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**Item No. 11.1.1**  
**Halifax Regional Council**  
**February 24, 2015**

**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:** January 23, 2015

**SUBJECT:** **Case 19531: Amendments to the Halifax MPS and the Halifax Peninsula LUB for the northeast corner of Young and Windsor Streets, Halifax.**

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#### **ORIGIN**

Application from W. M. Fares Group.

#### **LEGISLATIVE AUTHORITY**

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

#### **RECOMMENDATION**

It is recommended that Halifax Regional Council direct staff to:

1. Initiate a process to consider site-specific amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law for the lands as shown on Map 1 of the staff report at the northeast corner of Young Street and Windsor Street, Halifax, to enable the development of 2 residential towers and a 3 to 5 storey commercial building; and
2. Follow the Public Participation Program for the MPS amendment process as approved by Council in February 1997.

## **BACKGROUND**

An application has been submitted by W. M. Fares Group, on behalf of Young Developments Inc., to amend the Halifax Municipal Planning Strategy MPS and the Halifax Peninsula Land Use By-law (LUB) to establish a mixed use project consisting of 21 and 16 storey residential buildings in addition to a 3 to 5 storey commercial building at the northeast corner of Young Street and Windsor Street, Halifax. Current applicable MPS policy and Land Use By-law regulation does not permit this type of mixed use development on the site, and as such amendments to both documents are necessary to enable such a development to occur.

### **Location, Designation, Zoning and Surrounding Use (Maps 1 and 2)**

Property	PID 00153106 (No Civic Address is assigned)	
Location	Northeast Corner of Young Street and Windsor Street - Halifax Peninsula	
Lot	10,139 sq.m. (109,135 sq.ft) in Area Approximately 165 metres (540 feet) of Frontage	
Community Plan	Halifax	
Land Use By-law	Halifax Peninsula	
Designation	INS – Institutional (Map 1)	
Zoning	P – Park and Institutional Zone (Map 2)	
Current Use	Vacant	
Surrounding Uses	North: South: East:  West:	Department of National Defence Windsor Park Base Parking Lot and the Halifax Forum 1 Storey commercial units, gravel tractor trailer transfer area and large scale commercial retail (Superstore) Medium density residential buildings (3 storeys), Department of National Defence Windsor Park Base

### **Past History of Site**

The subject lands were originally developed by the Canadian National Railway as a train marshaling facility in the early 1900's. In the 1930's the property was transferred to the Department of National Defense (DND) and developed by CFB Halifax as an engineering yard. IN 1985, the lands were rezoned from an 'Armed Forces Zone' which contained no land use controls, to the Park and Institutional Zone still applied today.

Upon being deemed surplus by DND in the 1990's, the buildings on the site were demolished. In 1997, HRM purchased a portion of the site to facilitate the Bayers/Young/Windsor intersection realignment. Public Works and Government Services Canada issued a call for the sale of the remainder of the parcel in 2003 and the lands were subsequently purchased by Petro Canada in 2004. Planning applications were submitted in both 2004 (Case #00702) and 2005 (Case #00815) to permit a gas station and food service operation. Both applications were refused by Regional Council at various stages of the planning process. Upon the denial of the 2005 application, a Council motion was passed directing staff to initiate a public consultation process to consider a commercial designation of the property. This consultation was incorporated with consultation taking place on the 2006 Regional Plan, however, the commercial designation was never ultimately applied to the lands.

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## **Proposal Details**

The applicant has submitted preliminary massing and site plans for the comprehensive redevelopment of a currently vacant site on the northeast corner of Windsor Street and Young Street in Peninsula Halifax (Attachment A). A total of 3 buildings are proposed on the roughly 2.5 acre site. The tallest building on the site is a 21 storey residential tower at the northeast corner of the property. A 16 storey mixed use building is located at the northwest corner of the site, while a 3 to 5 storey commercial-office building is proposed to frame the corner of Windsor Street and Young Street at the southwestern edge of the property.

Further details of the proposal include the following:

- Surface parking is restricted on the site with a limited number of stalls for the purpose of short stay visits to commercial tenants within the buildings;
- The majority of the parking will be located underground;
- A significant portion of the site is displaced by a pedestrian passageway and plaza located in between the buildings which frame the edges of the property; and
- The plaza/pedestrian passageway is configured so as to reflect the pedestrian movement now on the vacant site.

