

PROPOSAL INFORMATION: Case 18950

APPLICANT: WSP Canada Inc.

REQUEST: Amend the Halifax Municipal Planning Strategy (MPS) and the Halifax Peninsula Land Use By-law (LUB) to permit a 6 storey mixed use building containing ground floor commercial and 142 residential units at 1057 and 1065 Barrington Street, Halifax (Southport Proposal).

PROPOSAL: This case will consider creating a new zone. The new zone would be applied to 1057, 1065, and 1047 Barrington Street (Tim Horton’s Site). The intent of the new zone would be to establish appropriate Land Use By-law provisions designed to acknowledge these properties as a transition area between the Downtown Halifax Land Use By-law and the South End Area Plan. The new zone would allow residential development up to 6 storeys in height, and would require pedestrian-oriented commercial uses at grade.

DISTRICT: 7 (Peninsula South - Downtown) – Councillor Wayne Mason

SITE INFORMATION: 1057, 1065, and 1047 Barrington Street, Halifax

PLAN AREA:

- Halifax Plan Area
- South End Area Plan

LAND USE DESIGNATIONS:

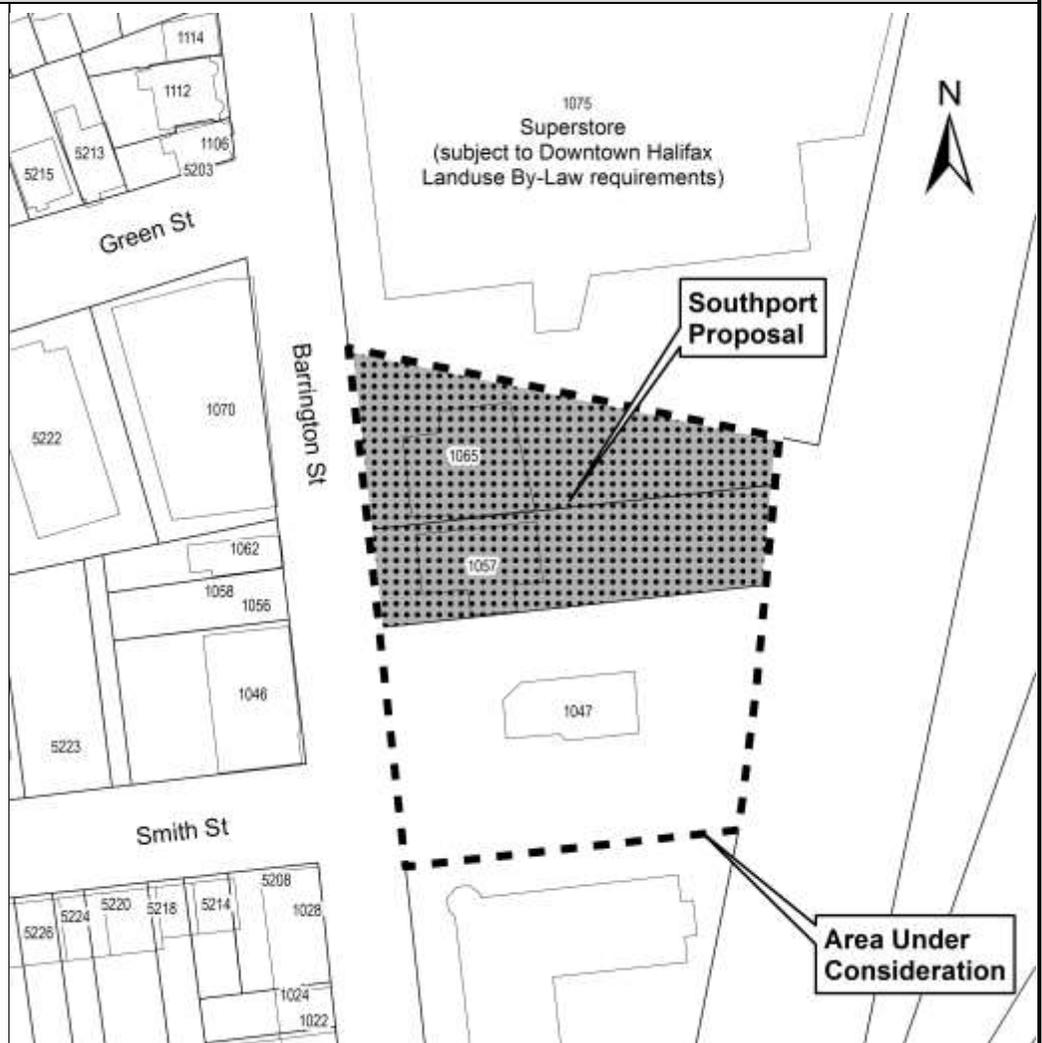
- Residential Commercial Mix
- Industrial

CURRENT ZONING:

- C-3 (Business Service)

PROPERTY DESCRIPTION:

- Current use: single storey commercial buildings (civic #'s 1057 & 1065), and a Tim Horton’s Drive Thru Restaurant (civic # 1047)
- Size: 32,302 sq. ft. (civic #'s 1057 & 1065), and 32,372 sq. ft. (civic # 1047)



For further information, please contact **Miles Agar**, Planner 1, (902) 490-4495, agarm@halifax.ca or visit <http://www.halifax.ca/planning/applications/Case18950Details.php>

NOTICE OF PUBLIC INFORMATION MEETING HALIFAX PENINSULA

Districts 7 and 8 Planning Advisory Committee and HRM Planning Staff will be holding a public meeting on Wednesday, June 18, 2014, beginning at 7:00 p.m. at Halifax City Hall (Halifax Hall), 1841 Argyle Street, Halifax, to discuss the following:

Case 18950: Application by WSP Canada Inc., for the lands of Urban Capital (Barrington) Inc. and Killam Investments Inc., to consider amending the Halifax Municipal Planning Strategy (MPS) and the Halifax Peninsula Land Use By-law (LUB) to permit a 6 storey mixed use building containing ground floor commercial and 142 residential units at 1057 and 1065 Barrington Street, Halifax.

This case will consider creating a new zone. The new zone would be applied to 1057, 1065, and 1047 Barrington Street (Tim Horton's Site). The intent of the new zone would be to establish appropriate Land Use By-law provisions designed to acknowledge these properties as a transition area between the Downtown Halifax Land Use By-law and the South End Area Plan. The new zone would allow residential development up to 6 storeys in height, and would require pedestrian-oriented commercial uses at grade.

The proponent and HRM Planning staff will be present to discuss the proposal for 1057/1065 Barrington Street and to provide information on the proposed zone and the planning process.

The meeting is open to anyone who wishes to attend to seek information about the proposal and/or express any comments which they may have.

For more information, please call Planning Applications at 490-4393, or visit:

<http://www.halifax.ca/planning/applications/Case18950Details.php>

Item No. 11.1.4
Halifax Regional Council
April 1, 2014

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: February 18, 2014

SUBJECT: **Case 18950: Amendments to the Halifax MPS and the Halifax Peninsula LUB -1047, 1057 and 1065 Barrington Street**

ORIGIN

Application by WSP Canada Inc. for the lands of Urban Capital (Barrington) Inc. and Killam Investments Inc.

LEGISLATIVE AUTHORITY

HRM Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Authorize staff to initiate the process to consider amending the Municipal Planning Strategy for Halifax and the Land Use By-law for the Halifax Peninsula to create specific provisions for 1047, 1057 and 1065 Barrington Street, Halifax, through the creation of a new zone in the Land Use By-law designed to acknowledge these lands as a transition area between the Downtown Halifax Land Use By-law and the South End Area Plan; and
2. Request staff to follow the public participation program for the MPS amendment process as approved by Regional Council in February 1997.

