survey

1. Impact on the Height policies and regulations as a framework:

Through careful study and public engagement, Regional Council exercised considerable effort in devising the current vision, policies, and development requirements for the Downtown Halifax Plan. The very first sentence in the Downtown Halifax Secondary Municipal Planning Strategy is, “This Downtown Halifax Secondary Municipal Planning Strategy (DHSMPS) reflects the vision that Halifax Regional Council and the citizens of Halifax Regional Municipality (HRM) have for the downtown core of Halifax.”

One of the most substantial issues that were addressed through the new planning documents was the matter of defining maximum permitted building heights. From this, a height framework was devised in the Downtown Halifax Secondary Municipal Planning Strategy and is described as follows:

“The maximum heights framework provides a rational and balanced height pattern resulting from the synthesis of a complex set of urban design considerations tailored to the downtown Halifax context including:

- (a) protection of the pedestrian street level experience with a height-to-width ratio of approximately 1:1 which promotes skyviews and sunlight penetration to the street;*
- (b) reinforcing the existing and desired character of the nine downtown precincts;*
- (c) the introduction of Heritage Conservation Districts;*
- (d) respecting the modestly scaled historic block and street pattern;*
- (e) a transition in heights to the Citadel, heritage areas, low-rise neighbourhoods and the waterfront;*
- (f) reinforcing a distributed and varied height pattern by directing taller buildings to areas where they already exist; and*
- (g) upholding the Citadel View Planes and Ramparts requirements from the Land Use By-Law for Halifax Peninsula.”*

Although United Gulf submits that its application is solely for its site, making such a substantial change to the maximum height requirements calls the entire approach to building heights in the downtown into question. The current planning policies and requirements have only recently been devised and sufficient time should be given before any significant changes are considered to the height framework.

2. The Citadel Ramparts Views:

One of Halifax’s unique attributes is the Citadel. There are longstanding planning policies and regulations that buildings are not to be seen from within defined areas of the Citadel parade square, over the walls (the ramparts) of the fort. The purpose of these policies and regulations is to preserve the historic skyview from these positions. This intent has been incorporated into the Halifax Municipal Planning Strategy as follows:

“6.3.2 Within the area bounded by North Street, Robie Street and Inglis Street, no development shall be permitted that is visible over the top of the reconstructed earthworks on the Citadel ramparts, from an eye-level of 5.5 feet above ground level in the Parade Square of the Citadel.”

There is further support for the Citadel Rampart View protection within the Regional Plan and the Downtown Halifax Secondary Municipal Planning Strategy.

United Gulf’s proposal, if accepted, would significantly change the value associated with the Rampart Views. The upper parts of the building would clearly be visible from inside the parade square (Attachment C). This should not be supported given the importance that is assigned to the Rampart Views through the height framework in the Downtown Halifax Secondary Municipal Planning Strategy as cited above.

3. Periodic Review of the Plan and Public Benefit:

The Downtown Halifax Secondary Municipal Planning Strategy contemplates circumstances where the planning documents might be reviewed and amended. It states:

“The amendment process may include an annual review and a five-year review. The annual review generally is limited to those amendments resulting in non-substantive technical changes. The five-year review is designed to address amendments which propose substantive changes. This amendment process, based on a defined cycle, provides sufficient time to measure the effects of new land use initiatives, and provides predictability to determine when new land use initiatives may be introduced.”

The United Gulf proposal is undoubtedly a substantive change that should not be considered outside of a comprehensive review that might be associated with a five-year review.

There is a further circumstance under which Council might consider significant amendments to the planning documents. The Downtown Halifax Secondary Municipal Planning Strategy states:

“Policy 89 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 United Gulf proposal is not an unforeseen circumstance; building heights were a key consideration in devising the Downtown Halifax Plan. United Gulf’s proposal simply does not fit with the height framework that was adopted by Regional Council. With regard to its potential to offer significant economic, or social, or cultural benefits, there is no question that the proposal has positive attributes. However, these same benefits are envisioned to be realized under the existing planning policies and regulations. As noted in the Economic Competitiveness section of

the Downtown Halifax Secondary Municipal Planning Strategy:

“This Plan provides for short, medium and long-term development growth targets. Within the next 15 years, this Plan provides capacity for at least 16,000 residents, 15,000 jobs, and up to three million square feet of office development within downtown Halifax. Over the course of this Plan, full realization of the build out of the downtown vision could yield upwards of 15 million square feet of development.”

The proposal, in this light, cannot be supported. Furthermore, given the degree of change that is proposed through the project’s building height, it is important to note that there are equally substantial economic, social, and cultural *losses* that might result with a potential undermining of the longstanding Rampart View controls and the height framework of the new plan. Entertaining the application has the potential to create an atmosphere of general uncertainty about Council’s commitment to its planning documents.

BUDGET IMPLICATIONS

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

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 not initiate a process to consider the amendments being sought by United Gulf. If Council decides to initiate United Gulf’s application, staff will undertake a comprehensive review of the issues associated with the application. Staff 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 will also be asked to consider this matter and to make a recommendation to Council. If Council wishes to consider adopting amendments, it will need to hold a public hearing.

ALTERNATIVES

1. Council may choose not to initiate the application from United Gulf, which would retain the existing maximum permitted height allowance on the Tex-park site. Council has

complete discretion on whether to retain or to change its planning policies and its decision is not subject to an appeal. Refusing to initiate the application is the recommended alternative for the reasons highlighted in this report.

2. Council may choose to initiate the application from United Gulf, which is not the recommended alternative for the reasons outlined in this report.

ATTACHMENTS

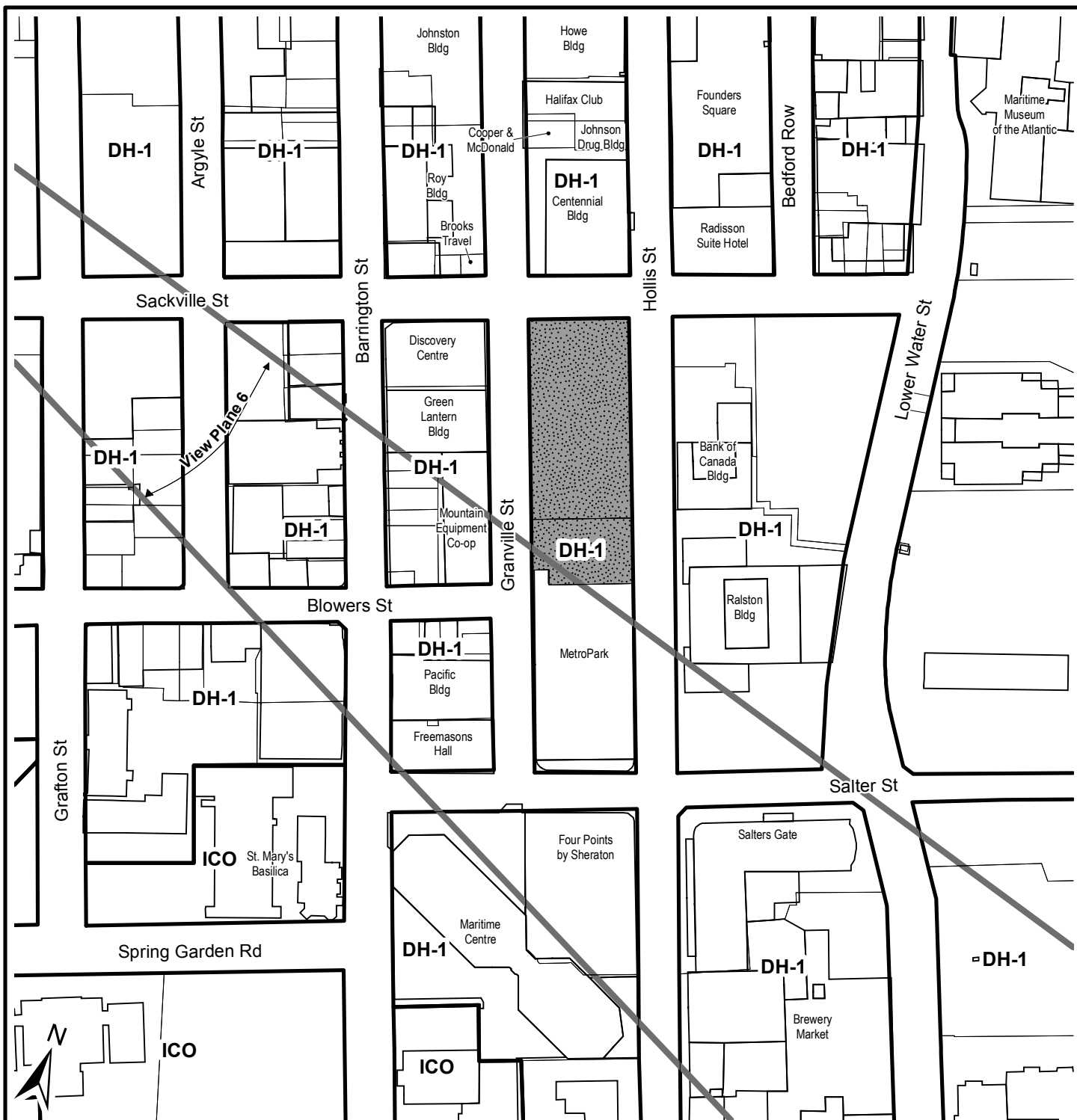
Map 1	Location and Zoning
Map 2	Maximum Post-bonus Heights
Attachment A	United Gulf's Application Document
Attachment B	Rampart View Survey
Attachment C	Rampart View Rendering

