

Portland - Carver Street DA Application (PID 00242016 & 00241984) - UPDATE

Dear Maggie,

I appreciate the time that you, Carl and Tanya took at the beginning of our design exploration process a few months back to provide some early feedback on Clark Wilkins' properties at Portland and Carver Streets. Your input was helpful in developing the concept that we have assembled for this DA application. This application considers two properties (PID 00242016 & 00241984); one at 663 Portland Street and an adjoining parcel at 16 Carver Street. The intention is to maintain the R1 zoning at Carver Street while providing driveway access through the property to the Portland Street property, and rezoning the Portland Street property to R4 (PID 00242016).

As discussed at our meeting, we have purposely designed this development to anticipate the outcomes and aims of the Portland Street and Cole Harbour Road Functional Planning Study, which establishes this stretch of Portland Street as a major transit priority corridor. The Functional Planning study was a recommendation of both the Integrated Mobility Plan and the Rapid Transit Strategy for securing a BRT Corridor connecting Cole Harbour, Forest Hills and Portland Estates to downtown and other transit hubs in Dartmouth.

Like many cities moving towards these transit priority corridors, part of the success of the corridor is planning for more intense forms of development along the corridor to increase ridership and minimize reliance on cars. We have followed the guiding principles of typical transit oriented developments (TOD's) to propose a mixed use building with groundfloor commercial on Portland Street, provide ample room for bicycle facilities as part of the development, and to provide a relatively low parking ratio encouraging residents that use transit or cycling/walking. This location is within easy walking distance of the Atlantic Superstore, Fit4Less gym franchise, NSLC, many restaurants and coffee shops, and two bus stops. The property also borders on the 4 acre Landrace Park which connects to the Portland Estates AT network.

A slightly longer walk or bikeride is close to Baker Drive businesses, Penhorn businesses and Main Street businesses. The approval pathway for this development should be closely following the adoption pathway for the Functional Plan. We believe the timing of this development with the Functional Plan should naturally support each other. The terms

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of reference for the Functional Plan outlines the need for changes in zoning to accommodate higher density mixed use development along the corridor in specific locations like this property. We anticipate HRM will be moving forward with these zoning changes in the near future.

MPS and LUB

The current zoning for both properties is R-1. For this application we propose to change the zoning on PID 00624668 to R4 which allows mixed use buildings to be considered through a development agreement. The existing Carver Street property would be maintained as R1 if the properties do not need to be consolidated. If HRM believes that consolidation is the best route (we think keeping an R1 home on Carver Street would be most acceptable by neighbors), we would need to consider rezoning both properties. The zoning amendment (rezoning) is addressed in the MPS Policy IP-1(c). Once the rezoning is approved, the development agreement must address the policies of section IP-5 of the MPS. These criteria are addressed below.

MPS Policy IP-1(c) - Zoning Amendments

In considering zoning amendments and contract zoning, Council shall have regard to the following:

(1) that the proposal is in conformance with the policies and intent of the Municipal Development Plan

The Dartmouth MPS is showing its age with its adoption in 1978. Recent developments have been a mix of site specific plan amendments and DA's. Rezoning applications for sites like this are only considered (a) when a major policy intent is changed or (b) where detailed studies have been carried out as a refinement to the Municipal Development Plan and it is the desire of City Council to incorporate such studies into the Plan. We anticipate that both these considerations will be met with the impending adoption of the Portland Street Functional Plan in the near future. That plan sets out the eventual need for higher density zoning along the Portland Street corridor to activate the anticipated rapid transit and AT corridor. As part of this upcoming plan, there will be zoning changes proposed for the Portland Street corridor to intensify residential uses providing greater transit ridership, improved community walkability and reduced reliance on cars.

