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**Re: Development Agreement Application, 173/175 St. Margarets Bay Road, Halifax, NS (PID: 40577041)**

Aaron,

On behalf of our client, Grafton Developments, Zzap Consulting Inc. (ZZap) is pleased to submit a Development Agreement (DA) application to enable the consideration of a residential development at 173/175 St. Margarets Bay Road to allow for up to 8 units. This development proposal consists of three single-unit townhouses on fronting on St. Margarets Bay Road, a Duplex fronting on Finch Lane and a backyard suite fronting on Finch Lane. This development proposal also contemplates the two existing units in the main heritage building (Craigmore House). We have attached the following additional materials for you review:

- Policy Rationale for Development
- Appendix A: Proposed Site Plan & Building Drawings

Rationale for Application Request

Policy 6.8 of the Halifax MPS enables Halifax and West Community Council to consider a development agreement application for development on any lot on which a registered heritage building is situated, that is not otherwise permitted by the underlying land use designation and zone. There are certain criteria that council must consider when assessing such applications, and that proposed developments must adhere to. Please refer to Table 1 below, which outlines the applicable criteria that must be considered for an applicant of this nature, as well as our response as an application outlining how the proposed development meets the criteria.

APPLICABLE POLICY	APPLICANT RESPONSE
<p><b>Halifax MPS Policy 6.8</b></p> <p>In any building, part of a building, or on any lot on which a registered heritage building is situated, the owner may apply to the City for a development agreement for any development or change in use not</p>	<p>The subject property for this development application (PID: 40577041) is a municipality registered heritage property that has a registered heritage building.</p>

<p>otherwise permitted by the land use designation and zone in accordance with Policy CH-7A of the Halifax Regional Municipal Planning Strategy.</p>	
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Policy 6.8 of the Halifax MPS defers to Policy CH-7A in the Regional Plan.

APPLICABLE POLICY	APPLICANT RESPONSE
<p><b>Regional Plan Policy CH-7A</b></p> <p>On any registered heritage property, or on a lot containing a registered heritage building located outside of the Regional Centre Secondary Plan Area, Downtown Halifax Secondary Plan Area or any establish Heritage Conservation District, Council may consider a development agreement for any development or change in use not otherwise permitted by the Land Use By-law. The purpose of this policy is to support the conservation and adaptive re-use of heritage properties and buildings. In considering such development agreement proposals, Council shall consider that:</p>	<p>The subject property for this development application (PID: 40577041) is a municipality registered heritage property that has a registered heritage building and can be considered for a development agreement.</p>
<p>(a) the development proposal maintains the heritage value of any registered heritage property of which it is part, including a registered heritage streetscape, heritage conservation district, or Cultural Landscape, and does not propose to demolish any registered heritage buildings that exist on the property;</p>	<p>No alterations to the character defining elements of the heritage property (structure) are contemplated as part of this application. The intention is to subdivide the lot and construct new small scale housing on the undeveloped portions of the property.</p>
<p>(b) the impact on adjacent uses, particularly residential uses, is minimized in terms of intensity of use, scale, height, traffic generation, noise, hours of operation, and such other land use impacts as may be required as part of the development;</p>	<p>The proposal is of a similar scale to the adjacent uses (single unit and two unit dwellings) no taller than 3 storeys for a total of 6 additional units. 3 units front on Larch Lane and 3 units front on St. Margarets Bay Road. Additional traffic generation is negligible on both streets.</p>

(c) the level of proposed investment in conservation measures on the property is generally proportional with the additional development rights provided through the agreement, especially in cases of new construction;	The intention is to rehabilitate the landscaping on the eastern portion of the property to enhance the views from the St. Margarets Bay Road to the heritage building.
(d) the proposal is generally consistent with the other policies of the secondary plan area of which it is part, especially heritage policies.	See below.

