

Attachment A: Applicant's Application Letter



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Miles Agar
Principal Planner
Urban Enabled Applications
Planning & Development | Current Planning
40 Alderney Drive
Halifax, NS B3J 3A5

CC: Eric Lucic, Manager of Regional Planning
Kate Greene, Program Manager, Planning and Development, Regional Planning

Re: Application for Municipal Planning Strategy Amendment and Development Agreement, 210/214 Willett Street, Halifax, NS (PIDs: 40090086, 40375776)

Dear Miles:

On behalf of our client, Timbercreek Asset Management (Timbercreek), ZZap Consulting Inc. (ZZap) is pleased to submit a Municipal Planning Strategy (MPS) amendment application for a mixed-use development located within the Halifax Plan Area at 210 and 214 Willett Street (PIDs: 40090086, 40375776). To support this application submission, the following materials are included as appendices:

- Completed Planning Application Form
- Appendix A: Amendment Request
- Appendix B: Architectural Drawings and Site Plan
- Appendix C: Wastewater Servicing Study
- Appendix D: Traffic Impact Statement

1.0 Site Description and Location

The subject site is located within the Halifax Plan Area and has direct frontage on Willett Street and Dunbrack Street. The site consists of two PIDs: 40090086 and 40375776 and has a total area of approximately 181,769 ft².

The site is designated "Residential Environment" within the Halifax Municipal Planning Strategy and is zoned R-4 (Multiple Dwelling) within the Mainland Halifax Land Use By-law. This zone allows for apartment houses subject to angle controls and density restrictions.

Subject Site



2.0 Summary of Development Proposal

Timbercreek is seeking to develop a new residential building on the subject sites reaching a height of 19 habitable storeys, plus a non-habitable penthouse. The design of the new development, as illustrated in Appendix B, provides for a total of 517 residential apartment units and 17 two-level townhomes. The proposed development includes driveway access off Willett Street, providing access to approximately 315 underground parking stalls and 10 surface parking spaces located within the site. The FAR of the proposed development is 2.84.

Proposed Design

The proposed development consists of three towers and 17 townhouses along the western lot line. The southernmost tower rises 8 storeys and, moving north, the following towers rise 13 and 19 storeys respectively. These towers share a common 4 storey podium and one level of underground parking, as well as 320 bike parking spaces.

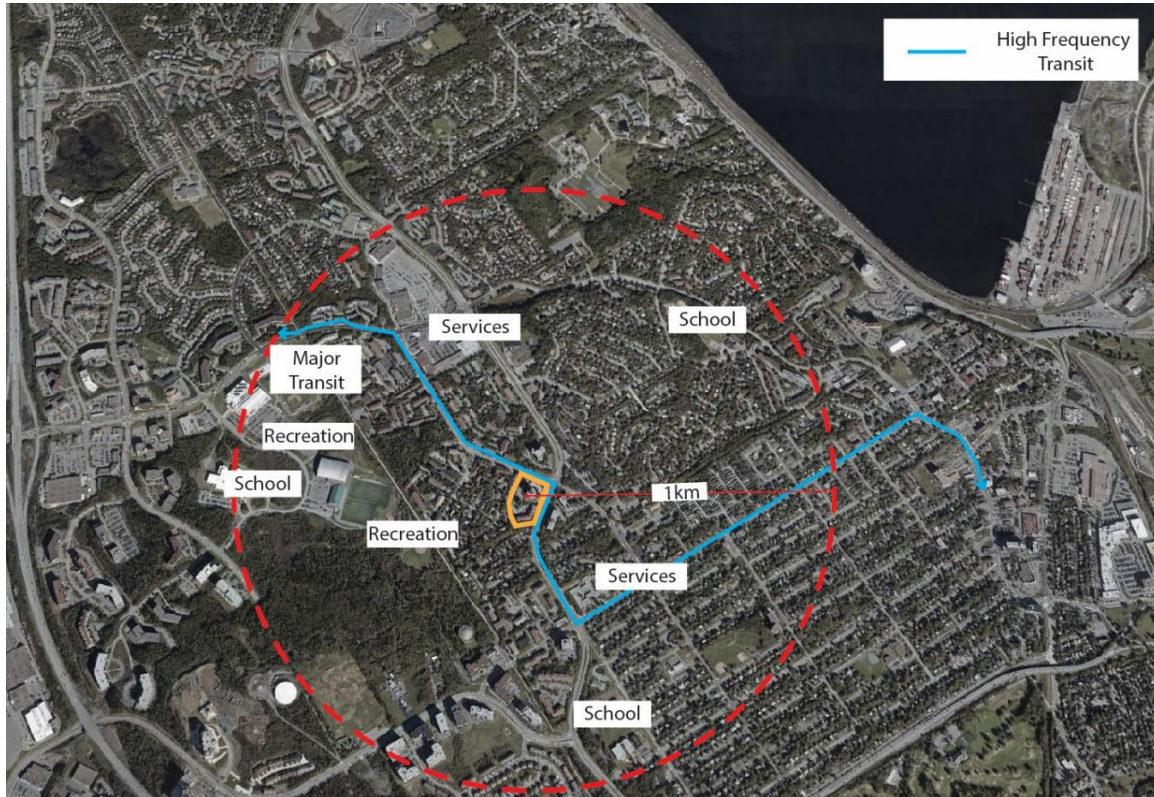
The proposal recognizes the abutting low scale residential buildings and the need to transition to that scale of development. It responds to the this built form by mirroring the townhouse style along the western lot line and stepping down the tower height along the southern lot line as it reaches the abutting single-family homes on Birkdale Crescent. A treed buffer is proposed along the entirety of the western and southern lot lines to soften the building elements.