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.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: _____
Phillip Townsend, Director, Planning and Infrastructure, 490-7166



Map 1 - Location and Zoning

1591 Granville Street
Halifax

 Subject site

 View plane

Zone

DH-1 Downtown Halifax 1
ICO Institutional, Cultural & Open Space

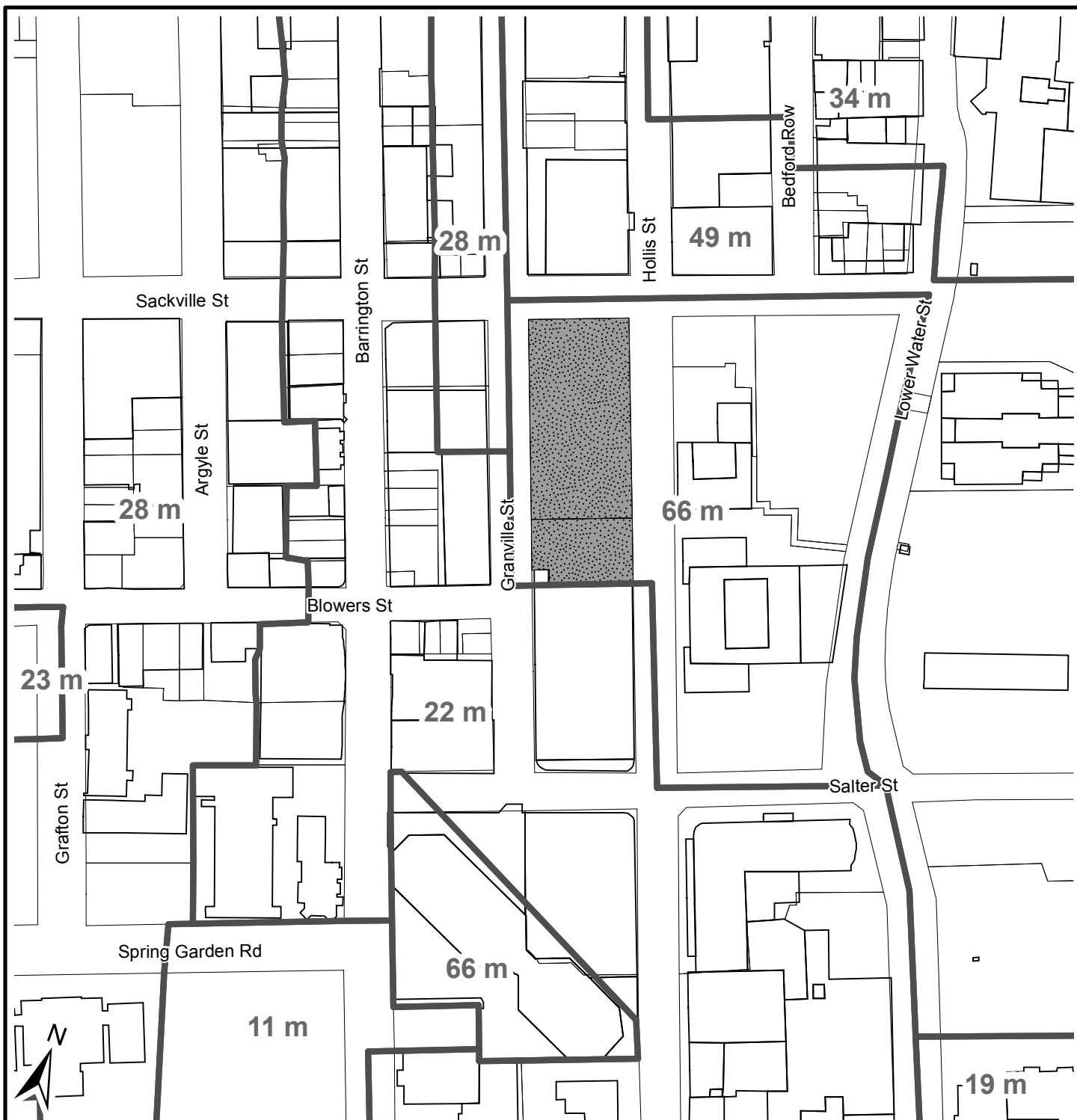
Downtown Halifax Plan Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 20 40 60 m


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.



Map 2 - Maximum Post-Bonus Heights

1591 Granville Street
Halifax

 Subject site

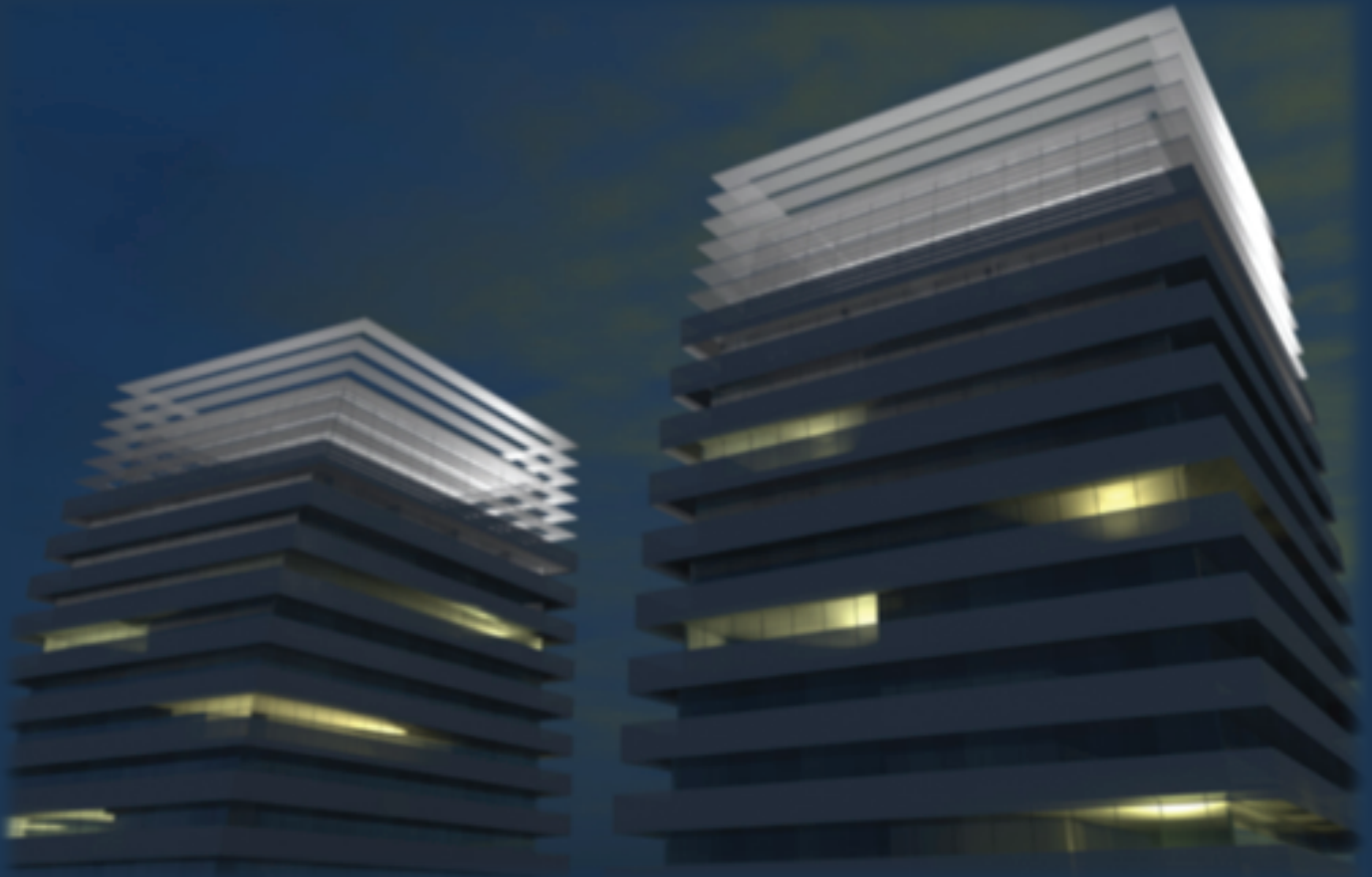
HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 20 40 60 m


