



March 7, 2025

Mr. Josh Adams, MCIP, LPP  
Principal Planner – Community Planning, Planning & Development  
Halifax Regional Municipality

Dear Josh,

On behalf of Richmond Yards Inc., I am writing to request the support of Staff to bring a recommendation to Halifax Regional Council to initiate a process to allow for a site-specific development agreement for the last phase of the Richmond Yards Development- Building RA. A development agreement for this site will enable:

- 1) An additional 30 units, allowing for 41 affordable housing units to be incorporated throughout Building RA which would otherwise not be financially feasible,
- 2) The completion of the Richmond Yards transportation network, connecting approximately 1,500 residents to the future Robie Street BRT route, and
- 3) Building design that is integrated with the prior phases of the Richmond Yards development.

**Background:**

In 2021, a development agreement was approved for the Richmond Yards - a comprehensive, integrated community that provided pedestrian-oriented street networks, transit connectivity, and a design strategy that ensured that buildings were in harmony with each other. Building RA, located on the corner of Robie and Almon Street, was always intended to be the final phase of this master plan. However, a minor parcel of land without clear ownership meant that building RA was excluded from the original development agreement. This ownership issue was finally resolved in 2024, with HRM selling the parcel to Richmond Yards Incorporated. Unfortunately, this resolution came too late. Current zoning regulations limit Building RA to **56%** of its allowable floor area. This is an unfortunate outcome for a site located directly along a bus rapid transit route, especially during a housing crisis.

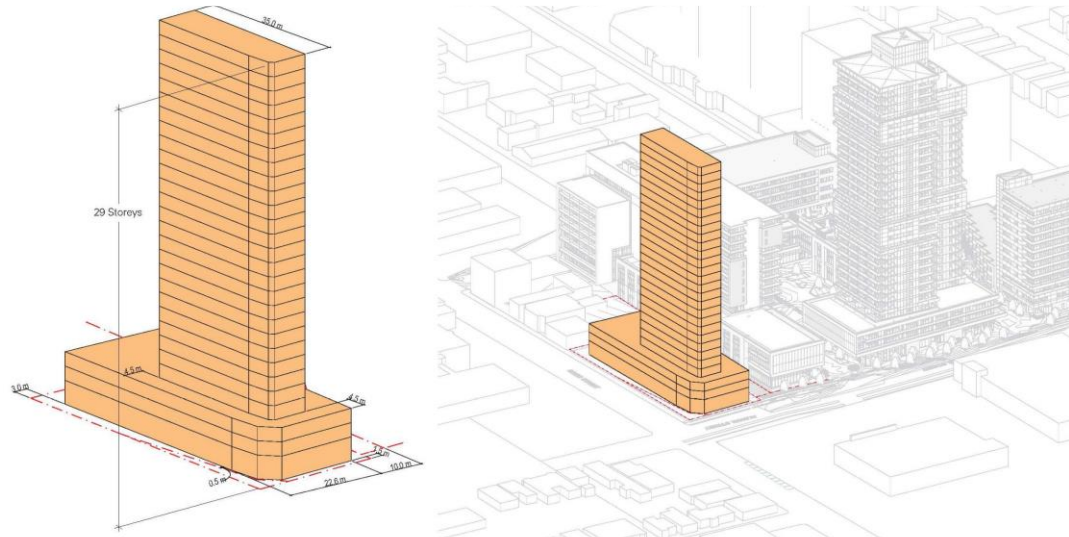
The Regional Centre Land Use By-law permits a floor area ratio (FAR) of 7 for this site, however, under the existing requirements the maximum achievable is 3.94 out of a permitted 7 (56% of the total allowed). At this scale of development, providing affordable housing units is not financially feasible. However, by increasing the building height from 10 to 12 storeys, the achievable FAR is increased to 4.82. This additional development potential will allow for Richmond Yards Inc. to participate

902.429.4100  
hello@fbm.ca  
fbm.ca

101-5560 Cunard St.  
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Canada B3K 1C4

in CMHC Apartment Construction Loan Program and provide 41 affordable units, guaranteed for 21 years.

