

P.O. Box 1749 Halifax, Nova Scotia B3J 3A5 Canada

### Item No. 14.1.8 Halifax Regional Council September 6, 2016

Mayor Savage and Members of Halifax Regional Council
Original Signed by
John Traves, Q.C. Acting Chief Administrative Officer
Original Signed by
Jane Fraser, Acting Deputy Chief Administrative Officer
August 4, 2016
Case 18966 and Case 19281: Amendments to the Halifax MPS and the Halifax Peninsula LUB, 6009 and 6017 Quinpool Road, and 2032-2050 Robie Street Halifax

#### <u>ORIGIN</u>

- applications by APL Properties Limited and Westwood Developments Limited
- June 10, 2014 Regional Council initiation of MPS and LUB amendment process

#### LEGISLATIVE AUTHORITY

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

#### RECOMMENDATION

It is recommended that Halifax Regional Council direct staff to:

- 1. Separate the site specific Municipal Planning Strategy and Land Use By-law amendments proposed for 6009 and 6017 Quinpool Road, Halifax and 2032-2050 Robie Street, Halifax from one another to allow planning policy to be developed independently for each development site; and
- 2. Draft site specific amendments, for Council's consideration, to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law for 6009 and 6017 Quinpool Road, Halifax to enable the consideration of a mixed use residential and commercial building, generally consistent with the design found in Attachment B of this report but with the exception that it not exceed 20 storeys in height, by development agreement.

#### BACKGROUND

HRM has received two planning applications for amendments to the Halifax Municipal Planning Strategy (MPS) and the Halifax Peninsula Land Use By-law (LUB) to enable mixed use developments by development agreement near the intersection of Quinpool Road and Robie Street in Halifax (Map 1). The two applications as they were originally submitted are:

<u>Quinpool Road Site:</u> An application by APL Properties Limited to develop two new towers (22 and 11 storeys) on top of a common podium containing a mix of residential and commercial uses at 6009 and 6017 Quinpool Road.

<u>Robie Street Site</u>: An application by Westwood Developments Limited to develop a single residential tower (18 storeys) sitting atop a podium which contains commercial uses at 2032-2050 Robie Street.

Neither of these development proposals can be considered under existing policy and zoning established in the MPS and Halifax Peninsula LUB. As such, the applicants are seeking an amendment to the MPS and LUB. Following extensive public engagement and site analysis, staff are seeking further direction from Regional Council in light of: a) changes to both building proposals; b) the ongoing refinement of anticipated Centre Plan policy direction; and c) the Council direction provided within the June 14, 2014 initiation report.

#### Conditional Initiation of MPS Amendment Process

At its June 10, 2014 meeting, Regional Council considered a joint MPS and LUB amendment initiation report<sup>1</sup> for both the Quinpool Road Site as well as the Robie Street Site. Within the report, analysis was provided by staff which outlined the context of these adjacent sites with a resulting conclusion that the same policy amendment would be most appropriately applied to both sites given their close proximity and similar contexts to one another.

Also within the report were outlined a number of concerns held by staff following an initial review of the individual development proposals. While it was agreed that the changing context of the surrounding neighbourhood since the last review of applicable MPS policies would indeed justify initiation of the MPS amendment process, concerns relative to the contextual fit of the proposed building heights, massing, setbacks and tower spacing for the projects were summarized within the report. Staff advised that these matters would need to be resolved through the process and recommended that Regional Council initiate the process <u>subject to</u> these matters being addressed. As such, the following motion requiring alteration to the development proposals was passed by Regional Council without amendment:

"MOVED by Councillor Watts, seconded by Councillor Mason that Halifax Regional Council:

- 1. Direct staff to initiate the process to consider amending the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Peninsula to create site specific policy and provisions for two development sites located at 6009 to 6017 Quinpool Road and 2032 to 2050 Robie Street to enable mixed use developments on each site by development agreement subject to addressing the design control principles for building height, mass, density, shadowing, and spacing between towers, as raised in this staff report; and [emphasis added]
- 2. Direct staff to follow the public participation program for the MPS amendment process as approved by Regional Council in February 1997."