Downtown Halifax Plan Area

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

Skye Halifax



UNITED GULF DEVELOPMENTS LIMITED

380 Bedford Highway, Halifax, Nova Scotia, Canada B3M 2L4
Phone (902) 493-3070 • Fax (902) 832-1752

Kelly Denty, Supervisor, Planning Applications
Western Region Office – Bayers Road
7071 Bayers Road, Suite 2005
Halifax, Nova Scotia
B3L 2C2

July 19, 2011

Dear Kelly:

RE: Tex Park site – MPS/LUB Amendment Application

United Gulf Developments Limited (United Gulf) is requesting an amendment to the Halifax Peninsula Municipal Planning Strategy and Land Use By-law (MPS/LUB) and the Downtown Halifax MPS/LUB to create site specific policy and a site specific zone for the land parcel known as “Tex Park” located between Granville Street, Sackville Street, and Hollis Street in downtown Halifax. The purpose of this amendment request is to allow for a new landmark development project to replace the “*twisted sisters*” project that is currently approved for the site.

HRM staff, Regional Council, and United Gulf underwent a lengthy process to get to where we are today regarding the Tex Park site. It all began in 2004 with HRM advertising the sale of the site, followed by Council's approval of the development agreement in March of 2006, which was subjected to an 18 month appeal. During this time, the economy took a downturn which affected consumers' purchasing patterns relative to housing, resulting in a commensurate change in the market demand for condominium unit types in downtown Halifax. As a result, United Gulf underwent an extensive review of the “*twisted sisters*” unit design, layout, and economics and has concluded that the project is no longer appropriate.

Simply put, the current design does not meet market expectations in terms of unit variety, design, or pricing options. People today want more sunlight, which requires a building that has more window area and less inner space. A building needs to have the ability to provide a bachelor, one bedroom, two bedroom, or three bedroom unit easily with minor wall modifications. Therefore, United Gulf is proposing a new building design that is tall and narrow to accomplish the additional sunlight, has smaller footprints and floor layouts that allow easy internal modification, and to enable more affordable units.

United Gulf is requesting that Regional Council consider this MPS/LUB amendment application before considering a discharge of the Tex Park development agreement. The policies that enabled the Tex Park development agreement no longer exist so there is no mechanism to amend the development agreement to allow a new building design. The old policies have been replaced with “Halifax By Design” rules, which did not envision a change to the Tex Park development agreement and as such would not allow the “*twisted sisters*” proposal or the current proposal. The new building design has been achieved through an extensive process and is not suitable for negotiation or input from a design committee. Therefore, we are requesting site-specific MPS policy and a site specific zone that would allow the new proposal to be built as-of-right. This new zone would replace the development agreement for the site, which could then be discharged, if Council approves the new zone.

UNITED GULF DEVELOPMENTS LIMITED

380 Bedford Highway, Halifax, Nova Scotia, Canada B3M 2L4
Phone (902) 493-3070 • Fax (902) 832-1752

Regional Council has made it very clear that they want to see construction on the Tex Park site as soon as possible. It would be prudent and appropriate for Council to consider this MPS/LUB amendment request as a means to move forward with the development of the Tex Park site with the confidence that the decision rests solely with Regional Council. This MPS/LUB application would not be subject to an appeal process. United Gulf is committed to the construction and completion of the project as soon as possible.

Building Design & Theme

The proposal, *Skye Halifax*, named to recognize our Scottish heritage, is a landmark condominium development that has been designed in a manner to reflect Halifax's sea faring traditions and rich maritime history. While respecting our past the design celebrates Halifax's present status as the center of Atlantic Canada economically, socially, and culturally, while beckoning the world with our progressive ideals for the future. Its design will identify Halifax as a showpiece and place it on the world stage.

The two buildings resemble a ship's twin sails that push the seafarer toward the horizon – analogous to future opportunity and discovery. Many have also remarked that the design resembles outstretched arms reaching into the Skye –symbolic of hope, prosperity, a new beginning. This too is a very fitting parallel as Halifax was once Canada's gateway for over a million immigrants who sought the same.

Through sculpted design, the structures with their beacon-like rooftop features, will show case the city and establish Halifax as an international destination. The unique architecture will enhance Halifax's reputation as a city of contrasts –one that celebrates its past while embracing its future on the world stage. *Skye Halifax* has internal "floating" ballrooms and flowing lines representative of the sea and sails that is at the architectural level of other landmark buildings that have an international draw.

The design of *Skye Halifax* has a less imposing mass than that of the "*twisted sisters*." The two towers have footprints that are 40% smaller than those of the "*twisted sisters*. This reduces the mass and scale of the buildings, thereby reducing wind and shadow impacts as well as opening up a larger view corridor between the towers. To accommodate this reduced mass, the slimmer towers will be taller, at 48 storeys each.

LEEDS Certified:

Skye Halifax will exceed expectations as it relates to the utilization of green technology and the promotion of sustainable building and environmental practices. The project will: utilize geothermal heating and cooling; offer green roof terraces; see the installation of grey water systems; and the use of low flow plumbing fixtures and elements. The project will be constructed with non-reflective glass and will potentially see the creation of living walls in public/interior spaces/corridors. By "getting off the grid" carbon footprint reductions associated with the project will be equivalent to the removal of two passenger vehicles from the road each year for each condominium.

Active transportation will be promoted with the project by providing amenities such as secured indoor and outdoor bicycle storage and the installation of shower stalls for commercial and retail tenants who commute by bicycle. Many LEED objectives are designed for high density development, and cannot be met with low or medium density building design. *Skye Halifax* will be LEED capable.

UNITED GULF DEVELOPMENTS LIMITED

380 Bedford Highway, Halifax, Nova Scotia, Canada B3M 2L4
Phone (902) 493-3070 • Fax (902) 832-1752

Skye Halifax proposes:

- A gross floor area of approximately 950,000 square feet
- A mixed use building – primarily of residential, but also hotel, office, and retail
- Approximately 350 – 400 parking spaces
- The residential unit mix will have a range of prices and design flexibility to accommodate families, couples, and individuals
- Units are designed to allow for changes to meet market demands
- Sustainable and “green” design and technology
- Will offer a car share program for the residents

HRM Core Statistics & Trends

Despite the relocation of commercial tenants within downtown Halifax (Nova Scotia Power, Capital Health and the Discovery Center), there has been an exodus of major tenants from the downtown core. Recent departures include HRM, ADP Canada, Lockheed Martin, Johnson Insurance, Carsand Mosher, the Red Cross, Dominion of Canada General Insurance, The Chronicle Herald, and various Provincial and Federal offices. Further fostering this situation is the establishment of new commercial entrants in retail and business parks that skirt the city (i.e. RIM, Sun Life). Free parking, reduced construction costs, and convenience have fueled the expansion of commercial space in HRM retail and business parks at the expense of downtown Halifax. Meanwhile commercial vacancies continue to increase downtown.

Providing more office space will not bring new residents to the downtown. For the downtown core to retain its status as the regional financial and economic heart of Nova Scotia, we have to regain the residential population that has declined from a high of 106,000 (1956 Census) to 72,000 today (2006 Census). While the peninsular population has declined a near 34,000 over this period, the metropolitan population has increased by significantly more. Approximately 40,000 people commute in and out of the HRM core each day. They spend their retail dollars at suburban business parks skirting the city rather than downtown.

Re-populating the HRM core is one of the primary goals of the Halifax Peninsula and Regional Plans. Bringing residents back to the urban core is promoted by “Smart Growth” experts and is a necessary first step that brings the commercial, art and cultural activities that follow. In North America, “Smart Growth” cities such as Vancouver and Portland are experiencing a reversal of the trend wherein residents left the downtown to live in the suburbs.

To quickly and surely rejuvenate and re-populate the downtown core, many cities have had to create high quality, unique residential options. This has been demonstrated with Toronto’s harbourfront and the once downtrodden but now fashionable Byward Market area of Ottawa. In the late 1970’s and early 1980’s the cores of these cities were empty after 6:00 PM, now they are downtown neighborhoods with an eclectic urban fabric celebrated by residents and visitors alike. Once a turn of the century landfill, Boston’s Back Bay is now revitalized and extremely popular. A new term, “eco-density” has become the buzzword representing smart, efficient, and affordable high density development.

