



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 13.3.1
Halifax and West Community Council
February 14, 2017

TO: Chair and Members of Halifax and West Community Council

SUBMITTED BY: Original Signed

Aurora Camaño, Vice Chair, Heritage Advisory Committee

DATE: February 6, 2017

SUBJECT: **Case 20405: Amendments to the Halifax MPS and Halifax Peninsula LUB for Halifax Grammar School, 915, 921, 945 and 967 Tower Road, Halifax**

ORIGIN

- Application by Halifax Grammar School
- May 31, 2016 Regional Council initiation of the MPS amendment process
- Motion from the February 1, 2017 meeting of the Heritage Advisory Committee

LEGISLATIVE AUTHORITY

HRM By-law No. H-200 - Heritage Property By-law

4. The [Heritage Advisory] Committee shall, within the time limits prescribed by Council or the [Heritage Property] Act, advise the Region respecting:
- (h) applications for heritage agreement, development agreements or amendments to a Land Use Bylaw which may affect a registered heritage property or amendments to a Municipal Planning Strategy affecting heritage policies

RECOMMENDATION

The Heritage Advisory Committee recommends that Halifax & West Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy for Halifax (MPS) and Land Use By-law for Halifax Peninsula (LUB), as set out in Attachments A and B of the January 3, 2017 report, to enable a proposed expansion of the Halifax Grammar School, and schedule a public hearing; and
2. Approve the proposed amendments to the Halifax MPS and LUB for Halifax Peninsula, as set out in Attachments A and B of the January 3, 2017 report.

BACKGROUND

The Heritage Advisory Committee considered the staff report dated January 3, 2017 at their meeting held on February 1, 2017.

Refer to the January 3, 2017 staff report (Attachment 1) for further information on the background this case.

DISCUSSION

At the February 1, 2017 meeting, following the presentation of Case 20405 by staff, and a brief discussion, the Heritage Advisory Committee approved the staff recommendation set out in the January 3, 2017 staff report.

FINANCIAL IMPLICATIONS

Refer to the January 3, 2017 staff report (Attachment 1) for financial implications.

RISK CONSIDERATION

Refer to the January 3, 2017 staff report (Attachment 1) for information on risk consideration related to this case.

COMMUNITY ENGAGEMENT

Heritage Advisory Committee meetings are open to public attendance. The agenda, reports, and minutes of the Committee are posted on Halifax.ca.

Refer to the January 3, 2017 staff report (Attachment 1) for further information on community engagement specific to this case.

ENVIRONMENTAL IMPLICATIONS

No environmental implications have been identified.

ALTERNATIVES

The Committee did not provide alternatives. Refer to the January 3, 2017 staff report (Attachment 1) for further information on alternatives.

ATTACHMENTS

Attachment 1 – Staff report dated January 3, 2017

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Jennifer Weagle, Legislative Assistant, Office of the Municipal Clerk 902-490-6517



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 9.2
Heritage Advisory Committee
February 1, 2017

TO: Chair and Members of the Heritage Advisory Committee

Original signed

SUBMITTED BY:

Bob Bjerke, Chief Planner and Director, Planning and Development

DATE: January 3, 2017

SUBJECT: **Case 20405: Amendments to the Halifax MPS and Halifax Peninsula LUB for Halifax Grammar School, 915, 921, 945 and 967 Tower Road, Halifax**

ORIGIN

- Application by Halifax Grammar School
- May 31, 2016, Regional Council initiation of the MPS amendment process

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Heritage Advisory Committee recommend that Halifax & West Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy for Halifax (MPS) and Land Use By-law for Halifax Peninsula (LUB), as set out in Attachments A and B of this report, to enable a proposed expansion of the Halifax Grammar School, and schedule a public hearing; and
2. Approve the proposed amendments to the Halifax MPS and LUB for Halifax Peninsula, as set out in Attachments A and B of this report.

BACKGROUND

Halifax Grammar School (with consultant Armour Group) has applied to amend the Municipal Planning Strategy for Halifax (MPS) and the Land Use By-law for Halifax Peninsula (LUB) to permit an expansion to the Tower Road campus of the Halifax Grammar School. An MPS amendment is needed because the applicant wishes to expand the existing school site to lands currently designated Medium Density Residential (MDR) and zoned R-1 (Single Family Residential). A change to the Height Precinct is also requested.

| | |
|---|---|
| Subject Site | 915, 921, 967 and a portion of 945 Tower Rd., Halifax |
| Regional Plan Designation | Urban Settlement |
| Secondary Plan | South End Area Plan, District 4 |
| Community Plan Designation (Map 1) | 945 Tower Rd.: INS (Institutional) and MDR (Medium Density Residential) under the Halifax MPS 915, 921 and 967 Tower Rd.: MDR (Medium Density Residential) |
| Zoning (Map 2) | 945 Tower Rd.: P (Park and Institutional) and R-1 (Single Family Dwelling) under the Halifax Peninsula LUB 915, 921 and 967 Tower Rd.: R-1 (Single Family Dwelling) |
| Size of Site | 4 lots totaling 8,664.8 square metres (93,270 square feet) |
| Street Frontage | 152.6 metres (500.6 feet) |
| Current Land Use(s) | 945 Tower Rd.: school building with associated parking and recreational space 915 and 921 Tower Rd.: detached dwellings 967 Tower Rd.: vacant |
| Surrounding Land Use(s) | Primarily low and some medium-density residential development, as well as institutional development (St. Mary's University) to the west. |
| Heritage | The school site at 945 Tower Road is a municipally-registered heritage property. An addition to the existing school building will be subject to a separate approval by Regional Council pursuant to the Heritage Property By-law. |

