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Item No. 11.1.6
Halifax Regional Council
June 23, 2015

TO: Mayor Savage and Members of Halifax Regional Council

Original signed by 

SUBMITTED BY:

Richard Butts, Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

DATE: May 17, 2015

SUBJECT: **Case 19858: Amendment to the Halifax MPS and the Halifax Peninsula -
6345 Coburg Road, Halifax**

ORIGIN

Application by WM Fares Group.

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that Halifax Regional Council direct staff to:

1. Initiate the process to consider amending the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law to enable the development of a new multiple unit residential dwelling on the property located at 6345 Coburg Road, Halifax; and
2. Follow the public participation program as approved by Council in February 1997.

BACKGROUND

The subject property, 6345 Coburg Road, is located at the north-east corner of Coburg Road and Larch Street, Halifax (Map 1). WM Fares Group, on behalf of the property owner, the Catholic Archdiocese of Halifax, proposes to demolish an existing 2-storey building and develop a multiple unit residential dwelling on the subject property. The proposal cannot be considered under existing policy and zoning of the Halifax Municipal Planning Strategy (MPS) and Halifax Peninsula Land Use By-law (LUB). As such, the applicant is seeking an amendment to the MPS and LUB.

Site Description and Surrounding Land Uses

The subject property is:

- comprised of a single property which contains a 2 storey building; and
- approximately 10,566 square feet in area with 85 feet of frontage along Coburg Road and 90.5 feet of frontage along Larch Street. (Maps 1 and 2).

The surrounding area is comprised of residential and institutional uses and some smaller scale commercial uses, which include:

- University of Kings College and Dalhousie University across Coburg Road to the south;
- Coburg Place, a 17 storey mixed residential and commercial building across Larch Street to the west;
- a 3-1/2 storey multi-unit residential building abutting the property to the east;
- commercial uses along Coburg Road, further to the east; and
- low rise residential neighbourhood to the north.

The subject property is currently owned by the Catholic Archdiocese of Halifax. The existing building on the property is vacant with its most recent use being the St. Joseph's Newman Centre, which provided chaplaincy services to Dalhousie University and residence for Catholic university students, since the late 1950s. The Catholic Archdiocese of Halifax is no longer interested in retaining ownership of the building or the property. Photographs of the existing streetscapes are included in Attachment B and C.

Designation and Zoning

The subject property is:

- designated Medium Density Residential (MDR) in the Peninsula Centre Secondary Plan of the Municipal Planning Strategy for Halifax (Map 1);
- zoned R-2 (General Residential) Zone by the Halifax Peninsula Land Use By-law (Map 2); and
- within a height precinct of 35 feet (Map 3).

Proposal

The applicant wishes to remove the existing building on the property and construct a new residential building that is 4-5 storeys along Coburg Road and transitions to 3 storeys at the rear of the property. Their submission notes that the proposed development would include appropriate setbacks to residential properties to the north and east.

Initially, the applicant proposed a larger building that staff considered inappropriate for the property and area. The applicant has agreed to scale a smaller building, however, before proceeding with new plans they want to ensure that Regional Council will consider initiating the MPS amendment process. Therefore, the applicant has not included proposed building plans at this time.

Existing Planning Policies and Zoning Context

The MDR designation of the Peninsula Centre Secondary Planning Strategy 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 units in any building must be of this form. A key component of the MDR designation is the retention of existing housing stock.

The R-2 Zone allows for up to 4 residential units depending on the lot area. It further includes requirements for minimum lot area, lot coverage, lot frontage and setbacks. The subject property is also restricted to a height of 35 feet under the ZM-17 height precinct map of the LUB as shown on Map 3.

DISCUSSION

MPS Amendment Process

Generally, amendments to an MPS are 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. As part of the planning process for site-specific MPS amendment requests, in particular, a significant justification is required as part of the application. As such, to support the request to amend the MPS and LUB in this case, the applicant has prepared a written submission which is included as Attachment A to this report. The following is a brief summary of the applicant's rationale for the proposed amendments:

- the current policies and requirements of the land use by-law are out-of-date and are too restrictive to allow for appropriate development;
- land use provisions should have a greater emphasis on building form and design and providing a pedestrian friendly streetscape;
- there is a mix of uses in the area that could benefit from additional density; and
- the existing 35 foot height requirement does not reflect the heights adjacent buildings along Coburg Road (Coburg Place and university buildings).

Evaluation of Proposed Amendment

Staff has reviewed the applicant's rationale and agree that there is merit to consider a site specific amendment to the MPS. The long time use of the building for chaplaincy and student residence no longer exists and with the proximity to institutional and commercial uses, a higher density than what is permitted in the R-2 Zone may be appropriate. The subject property is relatively large, in comparison to the size of the surrounding R-2 zoned properties and is located adjacent to a 17-storey building. Due to such circumstances, a building taller than 35 feet could be considered appropriate.

However, it is important to note that the subject property is located in an area that is primarily low rise residential. Any new development on this site must be reflective of the existing neighborhood and compatible with the adjacent low rise uses. This can be achieved through adequate setbacks and a transition in building height as proposed by the applicant. Through direction from Regional Council and consultation with the neighborhood, a building design is to be proposed that supports a higher density than what is permitted in the R-2 Zone, but respects the low rise neighbourhood. This is to be achieved either through the use of a development agreement or through zoning provisions in the LUB.