To promote pedestrian-oriented and human scale design, the main tower is pulled closer to the intersection of Dunbrack Street and Willett Street than the existing tower, and contains residential dwellings with street access on the ground floor, providing frequent entrances and transparent windows.

3.0 Background

The site is within walking distance of a suite of amenities located in the shopping centres at Lacewood Street and Dunbrack Street, as well as parks and open space, the Canada Games Centre, the Lacewood Bus Terminal, Keshen Goodman Library Halifax West High School and Fairview Heights Elementary, and Fairview Junior High.

Surrounding Area Services



Timbercreek has owned 210/214 Willett Street since 2007 however, the current structures have existed since the early 1970s and are at the end of their usable life. The building located at 210 Willett Street (PID: 40090086) is in a state of disrepair and is not suitable for occupancy. The mechanical systems are failing, and the waterproof membrane was not installed correctly causing the structure to become waterlogged. The structures located at 214 Willett Street (PID: 40375776) are in similar state and also uninhabitable.

Existing Structure (210 Willett)



The building condition is the major driver for the property owner. The cost to upgrade the existing envelope to current standards is not insignificant and, considering that constraint, Timbercreek Asset Management requires an increase in the revenues produced by the property in order to secure adequate financing for new construction. This is to be achieved by increasing the total number of units producing rent and by realizing energy savings from improvements. As Timbercreek's intention is to maintain long term ownership of the building, the realized energy savings can be transferred onto residential tenants.

As part of the conceptual design development, Timbercreek has met with HRM staff, and the area councillor, to gather feedback on the initial concept.

On Thursday March 28th 2019, a Public Open House event was held at the Centennial Arena - Multi-purpose Room at 27 Vimy Ave, Halifax. ZZap staff, as well as our client, were present at the meeting to receive comments and feedback from residents. The open house was attended by approximately 60 people. The following items were commonly discussed at the open house:

Theme	Description	Design Response
Sun/Shadow	Community members were concerned about the shadowing effect of the towers/townhouses on neighbouring residents.	Townhouses along the west property line were reduced to two storeys instead of four storeys in order to reduce the shadow impact on neighbouring properties. The proposed towers fall within a 60-degree angle from the North and West property lines to allow ample sun exposure to the properties abutting the site.
Trees/Privacy	Community members were concerned about maintaining the tree buffer on the western and southern property lines. The desire was to keep the tree buffer and consider a privacy fence along the western property line.	The tree buffer along the south and west property lines will be maintained and a 1.8m privacy fence is proposed along those property lines as well.
Traffic/Access	Community members were concerned about the impact of the increased number of residents on traffic. Some neighbouring residents thought a secondary access point would help reduce the impact.	A traffic study was conducted by Harbourside Engineering and the findings indicated that traffic would not be unreasonably impacted by this project. The study is attached as Appendix D.
Affordable Units	Community members were concerned that there were no affordable/low cost units presented as part of the concept.	Timbercreek asset management is open to investigating the feasibility of including affordable units in this development.
Demolition/Construction	Community members were concerned that the demolition/construction process would cause a lot of noise and dust, and potential have negative environmental impacts	These concerns will be considered when preparing a demolition plan and a construction mitigation plan. All provincial environmental regulations will be followed.