## **DISCUSSION**

### **Policy Review**

Site specific Municipal Planning Strategy amendments should be considered only in cases where it can be clearly demonstrated that the property is of such a unique character, or that the circumstances under which policy was originally conceived has changed to such an extent that recognizing this circumstance in policy is appropriate. The applicant has provided a rationale for their requested amendments which can be summarized as follows:

- The declaration of the land as surplus by Canada Lands Company (CLC) and reintegrating it into the local community constitutes a clear change of circumstance.
- This proposed development is in close proximity to other sites with high density development.
- HRM's Regional Plan encourages new residential growth and urban revitalization in the Regional Centre.
- The site currently houses two Metro Transit stops which service many routes to Windsor Street, Bayers Road and Young Street; therefore allowing transfer and connections to other Metro Transit and Ferry Services.
- This proposal, along with the approved mixed use development at 6100 Young Street (Case 1725), can be seen as initial catalysts in this area's revitalization.

While Institutional policy applicable to the subject lands indicates that this designation and the uses that it permits should be encouraged for retention wherever possible, the sale of these lands by the Canada Lands Corporation constitutes what the applicant has referred to as 'a clear change of circumstance'. Further to this, the context of the community surrounding this property has also changed significantly in recent years. Notwithstanding the fact that the developments are located within a separate Secondary Planning Area, recent approvals for residential condominiums at both the corner of Robie and Demone Streets (2 blocks east of the site), as well as Monaghan Dr. and Young St. (1 block east) will change the character of Young Street considerably over the next few years.

Staff has assessed this site as an ideal location to provide for urban intensification within the Halifax Peninsula. Its context at the corner of two streets with high levels of transit service, adjacent to existing commercial service uses, and directly adjacent uses to the north, west, and east which would not be unduly impacted by the introduction of increased height allowances make it an excellent candidate for redevelopment of a brownfield site. With regard to the proposal itself, staff will continue to work with the applicant on the form and character of the specific proposal while incorporating the feedback of the

surrounding community as well as the applicable Planning Advisory Committee, should Regional Council decide to initiate the MPS amendment process for this application.

While further amendments to the design proposal are expected should this process be initiated, the principles of site development on which this project has been conceived have been well thought out. Concentrating height to the rear of the site adjacent to DND lands, framing the corner with a strong, continuous edge of active uses, in addition to minimizing surface parking has been assessed to be an appropriate urban infill design. The project goes further to maximize pedestrian connectivity through the introduction of a plaza space and breezeway which would provide for a pleasant pedestrian passageway across the site, in addition to a framed outdoor space for occupants of the surrounding residential and commercial buildings to enjoy. Generally speaking, the desire to frame the streets with buildings of an appropriate scale, and to minimize the visual impact of surface parking has informed the site planning process to this point. If initiated, staff will continue to work with the applicant to refine the design, and to collect additional details inclusive of floor plans, building elevations, building materials, landscaping plans, etc. necessary to commence the public consultation process.

### **Process**

Staff acknowledge that the site is no longer needed for institutional uses and is currently inappropriately designated and zoned within the Halifax MPS and Halifax Peninsula LUB documents given changes to both use and ownership of the property. As such, amendments will be required to both planning documents. Therefore, staff recommends that Regional Council initiate the MPS and LUB amendment process for the subject proposal.

If initiated, staff will work to identify the appropriate policy and regulatory control framework which would permit development on this site which may include a development agreement, the site plan approval process, or design criteria contained within a site specific zone within the Land Use By-law.

### **FINANCIAL IMPLICATIONS**

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

### **COMMUNITY ENGAGEMENT**

The level of community engagement would be consultation, achieved through a public information meeting. Notices of the public information meeting will be posted on the HRM website, in the newspaper, and mailed to property owners within a notification area to be determined.

Should Regional Council decide to initiate this application, the community engagement process used would be consistent with the intent of the HRM Community Engagement Strategy.

A public hearing must be held by Regional Council before they can consider approval of any amendments to the MPS and LUB or the approval of a development agreement by Community Council. Should Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, nearby property owners will be notified of the hearing by regular mail.