Conclusion

Staff recommends the initiation of the MPS amendment process for the subject property. Due to the change in use and the subject property's proximity to larger buildings, a building larger than what would be permitted in the R-2 Zone should be considered, provided that it is designed to transition appropriately to the surrounding low rise residential uses.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2015/2016 operating budget for C310 Planning & Applications.

COMMUNITY ENGAGEMENT

Should Council choose to initiate the MPS amendment process as outlined in this report, or to enable an alternative 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/or public workshop 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, community or neighbourhood organizations, business owners, other HRM business units, and other levels of government.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

ALTERNATIVES

1. 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*. This is not the recommendation of staff as there is merit to the proposal.

ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Zoning
Map 3	Height Precincts
Attachment A	Submission from the Applicant
Attachment B	Aerial view along Coburg Road
Attachment C	Street view along Coburg Road

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

Report Prepared by: Jillian MacLellan, Planner, Development Approvals, 902-490-4423

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Report Approved by: _____
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Map 1 - Generalized Future Land Use

6345 Coburg Road
Halifax

HALIFAX



Subject Property

Designation

LDR Low Density Residential
MDR Medium Density Residential
HDR High Density Residential
CF Community Facilities
INS Institutional
U University

0 20 40 60 80 m

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Halifax Plan Area
Peninsula Centre Area Plan Area



Map 2 - Zoning

6345 Coburg Road
Halifax

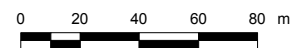
HALIFAX



Subject Property

Zone

- R-1 Single Family Dwelling
- R-2 General Residential
- R-3 Multiple Dwelling
- P Park and Institutional
- U-1 Low-Density University
- U-2 High-Density University



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


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
Halifax Peninsula
Land Use By-Law Area




Map 3 - Height Precincts

6345 Coburg Road
Halifax

 Subject Property

 Height measured to highest point of top floor of building (not including non-habitable roof)

 Height measured to commencement of top storey of building

0 20 40 60 m

Halifax Plan Area
Peninsula Centre Area Plan Area

Please refer to ZM-17 - Height Precinct Map for full definitions of height measurement.

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April 17, 2015

Jillian Maclellan
Planner 1, HRM Development Approvals
Community and Recreation Services
Halifax Regional Municipality
PO Box 1749
Halifax, Nova Scotia

Re: Request to amend the Halifax Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to enable consideration of a multi-unit residential building at 6345 Coburg Road, Halifax, by way of development agreement;

Dear Ms. Maclellan,

W M Fares Group is pleased to make an application for a Site Specific Plan Amendment to the existing Municipal Planning Strategy to enable a development of a new multiunit residential building at 6345 Coburg Road.

It is our understanding that the proposed development project requires a site specific plan amendment to vary the 35-foot height precinct and allow the proposed multi-unit residential building through a Development Agreement. W M Fares is seeking to undertake the required plan amendment and development agreement processes concurrently.

Project Background:

The site is currently occupied by a building which has been used for an institutional use. It is approximately 10,500 square feet in area, with 100-foot frontage on Coburg Road and 100-ft frontage on Larch Street. It is adjacent to a single family dwelling from the North; a 4-storey apartment building from the East; King's University from the West; and a 17-storey professional office centre from the West.

The site is walking distance from universities, schools, recreation facilities including tennis courts, ball fields, a boat club, gymnasiums, parks and bus stops.

The subject property is designated Regional Centre (Urban Core) under the HRM Regional Plan, and Medium Density Residential under the Peninsula Centre Secondary Plan of the Municipal Planning Strategy.

Municipal Planning Strategy Discussion:

We understand that the Municipality's MPS lays out its intent regarding appropriate land use and future patterns for growth. The redevelopment of 6345 Cobourg Road with a multiunit residential building that has good built form and responds to the existing street context will promote complete, vibrant and walkable communities that are supported and encouraged by HRM's Regional Plan.

We are asking HRM Council to consider amending the existing Policies to allow for the redevelopment of the subject site and offer the following rationale:

1. The current policies and Land Use Bylaw requirements are out dated and too restrictive to allow for a successful and appropriate redevelopment option.
2. Coburg Road, in this area, has a mix of building types, scale and uses which provides for some diversity in infill projects while still being deemed compatible with the existing neighbourhood context. The site is located on a street with high pedestrian circulation, having transit access, and is close to services, employment and shopping. Located across the street from King's and Dalhousie Universities, the proposed multi-unit residential building will provide needed accommodation for users of these institutions and their families.
3. Height limitations are too restrictive and do not reflect existing heights of adjacent buildings. We believe that the existing policies should be more flexible putting emphasis on pedestrian friendly streetscapes, and placing importance on good built form and architectural design.

Development Proposal:

We are proposing to redevelop the subject site with a multiunit residential building that is of appropriate scale and responds to the existing urban context with good built form paying special attention to architectural guidelines and building articulation.

We envision a building that is 4 or 5 storeys facing Coburg Road which steps down to 3 stories in the back with setbacks from interior lot lines providing an appropriate transition to surrounding uses.

Based on our experience in similar projects and our collaborative approach of working with HRM Staff, Council and public, we are confident that through this planning process we are able to present a very good redevelopment solution for this site that is based on sound planning and design principles, and we ask Staff and Council to provide us with the opportunity to do so.

Yours truly,

Original Signed

Cesar Saleh, P.Eng.
VP Planning and Design
W. M. Fares Group



6345 Coburg Road (Subject Property)

Larch Street

Coburg Road

Coburg Place (17-storey building)

3 ½-storey building