Once people were given new residential opportunities in these cities their downtowns saw: expanded art galleries and museums; new retail choices; and enhanced attractions whether in the form of cuisine, arts, education or sports venues. Toronto’s “Distillery District” is a prime example of the

UNITED GULF DEVELOPMENTS LIMITED

*380 Bedford Highway, Halifax, Nova Scotia, Canada B3M 2L4
Phone (902) 493-3070 • Fax (902) 832-1752*

successful a “Brownfield” conversion that now, along with multiple residential choices, nurtures a burgeoning arts community. Witness the City’s growing theatre district (Third largest in the World); The international draw of the Toronto International Film Festival and its new home the Bell Light Box Theatre (a 5 storey podium with multiple theaters, with a 41 storey 458 unit condo tower atop of it); Internationally renown architect Daniel Libeskind’s expansion of the Royal Ontario Museum; and Frank Gehry’s celebrated addition to the Art Gallery of Ontario.

“We really need to see greater residential population downtown as the key to help reverse (The downtown office) trend.” (Commercial Broker at CB Richard Ellis; commentary relative to the lack of commercial development in downtown. Allnovascotia.com, Halifax, June 28, 2011).

HRM Tax Revenue Comparisons

Skye Halifax will generate over six million tax dollars to HRM each year.

The \$6,000,000 in annual tax revenue generated by this proposal is approximately the same as the taxes paid by 2000 suburban residential homes or one large commercial business park. The amount of land required for 2000 residential homes is equivalent in area to 80% of the land mass of peninsular Halifax. Essentially the downtown site generates the same tax revenue to these major suburban developments yet at a fraction of the land mass with the added benefit of eliminating rate payer financial burdens. The Tex Park site:

- Is already serviced with municipal water and sewer
- Does not require additional infrastructure
- Does not seek HRM, Provincial or Federal funding
- Does not require the construction of new schools
- Does not put an additional demand on snow plows
- Does not require additional utilities
- Does not increase the travel demand on fire, police or emergency services
- Does not require additional garbage or recycling services
- Does not require HRM road maintenance

Views & Corridors

Halifax has protected the views (including rampart, view planes and corridors), as experienced from Citadel Hill for many years. United Gulf is aware of the reasons behind the protected views and understands that Haligonians feel very strongly about them. United Gulf is proud of the beauty of Halifax and also felt very strongly about protecting the views. Then we found, that the rampart height restriction essentially prevents any modern, affordable, flexible multiple residential projects because it forces buildings to be built in a short and wide configuration with large building footprints. This is the opposite formula from the eco-density formula that is so successful today.

The current Halifax rules regarding height/rampart view and corridor restrictions result in buildings that are short and wide having large building footprints. This has some negative “human scale” outcomes by creating “canyon” effects and shadows that are cast for longer periods of time. Tall narrow structures cast longer shadows within their radius yet for lesser periods, often referred to as a “sundial effect” and have a reduction in shadow impacts. Under this scenario pedestrian wind thresholds

UNITED GULF DEVELOPMENTS LIMITED

380 Bedford Highway, Halifax, Nova Scotia, Canada B3M 2L4
Phone (902) 493-3070 • Fax (902) 832-1752

are more easily mitigated (via podium design treatment and tower set backs, as currently proposed), as well as greater possibilities associated with amenity space at the pedestrian level.

United Gulf feel that there are other, equally important views that are not being considered. This would include views from the harbour, views at the pedestrian level, and the overall view, massing, and scale of the Halifax skyline. People who spend their days downtown at the pedestrian level don't have the opportunity to have unobstructed views of the harbor or Citadel Hill unless they are looking along a street, because existing buildings are consistently wide and block these views. *Skye Halifax* would provide this view opportunity by widening the view corridor from 52 feet to 110 feet. These improved corridor views have been achieved as a result of a 40% reduction in the building footprints and allowing the buildings to be taller by relaxing the rampart height restrictions for this site.

If all the current height restrictions continue to apply to the downtown, it will result in the eventual creation of a "tabletop" effect or "a flat" skyline. A city's progressiveness is often measured by its skyline. More often than not, "progressiveness" includes high-rise buildings. Currently, images that define Halifax include both old and new landmarks. Often the Citadel, Purdy's Wharf or both are depicted. The Citadel represents our military history and the Purdy's complex is a metaphor for progress, success and embracing new opportunities. Halifax could have an impressive skyline that both protects views and respects our heritage and is deemed progressive by introducing *Skye Halifax*.

Many cities offer both height and view plane guidelines that may be relaxed on an exceptional basis based on the merits of a project. Measures such as aesthetic value, economic impact, social and environmental contributions often supersede these rules. We seek a similar relaxation given the current state of downtown Halifax and the overall changes that have occurred to the economy.

It is time to re-consider whether protecting the rampart views on this site for the purposes of tourism is still preferred over the benefits of economic revitalization, creating an interesting skyline with a new internationally recognized landmark, and the importance of protecting views at the pedestrian level for year-round downtown users. Relaxing the rampart height limit for the Tex Park site does not set a precedent for others to follow. This site is unique due to it's history of partnership between HRM and United Gulf, the fact that there is an existing development agreement that was enabled under MPS policies that have since been removed from the MPS, and the current pressing need to have a catalyst development to revitalize the downtown. Any future requests would not fit this formula.

An Improved Value Proposition:

The recent shifts in the economy over the past three years has affected consumers' purchasing patterns relative to housing which has affected the market demand for condominium unit types in downtown Halifax. As a result United Gulf's review of the "*twisted sisters*" design has been deemed restrictive. Simply put, the current design does not meet market expectations in terms of unit variety, layout, or pricing options. There are now younger people in the marketplace looking for affordable housing options. Buildings need to be able to provide a range of housing for all the market groups: young students, empty nesters, professionals, and high-end buyers.

Urban residents today want:

- More sunlight in their homes
- More flexibility and variety in unit design
- Cities with an urban style

UNITED GULF DEVELOPMENTS LIMITED

380 Bedford Highway, Halifax, Nova Scotia, Canada B3M 2L4
Phone (902) 493-3070 • Fax (902) 832-1752

- Cities with established universities, research centers & hospitals
- Cities with artistic, cultural, and social environments
- The freedom to travel without worrying about home maintenance or car ownership
- Cities that have economic and social value where they can establish roots in the community.

Many people who moved to the suburbs are now realizing that long commutes into town for cultural events and activities for their children is not how they want to spend their time. They have expressed a desire to live closer to HRM's core so they may: walk or bicycle to work; easily partake in cultural events; be closer to their children's universities; and have reduced costs of living. From seniors, and young families, young urban professional or the recent foreign student graduate, many wish to experience urban living and all the amenities it offers - choices not found in or near a retail park or suburban strip mall.

Skye Halifax fulfills the aspirations of this growing and under-served consumer demographic. Where standardized layouts were once the norm a modular approach may be had with individual unit types. Walls can be removed or slid open to reveal an extra guest room or den, or simply to allow more sunlight within a living space. Essentially flexibility is sought in terms of form, function and price, while reflecting residents' unique tastes.

Rather than competing with the current amenities in Halifax, *Skye Halifax* is in an entirely different category and will be a complementary addition to our historic city's blend of old and new. The Tex Park site, located between the waterfront and the Citadel, is an excellent location for promoting the entire downtown, not just the waterfront or the historic areas. It will increase the value of downtown lands and generate new and long term benefits to the Port of Halifax, Waterfront Walk, Neptune Theatre, the Art Gallery, museums, and other special attractions of Halifax and surrounding areas like Peggy's Cove and our National Parks.

Economic Impact to HRM

This project will offer approximately:

- \$6,000,000 per year in tax revenue (\$150 million over 25 years)
- A total project cost of \$350 million
- Construction jobs
- Priority given to local trades
- Boutique, hotel, and corporate events centre jobs
- Office, condo management/operation, hotel, and retail jobs
- More people living downtown
- Residents have immense buying power – they spend millions per year on personal care, household items, food, recreation, and transportation. *Skye Halifax* residents would put approximately \$20 million per year into the downtown economy

A residential and mixed use development of *Skye Halifax*'s scale has never been proposed for Halifax. *Skye Halifax* is a catalyst for positive change. Its offering was never anticipated or envisioned through the current Halifax MPS/LUB or the Downtown Secondary Plan. *Skye Halifax* fulfills the broader HRM Regional Planning goals of re-populating the downtown and revitalizing Halifax's economic core. *Skye Halifax* and the residents it will draw will be a step toward reversing the economic decline in downtown Halifax.