BACKGROUND

The applicant, on behalf of Urban Capital and Killam Properties, has proposed a 6 storey mixed use (residential and commercial) development at 1057 and 1065 Barrington Street, Halifax, which includes 142 residential units and approximately 1,880 square feet of commercial floor area at ground level. This proposal cannot be considered under existing policy and zoning established in the Municipal Planning Strategy for Halifax (MPS) and Land Use By-law for Halifax Peninsula (LUB). As such, the applicant is seeking an amendment to the MPS and LUB to enable consideration of their proposal through the creation of a new zone.

The subject property, 1057 and 1065 Barrington Street, is comprised of two parcels of land located on the east side of Barrington Street between Green Street and Smith Street. The MPS and the LUB apply to the subject property, while the Downtown Halifax Secondary Municipal Planning Strategy (DHSMP) and the Downtown Halifax Land Use By-law (DHLUB) apply immediately north of the subject property (Maps 1 and 2).

Site Description and Surrounding Land Uses

The subject property:

- is developed with single storey commercial buildings;
- is 32,302 square feet in area with 171 feet of street frontage;
- is located across the street from Barrington Terrace, a 6 storey residential building with ground floor commercial (Map 3);
- is adjacent to Peninsula Place, a 5 storey residential building (Map 3);
- abuts a Tim Horton's restaurant, which includes an associated drive-thru (Map 3); and
- surrounded by a variety of other commercial, residential, and industrial land uses (Map 3).

Designation and Zoning

The subject property:

- is located within District 8 of the South End Area Plan (SEAP), which forms part of the MPS (Map 1);
- is designated Residential-Commercial Mix (RC) and Industrial (I) as shown on Map 1. The RC designation is intended to support a mixed residential/commercial environment, including the provision of minor commercial uses on the ground floor of new residential buildings. The Industrial designation is intended to support industrial uses, including harbour related industrial and business service uses;
- is zoned C-3 (Business Service) under the LUB as shown on Map 2. The C-3 Zone permits a variety of land uses, including industrial, commercial, and multi-unit residential;
- abuts the DH-1 (Downtown Halifax) Zone as shown on Map 2. The DH-1 Zone permits a variety of uses, including commercial, institutional, and multi-unit residential; and
- is subject to view plane requirements of the LUB (Map 2).

Proposal

The applicant proposes to demolish the existing single storey commercial buildings on the subject property and develop a 6 storey mixed use (residential and commercial) building. Attachment A

outlines the applicant's proposal in greater detail. Features of the development include the following:

- 142 residential units (mix of studio, 1 bedroom, and 2 bedroom units);
- 1,880 square feet of ground floor commercial facing Barrington Street;
- 2,937 square feet of interior amenity space for residents;
- rooftop amenity space;
- landscaped open space at grade;
- 66 underground parking spaces; and
- a 5 storey streetwall along Barrington Street.

The LUB provisions applied to the subject property allow for residential/commercial developments, but include requirements which restrict the project from proceeding as proposed. These requirements relate to height (max. 35 feet to commencement of top floor); building massing (angle controls); residential density (max. 250 persons per acre); streetline setback (min. 15 feet); landscaped open space, and parking. Existing MPS policy allows height to be increased to 6 storeys by development agreement; however, this policy does not contemplate departing from the other requirements outlined above. Therefore, the applicant is requesting amendments to the planning documents to enable the proposed building subject to new zoning provisions.

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 amendments, 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 over the 30 years since the C-3 zoning was applied to the subject property. Attachment A incorporates a significant list of changing conditions submitted by the applicant, which includes but is not limited to the following:

- Allowable density should be increased to invigorate the downtown and support existing investment in City services and infrastructure;
- In 2009 the Downtown Halifax MPS and LUB were adopted, and subsequent revisions to the South Barrington Precinct were made in 2013 (which apply to lands adjacent to the subject area). This Plan places emphasis on downtown living, high quality urban design and vibrancy through the mixing of commercial and residential uses. The Halifax MPS could not have anticipated such a shift between the traditional industrial focus of the Barrington South area to residential intensification and the emphasis on high-quality urban design principles; and
- Urban design and architectural regulations through the creation of site specific zoning is a better approach than to simply limit density and building design as a means of achieving a quality development.

Evaluation of Development Proposal and Abutting Property

The subject property and the abutting property at 1047 Barrington Street (Tim Horton's) are located between the Superstore and a 5 storey multi-unit residential building known as Peninsula Place (Map 3). These sites represent an important transition area in the urban landscape given their location between the DHLUB Area and existing development form in the SEAP, including 'Peninsula Place'.

The DHLUB is built on principles of urban design and includes architectural guidelines and comprehensive building mass requirements. On the Superstore site, an overall building height of 22 m (72.2 feet) and a streetwall height of 18.5 m (60.7) (facing Barrington Street) are permitted. Further, the Barrington Street streetwall on the Superstore site, should the property be re-developed in the future, must be located close to the streetline (no farther back than 1.5 m/4.9 feet). The applicant's proposal incorporates many of the DHLUB's building mass and design principles, while also respecting the scale of adjacent development.

To ensure future development in this transition area is generally consistent with the urban design principles of the DHLUB and appropriately scaled to reflect existing development within the SEAP, amendments to the MPS and LUB should be considered for the subject property and 1047 Barrington Street, which together are identified as a 'transition area' on Map 4.

Proposed Approach

Based on the justification provided by the applicant and the circumstances outlined above, it is considered reasonable to investigate potential planning policy and zoning amendments for the 'transition area' shown on Map 4. In order to provide consistency with DHLUB requirements, amendments considered for the 'transition area' should incorporate specific LUB requirements, including provisions related to building mass and architectural design. This can be achieved through the creation of a new zone.

Conclusion

It is staff's opinion that the applicant's proposal for a 6 storey residential building containing ground floor commercial uses and 142 residential units at 1057 and 1065 Barrington Street has merit. Further, it is the opinion of staff that similar development on the abutting property at 1047 Barrington Street is also reasonable to consider. Therefore, staff recommends that Halifax Regional Council initiate a planning process to consider MPS and LUB amendments as outlined in the Recommendation section of this report for the 'transition area' shown on Map 4.

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 as outlined in this report, or to enable an alternative proposal, the *HRM Charter* requires that Regional Council approve a public participation program when considering any amendment to an MPS. In February of 1997, Halifax 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 Halifax 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, other HRM business units, the Canadian National Railway Company, Via Rail Canada, and the Halifax Port.

