
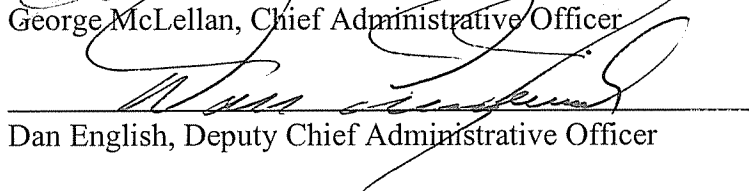


Halifax Regional Council  
January 14, 2003

To: Mayor Kelly and Members of Regional Council

Submitted by:

  
George McLellan, Chief Administrative Officer

  
Dan English, Deputy Chief Administrative Officer

Date: January 8, 2003

Subject: Case 00461: Request to amend the Halifax Municipal Planning Strategy and Land Use By-law for 1270 Oxford Street, Halifax

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**ORIGIN:**

Application by W.M. Fares & Associates, on behalf of Khaled Shaaban, to amend the MPS and Land Use By-law to enable a multi-unit residential building at 1270 Oxford Street, Halifax

**RECOMMENDATION:**

**It is recommended that Halifax Regional Council:**

- (a) Authorize staff to initiate a process to amend the Halifax Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to enable consideration of a multi-unit residential building at 1270 Oxford Street, Halifax, by way of development agreement; and
- (b) Instruct that the MPS amendment process include a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.

3.2.9

**BACKGROUND:**

The subject property is situated on the west side of Oxford Street between Coburg Road and South Street (Attachment I). The applicant intends to demolish the existing residence on the property in order to construct a 22 unit rental apartment building. A proposed concept is provided in Attachments III, IV, V and VI.

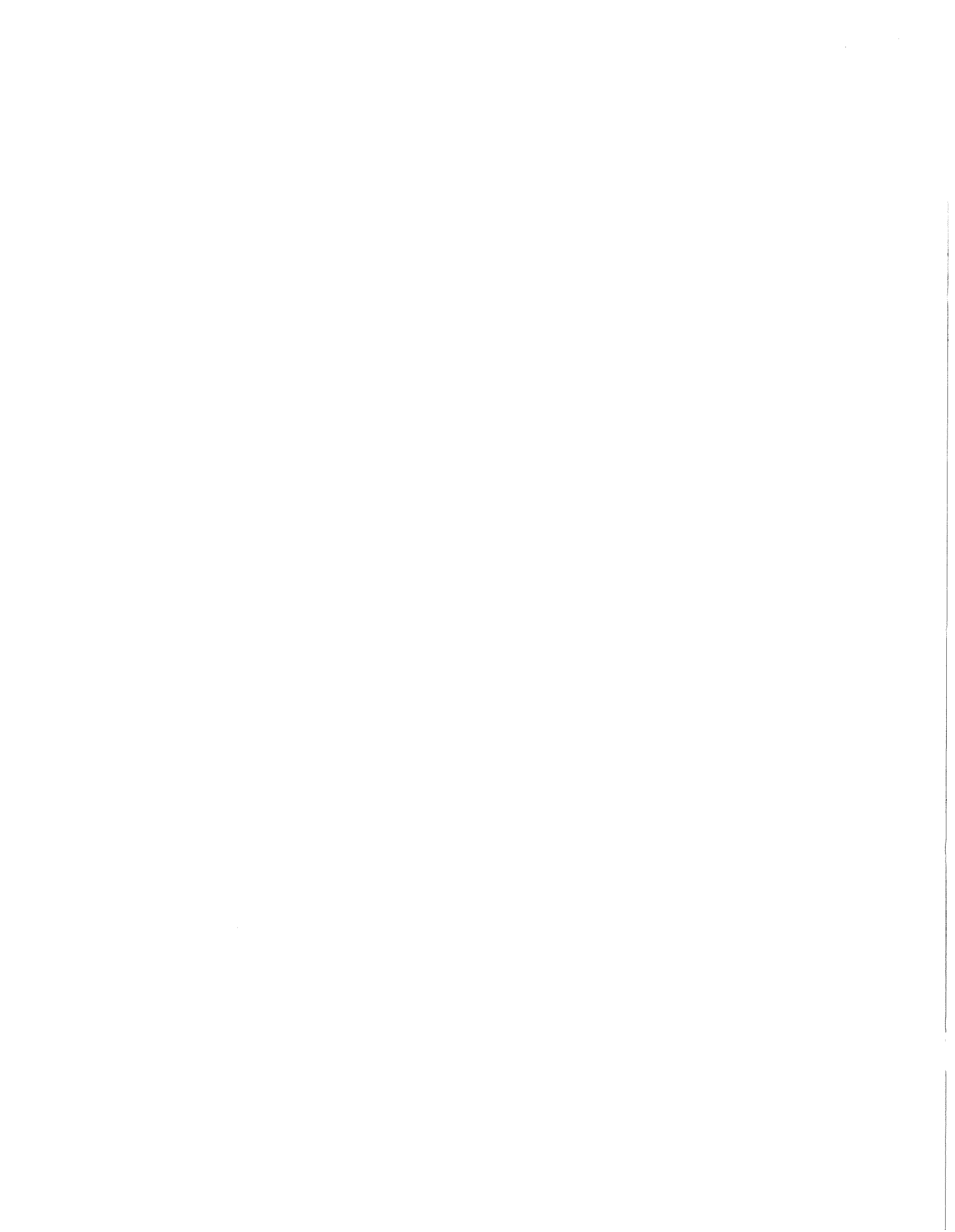
The property is approximately 16,765 square feet in area and has 100 feet of frontage on Oxford Street. Land uses in the immediate vicinity predominantly consist of medium to large-scale institutional/university-related uses. Immediately north of the property is the First Baptist Church and church rectory. There are various styles of multi-unit residential buildings in the immediate vicinity as well as a private school. A university student residence, Shirreff Hall, is situated opposite. The residence is a large scale building and a dominant feature in the street scape. To the rear of the site is the railway cut which separates the subject property from a low density residential area on Blenheim Terrace and provides a visual buffer.