UNITED GULF DEVELOPMENTS LIMITED

380 Bedford Highway, Halifax, Nova Scotia, Canada B3M 2L4
Phone (902) 493-3070 • Fax (902) 832-1752

HRM needs more than just tourism and a tourist season to feed the economy. *Skye Halifax* will generate economic activity on a year round basis. This will be the first major development undertaking in Halifax since the construction of Purdy's I & II twenty years ago. Large projects in HRM usually involve the request for government funding. *Skye Halifax* does not seek public funds - it is completely a private investment.

Skye Halifax goes beyond the promise of "build it and they will come" by answering the call "build it and they will stay." We echo many opinion leaders that the only way to stem the outgoing tide of retail and commercial enterprises leaving the downtown is by creating greater residential opportunities. By doing so, many will reconsider their relocation decisions and it may also encourage other developers to invest in the downtown core.

Public Interest

Skye Halifax meets many of the objectives stated in the Greater Halifax Partnership's (GHP) "Economic Strategy for 2011 to 2016." One such goal is to improve the "Regional Center" downtown in terms of livability and attractiveness. Another is to see \$1.5 billion in private investment in HRM over the next 5 years. *Skye Halifax* represents a \$350 million private investment.

The GHP wishes to see the population of the regional center increase by 8,000. It uses the words: "engagement", "international", "welcoming the world", and "making Halifax welcoming for immigrants and entrepreneurs to prosper". *Skye Halifax* will help achieve these goals metaphorically and otherwise.

Given the significant public exposure to the "*twisted sisters*" project, United Gulf has reached out to a variety of public interest groups, opinion leaders, and stakeholders in the community to inform them of the new proposal and to seek their opinions. United Gulf will also host a public gathering to hear from the architect, Peter Clewes. This extensive outreach program includes the creation of a website and the creation and monitoring of social media websites such as Facebook, Twitter, and Linked In.

Public Benefit

In cooperation with the Nova Scotia College of Art & Design and Dalhousie University, United Gulf would like to offer space within the project wherein young artists will have an opportunity to display their works. Contributions from private artists will also be welcomed.

The "United for Artists Gallery" will be located within the building's podium, and possibly on its rooftop for larger works of art such as sculptures.

The Art Gallery of Nova Scotia (AGNS) is currently assessing its long term space requirements. United Gulf would like to investigate potential synergies with the AGNS in this regard. Space would not be the sole discussion point, rather scholarship and fund raising programs may also be examined.

Skye Halifax will also offer a bicycle sharing system that provides bicycles for use by the public, similar to what you see in Washington D.C. This program provides public bicycles, at a nominal fee or security deposit, for people to use anytime as a means for getting around the downtown.

UNITED GULF DEVELOPMENTS LIMITED

380 Bedford Highway, Halifax, Nova Scotia, Canada B3M 2L4
Phone (902) 493-3070 • Fax (902) 832-1752

On this Tex Park site, Richard John Uniacke hosted the first gathering of the Charitable Irish on January 17th, 1786, which became their first general meeting. The name of this site for the gathering was The Golden Ball Inn. The purpose of the Society was that all Irish would work together for each other and the betterment of the community. Formerly on the Tex Park garage, there was a historical plaque recognizing this historical event. United Gulf would like to commemorate the site again with a plaque. The year 2011 celebrated 225 years of the Society in Halifax.

Timeline

United Gulf is committed to begin construction as soon as possible. While United Gulf shares the pressing need to advance the project, there are certain key milestones that must be achieved once the required approvals have been granted. The finalization of the detailed design of the building will require 12 months' effort; building permits may take six months; and pre-sales of the residential units could take 6 to 12 months as a condition of financing of this \$350 million construction project. (This financing condition differs from other projects that have the benefit of public funding).

United Gulf is an award winning company that has put over \$750 million of investment into HRM development. *Skye Halifax* will achieve United Gulf's goal of over one billion dollars invested in HRM for the creation of intelligent housing options for a wide range of residents. United Gulf is committed to prioritize *Skye Halifax* and will proceed with development as soon as possible.

Summary

MPS amendments are reasonable and appropriate if they address something that was not anticipated or envisioned when the MPS was written. When an MPS change provides benefits for the greater good, it is even more justified. Times and circumstances change. It is time to change the downtown core to make it healthy and strong once again. *Skye Halifax* will be the catalyst for change. *Skye Halifax* will, if not restore, then enhance our sense of optimism and inspire others globally to consider opportunities in our downtown.

Progressive cities are progressive because they make bold development decisions. Decisions that keep existing residents, bring new immigrants, feed the economy, and make landmark statements on the international stage. We are only limited by our imagination.

Sincerely:

Jenifer Tsang, MCIP
Planning Consultant for
United Gulf Developments Limited

Enclosures:

Footprint Comparison Plan
Building Mass Comparison Plan
Nighttime View of Skye Halifax
Skyline View from the Ramparts

The architectural floor plan illustrates the layout of the 1st floor, comparing the current design with a proposed design. The plan features a central corridor and several rooms, each labeled with a number and a letter (e.g., 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906