Height of Townhomes (Privacy)	Community member were concerned about the height of the townhomes along the western property line. They felt that they would lose their privacy and potentially their access to sunlight.	The townhomes along the west property line were reduced to two storeys instead of 4 storeys to maintain the privacy of the adjacent properties. A 1.8m privacy fence is proposed along the property line to further reduce the privacy impact of this proposal
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Planning Background

The Halifax Municipal Planning Strategy is more than four decades old. Portions of the plan area are currently being re-evaluated by way of the Centre Plan public engagement process, to adapt to current social norms and the desires of the current residents of the area. However, the portion of the plan and connected Land Use By-law are not included as part of the Centre Plan Review. The density limit imposed on these lands (75 persons per acre) are a relic leftover from a time where servicing capacity was limited in the area. Service capacity has vastly improved in this area since that policy came into force and is no longer an issue for this site. It is our understanding that this area will be part of the next phase of Municipal Plan and Land Use By-law reviews, but a timeline has not been established for that project. Under the Regional Plan, this area is identified as the Clayton Park West growth node, and subject to a secondary plan. However, the scope and timeline of that process has not been contemplated yet by staff. Given the uncertain timeline of the completion of the next phase of Municipal Plan review, and the diminishing state of the existing structures on the property, Timbercreek Asset Management requests that Regional Council consider the proposed site-specific changes to the Halifax Municipal Planning Strategy outlined in Attachment A, and direct staff to enter into a Development Agreement with the property owner, to allow them to redevelop these properties using modernized development controls.

4.0 Application Request

Timbercreek Asset Management requests a site-specific amendment to the Halifax Municipal Planning Strategy as outlined in Appendix A.

5.0 Rationale for Application Request

The proposed amendments to the MPS enable a development scenario on the subject properties through policies that are more consistent with HRM's most recent planning frameworks for urban areas within the region (i.e. draft Centre Plan, Downtown Halifax Plan, Integrated Mobility Plan) and are also more reflective of the basic needs of modern residential buildings. Our proposed amendment is keeping within the policy goals of the Halifax Municipal Planning Strategy and the Regional Municipal Planning Strategy, while proposing development controls more aligned with the provisions in the Downtown Halifax LUB and proposed provisions in draft Centre Plan Package A.

Alignment with the Halifax Municipal Planning Strategy

The proposed development aligns with the following Halifax MPS residential policies as outlined in the table below:

	Policy	Rationale
2.1	Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.	The proposed development aligns with this policy by providing additional housing options in Mainland Halifax. The servicing study (Attachment C) prepared by DesignPoint Engineering indicates that there is adequate servicing ability in this area for this scale of development.
2.2	The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate	This application does not propose a change in use for the property but does propose an increase in intensity of the current residential use. The proposed increase in intensity of residential uses (534 dwelling units compared to the existing 150 units) is adapting to the changing needs of the community. The current vacancy rate in the "Mainland North" area of Halifax is 1% overall (CMHC Rental Market Report 2018), compared to a 1.6% vacancy rate for the whole of the Halifax Census Metropolitan Area (CMA). This indicates that there is certainly a demand for more housing supply in the area.
2.3	The City shall investigate alternative means for encouraging well-planned, integrated development.	Policies 2.3 -2.3.2 apply to ribbon development and are not applicable to this proposal.
2.4	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	The existing character of the area is predominantly residential, and this proposal will maintain that character. Additionally, the surrounding properties are predominantly multi-unit/multi-storey residential buildings and this proposed development maintains that character while incorporating planning and design principles that enhance the public realm and mitigate impact on adjacent uses. A mix of unit types are anticipated with the proposed development including:

	character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.	80% 1 bedroom 15% 2 bedroom 5% 3 bedroom
2.5	The City shall prepare detailed area plans for predominantly unstable neighbourhoods or areas. The priorities and procedures by which the City shall prepare these plans shall conform to the official City report entitled <u>Areas for Detailed Planning</u> and subsequent amendments which may be made by the City thereto as set forth in Part III, Section I of this document.	Not applicable to this proposal. The site is not within the "Areas for Detailed Planning"
2.6	The development of vacant land, or of land no longer used for industrial or institutional purposes within existing residential neighbourhoods shall be at a scale and for uses compatible with these neighbourhoods, in accordance with this Plan and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.	Not applicable to this proposal. The current land is not vacant, or of an industrial or institutional use.
2.7	The City should permit the redevelopment of portions of existing neighbourhoods only 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. The intent of this policy, including the	The proposed development would not displace any existing residents as the properties are currently vacant. The existing site is considered a "brownfield" site and redevelopment should be considered infill housing and rehabilitation of the existing condition.

	manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.	
2.8	The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).	The proposed development targets the adult active living demographic. This includes seniors who are looking to downsize from existing single-family homes. Timbercreek is open to working with the municipality to make affordable units available in their development to address the housing needs of people with different income levels in the neighbourhood.
2.8-2.18	N/A	Not Applicable to this proposal.