Policy CH-7A(d) refers back to the Halifax MPS with regards to the proposal being generally consistent with other relevant policies in the Halifax MPS. The subject property is located outside of any of the "Secondary Plan Areas" in the Halifax Plan Area and therefore subject to Part 2, "Residential Environments" of the "City-Wide Objectives and Policies" Section only. Many of the policies outlined in this part of the MPS are site-specific in nature. However, three policies are relevant to this proposal as follows:

APPLICABLE POLICY	APPLICANT RESPONSE
<p><b>Halifax Plan Area Residential Environments Policy 2.4</b></p> <p>Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.</p>	<p>The proposal is of a similar scale to the adjacent uses (single unit and two unit dwellings) no taller than 3 storeys for a total of 6 additional units. 3 units front on Larch Lane and 3 units front on St. Margarets Bay Road.</p>
<p><b>Halifax Plan Area Residential Environments Policy 2.7</b></p> <p>The City should permit the redevelopment of portions of existing neighbourhoods only</p>	<p>The proposal is for infill development. No demolition of existing residential buildings is being considered as part of this proposal.</p>

<p>at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents.</p>	
<p><b>Halifax Plan Area Residential Environments Policy 2.10</b></p> <p>For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.</p>	<p>The front yards of the proposed new development are primarily landscaped. The townhouses fronting on St. Margarets Bay Road utilize a shared driveway to minimize hardscaping.</p>

In addition to the applicable policies contained within the Halifax MPS, the proposed development must also be assessed against Policy CH-16 of the Regional Municipal Planning Strategy (RMPS). Policy CH-16 is applicable to developments abutting registered heritage properties. Please refer to Table 2 below, which outlines the Policy CH-16 criteria that must be considered for an application of this nature, as well as our response as an applicant outlining how the proposed development meets the criteria.

APPLICABLE POLICY	APPLICANT RESPONSE
<p><b>CH-16</b></p> <p>For lands abutting federally, provincially or municipally registered heritage properties, HRM shall, when reviewing applications for development agreements, rezonings and amendments pursuant to secondary planning strategies, or when reviewing the provision of utilities for said lands, consider a range of design solutions and architectural expressions that are compatible with the abutting federally, provincially or municipally registered</p>	

<p>heritage properties by considering the following:</p>	
<p><b>(a)</b> the careful use of materials, colour, proportion, and the rhythm established by surface and structural elements should reinforce those same aspects of the existing buildings;</p>	<p>The proposed new development includes fine-scale architectural detailing through projections, recesses and material changes that reinforce similar aspects of abutting heritage resources and streetscapes.</p>
<p><b>(b)</b> ensuring that new development is visually compatible with yet distinguishable from the abutting registered heritage property. To accomplish this, an appropriate balance must be struck between mere imitation of the abutting building and pointed contrast, thus complementing the abutting registered heritage property in a manner that respects its heritage value;</p>	<p>The design and proposed material choices for the new development were carefully planned to ensure the buildings does not obscure, radically change, or negatively impact the heritage resource on the property or abutting heritage resources. The material choice and architectural form of the new buildings are visually compatible, yet distinguishable from the existing abutting heritage resources. More modern materials were chosen that are of compatible proportions and variability as surrounding heritage resources, and the assemblies and construction methods are well suited to the surrounding heritage resources.</p>
<p><b>(c)</b> ensuring that new developments respect the building scale, massing, proportions, profile and building character of abutting federally, provincially or municipally registered heritage structures by ensuring that they:</p> <p><b>(i)</b> incorporate fine-scaled architectural detailing and human-scaled building elements.</p> <p><b>(ii)</b> reinforce, the structural rhythm (i.e., expression of floor lines, structural bays, etc.) of abutting federally, provincially or municipally registered heritage properties; and</p>	<p><b>(i)</b> the proposed new development include fine-scale architectural detailing through projections, recesses, and material changes. The maximum height of any of the proposed buildings is 35 ft. tall and therefore falls within the permitted height framework.</p> <p><b>(ii)</b> The proposed new building is approximately 35 ft. in height, which is compatible in terms of scale, cornice lines, roof proportions, and the vertical</p>

