

For:
Paul Sampson, Planner
Planning Applications, Western Region
PO Box 1749, Halifax, NS B3J 3A5
sampsop@halifax.ca
902.490.6259

22
June
2017

Re:
Substantive Amendments for Development Agreement at the Former
Halifax West High School Site (The Boss)

Dear Mr. Sampson,

On behalf of our client, United Gulf Developments Ltd., I am pleased to submit this application to substantively amend the existing development agreement for the former Halifax West High School site in Fairview.

In early 2012, Community Council approved the development agreement to permit a mixed-use development on the subject site. The approved agreement permits two residential towers, a commercial tower, and ground-floor retail. This development, now known as "The Boss Plaza", is currently in the first phase of construction, with the first residential tower now above grade.

In the years since this development was proposed, United Gulf has noted a sense of excitement in Fairview as many new families have put down roots and become a valued part of the community. United Gulf has also spoken with many long-term Fairview residents who are looking to downsize their home, but have a strong desire to remain in their community. A conversion of the commercial tower to a residential building will serve these demographic trends by providing high quality, lower cost housing for new families and empty-nesters.

In support of this application I have enclosed the following information:

- Outline of requested changes and rationale
- Detailed site plan
- Reduced format site plan
- Survey plan
- Amended traffic impact assessment
- Building drawings
- Legal description
- Sanitary generation calculations
- DVD containing digital versions of above materials

I have also enclosed a digital version of the 2010 traffic impact statement for your reference. We are excited to work with staff, Council and the community on this proposal. Please do not hesitate to contact me if you have any questions.

Sincerely,

Ian Watson, MCIP (Planner)



The subject site. The red lines show the approximate location of external property lines

1 Background

1.1 Location

The subject site is located at the intersection of Dutch Village Road and Alma Crescent in Fairview. These roads are a major corridor for vehicles traveling between the Halifax Peninsula and Clayton Park. The area is also a major transit route, with a total of nine bus routes traveling directly in front of the subject site.

1.2 Surrounding Uses

The surrounding neighbourhood is a mixture of residential dwellings and commercial businesses.

Ashdale Avenue, to the north is almost exclusively home to detached dwellings. Rufus Avenue, to the south, displays a combination of detached dwellings and multi-unit buildings. Immediately to the east of the subject site is the Dutch Village Road commercial area. This stretch offers local residents a mix of retail stores, restaurants, and services; many of these businesses are smaller, independent operations.

To the west of the subject site is an approximately 1.7 acre parcel of parkland. This land was deeded to the Municipality as part of the land acquisition, approval, and development process for the existing United Gulf proposal. The existing development agreement requires United Gulf to develop this park for the use of the community. United Gulf does not propose to alter this arrangement as part of this application for amendments.

The larger area, including Josphe Howe Drive to the east, is a major commercial centre for Fairview and the western Peninsula. It is home to a wide range of commercial services and retail, including a large-format grocery store.

1.3 Site Characteristics

The subject site was the home of the former Halifax West High School. The school building has been demolished and the site has been remediated, cleared, and graded for construction.

United Gulf is currently in the process of constructing Phases 1 & 2 of the development, which consist of Building E, Building D (residential tower), Building C (residential tower) and subsurface parking.

Access to the site is provided by a signalized intersection at Dutch Village Road and Alma Crescent.

PID	Phase	Buildings	Area
41417734	Phase 1	D & E	75,228 SF
41417742	Phase 2	C	72,969 SF
41417759	Phase 3	A & B	55,120 SF
Total			203,317 SF

2 Proposal

2.1 Existing Design

The existing proposal consists of five buildings divided into three phases, as follows:

Phase	Building	Use
1	E	Retail
	D	Ground floor retail, residential tower above
2	C	Ground floor retail, residential tower above
3	B	Ground floor retail, two storeys of office above
	A	Ground floor retail, office tower above

Parking is to be provided with a mix of surface and sub-surface spaces.

2.2 Proposed Design

United Gulf proposes to make some changes to the development agreement, primarily to enable the conversion of Buildings A & B to residential buildings and a modification of the Building A footprint. The footprint of the Building C podium is also proposed to increase. However, United Gulf is not requesting an increase in the permitted commercial floor area. As proposed the site would consist of the following:

Phase	Building	Use
1	E	Retail
	D	Ground floor retail, residential tower above
2	C	Ground floor retail, residential tower above
3	B	Ground floor retail
	A	Ground floor retail and office, residential tower above

Parking will continue to be provided with a mix of surface and sub-surface spaces.

United Gulf also requests minor changes to the architectural detailing on Buildings E, D, and C.

The existing development agreement requires the western portion of the former school site to be subdivided, deeded to Halifax, and developed by United Gulf as parkland. The lands have now been subdivided and deeded to Halifax. The parkland development is not proposed to change.

3 Rationale

3.1 Neighbourhood

Dutch Village Road and the greater Fairview community are currently undergoing a renaissance as new residents put down roots. At the same time, the area is home to many established residential blocks that form the heart and soul of the community. As new residents move in, the pressure will increase on existing housing stock. Intensification within established neighbourhoods could threaten the very features that make Fairview a special community. It is therefore important to utilize the few opportunity sites within the area to their fullest potential.

Providing additional units on the former Halifax West High School site provides additional housing stock to bring new residents to the community or to allow existing residents to move within their community. At the same time, the site's former use as a high school ensures that the fabric of existing residential neighbourhoods is not disturbed.