Hollis Street

Granville Street

Residential Tower

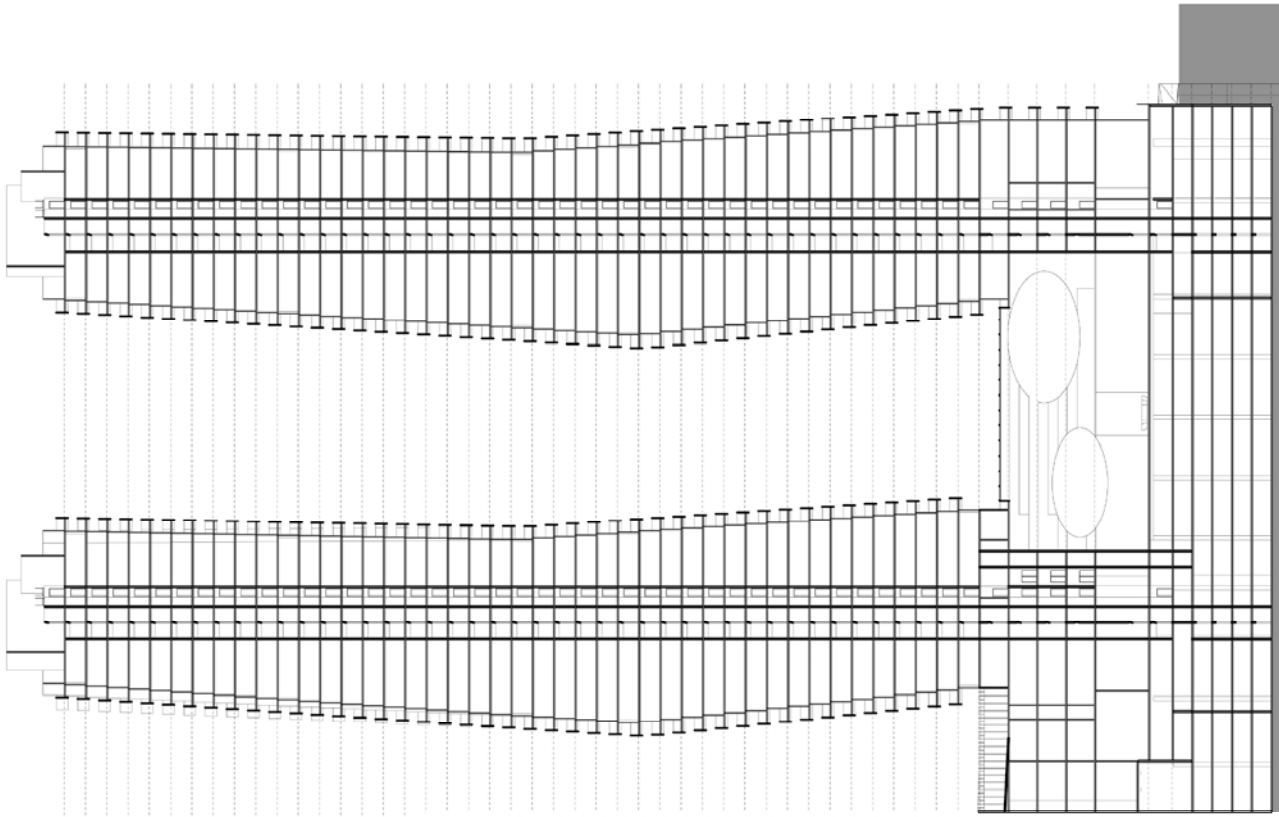
METROPARK

Eastern limit of Viewplane #6

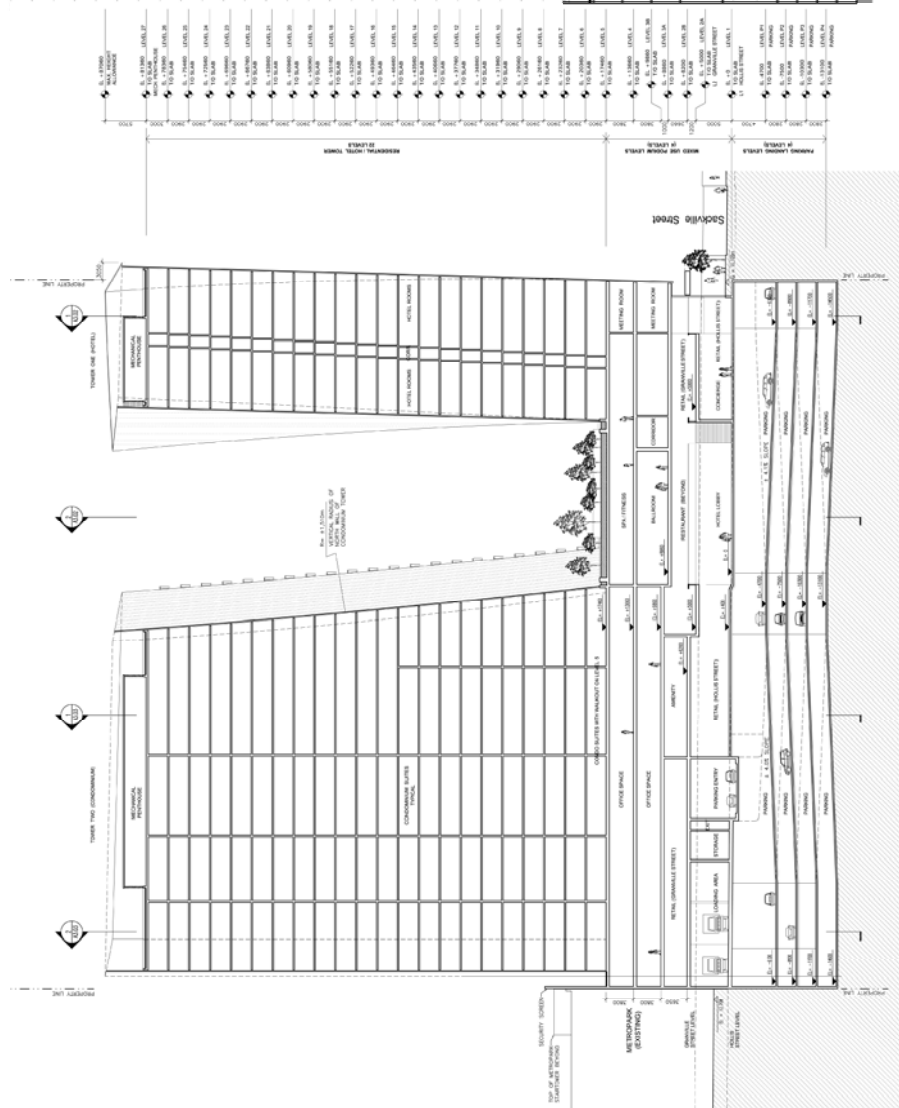
PREVIOUS PLAN

PREVIOUS PLAN

TWISTED SISTERS

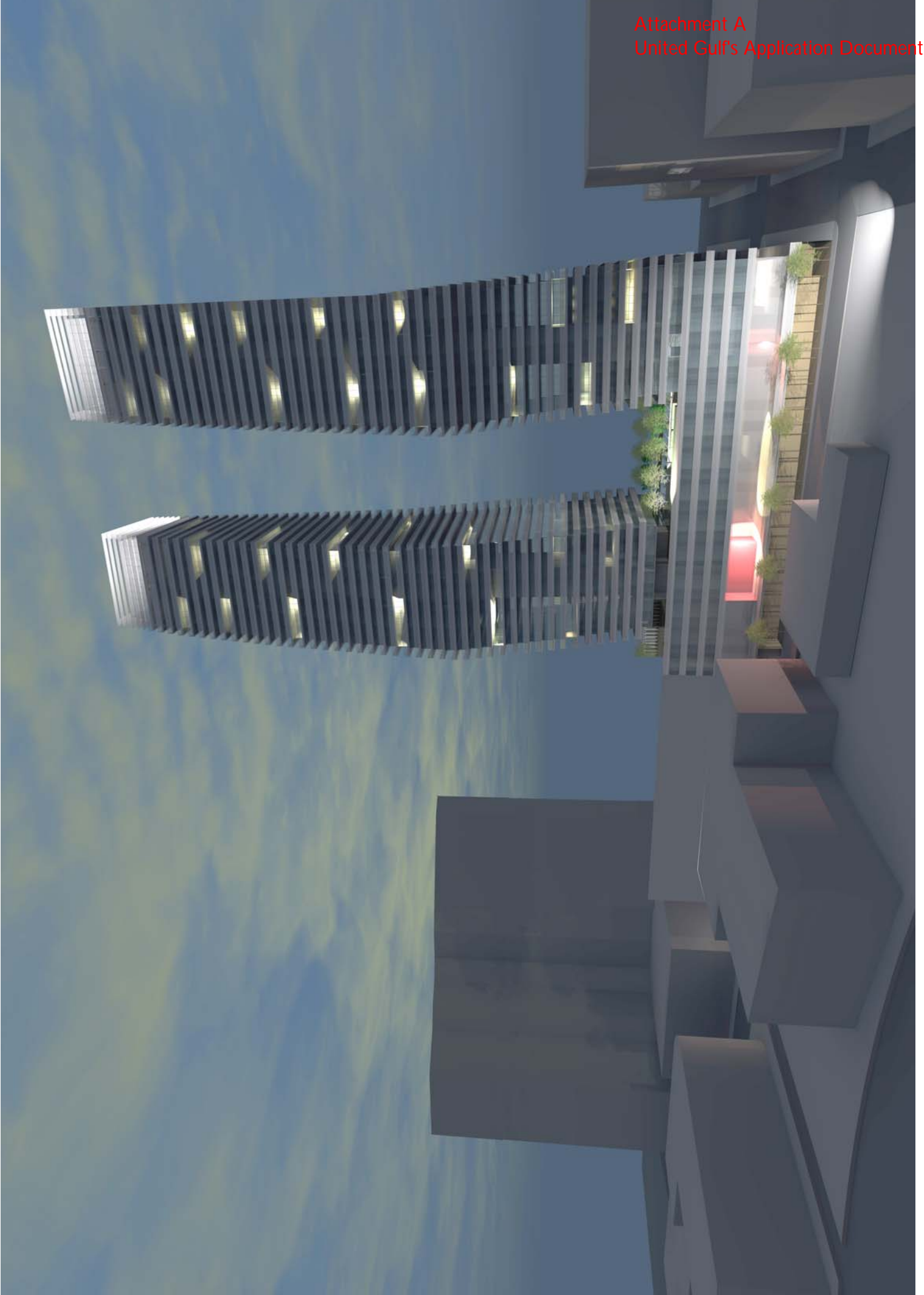


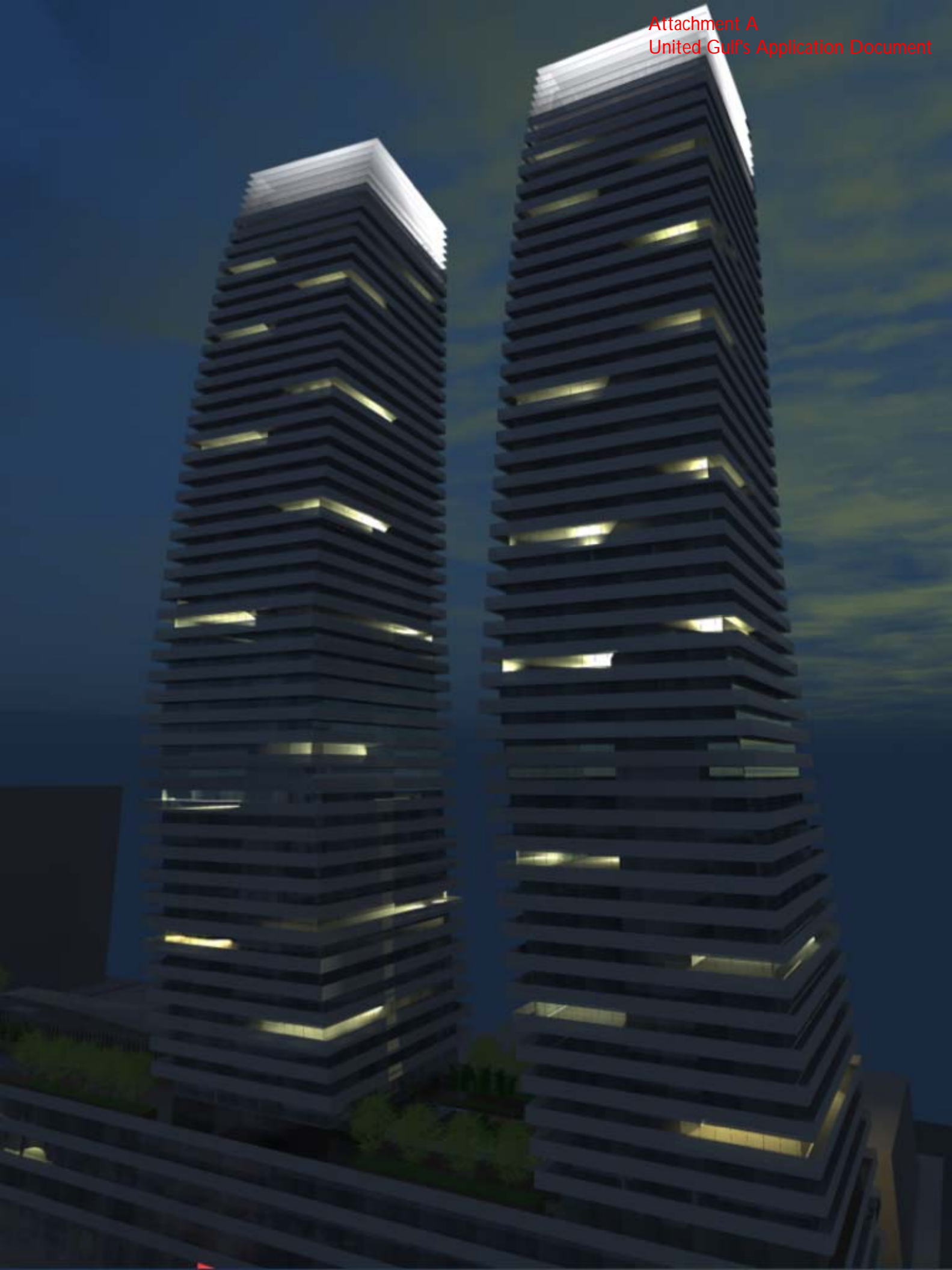
SKYE HALIFAX

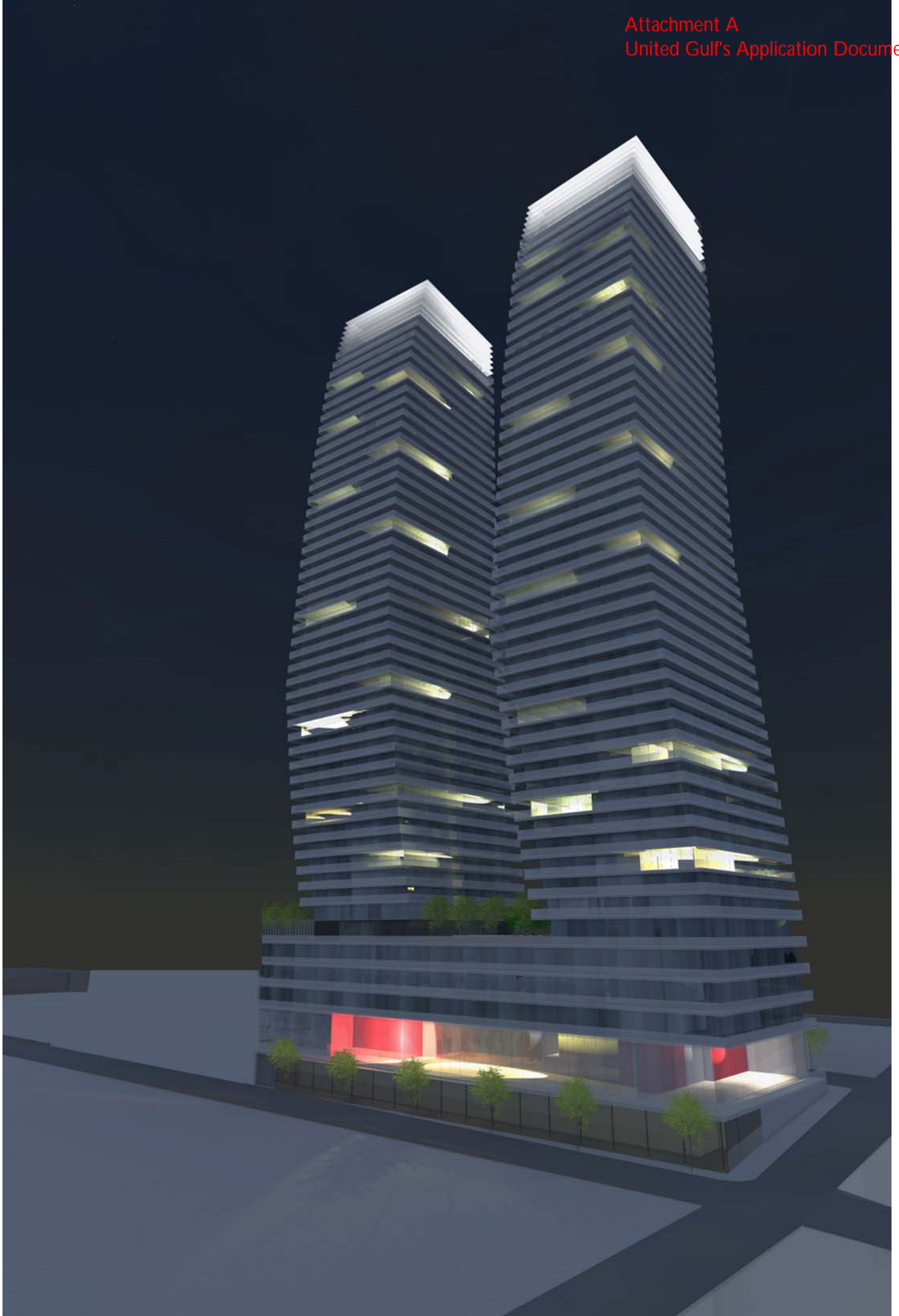


TWISTED SISTERS

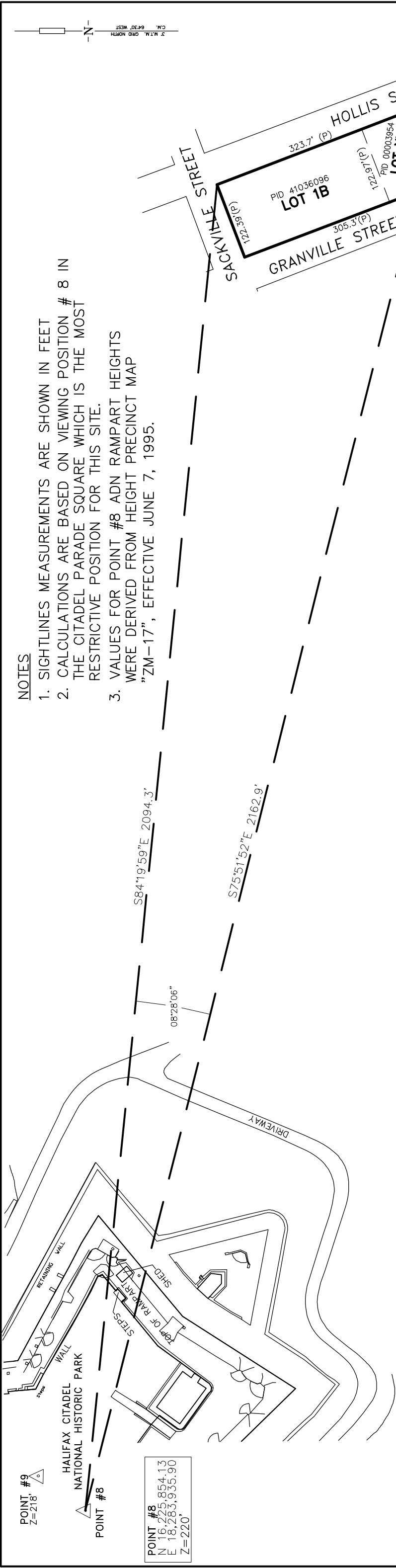
BUILDING MASS COMPARISON PLAN









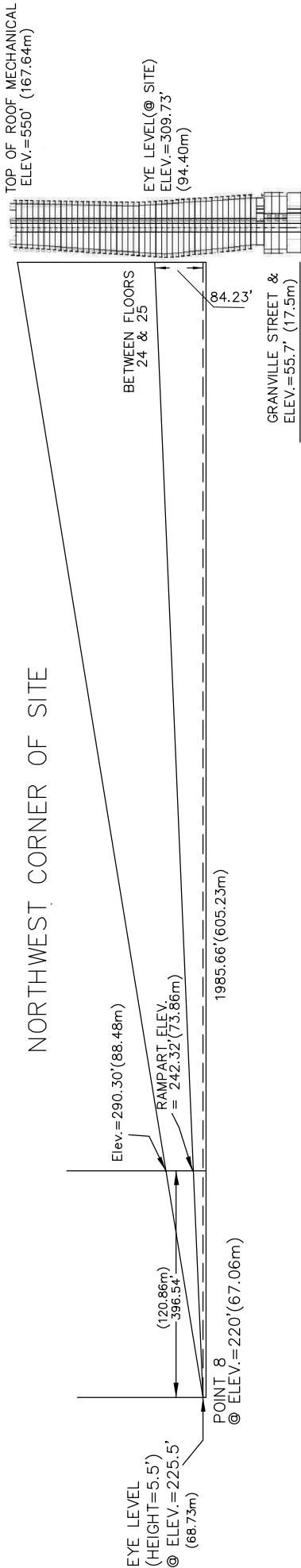


NOTES

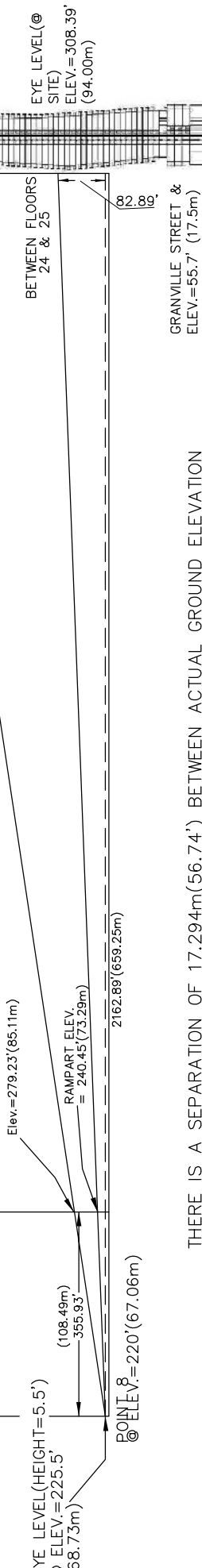
1. SIGHTLINES MEASUREMENTS ARE SHOWN IN FEET
