



August 24, 2018

Maggi Holm, LPP, MCIP
Principal Planner
Urban Enabled Applications/ Planning & Development
Halifax, Nova Scotia

Dear Maggi:

Re: Development Agreement amendment application for the United Gulf Stoneridge building located at 56 Walter Havill Drive, Halifax.

On behalf of my client, United Gulf Construction Inc., please consider this letter a request to amend the above noted development agreement. Our request is to change the land use mix that is currently approved for the ground floor of the Stoneridge building. The request is twofold:

- 1) The ground floor currently contains one, 2-bedroom unit and one 11-room lodging house. This request is to change the 11-room lodging house into 11 residential units.
- 2) There is an existing private gym in the lobby area for the residents of the Waterton and Stoneridge buildings. This request is to change the private gym to a neighbourhood commercial use so that it can be opened to the neighbourhood to serve the residents of the "Stoneridge on the Park" development agreement.

This request does not propose any changes to the size, height, or volume of the existing Stoneridge building. The original "Stoneridge on the Park" development agreement applies to the 107-acre area formerly known as the Stanley Park Subdivision that was approved under Schedule I - Residential Development District of the Halifax Mainland Municipal Planning Strategy.

Population:

The current development agreement and subsequent amendments, (in particular, the most recent amendment assigned as Case 00956 and discussed in the staff report dated June 5, 2007), confirmed that Site C, where the Stoneridge building is located, is permitted to have 299 residential units and a maximum population of 624 persons.

The staff report also confirmed that the existing population of the "Stoneridge on the Park" development agreement was 2784 persons, which was eight persons below the maximum permitted in the development agreement which is 2793 persons (as specified in section 3 (l) of the development agreement as 26 persons per acre for the 107-acre site).

At the time of that amendment, the ground floor of the Stoneridge building was approved for two residential units consisting of one, 1-bedroom unit (2 persons) and one 2-bedroom unit (2.25 persons) for a total of 4.25 persons.

In a letter from me to Sean Audas dated September 11, 2017, we requested (and subsequently received approval) to change the ground floor of the Stoneridge building from its two units listed above into one bachelor unit (one person) and one 11-room lodging/rooming house (no population equivalent). This change resulted in reducing the ground floor population from 4.25 persons to one person. This brought the overall population of the development agreement to 11.25 persons below the maximum permitted.

Our current request to change the 11-room lodging house into 11 units made up of:

Six bachelor units = six persons

Five one-bedroom units = 10 persons

For a TOTAL of: 16 persons.

As previously noted, "Stoneridge on the Park" is currently below the maximum population permitted in the development agreement by 11.25 persons. Our proposed 11 units equate to 16 persons, therefore, this amendment request is to allow an additional 4.75 persons ($16 - 11.25 = 4.75$). For the convenience of using round numbers, this would increase the total development agreement population by five persons: from 2793 to 2798.

The impact of allowing an additional 5 persons to the overall population of 2793 persons, is .0018 percent increase. The impact to the Stoneridge building would be to increase the number of units from 299 to 310 and to increase the population from 624 to 629.

The density calculation broken out as a persons per acre basis is shown below:

2793 divided by 107 acres = 26.10 persons per acre (current development agreement allows)

2798 divided by 107 acres = 26.15 persons per acre (current request)

The 11-room lodging house is a permitted use but does not form part of the overall population calculation because it is not in the category of residential units. Changing the 11-room lodging house into 11 units does not change the nature of the land uses, because both land uses involve people living in that portion of the building. The main difference is that a lodging house is rented short term and is not counted in the development agreement population density, whereas, residential units are rented long term and are counted as population density. The proposed 5-person increase is negligible to the overall population density of the development agreement.