The proposed development agreement will potentially impact local residents, businesses and property owners on Young Street, Windsor Street, adjacent residential uses, and the adjacent Department of National Defence lands.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **ALTERNATIVES**

1. Regional Council may choose to refuse to initiate the consideration of a site-specific MPS and LUB amendments process for PID 00153106 at the northeast corner of Young Street and Windsor Street. A decision of Council not to initiate the potential amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

### **ATTACHMENTS**

Map 1	Generalized Future Land Use
Map 2	Zoning
Attachment A	Applicant's Conceptual Massing Plan

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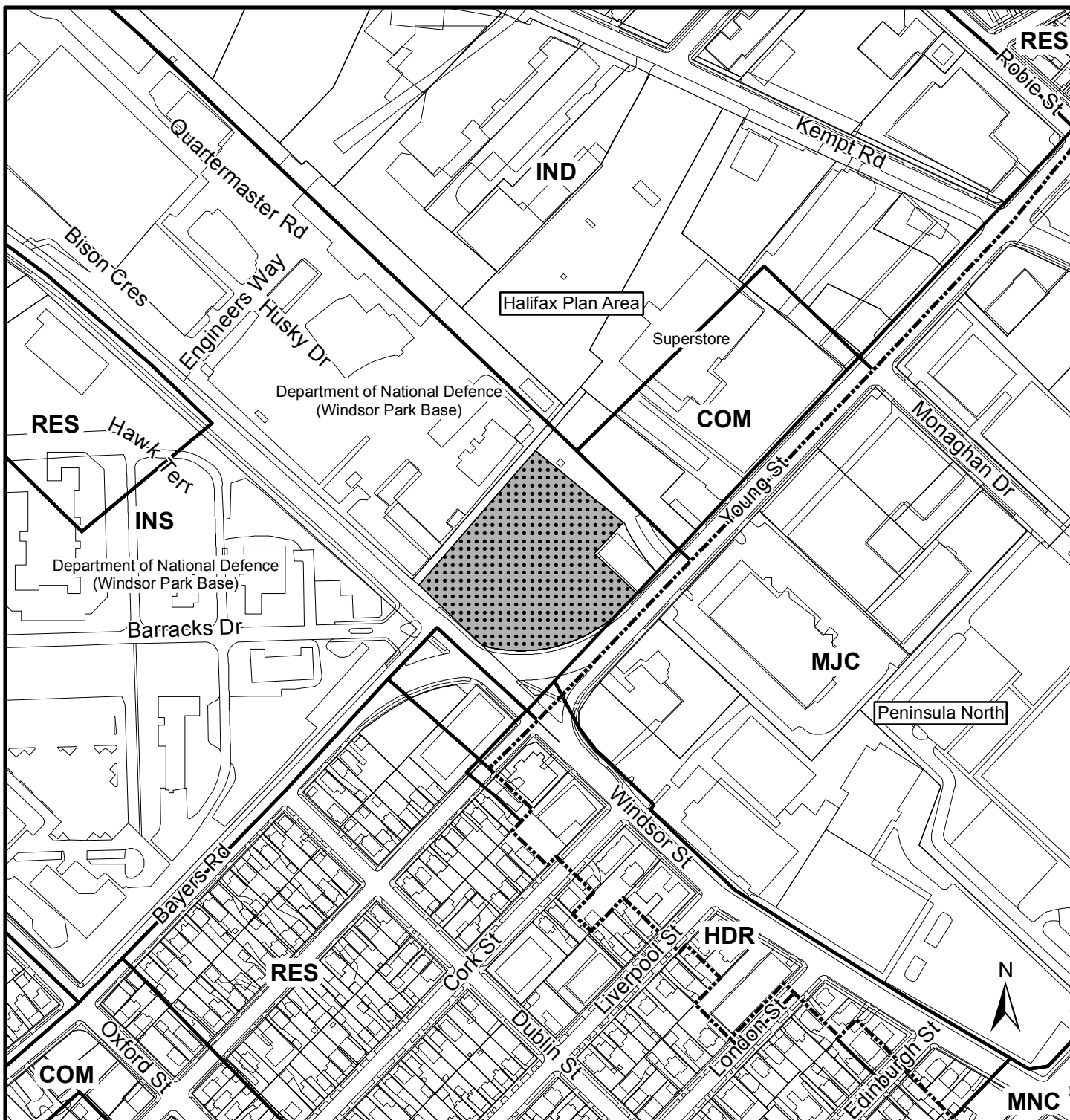
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Carl Purvis, Major Projects Planner, 902.490.4797  
Andrew Bone, Senior Planner, 902.869-4226

