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February 24, 2022

Anne Totten
Planner II
Urban Enabled Applications
Planning & Development | Regional Planning

Re: Application for Municipal Planning Strategy Amendment, 41 Cowie Hill Road (PID: 00274241)

Dear Anne:

On behalf of our client, Hazelview Investments, zzap Consulting Inc. (zzap) is pleased to submit a Municipal Planning Strategy (MPS) amendment application for a residential infill development located within the Halifax Plan Area at 41 Cowie Hill Road (PID: 00274241). To support this application submission, the following materials are included as appendices:

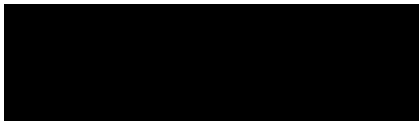
- Completed Planning Application Form
- Appendix A: Plan Amendment Rationale
- Appendix B: Conceptual Building Drawings and Site Plan

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 a more detailed design in a collaborative manner with you and your colleagues.

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,



Chris Markides MCIP, LPP
Urban Planner
ZZap Consulting

Plan Amendment Rationale

1.0 Site Description and Location

The subject site is located within the Halifax Plan Area and has direct frontage on Cowie Hill Road, & Margaret Road. The site is approximately 91,476 ft².

The site is primarily designated ‘High Density Residential’ within the Halifax Municipal Planning Strategy and is primarily 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. A small portion of the site is bisected by a ‘Low Density Residential’ designation and R-2 zoning. Figure 2 shows the land use designation context of the site and Figure 3 shows the land use zoning context of the site.