Under the current regulations, increased requirements are triggered once a building exceeds 10 storeys. For this site, a building over 10 storeys could only 9 metres wide – just over one third the width of the current design (Figure 1). The narrowness of the resulting building would be incompatible with providing housing, even more so for the inclusion of affordable units.



*Figure 1 Current High-Rise Zoning Requirements (11-40 Storeys)*

The requested changes would allow the proposed Building RA (Figure 2) to follow requirements that are stronger than those currently required for a 10-storey building but are less strict than those required for 11-40 storey buildings. The current requirements disincentivize the development of buildings that are between 10-20 storeys in height – forcing the choice to either under-develop a site or build taller than desired. We believe this is a detriment to the public interest. While we are requesting a site-specific development agreement, we believe that the standards being exemplified in the proposed Building RA would be sensible changes to the Land Use By-law requirements more generally. For a case in point, the current Land Use By-law requirements would not have permitted the earlier phases of Richmond Yards – a development praised for its high-quality design, contribution to local community character, and its commitment to affordability.



Figure 2 Proposed Building RA

It is important to note, that the proposed Building RA design shown in Figure 2 meets or exceeds all the Tall-Mid Rise requirements, and most of the High-Rise requirements. To demonstrate this, we have provided the table below to compare the proposed Building RA design against the current Tall-Mid Rise and High-Rise Land Use By-law requirements. Requirements in **green** indicate that the Building RA design meets or exceeds the requirement.

Requirement	Proposed 12-Storey Building RA	Tall Mid-Rise Requirements	High-Rise Requirements
Front Setback (Almon Street)	Ground floor: 3.7 – 5.1 metres  (1.7- 3.1 metres at 2 <sup>nd</sup> Storey)	<b>1.5 metres</b>	<b>1.5 metres</b>
Flanking Setback (Robie Street)	Ground floor: 2.6 – 6.3 metres  (0.6 – 4.3 metres at 2 <sup>nd</sup> Storey)	<b>0.5 – 3 metres</b>	<b>0.5- 3 metres</b>
Rear Yard Setback	Storeys 1-12: 9.34 metres  (7.34 metres at 2 <sup>nd</sup> storey)	<b>Storeys 1-7: 0 metres</b>  <b>Storeys 8-10: 4.5 metres</b>	<b>Storeys 1-3: 0 metres</b>  Storeys 4-12: 12.5 metres.
Side Yard Setback	Storeys 1-12: 9.64 metres  (7.64 metres at 2 <sup>nd</sup> storey)	<b>All storeys: 0 metres</b>	<b>storeys 1-3, 0 metres</b>  Floors 4-12: 12.5 metres.

Maximum Streetwall Height	2 storeys	3 storeys	3 storeys
Streetwall Stepback	3 metres	3 metres	4.5 metres
Maximum Building Dimension (below streetwall)	Depth: 59.49 metres Width: 25.75 metres	Depth: 64 metres Width: 64 metres	Depth: 64 metres Width: 64 metres
Maximum Building Dimension (above streetwall)	Depth: 54.5 metres Width: 20.9 metres	Depth: 64 metres Width: 64 metres	Depth: 35 metres Width: 40 metres
Maximum Floor Area (above streetwall)	989.6 square metres / storey	No maximum	900 square metres / storey

A few notes on the High-Rise requirements which the Building RA design doesn't meet:

#### **Streetwall Stepback:**

While Building RA does not meet the additional 1.5m streetwall stepback required for buildings between 10 and 40 storeys, we believe that the combined effect of the increased front and flanking setbacks—up to 6.3 metres beyond the requirement—and the reduced streetwall height adequately address concerns about sunlight penetration and human scale. Furthermore, a wind-tunnel test required as part of a building permit application will guide any necessary measures to mitigate wind impacts.