Municipal Planning Strategy Designation and Zoning

The property is subject to the Municipal Planning Strategy for Halifax, Peninsula Centre Area, and the Halifax Peninsula Land Use By-law. It is designated Institutional and zoned R-2 (General Residential) Zone. A Height Precinct restriction of 35 feet applies to the area as well as a Building Line requiring the front yard setbacks to be a minimum of 25 feet.

An MPS amendment is required in order to enable consideration of a proposal to re-develop this property for an apartment building. Current MPS policy pertaining to areas designated Institutional and zoned R-2 restricts residential development to buildings containing no more than four units. This proposal entails construction of a new building containing 22 units.

Although the Institutional designation supports expansion of low-density university uses (Policy 3.3), the fact that Dalhousie has sold this as well as other properties in the area suggests that the university's future direction is not one of expansion. The Peninsula Centre Residential Environments Policies encourage redevelopment, particularly infill family-type housing projects which are compatible with the existing development of the neighbourhood and hence would not change the character of the area. Since the character of the area, particularly with regard to scale, within and surrounding the Institutional designation is a mix of institutional and low-rise multiple-family residential, it is staff's view that family-type residential development of a similar scale and magnitude could be considered provided that other policies of the MPS are met.



Oxford Street

Oxford Street provides a defining edge for this neighbourhood and a transition from the existing Institutional (University) component on the east side of Oxford Street to the predominantly residential properties on the west side of Oxford Street. The properties along the west side of the street also create a buffer to the railway farther to the west. More intense development should be located along transit routes, which this is, in order to increase potential use and accessibility. Therefore, the proposal for the multi-unit building is in keeping with the objectives in the Peninsula Centre Area Plan for Oxford Street.

**DISCUSSION:**Redevelopment Proposal

It is staff's opinion that the request for an MPS amendment has merit and should be considered for several reasons:

## 1. MPS Policy Support

Given the apparent transition occurring within the Institutional designation and as the Residential Environments Policies encourage infill redevelopment of family-type housing, this proposal appears to be appropriate for consideration within this area. It is staff's opinion that a well designed multi-unit building that takes into consideration the features of the site, building scale and similarity of materials, while at the same time making efficient use of the site, may potentially integrate well with the existing neighbourhood.

## 2. Improvement Over the Existing Situation

The proposal for the 22 unit building represents a reinvestment in the area and to a degree, would be an improvement over the existing condition. The existing single family residential building at 1270 Oxford is an interesting structure but has no unique, historic or redeeming architectural features and includes large areas of surface paving. By contrast, Shirreff Hall and the First Baptist Church are constructed with stone and this material is also evidenced in the existing stone wall across the street from the site.