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<sup>&</sup>lt;sup>1</sup> See staff report at: <u>http://www.halifax.ca/council/agendasc/documents/140610ca11112.pdf</u>

#### Centre Plan

The Planning and Development business unit is currently undertaking work on the Centre Plan project and are engaging the community on their ideas and thoughts as to how to plan the Regional Centre. The end goal of the Centre Plan will be the creation of a new secondary municipal planning strategy (SMPS) and land use by-law (LUB) which updates and consolidates the patchwork of existing regulation and policy currently applicable to Peninsula Halifax and Dartmouth inside the circumferential highway. It is expected this plan will provide greater clarity and certainty to both land developers and residents and set the stage for the sustainable and continued growth of this important area for years to come. The delivery of a draft plan to the Community Design Advisory Committee is anticipated for year-end 2016.

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On June 27, 2016, the Centre Plan team presented the results of analysis and public consultation giving a preliminary indication of where growth should be focused over the coming years. A total of 6 Primary Growth Areas were selected as being appropriate for tall buildings – of heights 7 storeys and greater. A total of 12 Secondary Growth areas were selected as being appropriate for moderately sized buildings – of heights ranging from 4 to 6 storeys. Quinpool Road was identified as a Primary Growth Area while Robie Street was identified as a Secondary Growth Area.

At the time the Robie Street and Quinpool Road applications were first initiated by Regional Council in mid-2014, public engagement on the Centre Plan project had not yet begun, the project had not yet engaged with its consultant, nor had specific growth policies for the Regional Centre been considered. Given that these actions have now begun or been completed and in light of the most recent public feedback and quantitative assessment of development and growth within the Regional Centre, staff are providing Council with a summary of the work completed to date on these site specific applications.

#### Public Engagement Process

The community engagement process for these site specific MPS & LUB amendments is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement has been consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, and letters mailed to property owners within the notification area. Additionally, these projects were presented to the public at an informational open house held on October 1, 2014, as well as a Planning Advisory Committee chaired Public Information meeting on September 17, 2015. An online survey was also made available on the Halifax.ca website for several weeks where input regarding appropriate overall building heights, setbacks, uses, and form was sought.

The public comments received spoke to the following topics:

- The online survey generally indicated support for increased heights for both properties. Concern
  did, however, exist for the guidelines which regulated the form of this height. More specifically, it
  was indicated that building spacing equal or greater to that which would be required within the
  downtown;
- A focus on mitigating the impact that shadow will have on the adjacent Common was very important;
- Feedback was also received which stated concern for the manner in which the survey was used;
- The open house itself offered contrasting feedback to the online survey in and of that a strong
  opposition to the proposed height of the buildings was expressed;
- Increased attention to design was thought to be required Specifically in the podiums of the buildings to ensure active uses and interest at the level; and
- Generally, the majority of individuals at the open house indicated concern for the increased heights proposed, suggesting that this would not offer an appropriate interface between these sites and the lower density residential neighbourhood to the north and west.

A public hearing must be held by Halifax Regional Council before they can consider approval of MPS and LUB amendments. The hearing provides an opportunity for the public to provide further comment for Council's consideration and should Council direct staff to proceed with amendments, the public will be notified of the hearing via newspaper advertisements, and property owners within the immediate area will receive notice by regular mail.

#### DISCUSSION

#### Quinpool Road Application Evolution

Following initiation by Regional Council, meetings were held with the Quinpool Road applicant to discuss how their proposal to amend the Municipal Planning Strategy could evolve so as to best address the design control principles for building height, mass, density, shadowing, and spacing between towers that were referenced in the Council resolution. Between the June 2014 meeting of Regional Council and the October 2014 Open House, the applicants increased the height of the dual tower configuration from 22 and 11 storeys to a newly proposed 28 and 12 storey design. It was indicated by the applicant at this stage in the process only that the additional height was added to the project to best reflect a proposal that met their needs.

Following the conclusion of the Public Open House and closing of the online survey, it was again requested of the applicant to submit an amended proposal which reflected the direction provided by Regional Council in their resolution of June 10, 2014 and in light of the feedback received from the public. Between October 2014 and July 2015, the Quinpool Road applicant hired a new architect and comprehensively changed their design approach to the site.

