

RE: MPS Amendment Request for Titus and Main

October 20, 2020

Eric Lucic  
Manager of Regional Planning  
Halifax Regional Municipality  
PO Box 1749  
Halifax, NS B3J 3A5

Dear Mr. Lucic,

I am writing on behalf of our client, United Gulf Developments Ltd., to request amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law. The specific requests are detailed later in this letter, but the overall intention is to enable the efficient development of a mixed-use building at the corner of Titus and Main in Fairview.

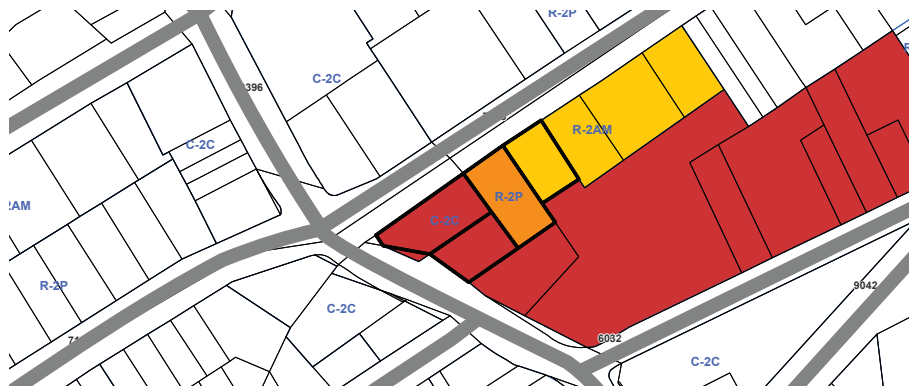
## Subject Site

The subject site currently consists of four PIDs as follows:

PID	Civic Number(s)	Lot Area
00180489	9 Titus Street	6,311 SF
00180018	11, 13, and 15 Titus Street	9,400 SF
00180026	62 Main Avenue	8,712 SF
00180034	60 Main Avenue	6,600 SF
<b>Total</b>		<b>31,023 SF</b>

Our client's intention is to consolidate all four PIDs into one lot. All four PIDs are currently owned by Titus Street Developments Ltd. and under agreement of sale to our client pending the outcome of this application. A letter of authorization is included in this application package.

The site is currently zoned a mixture of Dutch Village Road Mixed Use (C2-C) Zone, General Residential (R-2P) Zone, and General Residential Conversion (R-2AM) Zone.



The subject site currently contains a collection of small-scale apartment buildings and detached homes.



The subject site slopes fairly significantly, particularly along the Titus Street frontage. Spot elevations at the north corner and south corner are 147.5 feet and 123.0 feet, respectively – an elevation change of 14.5 feet. This sloping condition, along with the need to address the dual frontages of Titus and Main, make efficient and thoughtful building designs for the subject site more challenging than typical urban sites.

## Surrounding Context

The surrounding neighbourhood is currently in a period of rapid change. Titus Street and its extension into Dutch Village Road have traditionally featured a mix of small-scale residential and small-scale commercial buildings. However, the recently-approved "Plan Dutch Village Road" zoning updates are spurring the development of numerous mixed-use, mid-rise buildings along this stretch. The redevelopment of the former Halifax West High School site as a series of mixed-use buildings is also nearing completion. Immediately to the south-east of the subject site is a strip mall with a large area of surface parking.

Main Avenue, in contrast, is dominated by a series of large apartment buildings on the north side of the street and a mix of small apartments and detached homes on the south side of the street. While the large apartments are not overly tall (they range from three to five floors), the large floor plates and bulky design make them a commanding presence on Main Avenue.

The immediate area is very well serviced by transit and a stop on Main Avenue immediately in front of the subject site provides direct access to six bus routes. Routes 2, 3, and 4 provide frequent connections between the subject site and downtown, Burnside, and the South End universities, respectively, while routes 135, 136, and 138 provide peak-hour express service to downtown and the South End universities.



### Concept Design

Attached to this letter is a set of architectural drawings prepared by Lydon Lynch for a mixed-use building design consisting of:

- + 3,330 SF of commercial space
- + 38 one-bedroom residential units
- + 81 two-bedroom residential units
- + 178 structured parking spaces
- + 67 bicycle parking spaces
- + 17,815 SF of amenity space

The concept design is not a final design; rather, it is intended to test the conditions of the site and illustrate areas where existing planning regulations create challenges for a rational, attractive building on the subject site. The design is subject to final adjustments and tweaks pending the outcome of this application.

### Primary Request and Rationale

Our primary request is to amend:

- + Map 9C, the Generalized Future Land Use Map – Fairview, of the Halifax Municipal Planning Strategy to redesignate PIDs 00180026 and 00180034 from MDR to COM;
- + Map 9C(1), Plan Dutch Village Road Overview Map, of the Halifax Mainland Municipal Planning Strategy to include PIDs 00180026 and 00180034 in Area D;
- + Map ZM-1, the Zoning Map, of the Halifax Mainland Land Use By-law to rezone PID 00180026 from R-2P to C2-C; and
- + Map ZM-1, the Zoning Map, of the Halifax Mainland Land Use By-law to rezone PID 00180034 from R-2AM to C2-C

This would bring the entire site into the "Plan Dutch Village Road" area and apply a single zone across the site. The practical effect of this change would be to enable a mixed-use, mid-rise development across the entire site.