Private Gym vs. Neighbourhood Commercial Gym

The proposal to open the private gym to the neighbourhood is because currently the gym is underutilized. Visitors of residents of Stoneridge and Waterton buildings have asked if they

can use the gym. Also, residents who live in the immediate surrounding area of Stoneridge on the Park have asked if they can use the gym. In order to allow non-residents of the Stoneridge and Waterton buildings to use the gym, and to be able to track users and charge for membership to cover costs and maintenance, the gym would need to be categorized as a neighbourhood commercial use. It is logical to allow the gym to serve the larger development agreement area and visitors of residents who live in the Stoneridge and Waterton buildings.

Neighbourhood Commercial uses are permitted on the ground floor of high density residential buildings as per Schedule I - Residential Development District of the Halifax Mainland Municipal Planning Strategy.

Traffic:

In terms of traffic generation, changing the 11-room lodging house into 11 residential units will not change the traffic generation. In fact, the proposal may decrease the traffic by having the units rented long term rather than short term.

The proposal to change the private gym into a neighbourhood commercial gym will not significantly increase traffic because the location is set off from the main roads and is intended to serve the immediate neighbourhood. Many people coming to the gym will be local traffic, people walking to the gym from the surrounding neighbourhood, or be friends and family who are already visiting residents of the Stoneridge and Waterton buildings.

Parking:

The development agreement requires 270 underground parking spaces for "Site C" which is the site of the Stoneridge and Waterton buildings. There are currently 299 underground spaces, which equates to 29 extra underground parking spaces. In addition, there are 71 extra above ground parking spaces for a total of 100 extra parking spaces on site C. The proposed new 11 residential units would generate 11 parking spaces in accordance with the Land Use By-law. As previously noted, the gym would not likely generate very much parking, however, to use the Land Use By-law requirement of 4 spaces per 1000 square feet, the 4450 square foot gym would require 18 spaces. The 11 plus 18 spaces (29 spaces) is well below the 100 extra spaces on site.

I look forward to working with HRM Planning staff on this application. Please do not hesitate to contact me if you require any additional information.

Sincerely:

Original Signed

Jenifer Tsang, MCIP

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email: sunrose@eastlink.ca



March 6, 2019

Dean MacDougall
Planner II
Planning & Development
Halifax Regional Municipality

Dear Dean:

RE: Case No. 21929, Application for substantive amendment to the existing development agreement on lands at 56 Walter Havill Drive to convert a 12-room lodging house into 11 residential units.

This letter is to provide additional information as per your letters dated September 21, 2018, and October 5, 2018, our follow up meeting with yourself and Maggie Holm on October 12, 2018 and our recent phone conversation on March 4, 2019. This letter has up-to-date numbers and calculations and should replace the numbers and calculations of my letter dated August 24, 2018.

1. Sewer capacity: at our meeting we confirmed that our request would have minimal impact on the sewer capacity. However, MPS policy requires confirmation of this from Halifax Water. We will pursue their comments as this application moves forward.
2. Permission from Condo Corporation: HRM have indicated that the condo corporation for the Waterton side of the building(s) may need to be part of our application. Our original application was two-fold: approval for the lodging house to be converted into residential units and the conversion of the private gym to a public gym. Depending on what HRM determines regarding the condo corporation's involvement, we may separate our application into two applications and pursue just the residential units at this time.
3. HRM need to see a floor plan: we had not submitted a floor plan of the Stoneridge building in my August 24, 2018 letter. This letter provides two floor plans, which are explained further in this letter.
4. HRM asked for an explanation of the floor plan and the permitted units for the Stoneridge building from the 2007 staff report to present. I explain this as follows:

2007 Staff report Case #00956: confirms that the development agreement pertaining to the Site C where the Waterton and Stoneridge buildings are located is permitted to have 299 residential units and a max population of 624 persons.

The 2007 Staff report also confirms that the existing population of the “Stoneridge on the Park” development agreement was at 2784 persons which was eight persons below the maximum permitted in the DA which is 2793 persons (as specified in section 3(i) of the DA as 26 persons per acre for the 107 acre site).

The 2007 Staff report also addressed the request to replace the existing four-story Stoneridge building with a 12 storey building.