Figure 1: Subject Site

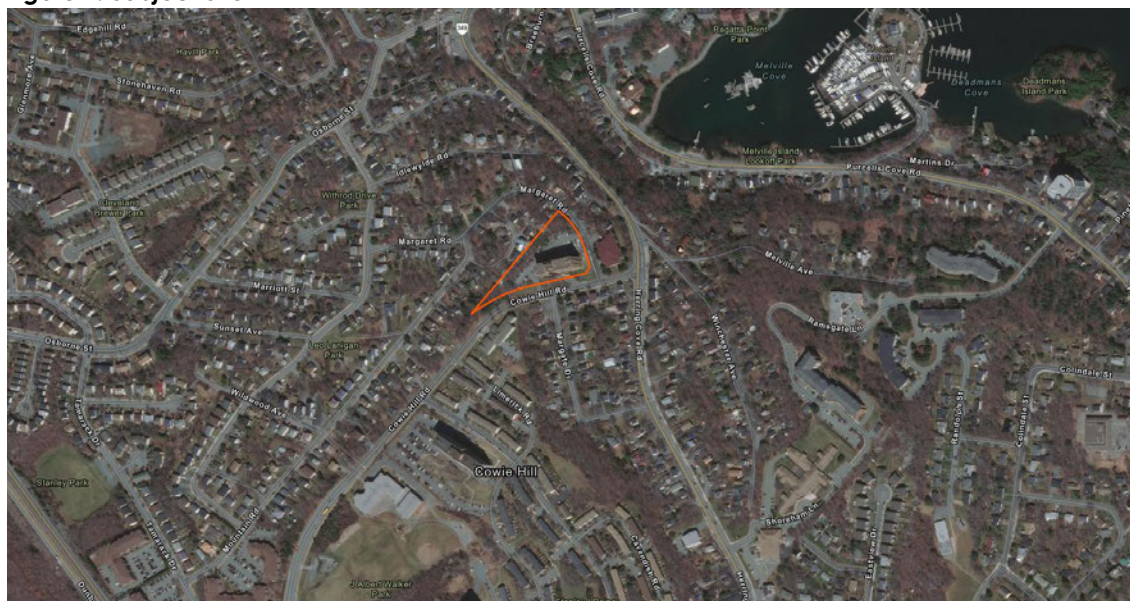


Figure 2: Land Use Designation

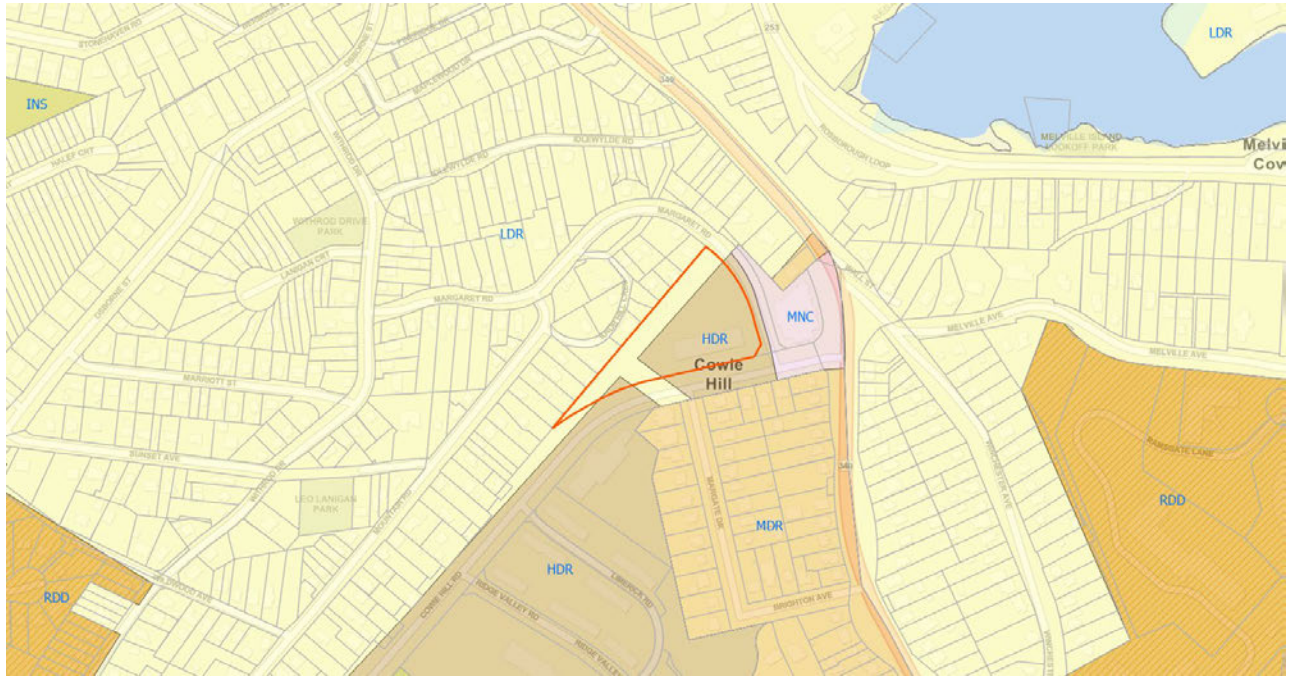


Figure 3: Zoning Map



2.0 Summary of Development Proposal

The site is currently underutilized with the existing building taking up approximately 11% of the site area. Hazelview is seeking to develop two new residential buildings on the subject site. Phase 1 is the development of an 8-storey residential building on the western portion of the site. Phase 2 incorporates the development of a 17-storey residential building, plus a non-habitable penthouse. Phase 3 involves providing a potential envelope upgrade, other upgrade options to the existing building will be determined during the development stage.