Report Approved by: \_\_\_\_\_  
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Report Approved by: \_\_\_\_\_  
Bob Bierke, Chief Planner & Director, Planning & Development 902.490.1627


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## Map 1 - Generalized Future Land Use

Corner of Young St. and Windsor St. (PID 00153106)  
Halifax

**HALIFAX**

 Area of proposed development agreement

### Designations - Halifax

RES Residential Environments  
COM Commercial  
IND Industrial  
INS Institutional

### Designations - Peninsula North

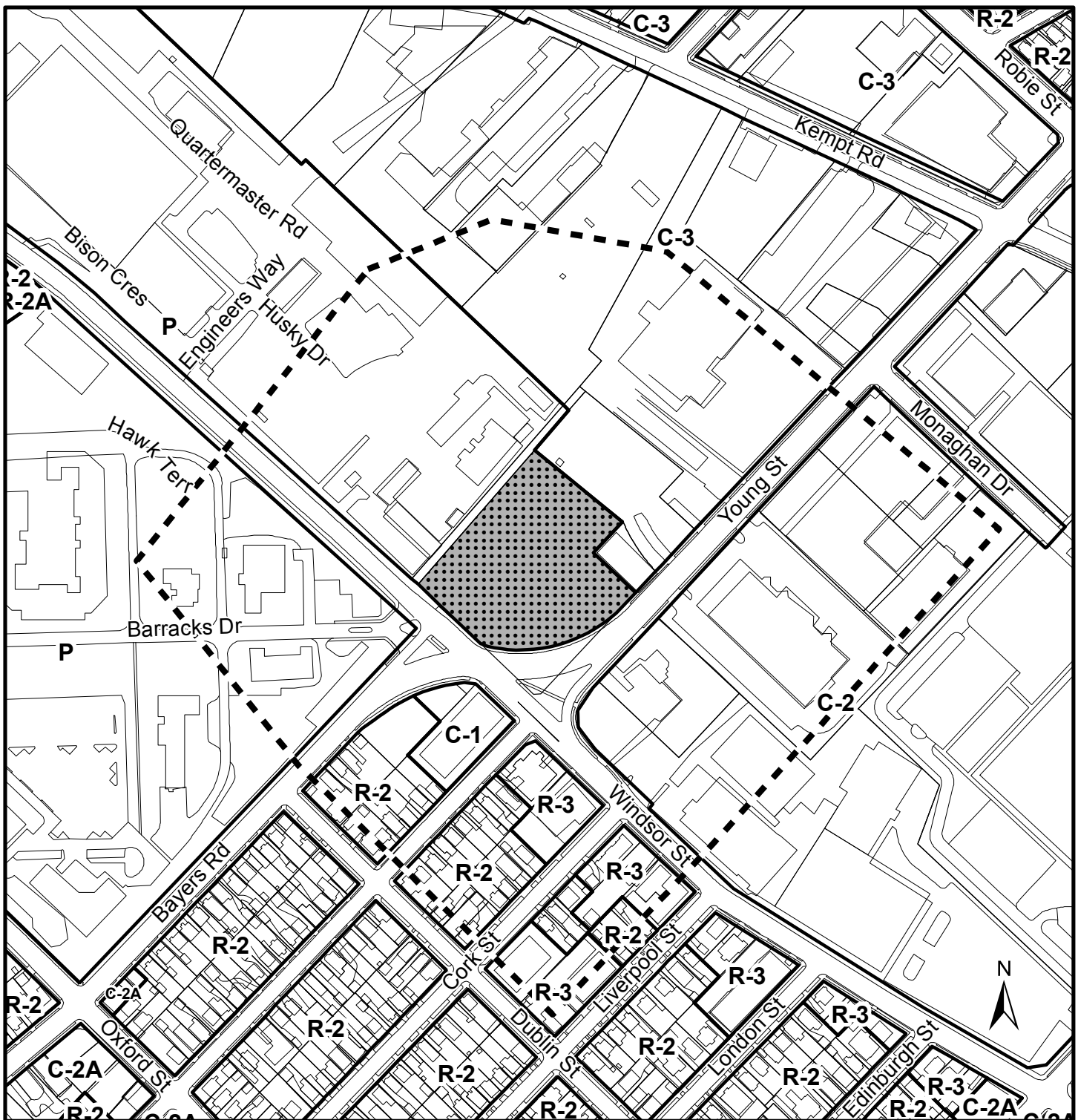
HDR High Density Residential  
MJC Major Commercial