The new design (Attachment A) has focused on creating an architectural response that specifically addresses the unique context of the property. An overview of the design changes are as follows:

- The previous 2-tower proposal has now been consolidated into a single tower.
- The tower is oriented with its length in an east to west orientation to minimize the shadow impact on the adjacent Common. The building is 17.7 metres (58 feet) in width at its narrowest point to accomplish this.
- The tower location itself has been pushed to the extreme southeast of the site to maximize its distance between the tower and the homes on Parker Street.
- The podium upon which the tower sits is articulated both in its height as well as its envelope to respond to the asymmetrical site.
- The podium reaches a height of 7 storeys at the corner of Quinpool and Robie transitioning down to 5 storeys as the building moves west down Quinpool Road, ended at a low point of 4 storeys to respond to the low density residential uses on Parker Street to the northwest.

Staff advises that the new design has made significant positive strides in mitigating the previously referenced concerns of mass, density, shadowing, and spacing between towers. Acknowledging the significant progress that has been made on the proposal to date and while 4 of the 5 design control principles have been addressed through the changes, the overall height of the building remains a concern for staff.

The proposal has increased by 7 storeys since the time of Council initiation, where height was identified as a cause for concern at that time. The height of existing surrounding buildings is an important factor in assessing compatibility of new proposals. A building of 29 storeys in height would be best suited in the highly dense context of downtown Halifax as opposed to this corner of the Peninsula. While staff agree that a building of some height on this corner could be accommodated given the size of the adjacent intersection and the nature of two of the flanking streets, the proposed height cannot be supported given the existing surrounding context of building heights which top out in the range of 14 to 17 storeys.

The applicant has indicated that the existing value of the office building currently occupying the lands is a key consideration in the proposed residential density. In essence – the value of the proposed development must exceed the value of the existing development, taking into account construction costs, land costs, carrying costs, and profit margins. While assessing building pro forma of this nature is not a typical step HRM takes in assessing proposed development, it should be noted that a significant amount of new office space on the Halifax Peninsula is scheduled to become available over the course of the next year. Given this, a decrease in the demand for office space on the Peninsula may occur resulting in a reduced value for the existing office building on the site. Furthermore, a key benefit of office space within the peninsula is its close proximity to other office uses, providing easy access to other businesses for

tenants. With the Halifax Downtown plan encouraging more office development within the downtown area via more generous tower dimension and floor plate provisions, this may also reduce demand for office space in this location, resulting in the requested plan amendment to develop the site with primarily residential uses.

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#### **Robie Street Application Evolution**

In response to the staff request to respond to the 5 design control principles identified with the resolution on Regional Council in June 2014, the applicant for the Robie Street proposal first amended their design to modestly reduce the overall tower width while increasing the overall height from 18 to 25 storeys at the time of the October 2014 open house. The plans were most recently amended once more where the building was once again modestly amended to its current proposal of a 25 storey building upon a 4 storey podium (Attachment B).

Notwithstanding the fact that the properties are directly adjacent to one another, the Quinpool Road and Robie Street sites are extremely different from one another. The Robie Street property is located midblock, backs exclusively onto the low density building form currently contained on Parker Street, has frontage only on a single street, and has a narrow property depth. Additionally, the north-south orientation of the property results in an elongated building form which would project an impactful shadow onto the adjacent Commons to the east. The Robie Street tower, as currently proposed, measures 33.5 metres (110 feet) wide. Although this is in fact 6.1 metres (20 feet) shorter than the longest dimension of the Quinpool Road proposal, the impact of the Robie Street building length has been assessed as being significantly greater on nearby public and private lands given the location of the site.

The meetings that have taken place between staff and the Robie Street applicants over the past months have emphasized the limitations of the property, and the differences between the Robie Street and Quinpool Road properties. In the most recent design proposal, the building height, mass, and shadowing still remain as outstanding and significant issues with the project which remain unaddressed from the time of Council initiation. The overall building height has increased by 7 storeys since this time, while the building width remains of concern to staff. These concerns have been re-affirmed by both the general public as well as the planning advisory committee through the public consultation process.

In working with the applicant for this project, a number of changes to the building have been proposed by staff relating to reducing the dimensions of the tower so as to provide for adequate setbacks to the properties located to the rear, and to ensure the building is sufficiently narrow so as to limit the shadow impact on the Commons. The result of these meetings, and the need for these setbacks, has resulted in a building which would be necessarily narrow in both its width and its depth in order to respond to its surrounding context. The limited size of the tower 'floorplate' given this analysis has left staff to believe that a building which responds sufficiently to the setback and shadowing concerns would not be economically viable to construct.