2. CALCULATIONS ARE BASED ON VIEWING POSITION # 8 IN THE CITADEL PARADE SQUARE WHICH IS THE MOST RESTRICTIVE POSITION FOR THIS SITE.
3. VALUES FOR POINT #8 ADN RAMPART HEIGHTS WERE DERIVED FROM HEIGHT PRECINCT MAP "ZM-17", EFFECTIVE JUNE 7, 1995.

2" M.T.M. GRID NORTH
C.M. 64°30' WEST

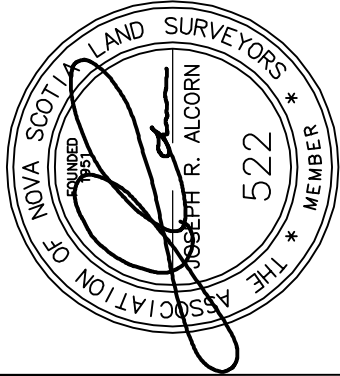
APPROXIMATE ELEVATION SITE LINE: PROPOSED SKYE HALIFAX
NOT TO SCALE



SOUTHWEST CORNER OF SITE



THERE IS A SEPARATION OF 17.294m(56.74') BETWEEN ACTUAL GROUND ELEVATION AND 0+000 LEVEL ON THE ARCHITECT'S DRAWING (BASED ON THE ELEVATION AT THE SOUTH WEST CORNER OF THE PROPOSED TOWERS ON GRANVILLE STREET.)