0 40 80 120 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




## Map 2 - Zoning and Notification

Corner of Young St. and Windsor St. (PID 00153106)  
Halifax

**HALIFAX**

 Area of proposed development agreement

 Area of notification

Halifax Peninsula  
Land Use By-Law Area

### Zones

R-2 General Residential  
R-3 Multiple Dwelling  
C-1 Local Business  
C-2 General Business  
C-2A Minor Commercial  
C-3 Industrial  
P Park and Institutional

0 40 80 120 m

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

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



SITE DATA

PROPERTY AREA	± 109,116 SF
COMBINED BLDG FOOTPRINT	± 43,500 SF
SITE COVERAGE	40%
COMMERCIAL AREA (TOTAL)	± 82,000 SF
TOTAL RESIDENTIAL UNITS	329
ABOVE GRADE PARKING	48
BELOW GRADE PARKING	± 520

BUILDING A

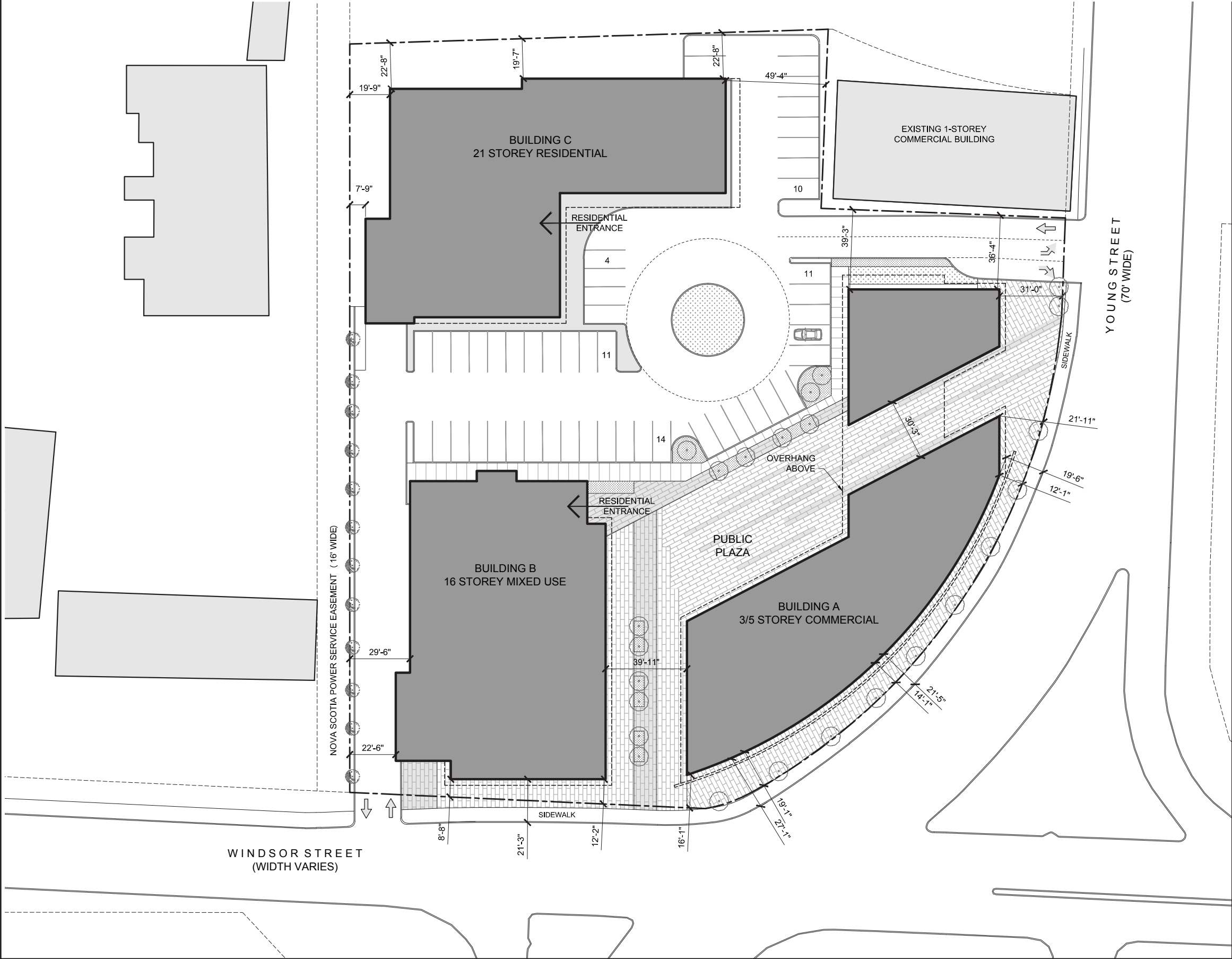
LEVELS	3 - 5
FOOTPRINT	± 14,900 SF
SITE COVERAGE	± 13%
GROUND FLOOR COMMERCIAL /RETAIL	± 14,000 SF
ABOVE GRADE OFFICE/RETAIL	± 58,000 SF