The current staff position is that the physical limitations of this property mean that a mid-rise building form of approximately 6 storeys in height would be most appropriate for the site. While this is not to say that a 6 storey building in an elongated mid-rise form would not have a shadow impact on adjacent public space, it is acknowledged that the contextually appropriate height along a corridor such as Robie Street, and in a location between two taller buildings is greater than the 35 feet currently permitted.

With this said, the applicant has very recently employed a new architect for the site. This architect is currently conducting their own analysis of the site and contemplating new design options that may respond to the specific site conditions spoken to in this report. This means that the most recent Robie Street proposal shown to the public will likely change substantially over the coming weeks as the applicant's new consultant begins their work. Staff will continue to work with the applicant and their new consultant on exploring innovative design options and MPS policy that is appropriate for the site. As this work is expected to take some time, staff advise it is now appropriate to separate the Robie Street request from the Quinpool Road request such that the latter can proceed to Council for decision without further delay.

#### Policy Direction

As a result of extensive urban design and planning analysis of the neighbourhood surrounding the subject sites, staff envision buildings within the Quinpool Road growth area increasing in height gradually from a low point at Oxford Street to the west to a high point at the corner of Quinpool and Robie. Given the existing tall buildings providing a context of height at this corner, staff advise that a maximum height of 20 storeys provides the height and density appropriate for this prominent corner, while still allowing for a gradual transition of building form as development moves west down Quinpool. A building of 20 storeys would still be the highest building in the surrounding area, and would be a landmark development for this significant site. Additionally, a building of some height, but in an appropriately oriented form could be situated on the corner of Quinpool and Robie without significantly impacting the adjacent Commons given the site location in the extreme southwest of the Common combined with a relatively fast moving shadow from a more slender building form. Conversely, the Robie Street proposal has been assessed to have a negative shadow impact to the Commons in addition to the smaller scale homes to the immediate west given the width, height, mass, and setbacks of the proposal.

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#### CONCLUSION

On initiation of these two MPS and LUB amendment requests, staff recommended that they be linked together in their processes so as to save time in the community consultation process, as well as to benefit from a more comprehensive analysis and application of new planning policy for these sites. Following additional analysis and extensive public engagement, it has become clear that these two sites are not equal in their development potential. Furthermore, the applications are proceeding at a different pace from one another through the planning application review process.

In the case of the Quinpool Road application, it is recommended that Council direct staff to draft site specific MPS and LUB amendments and to negotiate a development agreement for a building which is in substantially the same form as that seen in Attachment A but of a height <u>no greater than 20 storeys</u>.

In the case of the Robie Street application, staff will continue to work with the applicant's new consultant in the development of a building proposal and MPS policy which responds to the design control principles for building height, mass, density, shadowing, and spacing between towers, as raised in the June 2, 2014 MPS amendment initiation staff report.

#### FINANCIAL IMPLICATIONS

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

#### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

#### **ALTERNATIVES**

Regional Council may choose to:

- Refuse site specific MPS and LUB amendments for Case 18966 and Case 19281 and direct staff to engage both applicants within the Centre Plan process to determine the appropriate built form on these two sites;
- Direct staff to return to Council at such time when site specific MPS and LUB amendments for both Case 18966 and Case 19281 have been created which would allow development agreements to be applied to these properties;

3. Direct staff to create site specific MPS and LUB amendments for Case 18966 to allow a development substantially in the form as contained within Attachment B of this report while continuing to work with the applicant for Case 19281 in the development of a building proposal and MPS and LUB amendments which respond to the design control principles for building height, mass, density, shadowing, and spacing between towers, as raised in the June 2, 2014 MPS amendment initiation staff report.

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#### ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Zoning
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Map 4	Height Precinct
Attachment A Attachment B	Current Proposal, Quinpool Rd. Site - Case 18966 Current Proposal, Robie St. Site - Case 19281

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.