The building design proposal, although preliminary, proposes to incorporate stone elements and a stone wall along the frontage in order to add architectural character to the site and complement the existing buildings through the use of similar materials. The proposed building allows for a transition in scale between the larger students residence and church to the two smaller adjacent residential buildings. There are a number of existing mature deciduous trees on the property which are of



benefit. The developer intends to retain as many of these trees as possible. The proposed underground parking will remove surface parking and allow tree preservation and landscaping around the building.

### 3. Location

The property is located on a street that is important for neighbourhood circulation, having transit access, and is close to services, employment and shopping. The site is immediately adjacent Dalhousie University and, as a rental property, will provide needed accommodation for users of the institution and their families. Oxford Street, in this area, has a mix of building types, scales and uses which would allow some diversity in infill projects while still being deemed compatible with the existing neighbourhood.

#### Development under As-of-Right Zoning vs. Development Agreement

In order to enable this redevelopment proposal, one possibility would be to rezone the property at 1270 Oxford to R-3 (Multiple Dwelling Zone) as this zone permits multiple unit buildings, subject to zone requirements. While a rezoning would enable the redevelopment to proceed, it would not enable issues related to building density, height and design, or traffic generation, landscaping, tree preservation, amenity features, and compatibility with the existing neighbourhood, to be adequately addressed.

The best method to ensure sufficient control over development on this site would be by development agreement. With a development agreement, a site specific set of criteria can be incorporated into the Municipal Planning Strategy, and any development proposal must satisfactorily address such criteria. Some issues which can be addressed in these criteria are:

- Quality of development (architectural design)
- Density
- Traffic flows/site access
- Neighbourhood interests
- Landscaping, tree preservation and amenity features
- Relationship to surrounding areas

#### Public Consultation

There will be public consultation before any decision on the MPS amendment is made by Council. The applicant will meet with the public and present a development concept for discussion. As previously indicated, a preliminary concept is included as Attachments III, IV, V and VI. Interested citizens will have an opportunity to review the proposal and to suggest appropriate evaluation





criteria. A development agreement can be prepared and presented concurrently with any appropriate MPS policy amendments.

### Conclusion

The requested MPS amendment has merit as the redevelopment of the site could improve the existing street scape on Oxford Street. Additionally, existing land use policies which support further institutional redevelopment are no longer applicable based on recent property transactions. In order to consider the redevelopment of the site for residential purposes, the development agreement mechanism is the preferred option. In order to enable this to occur, an amendment to the MPS is required. Staff recommends this approach.

### **BUDGET IMPLICATIONS:**

None.

### **FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN:**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating Reserves, as well as any relevant legislation.

### **ALTERNATIVES:**

The following alternatives are identified for the consideration of Council:

1. Council may choose to proceed with the MPS amendments described in this report. This is the recommended course of action.
2. Alternatively, Council may choose not to initiate the MPS amendment process for this development proposal. Council is under no obligation to consider a request to amend a Municipal Planning Strategy and a decision not to amend the MPS cannot be appealed. For reasons outlined in this report, staff does not recommend this option.

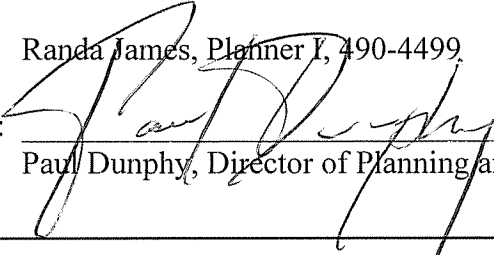
### **ATTACHMENTS:**

- I Map 1 - Area Plan with Zoning
- II Map 2 - Generalized Future Land Use
- III Concept - Front Elevation
- IV Concept - Right Side Elevation
- V Concept - Site Development Plan
- VI Concept - Site Landscaping Plan