BUILDING B

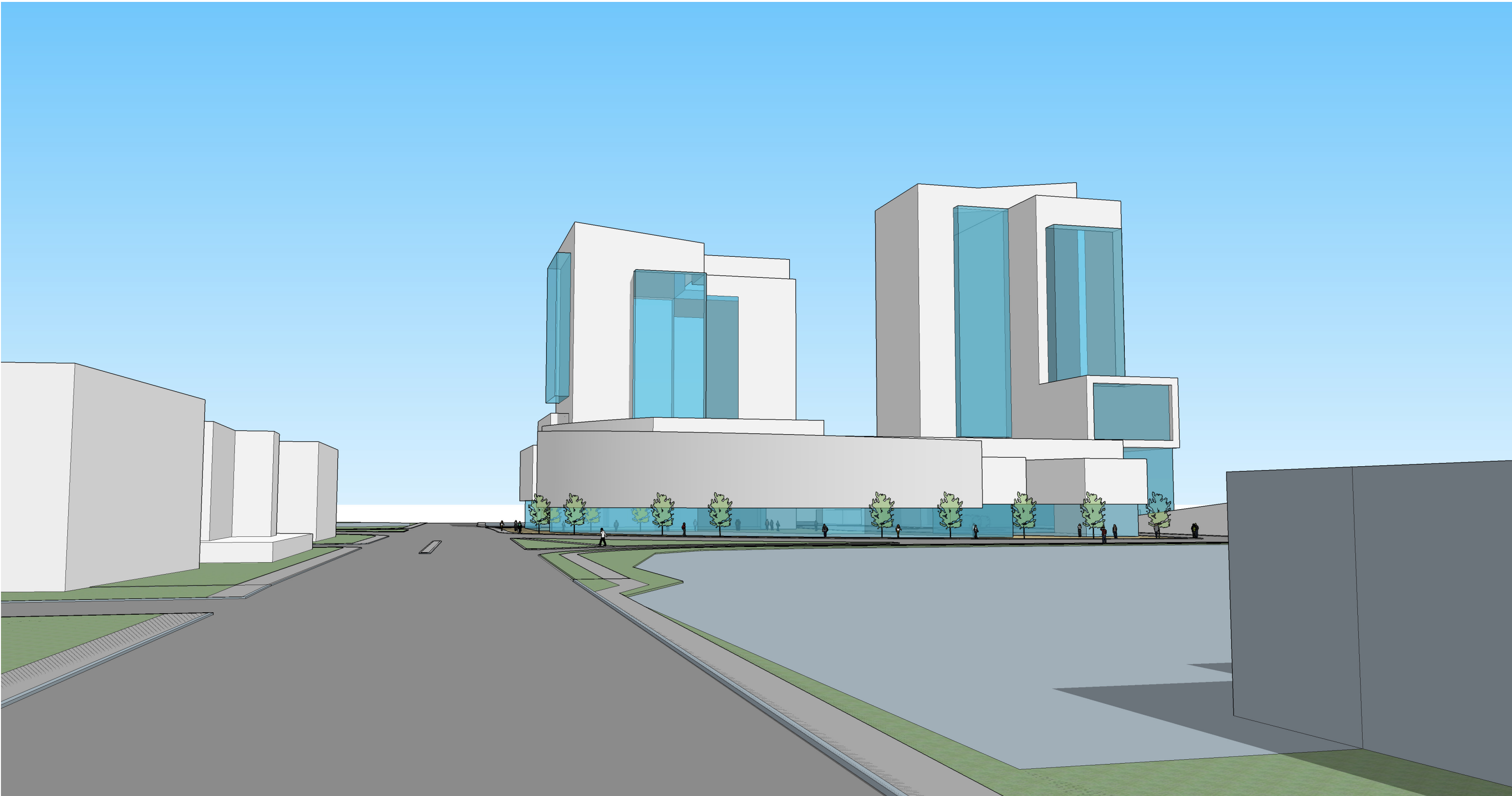
FLOORS	16
FOOTPRINT	± 14,000 SF
SITE COVERAGE	± 13%
GROUND FLOOR COMMERCIAL /RETAIL	± 10,000 SF
RESIDENTIAL UNIT COUNT	± 145