ENVIRONMENTAL IMPLICATIONS

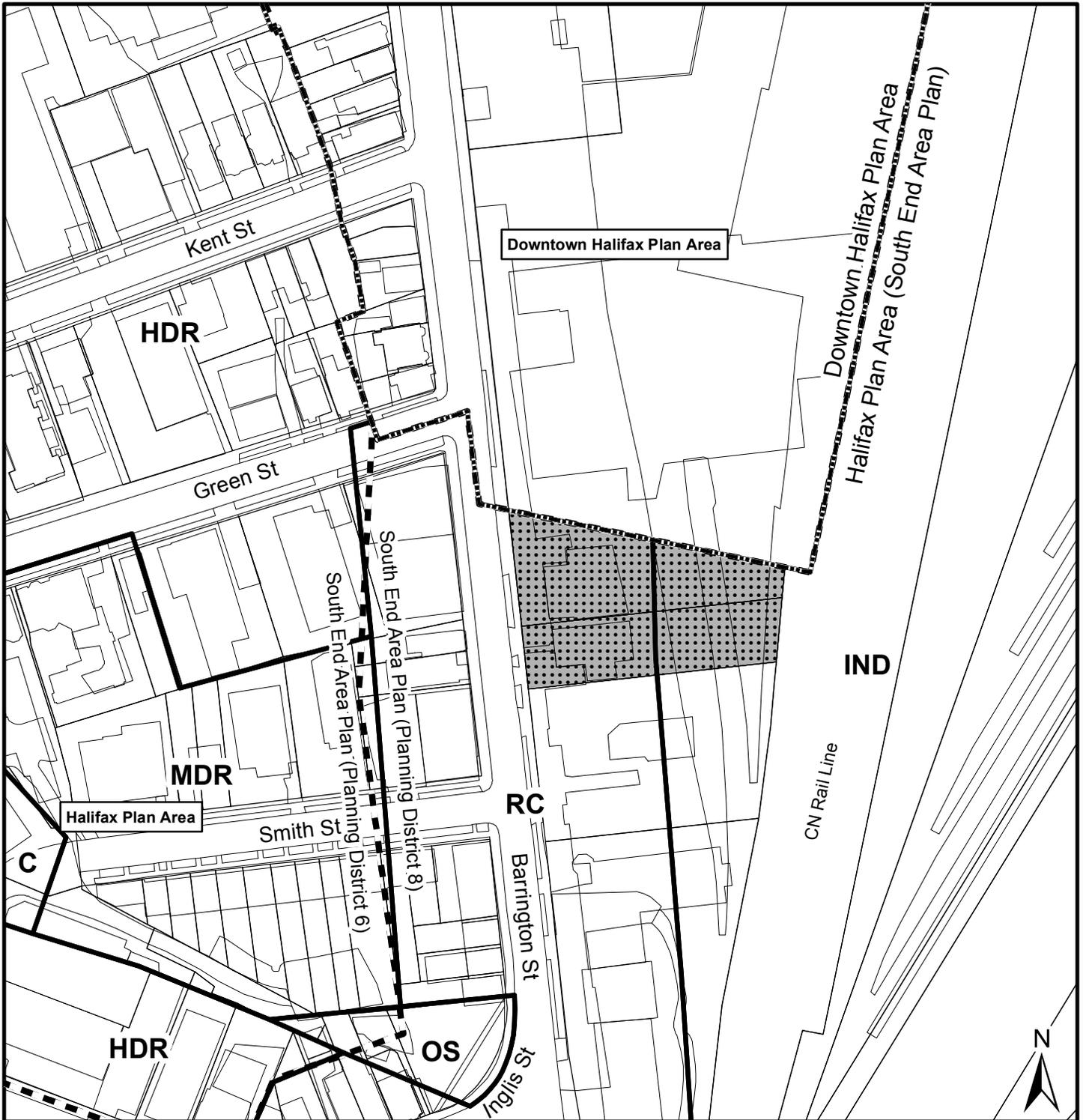
There are no environmental implications associated with this report.

ALTERNATIVES

1. Halifax Regional Council may choose to initiate policy amendments that would differ in scope from those outlined in this report. This alternative is not recommended.
2. Halifax Regional Council may choose to refuse to initiate the MPS amendment process for the transition area outlined in this report. A decision not to initiate the process to consider amending the MPS is not appealable to the N.S. Utility and Review Board as per Section 262 of the *HRM Charter*. This alternative is not recommended.

ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Zoning
Map 3	Surrounding Context
Map 4	Area of Transition
Attachment A	Applicant's Proposal



Map 1 - Generalized Future Land Use

1057-1065 Barrington Street
Halifax



Subject Property

Designation

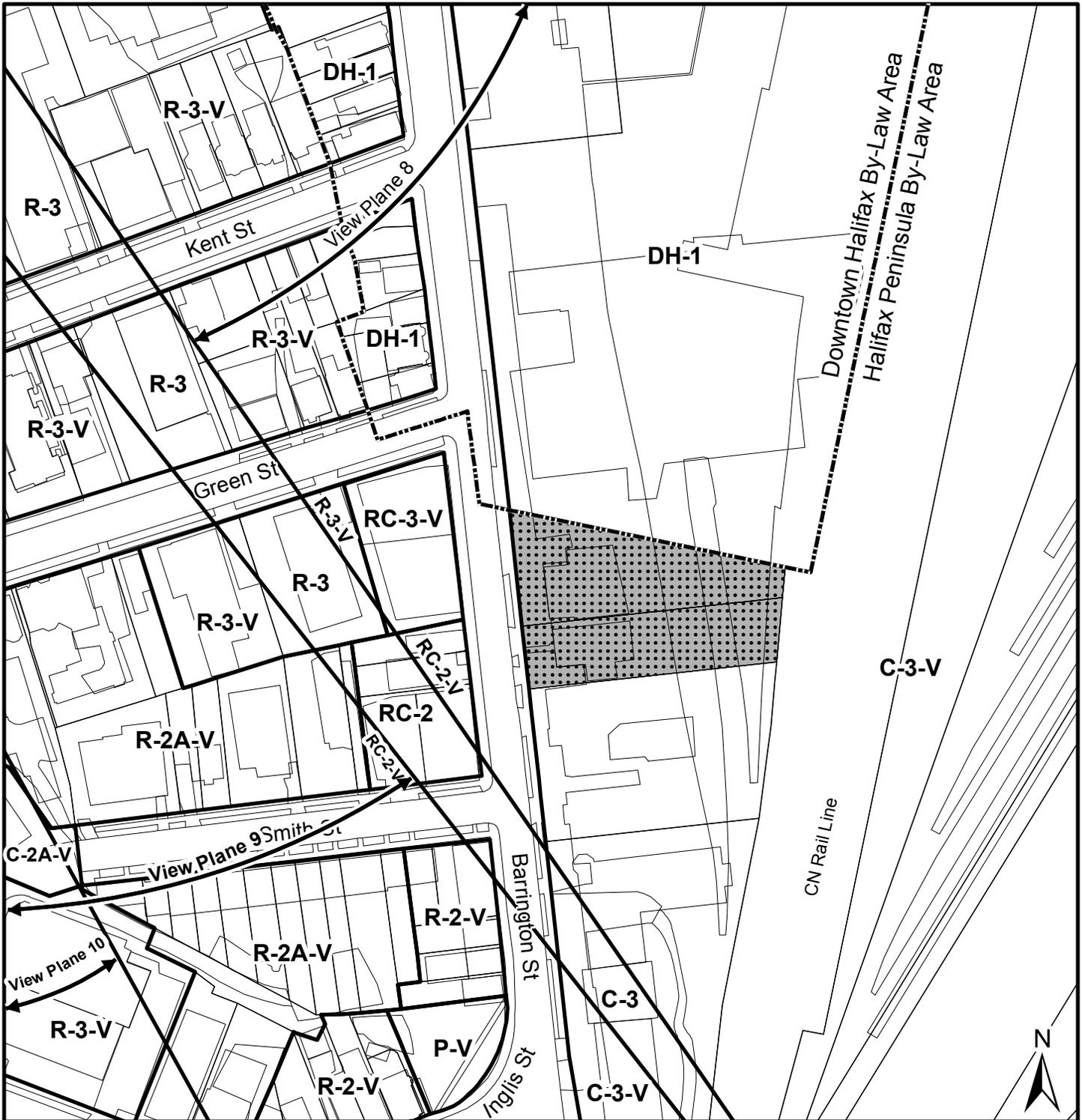
- RC Residential - Commercial Mix
- MDR Medium Density Residential
- HDR High Density Residential
- OS Open Space
- IND Industrial



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

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

Halifax Plan Area
South End Area Plan



Map 2 - Zoning

1057-1065 Barrington Street
Halifax

 Subject Property

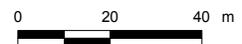
Halifax Peninsula
Land Use By-Law Area

Halifax Peninsula Zones (-V within view plane)

- R-2 General Residential
- R-2A General Residential Conversion
- R-3 Multiple Dwelling
- RC-2 Residential Minor Commercial
- RC-3 High Density Residential Minor Commercial
- P Park and Institutional
- C-2A Minor Commercial
- C-3 Business Service