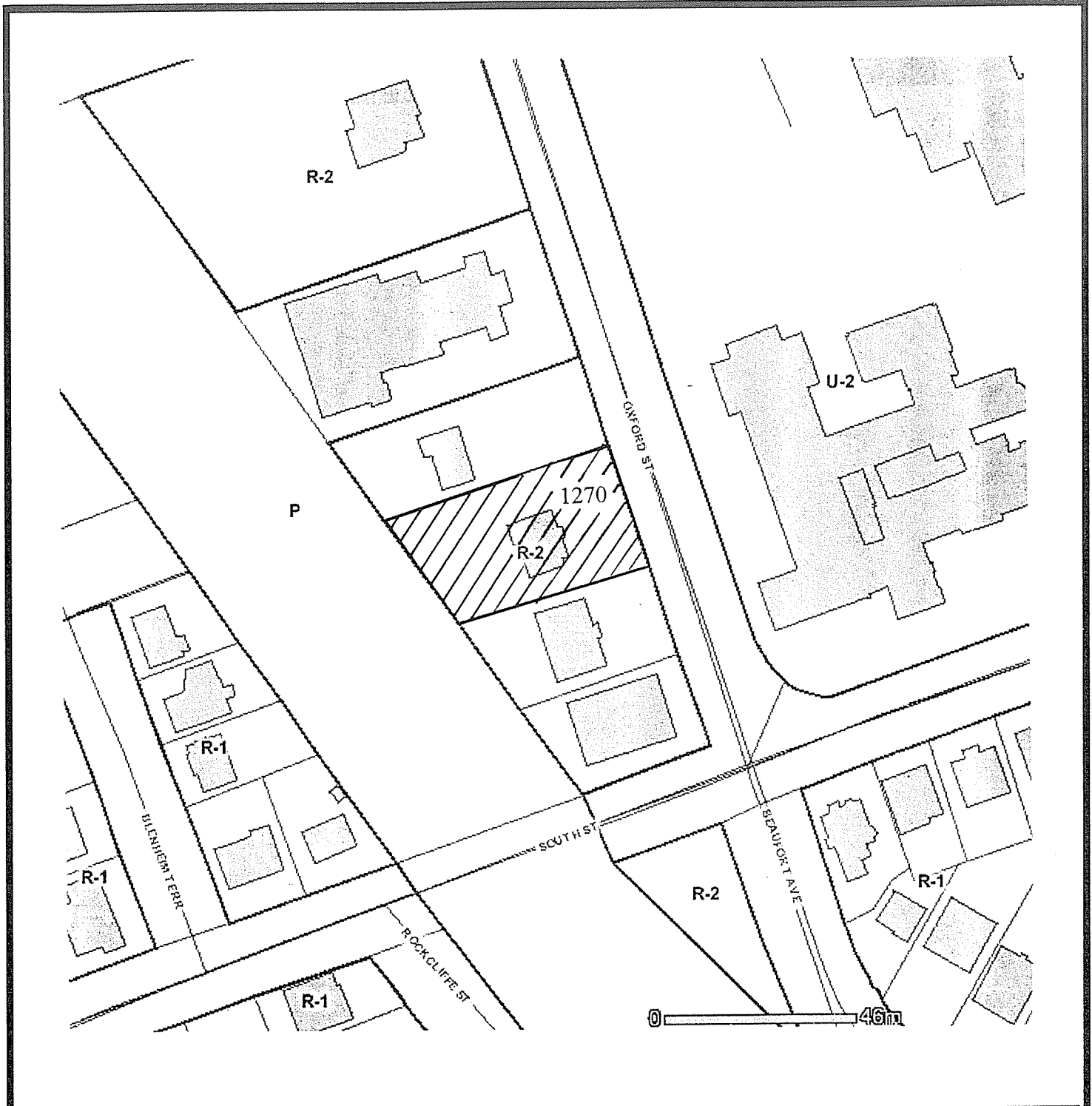


Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Randa James, Planner I, 490-4499.