(2) that the proposal is compatible and consistent with adjacent uses and the existing development form in the area in terms of the use, bulk, and scale of the proposal

This development will be the start of many new 'transit oriented developments' along Portland Street in the very near future similar to the new mixed use development at the corner of Portland Street and Portland Hills Drive which include a 5-storey mixed use development backing directly onto adjacent R1 and townhome units. For this development, the planners and architects have reduced the height from 7-storey (plus a penthouse) to 6-stories with at least a 6m side yard setbacks, and 13m rear yard setbacks from the adjacent properties and a 3-storey 2m stepback on the front and rear of the new building to reduce the impact. Decks have been moved from the back of the building to the side of the building to reduce the visibility of existing backyards from the new building. We believe the scale of this

new building will be consistent with the future scale of buildings along the Portland corridor in the near future.

(3) provisions for buffering, landscaping, screening, and access control to reduce potential incompatibilities with adjacent land uses and traffic arteries

The site plan shows a right in and right out on Portland street and has restricted access between Carver and Portland Street to eliminate shortcutting through the site. Wherever possible, large trees will be preserved within the buffer setbacks and along Portland Street. Additional trees and a privacy fence has been added along the bordering property boundaries as shown in the updated site plan. The parking garage entrance has been moved south to provide additional landscape screening for neighbours. We believe that keeping a detached R1 unit on Carver Street will minimize the visual impact of the parking lot at the rear of the multi-unit building from Carver Street.

- (4) that the proposal is not premature or inappropriate by reason of:*
- (i) the financial capability of the City is to absorb any costs relating to the development*
 - (ii) the adequacy of sewer and water services and public utilities*
 - (iii) the adequacy and proximity of schools, recreation and other public facilities*
 - (iv) the adequacy of transportation networks in adjacent to or leading to the development*
 - (v) existing or potential dangers for the contamination of water bodies or courses or the creation of erosion or sedimentation of such areas*
 - (vi) preventing public access to the shorelines or the waterfront*
 - (vii) the presence of natural, historical features, buildings or sites*
 - (viii) create a scattered development pattern requiring extensions to truck facilities and public services while other such facilities remain under utilized*
 - (ix) the detrimental economic or social effect that it may have on other areas of the City.*

We believe this development meets all of the criteria outlined above

(5) that the proposal is not an obnoxious use

The proposal is not a noxious use.

(6) that controls by way of agreements or other legal devices are placed on proposed developments to ensure compliance with approved plans and coordination between adjacent or near by land uses and public facilities. Such controls may relate to, but are not limited to, the following:

- (i) type of use, density, and phasing*
- (ii) emissions including air, water, noise*
- (iii) traffic generation, access to and egress from the site, and parking*
- (iv) open storage and landscaping*
- (v) provisions for pedestrian movement and safety*
- (vi) management of open space, parks, walkways*
- (vii) drainage both natural and sub-surface and soil-stability*
- (viii) performance bonds.*

These controls could be placed through the DA if needed.

(7) suitability of the proposed site in terms of steepness of slope, soil conditions, rock out-croppings, location of watercourses, marshes, swamps, bogs, areas subject to flooding, proximity to major highways, ramps, railroads, or other nuisance factors

This site is ideally suited as a transit oriented development on land that will support

(8) that in addition to the public hearing requirements as set out in the Planning Act and City by-laws, all applications for amendments may be aired to the public via the “voluntary” public hearing process established by City Council for the purposes of information exchange between the applicant and residents. This voluntary meeting allows the residents to clearly understand the proposal previous to the formal public hearing before City Council

This will be part of the public process for the rezoning and DA.

(9) that in addition to the foregoing, all zoning amendments are prepared in sufficient detail to provide:

- (i) Council with a clear indication of the nature of proposed development, and*
- (ii) permit staff to assess and determine the impact such development would have on the land and the surrounding community*

Understood

(10) Within any designation, where a holding zone has been established pursuant to “Infrastructure Charges - Policy IC-6”, Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the “Infrastructure Charges” Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)

Not applicable

MPS Policy IP-5 - DA's for Apartment Buildings

Assuming the R4 rezoning is approved, the development would proceed through a development agreement according to policy IP-5 of the MPS. Also, according to regulation 18B of the LUB, “apartment development in R-3, R-4, C-2, MF-1 and GC Zones shall be permitted only by Development Agreement”.