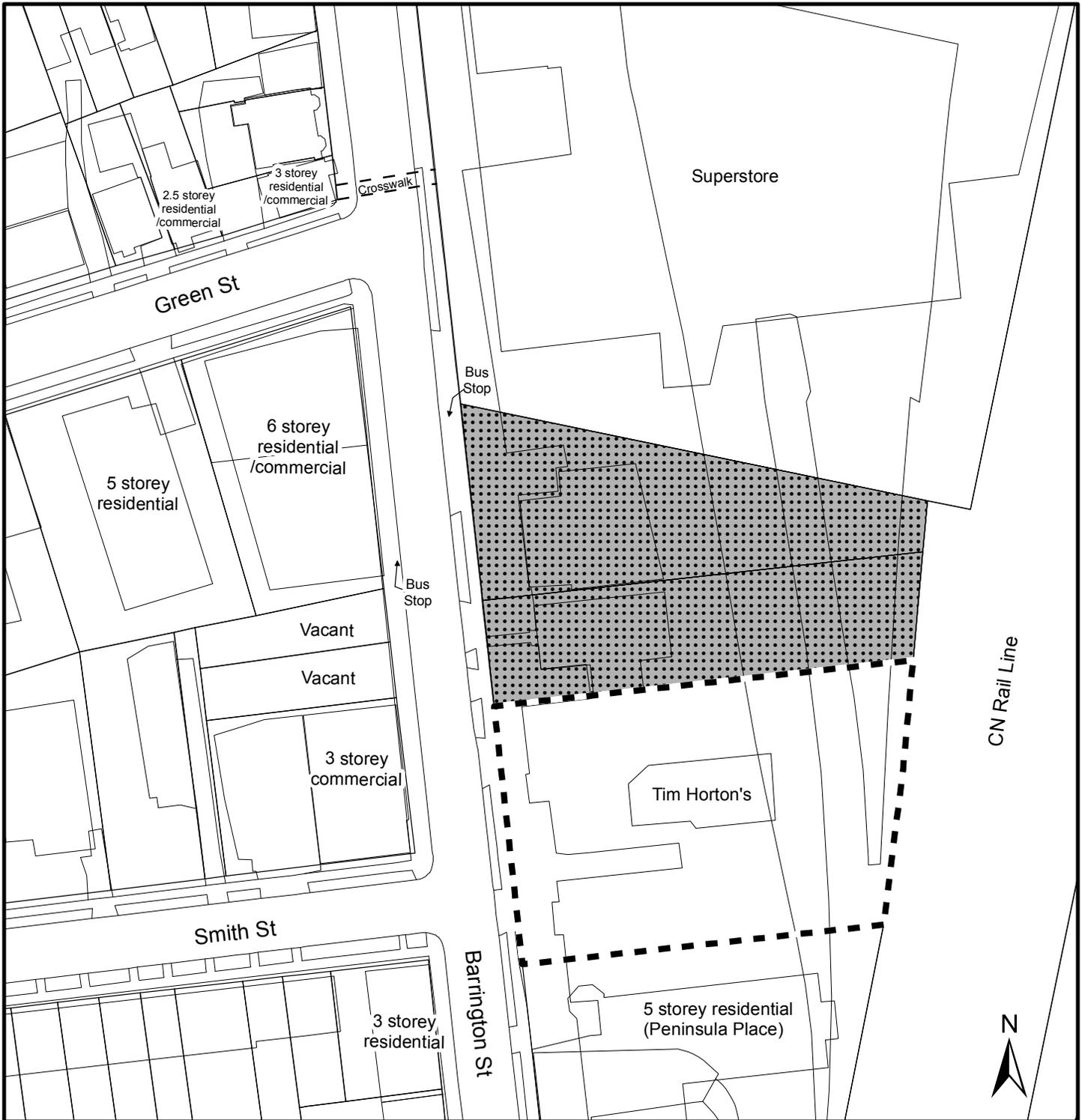
Downtown Halifax Zone

- DH-1 Downtown Halifax



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 3 - Surrounding Context

1057-1065 Barrington Street
Halifax



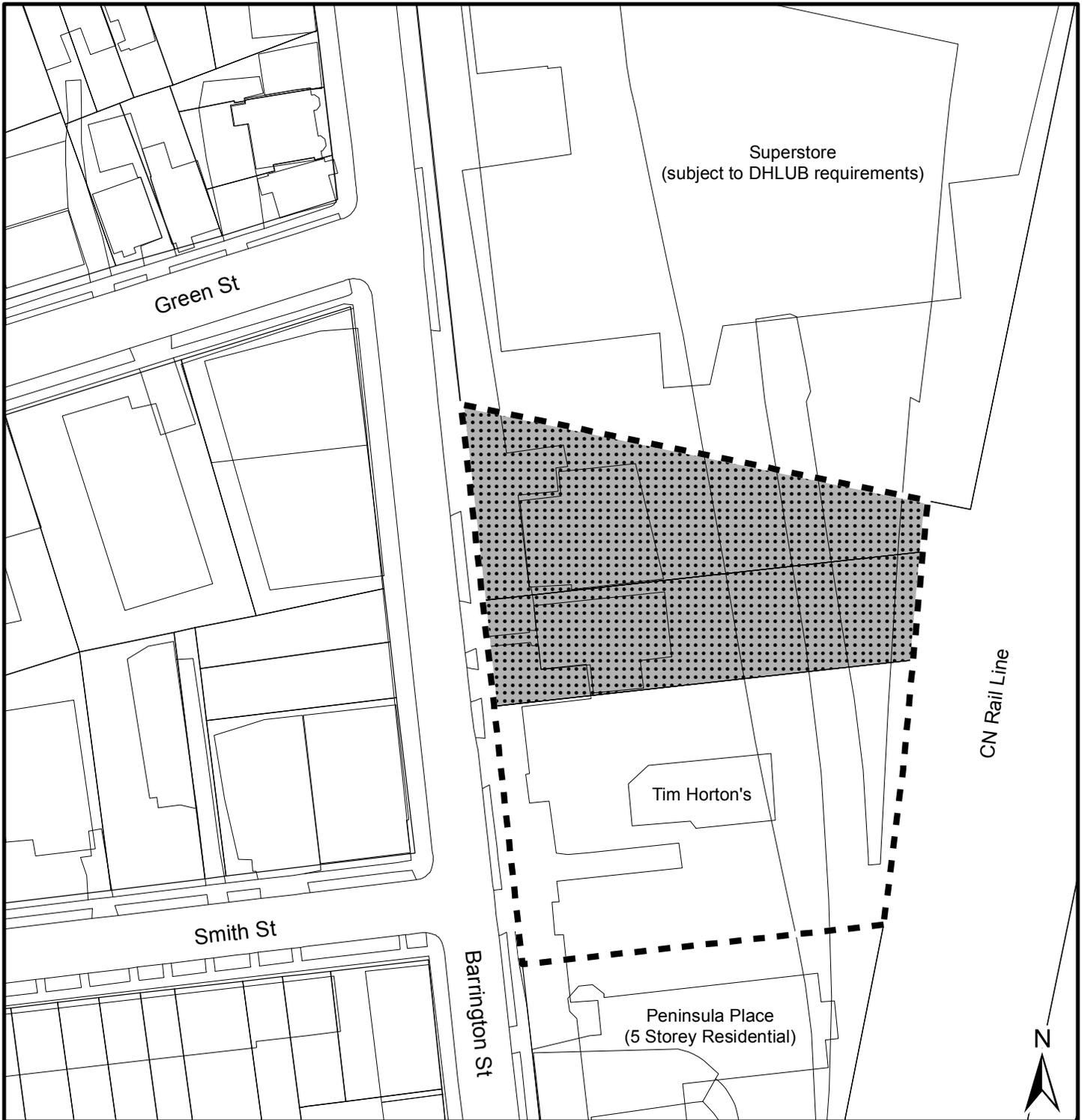
 Subject Property

 1047 Barrington Street



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Halifax Peninsula
Land Use By-Law Area