Report Approved by:   
Paul Dunphy, Director of Planning and Development





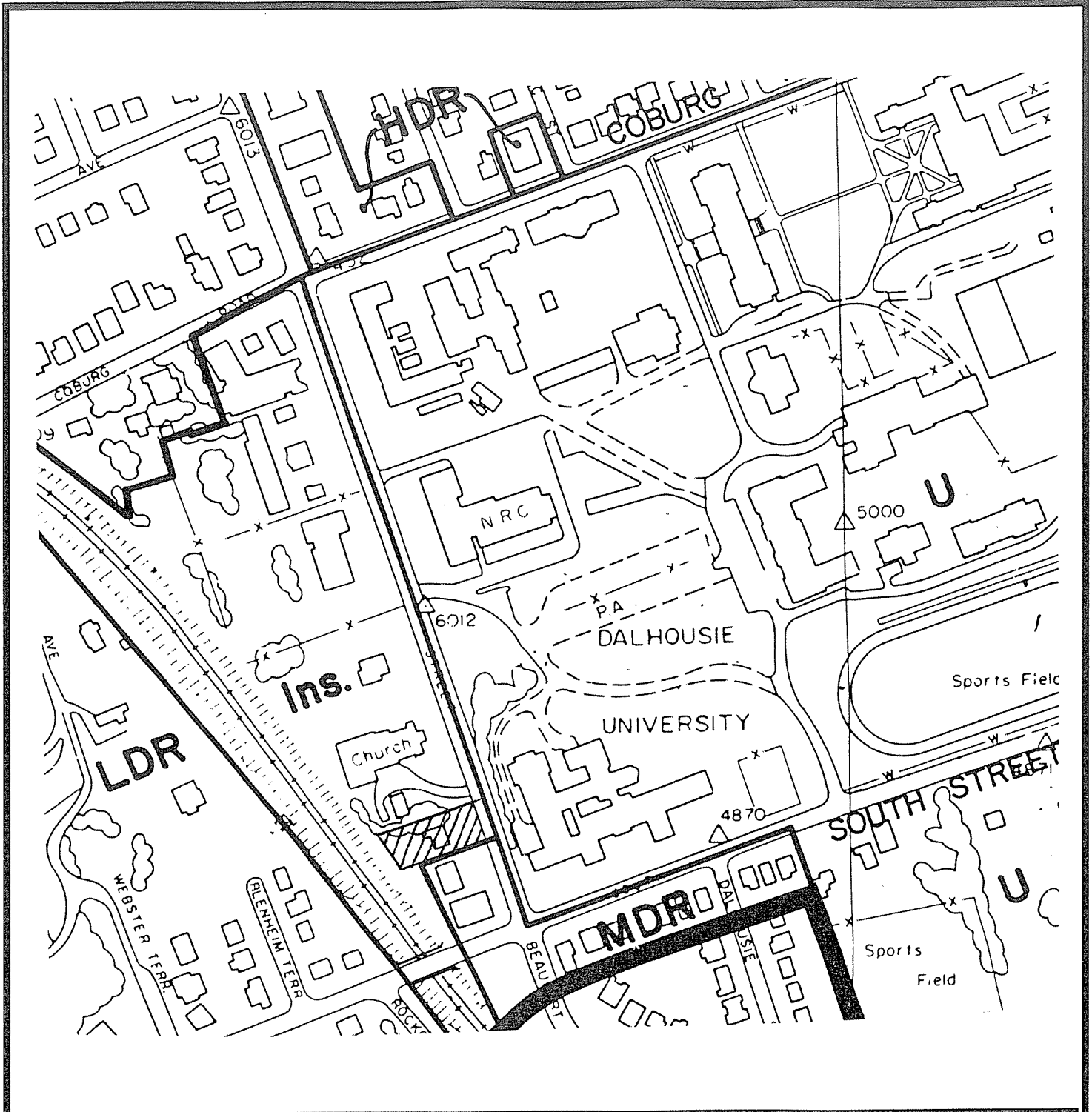
**Map 1**  
Area Plan with Zoning



Planning and Development Services

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