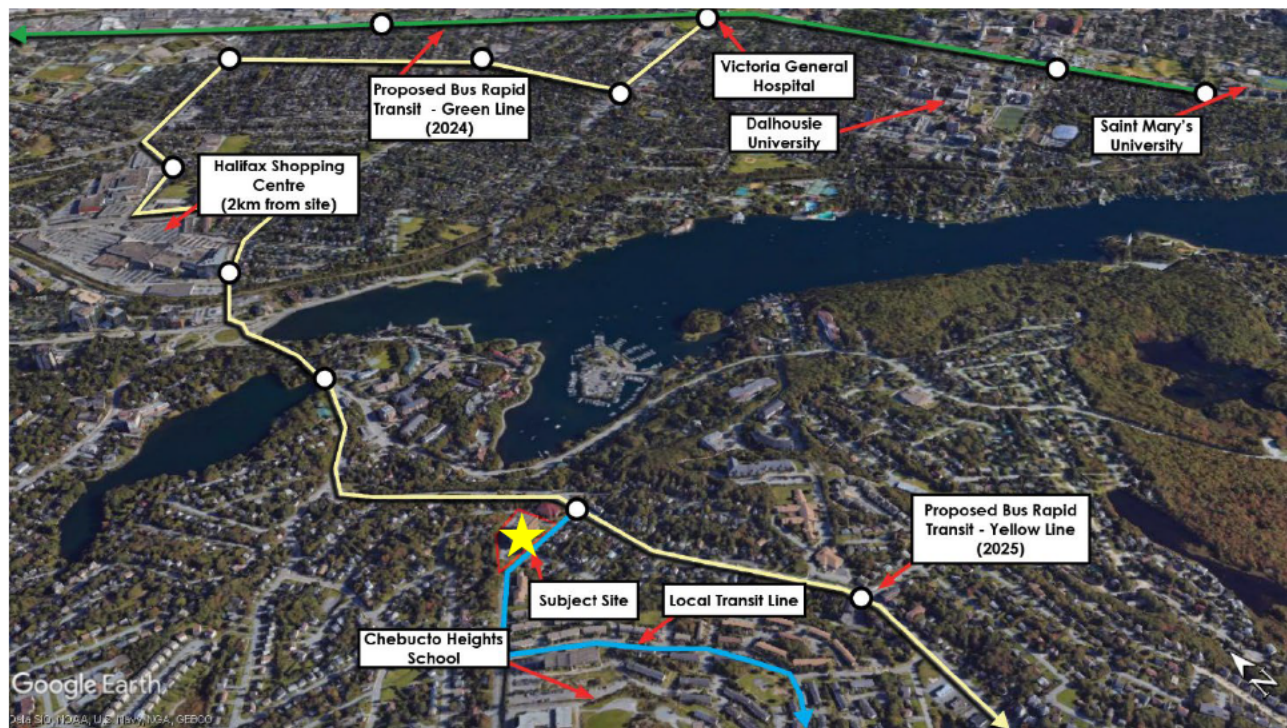
It is Hazelview's desire to efficiently maximize the potential of the site through carefully planned urban infill. Appendix A illustrates a potential development scenario that in the opinion of this planner, effectively meets the goals of the Halifax Municipal Planning Strategy and Regional Plan using modernized development controls. The proposal provides for a total of approximately 290 residential apartment units inclusive of the 110 units in the existing building and includes driveway access off Margaret Road in addition to the existing driveway access off Cowie Hill Road. A phased approach would provide a transition from the existing surface parking to underground parking stalls to maintain parking for the existing building and add parking for the new buildings. The proposal recognizes the abutting low scale residential buildings and the need to transition to that scale of development. It responds to the built form by creating a three-storey podium before stepping back a minimum of 14 feet to a slender tower as well as providing a significant (40 foot) vegetative buffer along the northern lot line.

To promote pedestrian-oriented and human scale design, the proposal 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 along Herring Cove Road as well as the Chebucto Heights Elementary School, and J. Albert Walker Memorial Sports Field. The site is also along existing Corridor and Local Transit Lines and a proposed Bus Rapid Transit line that will connect the site to a broad range of shops and services (Figure 4).

Figure 4: Surrounding Area Services



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 existing MPS and LUB designated the properties along Cowie Hill Road as High Density Residential. However, 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. Additionally, the parking requirements for high-density residential uses are no longer consistent with Council's direction to shift away from single-occupancy vehicle use and towards trips made via active transportation and public transit. Lastly, the existing angle controls used to dictate building volumes do not allow for human scaled design of buildings. 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.

Given the uncertain timeline of the completion of the next phase of Municipal Plan review, Hazelview Investments requests that Regional Council consider changes to the Halifax Municipal Planning Strategy to allow the property owner to develop the property using modernized development controls. This includes:

1. Form-based massing regulations
2. Reduction of parking requirements
3. Service capacity restrictions based on current, modern infrastructure.