The 2007 staff report recommended approval but Council refused to enter into the development agreement. United Gulf appealed Council’s decision and was successful in obtaining an amended development agreement.

Construction permits were granted that allowed 154 units in the Waterton building and 145 units in the Stoneridge building (totaling the 299 permitted on this site).

The 145 units in the Stoneridge building were confirmed by HRM building inspection to consist of 13 units on each of the top 11 floors of the 12-floor building (totaling 143 units). This allowed for two units to remain on the ground floor. The ground floor had already been constructed into 12 units from when it was a four storey building and prior to the 12 storey amendment being approved. Therefore, ten of the units had to be renovated and re-labeled as something other than “units”.

The floor plan for the ground floor of the Stoneridge building was attached to the building permit at the time. I have enclosed a copy of the floor plan that I received from HRM Development Services (by Lydon Lynch drawing number 301). I received this floor plan during the time of our 2017 request for a lodging house. Development services staff undertook a detailed review of the history of this building and confirmed that this floor plan reflects the two permitted units and the extra ten rooms.

The two permitted units are: a one-bedroom unit shown as “Unit J” and a two-bedroom unit shown as “Unit C” on the Lydon Lynch plan.

Our 2017 request to HRM Development Services was to convert the two permitted units (the 2 bedroom unit equivalent to 2.25 persons and the 1 bedroom unit equivalent to 2 persons) into one bachelor unit (equivalent to one person) and one 12 room lodging house (equivalent to zero persons). This would change the persons count on this floor from 4.25 persons to 1 person. This request results in an overall population from eight persons below the maximum

permitted (as confirmed in the 2007 staff report) to 11.25 persons below the maximum permitted.

I am enclosing the floor plan that we submitted to HRM for this request. It is entitled "Stoneridge Senior Residence". The name "senior residence" was used because our request began with seeking a "seniors" unit and evolved into a "lodging house".

On October 24, 2018 we received a development permit to convert "an existing unit to a 12-room lodging house". The development permit (#163078) did not specify which of the existing units was to be converted.

Regardless of which unit gets converted, or if both units get converted as per our original request, the persons for this floor would be reduced from 4.25 and further reduce the overall population below the maximum permitted.

At the recent 2018 Provincial court case, a floor plan was used that had the exact same layout as the two plans I have included here, but had different labels for the two residential units and the ten other rooms. I am still trying to find a copy of the floor plan that was used at the court case. I am enclosing the court order that states which ten "units" cannot be occupied (units 101 - 105 and units 108 - 112). This order does not address Unit 106 and Unit 107 because they are the two units that were originally permitted under the building permit and shown on the Lydon Lynch plan.

Our current 2018 development agreement amendment request is to have 12 residential units on the ground floor of the Stoneridge building. This can be accomplished in a few different ways, depending on how or which of the existing two units are converted into the 12-room lodging house and what type of residential unit remains.

Our desire is to have the following on the first floor of the Stoneridge building:

Six bachelor units = six persons
Five one-bedroom units = 10 persons
One two-bedroom unit = 2.25 persons
This totals 18.25 persons.

As previously explained, with our proposed conversion that would result in one bachelor unit and one 12-room lodging house, the floor totals one person. This equates to 11.25 below the maximum permitted in the development agreement. Therefore, our current amendment request would result in an increase of 7 persons across the 207-acre development agreement (18.25 minus 11.25) from 2793 to 2800 persons overall.

The impact of allowing an additional 7 persons to the overall population of 2793 persons is a .0025% increase.

The density calculation based on persons per acres is:

2793 persons divided by 107 acres is 26.10 persons per acre.

2800 persons divided by 107 acres is 26.17 persons per acre.

The supporting arguments regarding traffic and parking provided in my August 26, 2018 letter remain valid.

Please do not hesitate if you wish to discuss.

Thank you,

Original Signed

(Jenifer Tsang, MCIP