From a planning perspective it is understandable that 60 Main Avenue and 62 Main Avenue were not included within the COM designation and related zoning because they were outside the core strip at the time the Plan Dutch Village Road project was conducted. However, with consolidation they will now become part of a larger lot that extends into the Plan Dutch Village Road area and should be considered under a consistent set of rules. This helps support the Plan Dutch Village Road objective to, "address land use, external appearance of structures (built form), and urban design in a comprehensive manner." This change will also help ensure 60 and 62 Main Avenue are developed using up-to-date building design standards (e.g. streetwall requirements) rather than the basic zoning requirements that date from the 1970s.

Redesignating and rezoning these lots also helps support the Provincial Statement of Interest Regarding Housing by enabling higher densities of development and reduced yard requirements.

## Secondary Requests and Rationales

Lydon Lynch has spent significant time and effort analyzing the subject site and developing a building concept that is developable, functional, and attractive. The result of this analysis is an understanding that the primary request, above, is the key component for redevelopment of the subject site; without it, efficient and effective development of the site is difficult, if not impossible under current conditions. However, the analysis points to a number of other constraints within the existing planning documents that—while they do not outright prevent development—result in sub-par development by negatively affecting unit layouts, building access, aesthetics, and overall project viability. In many cases these challenges are created as a result of the sloping and corner lot conditions on the subject site.

### *Maximum Building Depth*

Clause 38BC(1)(a) of the Halifax Mainland Land Use By-law limits the maximum building depth to 25 metres. There is the possibility of limited exemptions to this requirement if a site is indicated on map ZM-29. We request the addition of the subject site to this map.

Because the site is a corner site it is preferable from an urban design perspective to "wrap around" to the Titus Street frontage and provide visual interest on that street. Given the difficult slopes on the site, it is also necessary to extend the building podium along Titus Street to accommodate the garage access. However, this would exceed a building depth of 25 metres. Adding the site to map ZM-29 solves this challenge.

### *Rooftop Features*

The Halifax Mainland Land Use By-law defines "height" to the highest point on a building. There are no exemptions for features such as rooftop mechanical, elevator shafts, greenhouses, rooftop access stairwells, or amenity space like there are in many of HRM's other land use by-laws. This is extremely problematic because accommodating these essential features comes at the expense of losing a whole floor of rentable floor area. This also prevents the ability to use the rooftop for building occupants, to the detriment of building livability. We request that a limited exemption to building height similar to Subsection 8(8) of the Downtown Halifax Land Use By-law be included in the Halifax Mainland Land Use By-law.

### *Maximum Building Height*

Maximum building height on the site is governed by map ZM-32 of the Land Use By-law, which sets the maximum height at 19.5 metres from the average grade of all streets adjoining the site. According to the Halifax Municipal Planning Strategy this is intended to enable mid-rise buildings. Generally, this height limit works, but it does become problematic specifically on the subject site where one corner on Titus drastically drags down the average street grade because of the measurement from both road frontages. I also note that the Halifax Centre Plan uses 20 metres to great effect for mid-rise development along the Corridors.

We request that amendments to the Halifax Mainland Land Use By-law be considered in relation to the measurement of height on the subject site. Overall, the most harmonious method would be to update the height precinct in Area D to 20 metres to align with the successful Centre Plan approach. However, we recognize that wider planning changes beyond the application site are often seen as "opening a can of worms", and would alternatively suggest an update to the height just on Map ZM-32 for the subject site, or a refinement of how height is calculated on corner sites (e.g. only measuring from the primary frontage).

### *Lot Coverage*

Clause 38BD(1)(a) of the Halifax Mainland Land Use By-law limits lot coverage to 75%. This would be equal to a footprint of 24,850 SF on the subject site. None of the livable floors of the building exceed this area, with gross floor areas ranging from 18,510 SF to 23,665 SF. However, the parking levels do exceed the lot coverage with a gross floor area of 27,770 SF.

While Clause 38BD(1)(a) does permit a larger lot coverage for below-grade parking garages, this exemption does not work for sloped sites such as the subject site. Further, the combination of the sloping conditions, the corner site, and the uneven south property lines means it is not a simple matter of reconfiguring the parking levels to comply; moving the garage access would put it too close to the intersection, and moving the building over the garage access would run afoul of maximum front yard requirements. We request either a site-specific exemption to lot coverage, or a general refinement of Clause 38BD(1)(a) to allow exemptions on sloped sites.

From a community perspective, an exemption for lot coverage would have minimum effect in this situation because the neighbouring site consists of surface parking. We are also currently in the process of finalizing a site servicing plan; however, preliminary results indicate that it is very much possible to achieve net-zero stormwater runoff on the site at this level of lot coverage.

### **Conclusion**

UPLAND, Lydon Lynch, and our client, United Gulf Developments Ltd., are excited by the opportunity presented by the Titus and Main site to develop an attractive, mixed-use building in support of the Plan Dutch Village goals. However, this can only be enabled through adoption of our primary request. We also believe that the adoption of our secondary requests would lead to an overall much more attractive, rational, and developable building. We encourage you, the rest of staff, and ultimately Council, to support us in these endeavors.

We are currently in the process of finalizing a Traffic Impact Statement and servicing study for the subject site, and will submit those to you to support staff's analysis as soon as they are completed.

Thank you for your consideration, and please do not hesitate to reach out if you have any questions or require additional information. We look forward to working with staff, the public, and Council on this project.

Sincerely,

**Redacted**

Ian Watson, Senior Planner, MCIP, LPP