#### **Side Setback:**

The property which this requirement impacts is a part of Richmond Yards development, Building C & E. The as-of-right zoning requirements currently allow for a 10-storey building with a 0-metre setback directly abutting it. Instead, the proposed Building RA structure has a 9.64-metre side setback. This allows for a laneway between the two buildings, creating a new pedestrian connection through the city. Were it not for the extra two storeys, Building RA would significantly exceed the required side setback. Additionally, Building C & E was intentionally designed with Building RA in mind and includes a 38 metre stepback from Almon Street to ensure a harmonious relationship between the two buildings, with a continuous street wall along the new Almon Street bike lane.

We firmly believe that the Building RA design provides much more generous relationship from the adjacent Richmond Yards Building C & E than a 10-storey building designed to the as-of-right standards would.

#### **Rear setback:**

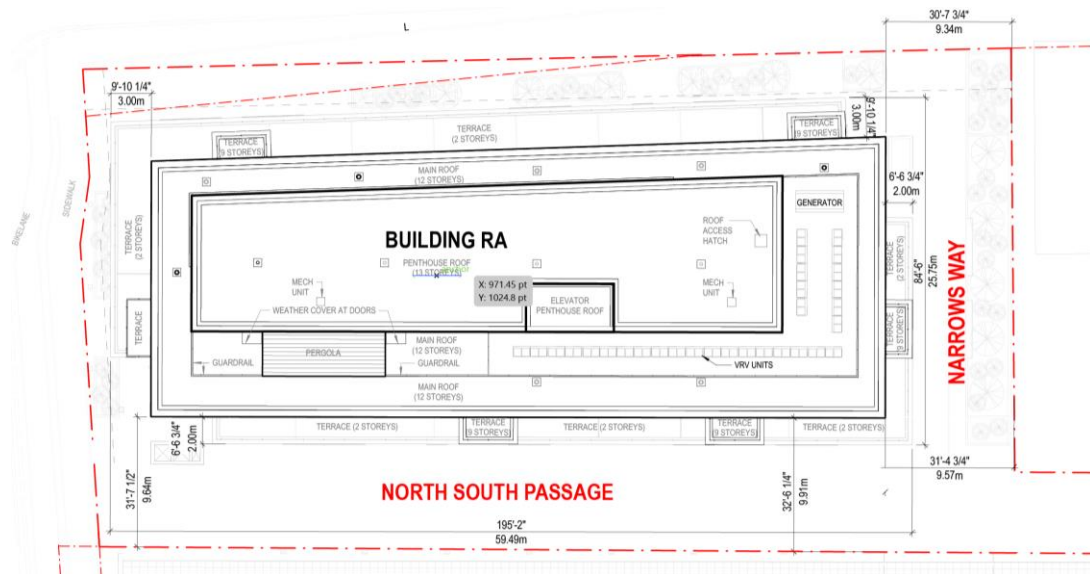
Under current requirements, a 10-storey building is permitted a 0-metre rear

setback for floors 1-7 and a 4.5-metre setback for floors 8-10. In contrast, the proposed Building RA features a 9.34-metre rear yard setback. As with the side setback requirement, if it were not for the additional 2 storeys, Building RA would significantly exceed the required rear setback. This setback allows for a pedestrian friendly laneway between Building RA and the neighbouring building, that connects Robie Street through to Gladstone Street. This pathway will pass through Kings Square and Clifton Green, a pocket park nestled between the townhouses and live-work studios. The laneway will have soft scaping and café seating, with shops and cafés spilling out to activate the pedestrian experience.

We firmly believe that the Building RA design provides much greater relief to the adjacent property than a 10-storey building designed to as-of-right standards.

### Maximum Building Area and Dimensions:

While the proposed design does exceed these requirements, Building RA is well under the maximum building dimension for buildings 10 storeys or less. An important design consideration has been the inclusion of two new laneways, the “North South Passage” and the East-West “Narrows Way” (Figure 3). Leaving space for these vital pedestrian connections on the lower levels has required a larger building size above the street wall to provide an adequate number of residential units. This trade-off represents a significant public should be enabled by policy more generally to meet the objectives of HRM’s Integrated Mobility Plan.