4.0 Rationale for Application Request

The proposed amendments to the MPS and LUB would 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., Centre Plan, Downtown Halifax Plan, Integrated Mobility Plan, Bus Rapid Transit Plan, and Herring Cove Functional Plan) and are also more reflective of the basic needs of modern residential buildings. Our proposed development 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 form-based code provisions in the Downtown Halifax LUB, Centre Plan Package A, R4-A and R4-B zone of the Mainland Halifax Land Use Bylaw.

Alignment with the Halifax Municipal Planning Strategy

The applicant's proposal aligns with the RMPS objective of directing new housing to urban communities surrounding the Regional Centre, which contain supporting services and infrastructure.

The applicant's request is generally consistent with the MPS city-wide policies for Residential Environments, as well. They are not seeking to introduce new land uses into an established neighbourhood, rather they are requesting that new zoning regulations be considered for existing uses.

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.

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 is adapting to the changing needs of the community. The current vacancy rate in the Mainland South area is 1.7% overall (CMHC Housing Market Information Portal), compared to a 1.9% 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 character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.	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. Hazelview Investments is open to providing a mix of unit types and sizes as dictated by market demand.
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	Not applicable to this proposal. The site is not within the "Areas for Detailed Planning"

	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.	
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 manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.	The proposed development would not displace any existing residents as the proposed development area of the property is currently used for parking. The existing site is considered a "brownfield" site and redevelopment should be considered infill housing and rehabilitation of the existing condition.
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	Hazelview will complete extensive market studies to determine the target demographic groups. Hazelview Investments is open to providing housing for different income levels.

	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).	
2.9-2.18	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 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 property is located along Route 14 and Route 32. Route 14 is a local bus route servicing the Cowie Hill Road area with a direct connection to Downtown Halifax. Route 32 is an express line that runs between Downtown Halifax and Cowie Hill. Additionally, Route 9, a designated Corridor Route in the Moving Forward Together Plan, which has a high level of service is accessible within a 400-metre walking distance. The site is well serviced by existing transit. 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 Rapid Transit Strategy states that the highest mixed-use densities should be directed to areas within 400 metres of Rapid Transit stations, with moderate densities up to 800 metres (Bus Rapid Transit Plan pg. 41). Sites such as underutilized parking lots, shopping plazas, and institutional properties should be encouraged to be redeveloped following transit-oriented principles and best practices. Pedestrian supportive, mixed-use redevelopment should be encouraged through as-of-right development where possible (Bus Rapid Transit Plan pg. 41). Additionally, the subject site is located within 400 metres of a proposed bus rapid transit line and stop on Herring Cove Road.

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.

Regional Plan Review Context

Our understanding is that the Regional Plan is currently under review and that the Themes and Directions “What We Heard” report was presented to Regional Council on January 25th, 2022. In that report, staff recommended that a separate study be

conducted to direct most growth toward mixed-use, transit-oriented communities that can be served by transit, walking, wheeling and cycling. At that meeting, Regional Council approved a motion to direct the CAO to prepare a staff report outlining the process to initiate updated secondary plans for the areas identified as BRT Walksheds and consider prioritizing BRT corridors for rezonings that support transit oriented complete communities.

As this property is located approximately 200 feet from a proposed bus rapid transit stop, there is merit to considering amendments to the existing land use framework that will support that Council motion.

Why current SMPS policy is no longer appropriate

Hazelview is in support of the 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, and Rapid Transit Strategy. 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; Hazelview's proposal has a site area of 2.1 acres and a FAR of 2.9.

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

This request stems from the urgent need for rental housing in the Mainland South area of HRM. The most recent CMHC rental market report (2020) identified a 1.7% rental vacancy rate in the Mainland South area. This is below Canada's national vacancy rate (3.2%) and below vacancy rate for the whole of HRM (1.9%). CMHC suggests that a healthy vacancy rate is 3-4%. The need for additional rental housing is pressing and demands additional units.

5.0 Conclusion

Based on the current land use planning context, demand for new housing, and intended Regional Plan review direction, the amendments requested for this property are keeping in line with land use planning best practices as well as the policy guidance provided by Halifax Regional Council to HRM staff. Approving the proposed amendments would assist in carrying out the will of Regional Council, the Regional Plan, and the Regional Plan's supporting functional plans.