Map 4 - Transition Area

1057-1065 Barrington Street
Halifax

 Subject Property

 Transition Area

Halifax Peninsula
Land Use By-Law Area

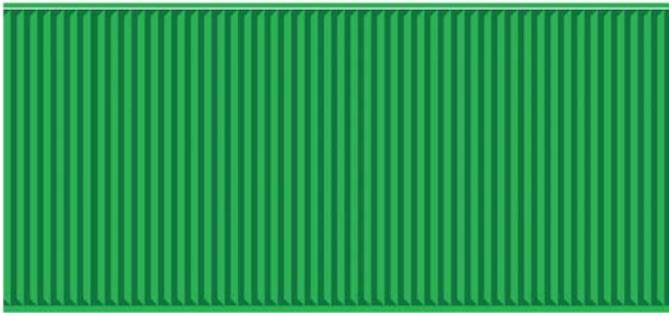


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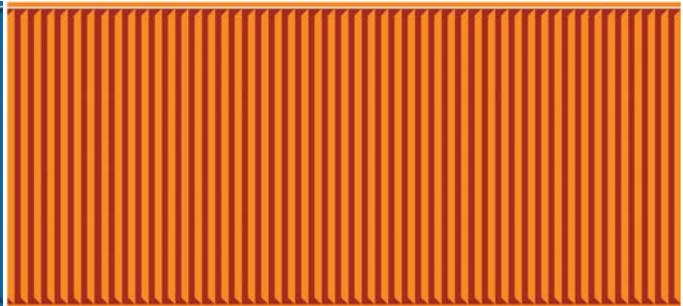


Planning Application

SOUTHPORT



November 7, 2013 (Revised Feb 17, 2014)



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Nova Scotia, Canada B3B 1X7
Telephone: 902-835-9955
Fax: 902-835-1645
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Ref. No. 131-16672



November 7, 2013 *(revised Feb 17, 2014)*

Mr. Miles Agar
Planning Applications
Halifax Regional Municipality
7071 Bayers Road, Suite 2005
Halifax, NS, B3L 3N5

RE: PLANNING APPLICATION TO AMEND THE HALIFAX MUNICIPAL PLANNING STRATEGY AND THE HALIFAX PENINSULA LAND USE BY-LAW TO CREATE A MULTI-UNIT MIXED USE ZONE FOR 1057 AND 1065 BARRINGTON STREET

Dear Miles:

On behalf of our client, Urban Capital and Killam Properties (the Developer), WSP Canada Inc. (WSP) is pleased to make this planning application to amend the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law concurrently to create a new multi-unit mixed use zone for 1057 and 1065 Barrington Street (PIDs 40774218 & 40774200). This zone will enable the development proposal outlined in this application, hereinafter referred to as 'Southport'

In support of this application, the following materials have been submitted

- Completed Major Planning Application Form
- \$2,600 Application Fee
- Detailed Site Plan, 11x17 (11 copies)
- Traffic Impact Statement (4 copies)
- Servicing Schematic (6 copies)
- Building Drawings (4 copies)
- Landscape Plan (4 copies)
- Legal Description (1 copy)
- Electronic versions of the above listed materials

1.0 Background

The Developer owns two contiguous parcels located at 1057 and 1065 Barrington Street, Halifax. The parcels are currently developed with two single-storey commercial buildings. GENIVAR, on behalf of the Developer, is proposing to construct a six storey mixed-use (residential and commercial) building on the properties, which would include 142 residential units and approximately 1,880 square feet of ground floor commercial area with direct access to Barrington Street. Additionally, the Developer is proposing up to 2,937 square feet of interior amenity space for residents, a rooftop deck, 49 bicycle parking spaces (comprised of both class A and B) and 66 vehicular spaces which are all underground and will be accessed off Barrington Street.

However, based on staff opinion and advise, the proposed development cannot be considered under existing policy and zoning established in the MPS for the South End Area and the LUB for Halifax Peninsula due to density, built form, parking and open space. As such, GENIVAR are seeking an amendment to the MPS and LUB to enable consideration of the proposal.



West/Front elevation of Southport

1.1 LOCATION AND CHARACTERISTICS

The subject site consists of two contiguous legal parcels (PIDs 40774218 & 40774200) located at 1057 & 1065 Barrington Street Halifax, NS. Given that the proposed building crosses the property line of two separate parcels, lot consolidation will be required. The subject properties combine to a total area of 3,001.69 metres square (0.74 acres), with 52.2 metres (171 ft.) of frontage on Barrington Street. The site currently consists of two single-storey commercial buildings

The site is bounded by Barrington Street to the west, Atlantic Superstore to the North, Tim Horton's to the south, and VIA Rail track parcels to the east. The site is located in proximity to two existing apartment buildings, including Barrington Terrace, a six-storey multi-unit building located across the street from the subject site, and Peninsula Place, a five-storey multi-unit building located just south of the adjacent Tim

Horton's property. The site is located near amenities including: community parks and kids play areas; Sea Wall; Farmer's Market; major shopping streets; new Central Library; grocery and convenience stores; transit stops; professional services; universities; schools; health centres; and, employment nodes.

Furthermore, the site is located along a major transit and transportation corridor and is serviced by existing municipal infrastructure.