BUILDING C

FLOORS	21
FOOTPRINT	± 14,600 SF
SITE COVERAGE	± 13%
RESIDENTIAL UNIT COUNT	± 184







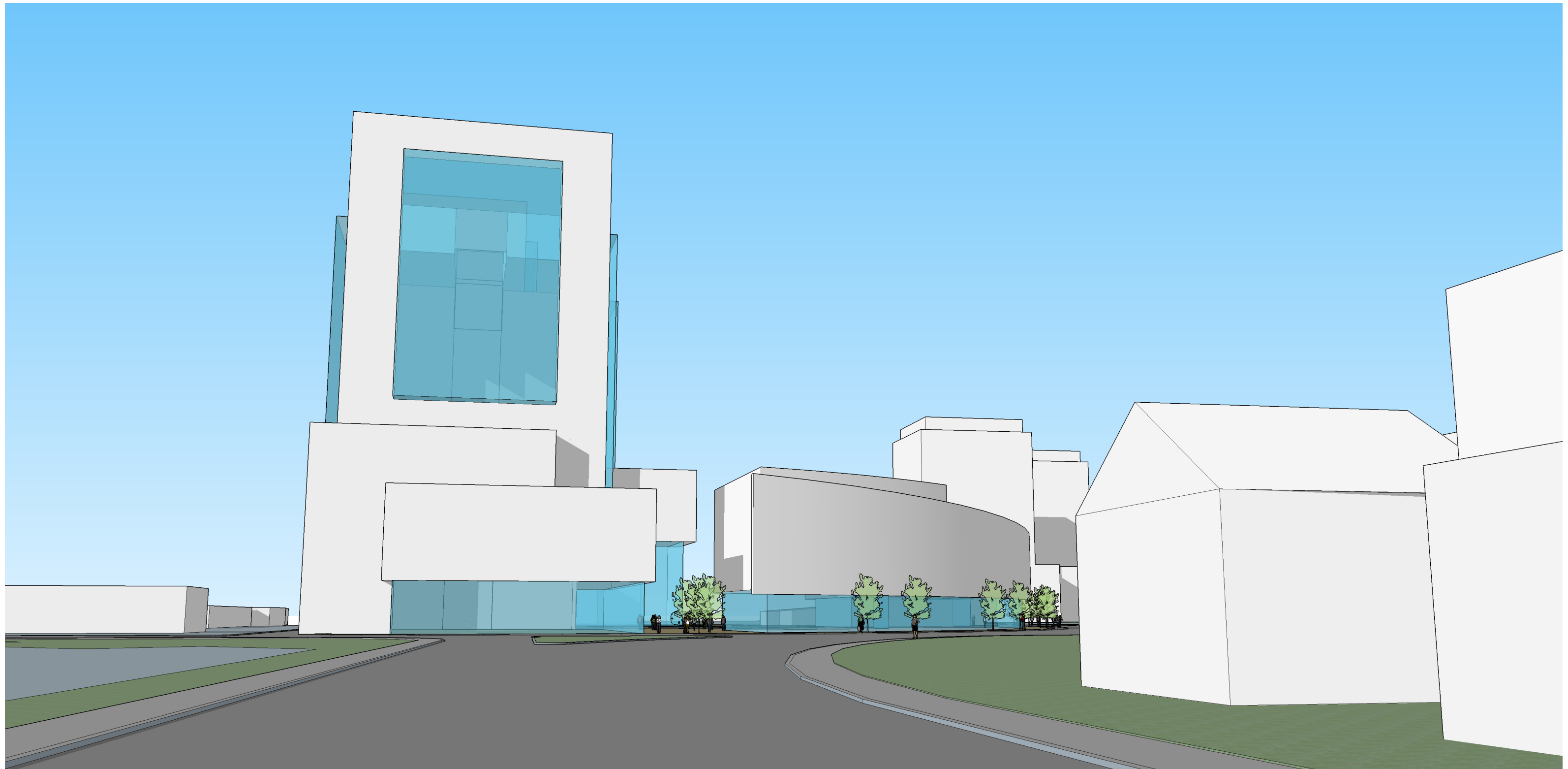
YOUNG & WINDSOR  
PRELIMINARY DESIGN

VIEW:  
Windsor St. Outbound

SCALE: NTS  
DATE: 01 DEC 2014

WM FARES  
GROUP

A1