**Map 2**  
Generalized Future Land Use

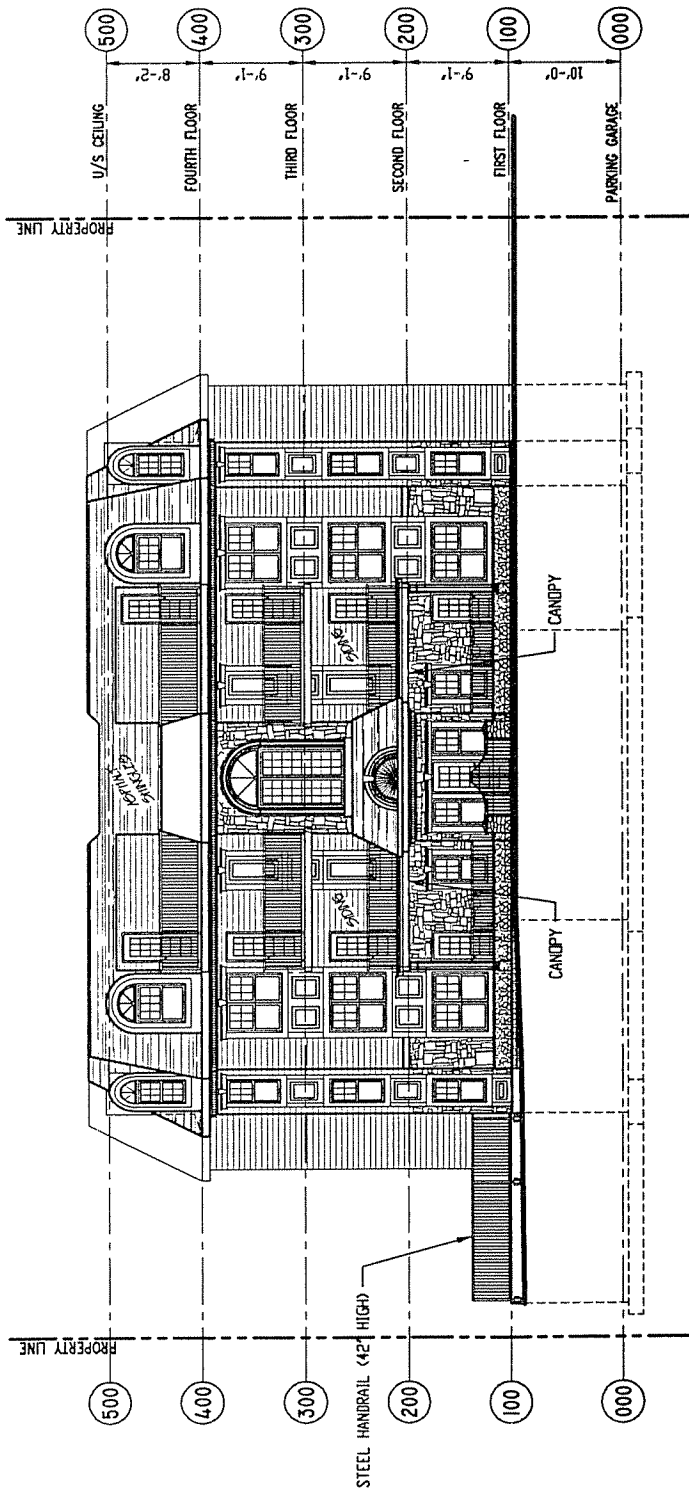
**HALIFAX**  
REGIONAL MUNICIPALITY  
Planning and Development Services

- LDR Low Density Residential
- MDR Medium Density Residential
- HDR High Density Residential
- Ins. Institutional
- U University