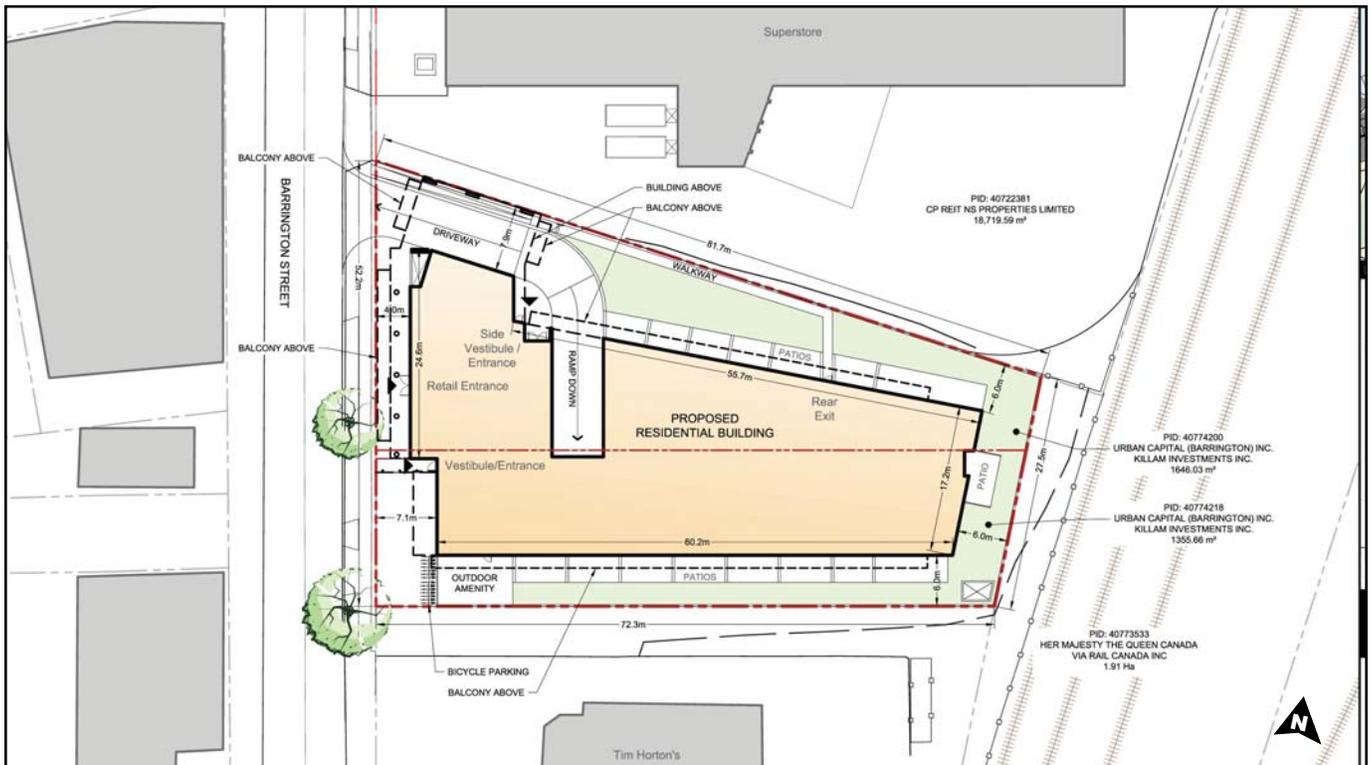
1.2 HISTORICAL CONTEXT OF THE SITE

During the 1970's, at the time when current Municipal policies were adopted, the site was owned by Canada National Railways. The site subsequently came under control of Canada Lands Company (CLC). In 1997 two holding companies, Salsman Investments Ltd and D&L Engineering Sales Ltd., purchased the lands for business operations. In the summer of 2013, of the properties were purchased by Killam Properties and Urban Capital.

Both properties are zoned C-3 (Industrial Zone) under the Halifax Peninsula Land Use By-law (LUB) which permits a variety of commercial and high-density residential (R-3) uses.



 Southport Location



Concept Plan (Detail)

2.0 Zoning + Designations

The subject properties are located within the Regional Centre, where, according to the Halifax Regional Municipal Planning Strategy (RMPS), infill urban growth opportunities are to be supported in order to achieve one quarter of the predicted growth within HRM.

According to the Halifax Municipal Planning Strategy, South End Area Plan - Area 8 (MPS), the front portion (or western half) of each property is designated Residential Commercial Mix (RC), and the rear portion (or eastern half) of each property is designated Industrial (IND). The RC designation supports new residential buildings with minor commercial uses occupying the ground floor, and does not require family-type housing options. Commercial uses are intended to have direct access to the street in new residential buildings. Buildings in the IND designation shall be developed to mitigate negative impacts of industrial uses on adjacent residential areas.

The MPS also limits as-of-right development height on the subject properties to 35 feet, notwithstanding View Plane provisions (View Plane 8) which ultimately limit building height to approximately 100 feet on these lots.

Applications for six-storey developments may be considered by the City as per MPS, Policy 7.8.2.2, which states:

“...the City may consider applications for residential development where the proposed location is adjacent to existing residential uses under the provisions of Section 33(2)(b)”.

District Policy 7.8.2.2 permits consideration for residential development up to six stories, provided there is adequate buffering, that the development is adjacent to similarly scaled residential uses, and that family-type uses need not be included.



Barrington Street looking south – Barrington Terrace located on right



Container pier adjacent to Point Pleasant Park

3.0 Rationale for MPS and LUB Amendment

Given changing planning and neighbourhood circumstances, the GENIVAR and the Developer believe that the proposed building is both suitable for the site and its surroundings. Furthermore, when originally written 1978, the MPS and LUB could not have anticipated the creation of the Downtown Halifax MPS and Downtown Halifax LUB in 2009, and subsequent revisions to the South Barrington Precinct in 2013 (lands adjacent to the subject area). These current planning documents are more in line with what is suitable for the subject site and surrounding area.

Therefore, in order to establish a comprehensive, cohesive and complimentary form of development on the subject property, GENIVAR is requesting amendments to the MPS and LUB. The proposed amendment process will encourage improved urban form by establishing zoning that considers setbacks, massing and design guidelines to establish good urban form.

3.1 MPS AMENDMENT RATIONALE

Amendments to an MPS are not generally considered unless it can be shown that one of the following three criteria are applicable: 1) there has been a change in circumstance since the plan was adopted; 2) there is a significantly different situation than what the plan anticipated; or 3) an error was made. To support the request to amend the MPS, GENIVAR submits that conditions have changed considerably over the 30 years since the existing C-3 zone was applied to the subject properties. GENIVAR submits the following rationale for the proposed MPS amendment:

- The allowable density should be increased to invigorate the downtown and support existing investment in City services and infrastructure. In recent decades, Halifax Regional Municipality (HRM) has grown in the suburban and rural areas, but the City's centre – including Downtown Halifax and Dartmouth (Regional Centre) – has not reached HRM's 25% growth target set out by the RMPS (2006). Encouraging residential growth within the Regional Centre remains a priority. The proposed development, which falls within the urban core, proposes an increase in allowable density on this site from 250 persons per acre to 363.8 persons per acre. When originally written 1978, the MPS and LUB could not have anticipated the creation of the RMPS, and the subsequent growth targets;
- In 2009 the Downtown Halifax MPS and LUB were adopted, and subsequent revisions to the South Barrington Precinct were made in 2013 (which apply to the lands adjacent to the subject area). This Plan places emphasis on downtown living, high quality urban design and vibrancy through the mixing of commercial and residential uses. The Halifax MPS could not have anticipated such a shift between the traditional industrial focus of the Barrington South area to residential intensification and the emphasis on high-quality urban design principles;
- There has been a shift in circumstances away from the industrial context which once applied to this site. The subject site was owned by Canada National Railway and was predominantly industrial when the Halifax MPS was adopted. Since this time the surrounding land uses have changed to predominantly residential and commercial;
- Urban design and architectural regulations through the creation of a site specific zone is a better approach than to simply limit density and building design as a means of achieving a quality development;

- Angle controls and street setbacks outlined in the LUB limit design flexibility on a site immediately adjacent to a property subject to the Downtown Halifax MPS and urban design guidelines;
- Allowing an MPS amendment will result in a higher quality development and more efficient use of existing municipal infrastructure through increased population density;
- Policy does not require family style units in the subject area;
- The proposal respects the six-storey limit outlined in the MPS (Policy 7.8.2.2) and responds to the community’s emerging residential nature while respecting its industrial heritage. It also brings a style and size of unit that is desired by the market that was not anticipated when the MPS was written and approved; and,
- Pre-sale numbers reflect property owner’s desire to invest in and promote the proposed development as and where it is presented.

The goal of this development application is to encourage a primarily residential multi-unit building with ground floor retail, as well as a design and urban form that creates a transition between old and new policies. This will allow for a wider variety of housing types and tenures creating an opportunity to offer units at a broader range of price levels within the urban core.



Barrington Street Entrance and Porposed Commercial Space to the Left

3.2 MPS AMENDMENT EVALUATION

Although the proposed density, massing and open space allocations may not strictly comply with planning documents, GENIVAR is of the opinion that proposed development is both suitable for the site and its surrounding.