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6009-6017	QUINPOOL	ROAD,	HALIFAX,	NS

ARMCO TOWER

FLOOR PLANS

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ARMCO TOWER	MEZZANINE LEVEL	Project No.:	2015.07	
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6009-6017 QUINPOOL ROAD, HALIFAX, NS	FLOOR PLANS	Date:	23 July 2015	





ARMCO TOWER	LEVELS 200	Project No.:	2015.07	
6009-6017 QUINPOOL ROAD, HALIFAX, NS	FLOOR PLANS	Scale: Date:	1" = 20'-0" 06 Nov 2015	



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ARMCO TOWER
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6009-6017 QUINPOOL ROAD, HALIFAX, NS

LEVELS 300-400

Scale: Date: 2015.07 1" = 20'-0" 23 July 2015

WM FARES





ARMCO TOWER	LEVEL 500	Project No.:	2015.07	
6009-6017 QUINPOOL ROAD, HALIFAX, NS	FLOOR PLANS	Scale: Date:	1" = 20'-0" 23 July 2015	



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ARMCO TOWER	LEVELS 800-2800	Project No.: Scale:	2015.07 1" = 20'-0"	
6009-6017 QUINPOOL ROAD, HALIFAX, NS	FLOOR PLANS	Date:	23 July 2015	



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ARMCO TOWER	LEVEL 2900 PENTHOUSE	Project No.:	2015.07	
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# 2032 / 2050 ROBIE STREET





Kassner Goodspeed Architects Ltd.

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 tel
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 fax
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 www.kgarch.ns.ca



## CONCEPT DESIGN C O N T E N T S

- SITE PLAN
- P1-P2

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- GROUND LEVEL
- LEVEL 2-4
- LEVEL 5
- LEVEL 6-23
- LEVEL 24-25
- ROBIE ST ELEVATION
- SIDE ELEVATIONS
- REAR ELEVATION
- SECTION
- DEVELOPMENT SUMMARY





5663 Cornwallis Street, Suite 200 Halifax, NS B3K 1B6

PROPOSED RE-DEVELOPMENT

SCALE 1"=30'

tel 902 422 1557 | fax 902 422 8685 | www.kgarch.ns.ca



Kassner Goodspeed Architects Ltd.

5663 Comwallis Street, Suite 200 Halifax, NS B3K 1B6 tel 902 422 1557 fax 902 422 8685 www.kgarch.ns.ca 2032/2050 ROBIE STREET PROPOSED RE-DEVELOPMENT CONCEPTUAL DESIGN

P1-P2

SCALE 1"=30'





Kassner Goodspeed Architects Ltd.

5663 Cornwallis Street, Suite 200 Halifax, NS B3K 1B6

2032/2050 ROBIE STREET

CONCEPTUAL DESIGN

PROPOSED RE-DEVELOPMENT

**GROUND LEVEL** 

SCALE 1"=30'

tel 902 422 1557 fax 902 422 8685 www.kgarch.ns.ca



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CONCEPTUAL DESIGN

2032/2050 ROBIE STREET PROPOSED RE-DEVELOPMENT

HOTEL-LEVEL 2-4

SCALE 1"=30'



Kassner Goodspeed Architects Ltd.

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2032/2050 ROBIE STREET PROPOSED RE-DEVELOPMENT **CONCEPTUAL DESIGN** 

LEVEL 5

SCALE 1"=30'



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CONCEPTUAL DESIGN revised LEVEL 6-23

2032/2050 ROBIE STREET PROPOSED RE-DEVELOPMENT

SCALE 1"=30'



Kassner Goodspeed Architects Ltd.

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2032/2050 ROBIE STREET PROPOSED RE-DEVELOPMENT **CONCEPTUAL DESIGN** 

LEVEL 24-25

SCALE 1"=30'





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2032/2050 ROBIE STREET

#### CONCEPTUAL DESIGN

PROPOSED RE-DEVELOPMENT

ROBIE ELEVATION

SCALE 1"=40'





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**CONCEPTUAL DESIGN** 

2032/2050 ROBIE STREET PROPOSED RE-DEVELOPMENT

SIDE ELEVATIONS

SCALE 1"=40'



**CONCEPTUAL DESIGN** 



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REAR ELEVATION

SCALE 1"=40'

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**CONCEPTUAL DESIGN** 

SECTION

SCALE 1"=50'

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# Development summary 2032-2050 Robie Street

Site area	21,760 sf
Gross site area	28,240 sf = 0.65Ac

	Unit : 1br	type 2br	gross fl area sf	comm. sf	hotel room	int amenity sf	ext amenity sf	pkg
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2032/2050 ROBIE STREET PROPOSED RE-DEVELOPMENT CONCEPTUAL DESIGN

DEVELOPMENT SUMMARY

SCALE 1"=40'