*Figure 3 Building RA Introduces Two New Laneways in the City: The North South Passage and Narrows Way*

902.429.4100  
hello@fbm.ca  
fbm.ca

101-5560 Cunard St.  
Kjipuktuk / Halifax, NS  
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**Policy Support in Regional Centre Secondary Municipal Planning Strategy:**

The Regional Centre Secondary Municipal Planning Strategy (SMPS) envisions the creation of complete communities throughout the Regional Centre. The SMPS aims to achieve this through two sections in particular, Part 2 – Urban Structure, and Part 3 – Urban Design. Part 2 includes the objectives of the Centre Designation, within which Richmond Yards is located. Notably, Part 2 gives the following direction for policy in the Centre Designation:

- 1) Intensify areas with frequent access to transit service,
- 2) Allow for variations in built form requirements within and between Centre designations (Policy C-2), and
- 3) Enhance the transportation network to prioritize pedestrians, cyclists, and transit while improving connections to other communities,

The proposed design of Building RA, and our request for variation to the existing zoning requirements, is well aligned with the above policy direction. The existing development agreement for Richmond Yards (Case 20871) established a unique Centre building typology along Almon Street that should also extend to include the development's final phase, Building RA. By enabling a development agreement option, Building RA will:

- 1) Provide residential density along the Robie Street Bus Rapid Transit corridor,
- 2) Align with the existing building typologies of Richmond yards which are within the same Centre Designation, and
- 3) Achieve the goal for the Robie Street and Young Street Centre of creating *"a pedestrian-oriented environment by connecting the existing street grid and improving pedestrian movement through new and expanded mobility connections."* (Figure 4)



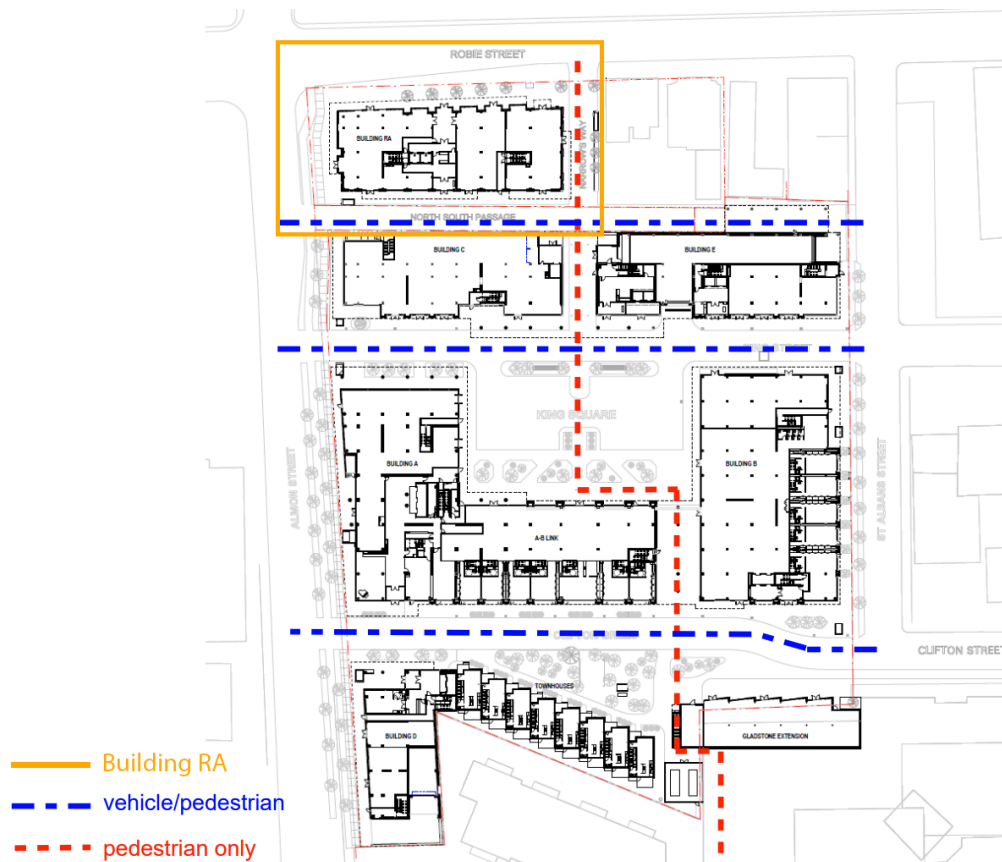


Figure 4 Richmond Yards Transportation Network

Part 3 of the SMPS specifically outlines the role of the building envelope in supporting pedestrian traffic, human scaled streetscapes, providing transitions between different urban structures, maintaining adequate street level environmental conditions, and balancing height and massing. The proposed building design aligns with the policy intent of Part 3 by being intentionally designed to address key considerations of the SMPS including the following:

#### Shadow Impact:

As demonstrated in Attachment D, the additional two storeys will have a very minor impact on shadows at the street level. Furthermore, the Regional Centre Land Use By-law only regulates shadows with respect to prominent parks listed in Schedule 51, none of which are near Building RA.

#### Wind Impact:

The proposed 12-storey design exceeds 40 metres, necessitating a quantitative wind tunnel assessment as part of the development permit application. This rigorous analysis ensures compliance with the wind impact assessment protocol and validates mitigation measures. By contrast, the 10-storey design required only an experience-based letter of opinion. Building RA has been designed with wind mitigation measures in mind, for example by ensuring that all ground floor

entrances are protected by an overhang, and main entrances have an additional recess to further mitigate wind.

**Pedestrian-Friendly and Human-Scale Design Features:**

The following design features demonstrate how the proposed Building RA design is centered around pedestrian-friendly and human-scale principles that enhance the pedestrian experience.

- **Recessed Ground Floor:** Provides weather and wind protection for pedestrians.
- **Pedestrian Connections:** The two proposed laneways, Narrows Way and North-South Passage, complete the pedestrian network throughout Richmond Yards developments to create a high-quality pedestrian experience. Once completed, this network will connect the wider neighbourhood to HRM's bus rapid transit network, including an estimated 1,500 residents in the Richmond Yards developments alone.
- **Public Art:** The streetwall at the corner of Robie and Almon street will feature public art to enhance visual interest and create an interesting and engaging pedestrian experience.
- **Street Activation:** Grade-related commercial spaces are located on all four sides of the building to ensure that Building RA is a hub of pedestrian activity. This is possible because the proposed design exceeds the minimum setback requirements on all sides of the building, leaving room for high-quality public space. Along the North South Passage and the Narrows Way, café seating will create vibrant and social pedestrian activity.
- **Human Centred Design:** The building's prominent streetwall employs varied materials and architectural detailing, along with public art to achieve a landmark presence at the Robie & Almon Street intersection. Additionally, Building RA's streetwall steps back a floor earlier than required, enhancing the pedestrian scale. Finally, all design requirements under Part VII of the Regional Centre Land Use By-law are being met or exceeded including but not limited to street wall articulation, clear glass glazing, and corner treatment.

In closing, we believe that Building RA's design exemplifies the core values and vision of the Regional Centre Secondary Municipal Planning Strategy. The difficulty we find ourselves in today is due to the tradeoff between the regulatory efficiency of as-of-right development, and the flexibility provided by a discretionary approval process. Ultimately what motivates Richmond Yards Inc. to pursue this discretionary approval process is the opportunity to provide 41 affordable housing units that are desperately needed in HRM.

For all the reasons stated in the above letter – we believe that the requested additional two storeys have no tangible negative impact to the public good.





However, the benefit that the additional 41 affordable units, guaranteed for 21 years, is very real and will begin as soon as construction is completed. We appreciate your team's support throughout this process to date, and we look forward to working together in turning the vision of the Centre Plan into reality.

Sincerely,

**Fowler Bauld & Mitchell Ltd.**

A handwritten signature in black ink, appearing to read 'James Coons', with a horizontal line underneath.

James Coons, LPP, MCIP  
782.482.0566  
James.Coons@fbm.ca

902.429.4100  
hello@fbm.ca  
fbm.ca

101-5560 Cunard St.  
Kjipuktuk / Halifax, NS  
Canada B3K 1C4

**people driven design.**