Alignment with Regional Municipal Planning Strategy and other HRM plans

The Regional Plan (RMPS) chapter on settlement and housing includes objectives that focus new growth in centres where supporting services and infrastructure are already available. The objectives also aim to design communities that support complete neighbourhoods (mixed-use, diverse, affordable, accessible) and neighbourhood revitalization. The RMPS designates the area where the subject properties are located as part of the Clayton Park West Urban Local Growth Centre, which calls for high-density residential uses as well as pedestrian-oriented facades.

The Integrated Mobility Plan speaks to the need to support transit-oriented development, development that is located near "existing or proposed high level of transit service to support the development of walkable, affordable transit-oriented communities" (IMP Policy 2.2.5b). The subject properties are located along "Route 2", a designated Corridor Route in the Moving Forward Together Plan, which has a high level of service. It also speaks to a desire for "pedestrian-oriented site design and human scale massing at street level for all new multi-unit housing" (IMP Policy 2.2.5e).

The proposed MPS amendments request minor changes to planning policy in order to provide adequate flexibility to accommodate larger scale, complex, new developments. Therefore, we believe that the proposed amendments are still in alignment with recent planning policies including the RMPS.

Why current SMPS policy is no longer appropriate

Timbercreek is in support of this general intent of the MPS policies as written, however it has become evident that the policies do not include enough flexibility to account for large scale, modern residential buildings that have complex functional elements. Larger scale modern buildings have an inherent demand for larger scale mechanical and other functional building elements. This inherent demand is contemplated in HRM's most recent planning frameworks for urban areas within the region (i.e. draft Centre Plan, Downtown Halifax Plan & Downtown Dartmouth Plan), however it is not contemplated in the Halifax Plan Area MPS and Halifax Mainland Land Use By-law.

The density restriction of 75 persons per acre, regulated by the Halifax Mainland Land Use By-law, severely inhibits modernized development and directly impedes the goals outlined for Urban Local Growth Centres in the Regional Plan, and Transit Oriented Development goals outlined in the Integrated Mobility Plan. A modernized development control would be more applicable for sites of this size.

One such modernized development control is the use of Floor Area Ratio (FAR). This type of development control is contemplated under Centre Plan for sites of this size and scale and could prove to be a more useful tool to meet the residential policies under the current Municipal Planning Strategy for similar sized sites. For comparison, the Young Street Superstore site (PID: 41120148) is 4.28 acres and, under the draft Centre Plan, is given a FAR of 7; Timbercreek's proposal has a site area of 4.17 acres and a FAR of 2.84.

Impact on local community and broader region

The proposed MPS amendments will only impact development of the specific properties. The amendments will have a minimal impact on the local community and the broader region as they are minor in nature and are limited to a small geographical area. We believe that the proposed amendments will provide adequate flexibility to enable complex new construction within the Halifax Plan Area, that is aligned with the general intent for development in this area under the Regional Plan and the Integrated Mobility Plan.

Why this consideration cannot wait until the next HRM initiated SMPS review

The urgency of this request stems from two reasons:

1. The deteriorating state of the existing buildings;
2. Historically low interest rates; and
3. The urgent need for rental housing in the Mainland North area of HRM.

As mentioned previously, the existing structures are unfit for occupancy and repairs are cost prohibitive. In order to secure financing for redevelopment, Timbercreek requires increased revenue from the property (i.e. increased unit yield). This financing model is only feasible if Timbercreek can take advantage of historically low interest rates. If a

plan review is required before permitting, and interest rates rise, project financing becomes an issue and the project may not be feasible at that time. Lastly, the most recent CMHC rental market report identified a 1.1% rental vacancy rate in the Mainland North area. This is below the average for Halifax (1.6%) and Canada's overall vacancy rate (2.4%). The need for additional rental housing is pressing and demands additional units. These three factors combined provide the rationale for considering Timbercreek's request before initiation of a secondary plan review.

6.0 Conclusion

Many of the supporting documents included with our application reflect discussions we have had with various HRM planning staff. We remain open to further revisions and improvements to the development plan as we move forward with more a detailed design in a collaborative manner with you and your colleagues.

In recognition of the thorough public and staff consultation process we have undertaken, we request that HRM planning staff move forward with the initiation report and application process in an expeditious manner.

We respectfully request that you provide us with an anticipated schedule for the plan amendment and development agreement process.

Please advise if you require any further information at this time in order to prepare the initiation report for this project.

Kind Regards,

Greg Zwicker MCIP, LPP