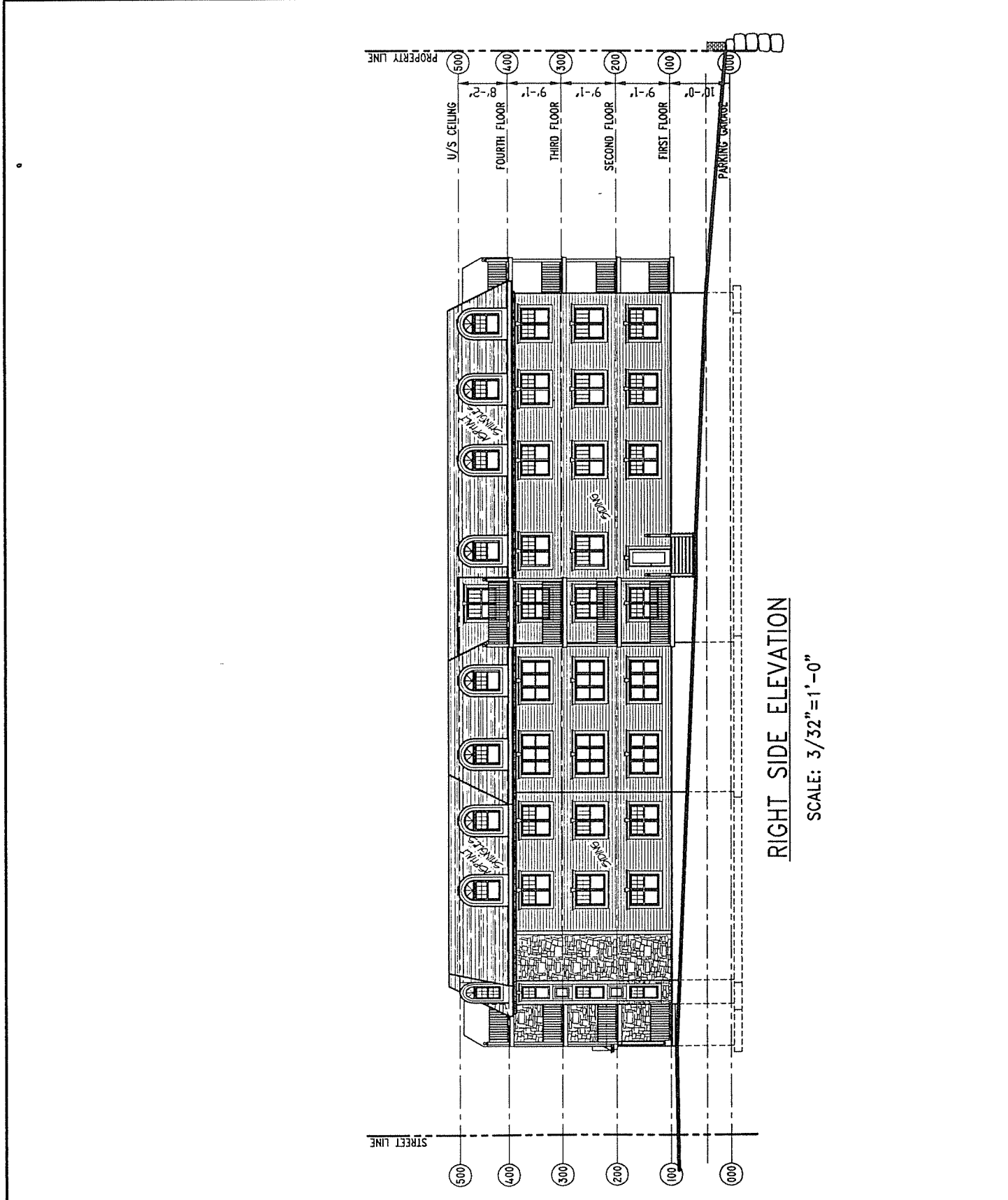
NO.		DATE	DESCRIPTION
REVISIONS			
STAMP:			
 <b>W.M. FARES &amp; ASSOCIATES INC.</b> ENGINEERS, PROJECT MANAGERS, & DEVELOPERS 117 Kearney Lake Road Halifax, Nova Scotia PHONE: (902) 457-8878 FAX: (902) 457-4884			
PROPOSER:			
<b>22 UNIT APARTMENT BUILDING</b>			
TITLE:			
<b>BUILDING ELEVATIONS</b>			
REFERENCES:			
SCALE:	AS NOTED	DATE:	12/30/2002
DRAWN:		SHEET:	
CHECKED:		PROJECT:	2001-48
			<b>8a</b>