SKETCH OF

PROJECTED VERTICAL SIGHTLINE FROM THE
HALIFAX CITADEL NATIONAL HISTORIC SITE
(SIGHT POINT #8) TO THE PROPOSED SITE OF
SKYE HALIFAX (PID 41036096 & 00003954)

PREPARED FOR : UNITED GULF DEVELOPMENT
SACKVILLE STREET, GRANVILLE STREET
HALIFAX, NOVA SCOTIA

Alderney Survey
Nova Scotia Land Surveyors
327 Prince Albert Street
Dartmouth, Nova Scotia

Drawn: NLS

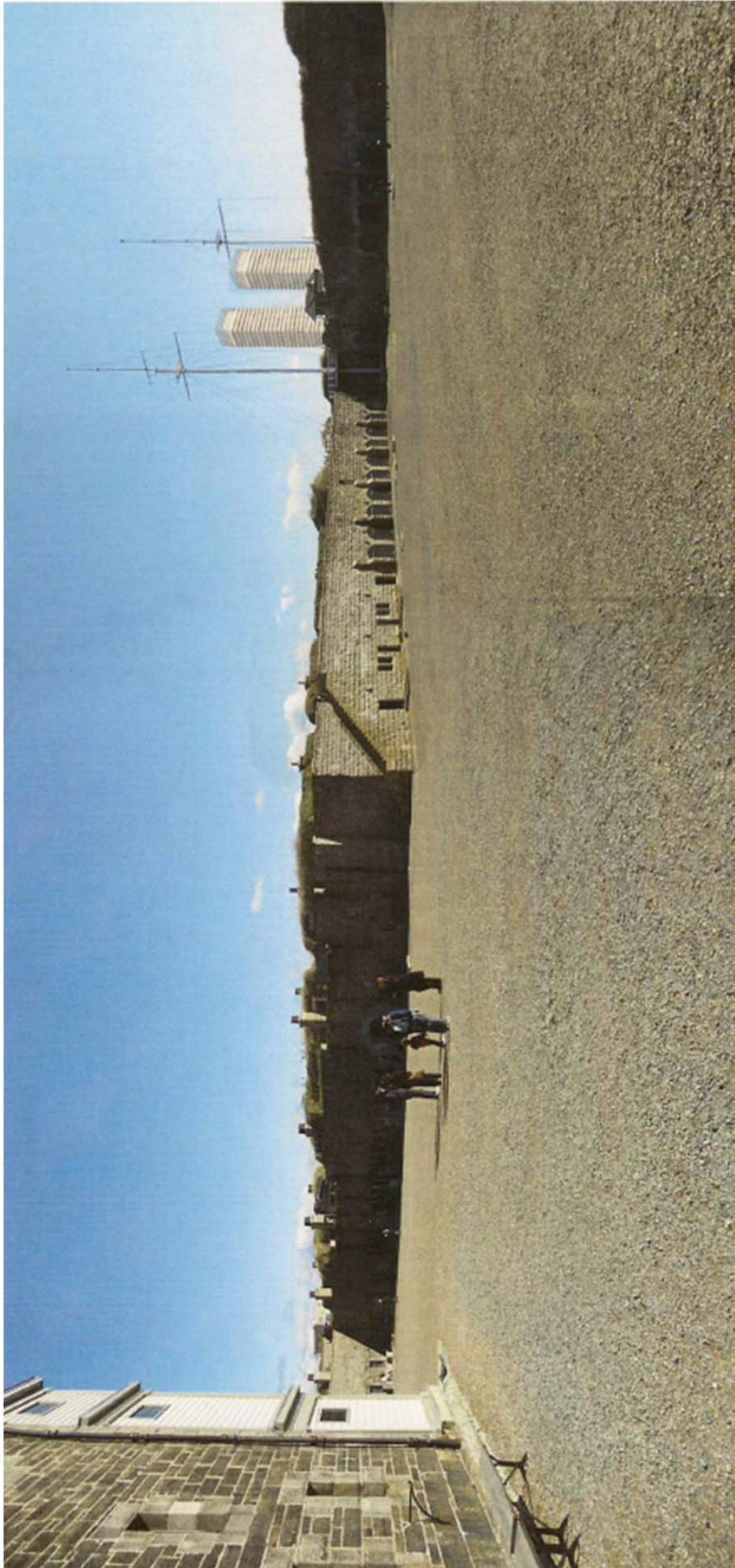
Scale: 1" = 150'

Date: 18 OCTOBER 2011

Drawing Number

Attachment B
Rampart View Survey

1100037-1



Attachment C
Rampart View
Rendering