According to Policy IP-5, “in considering the approval of such Agreements, Council shall consider the following criteria”

(a) adequacy of the exterior design, height, bulk and scale of the new apartment development with respect to its compatibility with the existing neighbourhood;

As noted above, the development has been purposely designed to adapt to the future intended transit oriented development uses planned for Portland Street and the existing R1 uses to the north of the site. The 13m rear setback and 2m 3-storey stepback as well as

the additional privacy fencing and landscaping are designed to mitigate the impacts of this building on the neighbours.

(b) adequacy of controls placed on the proposed development to reduce conflict with any adjacent or nearby land uses by reason of:

(i) the height, size, bulk, density, lot coverage, lot size and lot frontage of any proposed building;

Addressed above

(ii) traffic generation, access to and egress from the site; and

access restrictions described above between Carver and Portland

(iii) parking;

The parking ratio of 1.45 (105 spaces) will address the parking needs of this building, even though we anticipate this location's proximity to the rapid transit corridor will reduce personal vehicle reliance. Bike parking has been provided in this development consistent with Centre Plan standards (35 Class A and 8 Class B spaces).

(c) adequacy or proximity of schools, recreation areas and other community facilities;

The site borders Landrace Park and is within close walking distance of Elenvale Junior High, Brookhouse Elementary, and Prince Andrew High School, Portland Estates Elementary, Bel Ayr Elementary and Eric Graves Memorial Jr High.

(d) adequacy of transportation networks in, adjacent to, and leading to the development;

The site borders the Portland Street Rapid Transit Corridor but has controlled access off of Carver Street.

(e) adequacy of useable amenity space and attractive landscaping such that the needs of a variety of household types are addressed and the development is aesthetically pleasing;

All are considered as part of the plan as shown, including 9,400 sq.ft. of amenity space (2,400 interior, 2,000 roof, and 5,000 park space).

(f) that mature trees and other natural site features are preserved where possible;

Where possible, mature trees will be preserved in buffer areas around the site. New caliper trees will be planted as shown in the planting plan.

(g) adequacy of buffering from abutting land uses;

The development has a minimum 6m sideyard setback and a 13m rear yard setback as well as stepbacks above the 3rd storey.

(h) the impacts of altering land levels as it relates to drainage, aesthetics and soil stability and slope treatment; and

The site is generally flat and drains to the Landrace park site to the northeast.

(i) the Land Use By-law amendment criteria as set out in Policy IP-1(c).

Demonstrated in previous pages

16 Carver Street Proposal

The existing home at 16 Carver Street will be moved and renovated due to the 7m sideyard between the home and the southern property boundary. This is not enough room for the new driveway to the apartment building. Rather than keeping a bare lot with a parking lot for the new apartment building, we feel that keeping an entrance driveway masked behind a renovated R1 home on this lot will be the most compatible with the existing neighbourhood. In essence, the new home will mask the apartment building entrance. We would develop the new home to that meet the current R1 zone requirements. There are two options for proceeding with this new home. (1) keep the existing lot and provide an 8-9 m easement on the southern side of the property with access over it for the apartment building. (2)

consolidate the two lots and explore mechanisms to build 2 buildings on one lot (one R1 home and the proposed apartment building). We are open to discussing both these options with HRM but we feel that the R1 home is crucial in preserving the character of the street fabric on Carver Street, with the driveway access to 663 Portland Street accessed through the Carver Street Property.