**FRONT ELEVATION**  
SCALE: 1/8" = 1'-0"

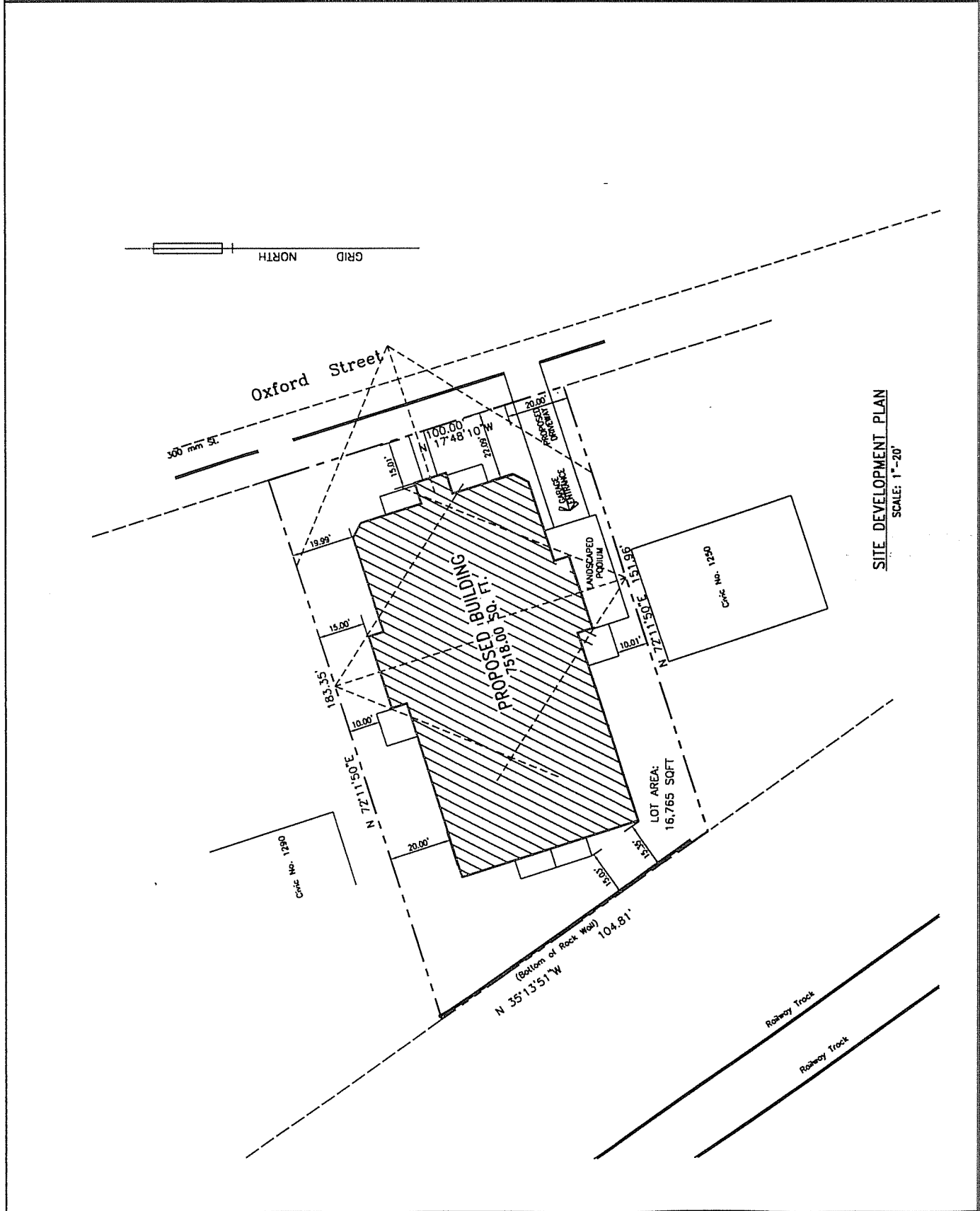


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W.M. FARES & ASSOCIATES INC. 117, Kearney Lake Road Halifax, Nova Scotia PHONE: (902) 497-8878 FAX: (902) 497-8888 PROPOSED			
22 UNIT APARTMENT BUILDING			
CIVIC 1270, OXFORD STREET HALIFAX, NOVA SCOTIA			
TITLE: BUILDING ELEVATIONS			
REFERENCES:			
SCALE:	AS NOTED	DATE:	12/30/2002
DRAWN:		SHEET:	
CHECKED:		PROJECT:	2001-48
			8b





NO.		DATE	DESCRIPTION
REVISIONS			
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 ENGINEERS, PROJECT MANAGERS, & DEVELOPERS <b>W.M. FARES &amp; ASSOCIATES INC.</b> 117 Kearney Lake Road Halifax, Nova Scotia PHONE: (902) 437-8878 FAX: (902) 437-4888 PROJECT:			
22 UNIT APARTMENT BUILDING		CIVIC 1270, ONFORD STREET HALIFAX, NOVA SCOTIA	
TITLE: SITE DEVELOPMENT PLAN			
REFERENCES:			
SCALE: AS NOTED	DATE: 12/30/2002	SHEET: 2a	
DRAWN:	CHECKED:	PROJECT: 2001-48	



SITE DEVELOPMENT PLAN  
SCALE: 1"=20'





