



Zwicker Zareski Architecture + Planning

1 Canal Street, Dartmouth NS B2Y 2W1 | 902 266 5481 | connor@zzap.ca

July 28, 2020

Seamus McGreal
Planner III, Heritage
Planning & Development
Halifax Regional Municipality
40 Alderney Drive
Halifax, NS B3J 3A5

**Re: Development Agreement Application, 1029 Tower Road, Halifax, NS (PID:
00142935)**

Seamus,

On behalf of our client, Trystan James, ZZap Consulting Inc. (ZZap) is pleased to submit a Development Agreement (DA) to enable the consideration of residential and/or commercial development at 1029 Tower Road that includes the existing heritage building. To support this application, the following materials are included:

- Completed Application Form
- Appendix A: Proposed Site Plan
- Appendix B: Proposed Building Drawings
- Appendix C: Heritage Impact Statement
- Appendix D: Servicing Schematic

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.

Table 1 Applicable MPS Policy Table

APPLICABLE POLICY	APPLICANT RESPONSE
<p>6.8 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 otherwise permitted by the land use designation and zone subject to the following considerations:</p>	<p>The subject property for this development application (PID: 00142935) is a municipality registered heritage property that has a registered heritage building.</p>
<p>(i) that any registered heritage building covered by the agreement shall not be altered in any way to diminish its heritage value;</p>	<p>Please refer to Appendix C: Heritage Impact Statement</p>
<p>(ii) that any development must maintain the integrity of any registered heritage property, streetscape or conservation area of which it is part;</p>	<p>The proposed development rotates and orients the heritage building to face Tower Road. Therefore, the buildings redeeming heritage features (i.e. Scottish Style Dormers) will now be directly facing the public streetscape.</p> <p>The proposed new building is of similar proportion and height of heritage buildings within the Tower Road streetscape. The building is also adequately separated from the heritage building on site and is treated with similar yet distinguishable materials to ensure the integrity of the heritage building is preserved.</p>

<p>(iii) that any adjacent uses, particularly residential use are not unduly disrupted as a result of traffic generation, noise, hours of operation, parking requirements and such other land use impacts as may be required as part of a development;</p>	<p>The proposed development does not include any vehicular parking (surface or underground), therefore no disruption is anticipated from a traffic standpoint.</p> <p>In terms of noise and hours of operation, we are eager to identify terms within the Development Agreement that regulate hours of operation for potential commercial uses in order in mitigate disruption.</p>
<p>(iv) that any development substantially complies with the policies of this plan and in particular the objectives and policies as they relate to heritage resources.</p>	<p>Please refer to the attached elevation drawings, particularly the elevation from Tower Road showing both the heritage buildings and the proposed new multi-unit building. The new building is 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.</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.

Table 2 Applicable RMPS Policy Table

APPLICABLE POLICY	APPLICANT RESPONSE
<p>CH-16 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 heritage properties by considering the following:</p>	

<p>(a) 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 multi-unit building includes fine-scale architectural detailing through projections, recesses and material changes that reinforce similar aspects of abutting heritage resources and streetscapes.</p>
<p>(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 multi-unit dwelling were carefully planned to ensure the building 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 building is 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>(c) 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>(i) incorporate fine-scaled architectural detailing and human-scaled building elements.</p> <p>(ii) 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>(iii) any additional building height proposed above the pedestrian realm mitigate its impact upon the pedestrian</p>	<p>(i) the proposed new multi-unit building include fine-scale architectural detailing through projections, recesses, and material changes. The building is also 35 ft. tall and therefore falls within the permitted height framework.</p> <p>(ii) The proposed new building is approximately 35 ft. in height, which is compatible in terms of scale, floor lines and structural bays with abutting heritage resources within the Tower Road streetscape and Inglis Street Streetscape.</p> <p>The new multi-unit building is within the permitted building height maximum of the underlying zone, which is 35 ft.</p>

<p>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>The new multi-unit building is designed with an aggregate of masses (i.e. pitched roof and modern dormer), projections, recesses and materials that reduce its apparent scale and is complementary to the abutting heritage structure and heritage streetscapes.</p>
<p>(d) the siting of new developments such that their footprints respect the existing development pattern by</p> <p>(i) 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>(ii) 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 new multi-unit building is setback approximately, 2-3 metres from the front property line facing Tower Road, whereas the heritage building is setback approximately 5.4 metres from the front property line. The setback of the proposed new building is consistent with the setbacks of other buildings within the Tower Road streetscape, whereas the heritage resource is setback further from the street. The existing heritage resource is currently uniquely setback from the front property line, distinguishing it from the rest of the Tower Road streetscape. Our proposed design maintains this distinguishing setback for the heritage resource and sites the new mutli-unit building to have a front yard setback that is consistent with the streetscape.</p>
<p>(e) not unreasonably creating shadowing effects on public spaces and heritage resources;</p>	<p>The proposed new building is approximately 35 ft. in height, which is compatible in terms of scale with abutting heritage resources within the Tower Road streetscape and Inglis Street Streetscape.</p>
<p>(f) complementing historic fabric and open space qualities of the existing streetscape;</p>	<p>The building form includes a pitched roof with a modern dormer facing the heritage resource on the property, creating a compatible yet distinguishable relationship from a building form perspective. The new building is also setback approximately, 2-3 metres from the front property line facing Tower Road whereas the heritage building is setback approximately 5.4 metres from the front property line. The setback of the newly proposed building is consistent with the</p>

	<p>setbacks of other buildings within the Tower Road streetscape, whereas the heritage resource is setback further from the street. The existing heritage resource is currently uniquely setback from the front property line, distinguishing it from the rest of the Tower Road streetscape. Our proposed design maintains this distinguishing setback and sites the new building to have a front yard setback that is consistent with the streetscape. Therefore, the proposed new building is subordinate to the heritage resource on the property yet consistent with the remainder of the streetscape.</p>
<p>(g) minimizing the loss of landscaped open space;</p>	<p>The proposed development at 1029 Tower Road is designed to increase the amount of landscaped open space between the heritage resource and the streetscape by relocating the heritage resource and setting it back from the front lot line.</p> <p>Although the lot coverage for the property will be increasing through the development a of proposed new multi-unit building. The remainder of the site is proposed to be landscaped with walkways and connections to various elements of the development</p>
<p>(h) 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;</p>	<p>N/A – the proposed development does not include and underground or surface parking</p>
<p>(i) 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;</p>	<p>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</p>

	the character and integrity of abutting heritage resources.
(j) 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, particularly the elevation from Tower Road showing both the heritage buildings and the proposed new multi-unit building. The new building is 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,

Connor Wallace

Connor Wallace, MCIP, LPP
Principal
ZZap Consulting Inc.
connor@zzap.ca
902-266-5481