The subject site is located in a unique area highlighted by industrial, residential and commercial uses, and is in proximity to high density residential uses, business nodes, universities, and arts and cultural centres. GENIVAR and the Developer believe that there is merit in considering the proposed amendments due to the unique location of the site and changing planning circumstances. When evaluating the proposed

development, Council should consider the following project features:

- the proposal is an infill development opportunity on urban lands which are currently underutilized. As such, the increase in density makes more efficient use of existing municipal infrastructure and supports the RMPS's objective to increase residential growth in the Regional Centre;
- the development is sensitively massing and intended to create a transition between built form policies of the Halifax MPS and the recently adopted guidelines of the Downtown MPS through comprehensive urban design guidelines;
- the proposed use does not interfere with the industrial uses found in the neighbourhood, as the building's location establishes adequate buffering, setbacks and proportional scale from the abutting industrial uses;
- the landscape plan proposes planters, landscaping and fencing along the northern, eastern and southern property lines;
- the proposal offers a mix of unit sizes and tenures within the urban core;
- the requested increase in density will be contained in a building envelope which complies with the permitted 6-storey limit, unit mix and buffering outlined in Policy 7.8.2.2 of the MPS;
- the building's contemporary design and container references allude to the industrial and shipping heritage of Halifax's South End;
- the development proposal is consistent with the existing neighbourhood character, as there are several multi-unit apartment complexes in the immediate neighbourhood, including Barrington Terrace which is located directly across the street from the subject site;
- no significant traffic impact is anticipated on the performance of Barrington Street, nearby intersections, or the regional street network as detailed in the supplied Traffic Impact Statement; and,
- the proposal includes 25,780 square feet of open space - of which 12,691 square feet are allocated as landscaped open space – with the remaining balance provided as balconies and terraces for each unit.

3.3 LUB AMENDMENT EVALUATION

With respect to the LUB, Implementation Policy 3.1.1 of the MPS enables Council to “amend zoning by-laws in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4”. Upon evaluation of Policy 2.4 of the MPS, it is the Applicant's opinion that the development proposal is within the intent of this policy for the following reasons:

- the proposed density and massing fits within the existing residential character of the neighbourhood, given it is in area in transition between industrial and residential uses and that there exists similarly scaled apartment complexes within close proximity of the subject area;
- the proposed development promotes neighbourhood stability by supporting a variety of housing options for citizens through supplying studio, one bedroom and two bedroom units;
- the architectural design is complimentary to the existing neighbourhood character as the proposed street wall height is consistent with Barrington Terrace (across the street), and the “container” design references the industrial/residential heritage of the area; and,
- the existing RC designation (on the western portion of the subject lands) is generally supported by the proposed development as it permits a mix of commercial and residential uses. Also, the RC designation does not require a provision of family-type housing in any building; nevertheless, the developer proposes to provide a mix of unit sizes to address the larger need to provide increased housing options for citizens in the area.

Regarding density, there is currently a '250 persons per acre' restriction that applies to the subject site. In addition, R-3 zone angle controls greatly restrict the development economics of the site and do not lend them to achieve a better result in terms of design, form and architectural character. GENIVAR is requesting that a new designation, and subsequent zone, be created for the site that would generally reflect the following considerations

- R-3 zone guidelines, with the exception of density, angle controls and open space allotment;
- Exemptions from "Schedule A", '250 persons per acre' to permit greater density;
- Inclusion of a design guideline section, which would allow for higher quality urban design and architectural guidelines than what is currently permitted under R-3 zone angle controls. The new guidelines would dictate form, massing, materials, architectural details and setbacks; and,
- Allowances for greater flexibility of allotment of open space than what is currently the prescribed in the R-3 zone.

3.4 1971 BUILDING LINE PLAN

GENIVAR has reviewed the Building Line Plan (1971), and it is difficult, in most cases, to understand the Plan's intent. Some of the building lines are clustered together, while others are located in isolation with little, if any, connection to a wider 'Building Line' system. This appears to be the case for the building line affecting the Developer's property.

This particular building line is not linked to a wider arrangement of building lines, nor is it entirely consistent with existing planning documents. In fact, an HRM Staff Report submitted to the Transportation Standing Committee, on June 23, 2011, identifies that the "old Building Line Plan" is "out of date and is on the list of items to update when...making amendments to land use controls during the next phase of HRM by Design for the Regional Centre."

As such, the proposed Southport development better reflects current direction of planning policy and regulation. The following points outline our rationale for amending the building line requirements to support the proposed Southport project:

- Current MPS policy makes no reference to the Building Line Plan in the sub-area. Despite the fact that the Building Line Plan was adopted in 1971, the MPS, which was adopted in 1978, does not include policies which consider 'building lines' along Barrington Street. The only references to 'building lines' included in the MPS speak to the compatibility of institutional or university uses next to residential areas.
- Implementation Policy 3.1.1 of the MPS enables Council to "amend zoning by-laws in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4". Upon evaluation of Policy 2.4, we understand that the proposed development is consistent with the existing neighbourhood character, as there are several multi-unit apartment complexes in the immediate neighbourhood that do not have building line setbacks, including Barrington Terrance which is located directly across the street from the subject site.
- Only a portion of the building line along Barrington Street remains. With the adoption of the Downtown Halifax Land Use Bylaw in 2009, the portion of the old building line which ran adjacent the Superstore property (which abuts the Southport project to the north) has a setback provision permitting a 0-1.5 metre setback in conjunction with an 18.5 metre streetwall height.

The intent of the Southport building design is to build a streetwall at the streetline, similar to what has been accepted and is appropriate in the neighbouring Downtown Halifax Land Use Bylaw. Furthermore, the building line at-grade is, set back between 4.0 and 7.1 metres from the streetline. This setback area is designed to enhance the street and pedestrian experience as outlined and encouraged in the adjacent downtown plan and create a transition between the two planning areas. The urban design principles being respected include:

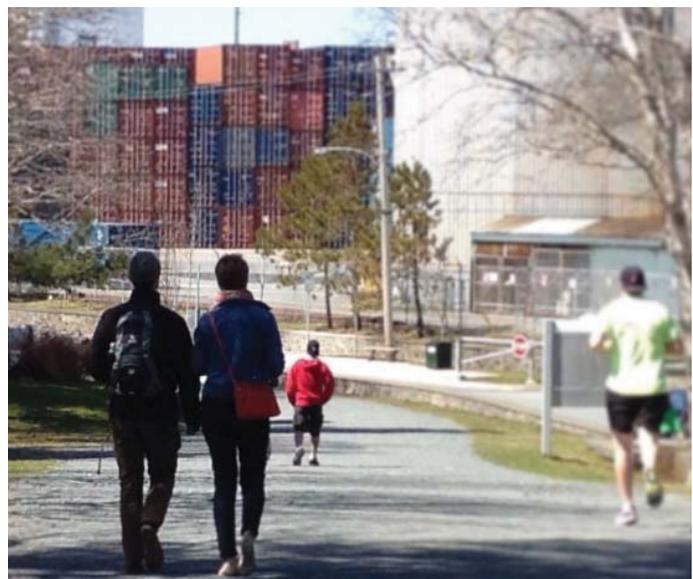
- a 12 feet clearance between the ground and second storey;
- protection of pedestrian from the elements with the second storey over-hang and balconies acting as a canopy;
- pedestrian-oriented commercial space;
- high levels of transparency; and,
- landscaped amenity by the entrance area.

Based on the rationale above, GENIVAR understands that the proposed Southport design and pedestrian experience warrants waiving the limitations of the Building Line Plan. When it was written, it could not have anticipated the development of urban design principles and planning approaches that generate a more positive contribution to the neighbourhood.

4.0 Additional Planning Support

In recent decades, Halifax Regional Municipality (HRM) has grown in the suburban and rural areas, but the City’s centre – including Downtown Halifax and Dartmouth (Regional Centre) – has not reached HRM’s 25% growth target. Halifax is, however, beginning to see a shift. More and more people are interested in living in the City core, and this has been reflected by a recent influx of development applications, capital project investments, and a renewed sense of citizen awareness and engagement. Halifax’s citizens are once again excited about the urban landscape and the future of this City.

Urban living has been shown to provide improved access to employment, friends and amenities, a cleaner environment, promotion of physical activity, preservation of natural spaces, and economic savings for both a municipalities and residents alike. The benefits of urban living for current and future residents are abundant, and this project will contribute to the City’s renewed excitement to build a more sustainable, livable and engaging urban core.