Short cutting from the Portland Street entry of 663 Portland Street will be restricted by a gate or collapsible bollards that can only be used for fire emergencies. Cars will not be able to shortcut from Carver Street to Portland Street or vice versa. The plan shows the emergency access gate which will be closed to general traffic preventing shortcutting. The access and traffic impacts of this development are covered in the attached traffic impact statement prepared by Fathom’s Traffic Engineer, Roger Boychuk.

R4 Zone Requirements

The Portland Street property is 4,556 sq.m. (49,040 sq.ft.) and most of the Centre Plan Corridor Zone requirements have been followed including setbacks, lot coverage, bicycle parking, heights, groundfloor commercial uses, etc. The proposal is also generally consistent with the R4 zone requirements including maximum lot coverage of 50%, lot area requirements for a 72 unit building (reduced from 90 units in the previous application), min side and rear yard setback of 15’ (we have use the more stringent 6m min sideyard setback of the COR zone in CentrePlan and a 13m rear yard setback), and the amenity requirements. Our plan for this development meets the following planning criteria:

Front Yard setback.....	1m min
Sideyard Setbacks.....	6m min.
Rear Yard	13m min
Lot Coverage.....	38%
Height	6-storeys (from 7 plus penthouse)
Unit Count.....	72 units
Unit Mix	2-bed - 60%, 1-bed -40%
Commercial Area	130 sq.m.
Site Parking	28 spaces (6 commercial, 22 residential)
Underground Parking	71 Spaces
Parking Ratio.....	1.37 stalls / unit
Class B Bike Parking	7 Spaces
Class A Parking.....	29 Spaces

Design Rationale:

The building design employs various height transitions along the sides and back; there are proposed side and rear yard setbacks and articulation as the building increases in height. The varying setbacks heights help to articulate the building and provide some additional buffer from the neighbouring property lines. Drawing A-100 illustrates the varying heights and locations of setbacks and setbacks.

A mix of one bedroom and two bedroom units of differing sizes provide housing for a variety of tenants and demographics. The mixed-use building also includes 1400 sq.ft. +/-

Of groundfloor retail uses which the developer anticipates will be a transit friendly retail use like a food service or commercial use which will benefit transit users and building residents.

Along the rest of the groundfloor, there are walk-up units and amenity to activate the ground, complete with outdoor patio spaces and landscaping. A 5' high opaque wood fence will be built surrounding the adjoining properties around the development for privacy on neighbouring properties.

The design provides a variety of amenity spaces; In the north eastern corner, a private parkland space will be built for residents which will include trails to the Ellenvale Run trails, waterway and playgrounds and courts to the north east. The Ellenvale Run trails end at the existing bus stop just 50m east of the site. The building also provides generous amenity spaces - notably the 1st storey amenity room and rooftop amenity space.

The residential lobby and primary entrance is strategically placed close to Portland St. to support easy transit access. A building overhang along the parking lot and Portland Street faces reinforces this intention by providing shelter for pedestrians, cyclists and transit users. It also serves to identify this area as the primary entry point of the building. Furthermore, public amenity space and the Class A bicycle storage are located next to the residential lobby to further emphasize the community aspect of the ground floor facing Portland. The overhang also provides a sheltered terrace for the retail space, and the landscape design is well integrated from the sidewalk to the building access points. As such, these building features are designed with the intent to support a Transit Oriented Corridor and provide a community oriented building.

Summary

We believe that the proposed development is consistent with the type of development that will be encouraged along the transit priority corridor planned for Portland Street in the near future. The location is ideal for walking and cycling due to the close proximity of trails, and surrounding commercial uses that do not require automobile uses. The site is also only a 10 minute bus ride from downtown Dartmouth and a 20-30 minute bus/ferry ride to downtown Halifax. This development that we believe will be supported in future policy changes that accompany the Functional Transit Plan for Portland Street. It is also consistent with the type of development imagined for the COR zone in the Centre Plan area less than a kilometer to the west of this site.

If you have any questions about this application, please feel free to reach out to me at your convenience.

Sincerely,

Original Signed

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