<p><b>(iii)</b> any additional building height proposed above the pedestrian realm mitigate its impact upon the pedestrian realm and abutting registered heritage properties by incorporating design solutions, such as stepbacks from the street wall and abutting registered heritage properties, modulation of building massing, and other methods of massing articulation using horizontal or vertical recesses or projections, datum lines, and changes in material, texture or colour to help reduce its apparent scale;</p>	<p>rhythm of the abutting heritage resources.</p> <p><b>(iii)</b> There is no additional building height proposed above the pedestrian realm (greater than 3 storeys)</p>
<p><b>(d)</b> the siting of new developments such that their footprints respect the existing development pattern by</p> <p><b>(i)</b> physically orienting new structures to the street in a similar fashion to existing federally, provincially or municipally registered heritage structures to preserve a consistent street wall; and</p> <p><b>(ii)</b> respecting the existing front and side yard setbacks of the street or heritage conservation district including permitting exceptions to the front yard requirements of the applicable land use by-laws where existing front yard requirements would detract from the heritage values of the streetscape;</p>	<p>The siting of the new buildings is similar in style to the existing development pattern in the area.</p>
<p><b>(e)</b> not unreasonably creating shadowing effects on public spaces and heritage resources;</p>	<p>The proposed new buildings range in height with the tallest building being approximately 35 ft. in height, which is compatible in terms of scale with abutting heritage resources in the area.</p>
<p><b>(f)</b> complementing historic fabric and open space qualities of the existing streetscape;</p>	<p>The form of the new development is simple, modern, and picks up on the roof pitch and cornice line of the existing heritage resource, creating a compatible yet distinguishable relationship with it. The new development is set away from the heritage building to preserve it's estate like feel and ensure subordination to the</p>

	heritage resource on the property will remain consistent with the rest of the streetscape.
<b>(g)</b> minimizing the loss of landscaped open space;	<p>The proposed development is clustered on the current wooded area of the property and does not impact the existing landscaped area of the property. New plantings and landscaped open spaces are being introduced between the existing building and the new buildings.</p> <p>Although the lot coverage for the property will be increasing through the development of the proposed structures, the remainder of the site will be landscaped with walkways and connections to various elements of the development.</p>
<b>(h)</b> ensuring that parking facilities (surface lots, residential garages, stand-alone parking and parking components as part of larger developments) are compatible with abutting federally, provincially or municipally registered heritage structures;	Surface parking for the duplex and the existing heritage building is being relocated to be accessed from Finch Lane, while the townhouse block utilizes the existing driveway cut to provide parking internal to the townhouses.
<b>(i)</b> placing utility equipment and devices such as metering equipment, transformer boxes, power lines, and conduit equipment boxes in locations which do not detract from the visual building character or architectural integrity of the heritage resource;	Details regarding utility equipment and design is not yet contemplated at this stage in the design process (schematic design). These elements of the building are incorporated during the design development stage which occurs after DA approval. We suggest that the DA include a clause that regulates the location and appearance of utility equipment so that it is screened from public view and does not detract from the character and integrity of abutting heritage resources.
<b>(j)</b> having the proposal meet the heritage considerations of the appropriate Secondary Planning Strategy, as well as any applicable urban design guidelines; and	Please refer to the attached elevation drawings. The new buildings are designed with an aggregate of masses (i.e. pitched roof and modern dormer), projections, recesses and materials that are sensitive and complementary to the abutting



	heritage structure and heritage streetscapes.
(k) any applicable matter as set out in Policy G-14 of this Plan.	Policy G-14 (pertaining to Regional Plan amendments requiring subsequent amendments to other planning documents for consistency), does not apply in this case.

Closing

We trust that the enclosed materials satisfy the application requirements. Should you have any questions, comments or concerns with regards to this application, please do not hesitate to contact the undersigned.

Sincerely,



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