Point Pleasant Park



Halifax Farmer's Market

Halifax can't just build more buildings to bring people back to the Regional Centre; to achieve this goal it should build places that reflect changing lifestyles and that complement the neighbourhoods we already enjoy. From inside and out, the intent of this amendment process is to permit a high quality living standard that will not only be experienced by the residents themselves, but by neighbours and the everyday passerby.

4.1 HIGH QUALITY, ACCESSIBLY PRICED URBAN LIVING

High quality urban living doesn't come cheap. Limited space, coupled with demanding design standards and municipal regulations, often excludes certain demographics from experiencing the urban lifestyle. Through reimagining compact urban living, and by offering a mix of unit types and sizes, the project team is proposing to help restructure the fabric of Halifax's urban core through inviting, creative, and accessibly priced design.

It is our opinion that increasing density in this area by offering creative and accessibly priced design respects Section 3.6, "Housing Diversity and Affordability", of the Regional MPS (page 56), which encourages:

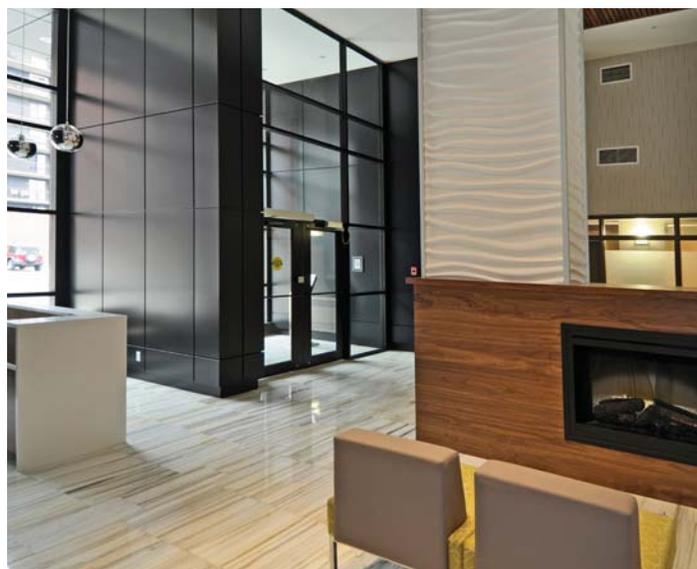
- *"more compact forms of development that can lead avoidance associated with elongated infrastructure and widespread services;*
- *creating opportunities for a mix of housing types at a range of price levels within growth centres;*
- *reducing dependency on private automobile travel through increasing access to public transit - transit use is encouraged by supporting growth in locations where transit can be most economically provided and also by creating a framework of transit-friendly community design;"*

Sensitively designed density is what our clients, Urban Capital and Killam Properties specialize in. Their portfolio exemplifies a balance of the modern and the traditional, to help make more exciting, interesting, and functionally affordable places throughout Canada's urban landscape. Their combined projects, both completed and under construction, have a successful track record of delivering high quality urban residential projects at accessible prices.

Killam Properties and Urban Capital are premier builders whose projects incorporate high quality design elements for changing urban environments. This ethos is reflected in Southport which increases density in a midrise building and considers sensitive built-form in relation to the existing neighbourhood character. To facilitate the proposed building and its 142 units, the amendments will consider permitting a Unit Mix, Density, Parking Requirements and configuration of Open Space different than those required by the R-3 zone.



Plaza, Fredricton | Killam Properties





Proposed roof top Open Space amenity for Southport



Portfolio, Ottawa | Urban Capital



4.2 LOCAL AMENITIES

Southport's location offers residents a proximity to first-rate urban amenities and the downtown core. Residents will have the ability to undertake the needs for daily life within a comfortable walking distance or transit ride. The subject area is located along a major transit and transportation corridor and is serviced by municipal infrastructure.

Nearby amenities are some of the best in Nova Scotia, including: community parks and kids play areas, Sea Wall, Farmer's Market, major shopping streets, new Central Library, grocery and convenience stores, transit stops, professional services, universities, schools, health centres and employment nodes.

4.3 RELATIONSHIP TO ADJACENT PROPERTIES

When designing Southport, several land use compatibility issues were considered, including: the potential impact of the proposed building on the abutting industrial uses, and the potential impact of the proposed building in relation to the surrounding neighbourhood.

4.4 STREETWALL

Although there is no requirement for streetwall height, the proposal seeks a five storey streetwall which anticipates the maximum 18.5 m (60') streetwall specified for the adjacent property by the by Downtown Halifax LUB. In addition, the front façade is also broken up with materials, angles and fenestration so as to offer an interesting and unique façade on the Peninsula.

4.5 MATERIALS

As per the enclosed exterior elevation plans, quality materials are proposed for the development that speak a contemporary language meant to compliment the area's dynamic industrial heritage and residential neighbourhoods. The modern materials and design – particularly the metal façade on the western/front elevation - pays homage to the shipping containers along the nearby waterfront.



Southport looking northeast - five storey street wall, activated pedestrian experience and proposed landscaping

4.6 FRONT YARD SETBACKS

The proposed design seeks to establish a desirable public-private interface with both retail and residential access fronting on Barrington Street.

The balconies on the northern half of the front yard meet the property line (no setback). This again reflects the setback specified for the adjacent property in the Downtown Halifax LUB. Furthermore, the proposed design respects the intent of the Downtown Plan by improving the streetscape through pedestrian-friendly design and retail activity. The overhanging balconies on this front half of the property provides for an additional four (4) metre (13') width to the sidewalk and offers weather protection at street level.

On the southern half of the lot the residential entrance and ground floor amenity space steps back 7.1 metres (23.3'). This 7.1 metre distance creates a transition to the setback required by the adjacent R-3 zoning

4.7 INDUSTRIAL HERITAGE

Regarding Southport's impact on the abutting industrial uses (VIA rail tracks, and, more generally, the container pier) the proposed development does not interfere with, nor compete with the industrial uses found in the neighbourhood. In fact, the building's location establishes adequate buffering, setbacks and proportional scale from the abutting industrial uses so as to compliment the mix of uses generally found in this area. In addition, as detailed in the enclosed Landscape Plan, the proposed development provides planters, landscaping and fencing along the northern, eastern and southern property lines. Overall, the building's design alludes to the industrial heritage of Halifax's South End.



Surrounding industrial heritage

4.8 INTEGRATION INTO GRID STREET SYSTEM

The proposed development is located with the existing street network and no new streets are proposed. Access to the underground parking is provided from a driveway located on the northern portion of the property.

4.9 TRAFFIC AND MOVEMENT

The enclosed Traffic Impact Statement, prepared by a professional traffic engineer, does not anticipate the proposed project having adverse effects on neighbourhood traffic. The low numbers of site generated trips are not expected to have any significant impact on the performance of Barrington Street, nearby intersections, or the regional street network.

As stated earlier, Southport's location offers residents excellent proximity to first-rate urban amenities and the Downtown core. The project is aligned with the increasing shift of residents who are choosing to live in an urban centre and using active transportation and public transit instead of owning a personal vehicle.

4.10 MUNICIPAL SERVICES

During the preparation of this application the project's civil engineering team has met and is working with Halifax Water. Please refer to the enclosed servicing schematic for information regarding municipal services.

5.0 Conclusion

The intent of Southport is to connect with and strengthen the local neighbourhood. Southport seeks to increase the vibrancy of the area by infilling underutilized lands with a high quality development that offers a residential option to attract people to live in the urban centre of our region. We look forward to your comments on this application and moving forward through the public planning process. Should you have any comments or questions, please contact the undersigned with the information provided below

Original Signed

Yours truly,

GENIVAR Inc.

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Enclosures

cc.

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