3.2 Policy

The Fairview Secondary Planning Strategy (SPS), located within the Halifax Municipal Planning Strategy (MPS), contains site-specific policy to enable a mixed-use development on the subject site by development agreement. Fairview SPS Policy 1.9 reads:

“Notwithstanding the Community Facilities objective and policies of Section II, for the property known as the former Halifax West High school on Dutch Village Road (PID #00188490), the Municipality may permit a mixed-use development of the site by development agreement.”

Fairview SPS Policy 1.9.1 then sets out the criteria that Council will consider when evaluating such a development agreement proposal:

“Any development permitted pursuant to Policy 1.9 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:”

In the table below, we outline Council's criteria and explain how we believe this proposal meets the intent of these criteria.

Criteria	Comment
<i>(a) the subdivision and retention of a minimum of 1.6 acres of land by the Municipality at the western end of the site for public open space purposes along with related park development and infrastructure improvements to be carried out by the land developer;</i>	The parkland at the western end of the site has been subdivided and deeded to the Municipality. The existing development agreement contains clauses requiring the developer to invest in park infrastructure. United Gulf is not requesting a change to this requirement.

Criteria	Comment
<p><i>(b) the massing, location and height of building(s), which shall not exceed the low to mid-rise range, and in no case shall any building height exceed 8 storeys above underground parking level(s);</i></p>	<p>The existing development agreement controls the massing, location, and height of the buildings.</p> <p>United Gulf requests an increase in the number of storeys permitted on Building A from 6 to 8, and on Building B from 3 to 5, exclusive of the amenity space penthouse. However, due to the difference in commercial and residential floor heights, the actual increase in height is very minor.</p>
<p><i>(c) the architectural design of the building, including building materials, signs and lighting;</i></p>	<p>Architectural design is controlled by the existing development agreement.</p> <p>United Gulf has proposed minor changes to the exterior of Buildings C, D, and E to bring the whole site into better architectural consistency and develop a more modern aesthetic. These changes are in regard to some of the last features to be implemented on these buildings (the “window dressing”) and will not materially affect the current construction activities on the site.</p> <p>The conversion of Buildings A & B from commercial to residential requires a modification of Building A and Building B’s design and an expansion of Building A. The new architecture has been crafted to be complementary to the rest of the site.</p>
<p><i>(d) the provision of adequate site landscaping and useable open space for building residents;</i></p>	<p>United Gulf does not request a change to site landscaping or open space, including the significant parkland to the west.</p>

Criteria	Comment
<p><i>(e) the provision of safe vehicular and pedestrian access and egress, including provision for the continued vehicular access to the existing driveway of Civic #31 Alma Crescent and pedestrian access through the site to Dutch Village Road;</i></p>	<p>The amended traffic impact assessment indicates that the shift from commercial to residential space will actually decrease the overall traffic activity to and from the site and, with a small adjustment to signal timings, intersections will still perform at an acceptable level of service.</p> <p>Pedestrian access through the site will not be affected by the proposed changes.</p>
<p><i>(f) the adequacy of vehicular, bicycle parking and solid waste facilities; and</i></p>	<p>If built as-of-right under the requirements of the Halifax Mainland Land Use By-law the proposal would require a minimum of 491 parking spaces. The current proposal provides a total of 473 parking spaces with a mix of above-ground and underground spaces. While this is a shortfall of 18 spaces compared to the LUB requirements, we believe the amount of parking provided is adequate given the site's urban location and the close proximity of higher-frequency transit service.</p> <p>The proposed buildings include adequate space for bicycle parking and solid waste facilities.</p>
<p><i>(g) the adequacy of the servicing capacity of the site.</i></p>	<p>Servicing on the site is not proposed to change.</p>

4 Detailed Request

In order to effectively convert Buildings A & B to residential uses and support the best layout for Building C, United Gulf requests a number of amendments to the development agreement. These are laid out in below. United Gulf would be happy to consider any other amendments for which staff identifies a need.

CLAUSE 2.4.1 Increase the maximum floor levels of Building A to 8 storeys and Building B to 5 storeys.

Due to the difference in floor-to-ceiling heights in commercial and residential buildings the conversion of Building A from a 6-storey commercial building to an 8-storey residential building will result in a minimal height increase of ~5'6". Similarly, converting Building B from a 3-storey commercial building to a 5-storey residential building will result in a minor height increase of ~12'. However, the overall volume of Building B will change very little because the width of the proposed building is narrower than currently permitted, in order to provide increased separation between the residents of Buildings B and C.

CLAUSE 2.4.3 Update the overall permitted residential density to 552.

This will support a total of up to 112 two-bedroom units in the converted Building A and Building B.

CLAUSE 2.4.6 Replace 13,500 square feet per floor with 15,000 square feet per floor.

This minor increase in floor area will allow the bedrooms in Building C to be slightly enlarged and reconfigured with a more rational and functional layout (e.g. width of 10 feet instead of 9 feet). This change can be accommodated with reconfigured wall placements and does not materially affect the construction timing or activities on the site.

CLAUSE 2.6.3 Delete this clause.

In the time since the development was originally approved, the vegetation along the property lines has grown up naturally, providing a visual and physical screen. United Gulf feels a wooden fence is no longer necessary and the construction along the property line would be disruptive to neighbours.

CLAUSE 2.15.1 Permit underground parking on up to three levels, provided the amount of parking shown on Schedule C is not reduced.

This will provide flexibility to best configure parking to the geotechnical conditions of the site.

S2.1 & SCHEDULES Delete Schedules F, G, and H, and replace Schedules B, D, I, J, K, L, and M.

The new schedules include the new site plan and building drawings necessary to implement the major changes to Buildings A and B. They also include the new building drawings necessary to implement the changes to architectural detailing on Buildings C, D, and E and extended footprint of Building C.