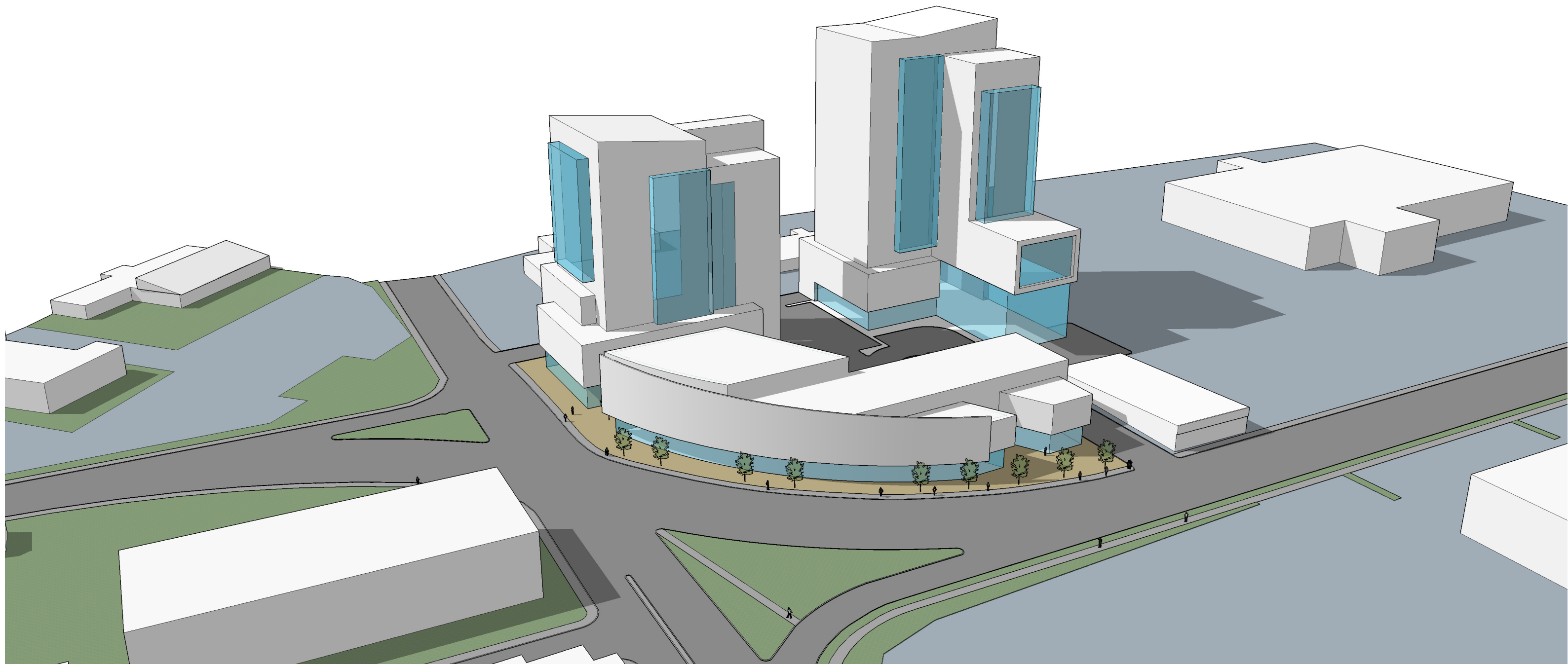
YOUNG & WINDSOR  
PRELIMINARY DESIGN

VIEW:  
Bayers Road Inbound

SCALE: NTS  
DATE: 01 DEC 2014

WM FARES  
GROUP

A2



YOUNG & WINDSOR  
PRELIMINARY DESIGN

VIEW:  
Aerial view from South

SCALE: NTS  
DATE: 01 DEC 2014

WM FARES  
GROUP

A3