Proposal Details

Following the closure of their campus at 5750 Atlantic Street, the Halifax Grammar School will relocate students to their Tower Road campus. To facilitate this move, the applicant wishes to consolidate the existing school site with three additional lots, construct an L-shaped addition to the north and east of the existing school building, and relocate the school's parking lot from the north side of the school building to the southern portion of an expanded school site.

The existing school building could be expanded within the bounds of the property currently zoned Park and Institutional (Map 2); however, the applicant has indicated that to meet their operational needs, an expansion on to abutting properties is desired. To enable this expansion, the applicant has requested:

- An amendment to the MPS to include those parcels currently within the Medium Density Residential designation within the Institutional designation;
- Rezoning the properties currently zoned R-1 (Single Family) to the P (Park and Institutional) Zone; and
- An amendment to Map 2-4 within the South End Area Plan (SEAP), which forms part of the MPS, and Height Precinct Map ZM-17 within the LUB to allow height to be consistently measured by the method currently used for the existing school building (Attachments A and B).

MPS and LUB Context

Under the MPS, Section V, Policy 4.2 encourages existing institutional uses to remain in their current locations. Policy 4.3.1 directs attention in “*major institutional areas to requirements for building scale, proportion and setback so as to ensure that compatibility with adjacent non-institutional areas is fostered.*”

Under the LUB, the P (Park and Institutional) Zone regulates the form of institutional development. Buildings in the P Zone are required to meet the standards of the R-3 (Multiple Dwelling) Zone.

Height of a building on the subject properties is also limited by a 35 foot Height Precinct, which is established in MPS policy and the LUB. Section V, Policy 7.0 and Map 2-4 establishes that the Height Precincts and corresponding methods of measuring height are based on the Generalized Future Land Use Map, and should allow appropriate development while considering the impact of building height on adjacent land uses (Map 3). The Height Precinct policy is implemented by Map ZM-17 in the LUB (Map 4).

Role of the Heritage Advisory Committee

The existing school building is a municipally-registered heritage property. Constructed in 1911, the building was the public Tower Road School until its closure in 1999. It was subsequently purchased by the Halifax Grammar School, and several renovations have taken place.

The existing school building is currently designated Institutional and zoned P; the proposed MPS and LUB amendments pertain to the abutting properties and the portion of the school grounds which are designated Medium Density Residential and zoned R-1. Regional Plan Policy CH-16, regarding Development Abutting Registered Heritage Properties, addresses the compatibility of a proposal which abuts a heritage resource. The HAC must make a recommendation to Community Council based on interpretation of the proposal’s merits when evaluated against the criteria of Policy CH-16 (Attachment C).

Should the proposed changes to the MPS and LUB be approved, an addition to the school building would require a substantial alteration pursuant to the Heritage Property By-law. A separate application for substantial alteration to the heritage building has been made and will be considered separately by the Heritage Advisory Committee (HAC) and Regional Council.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Program approved by Council on February 25, 1997. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area and a public information meeting (PIM) held on September 22, 2016. Attachment D contains a copy of the minutes from the PIM. The public comments received include the following topics:

- Increased traffic volume and congestion; and
- The effect on adjacent properties from parking as well as lighting and services (garbage, exits, etc.).

A public hearing must be held by Regional Council before they can consider approval of the proposed MPS and LUB amendments. Should Regional Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail.

The proposal will potentially impact local residents, adjacent property owners, and the Halifax Grammar school community (students, parents, teachers and other employees).

DISCUSSION

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in the Municipality. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. In this case, staff advise that the proposed amendments would enable an existing institutional use to expand, allowing it to continue to operate in its current location. The following paragraphs review the rationale and content of the proposed MPS and LUB amendments.

Proposed Amendments

Staff considered the existing MPS policy and LUB context, the extent of the request, and public feedback when drafting the proposed amendments. Attachments A and B contain the proposed MPS and LUB amendments. A summary of the proposed amendments are as follows:

- Re-designate 915, 921, 967 and a portion of 945 Tower Rd from Medium Density Residential to Institutional;
- Rezone 915, 921, 967 and a portion of 945 Tower Rd from R-1 (Single Family) to P (Park and Institutional); and
- Amend Map 2-4 within the South End Area Plan (SEAP) and Height Precinct Map ZM-17 within the LUB to allow height to be consistently measured by the method currently used for the existing school property.

The following matters have been identified for detailed discussion:

Rationale for applying the Institutional designation and P Zone

Staff considers the re-designation and rezoning request appropriate to allow the Halifax Grammar School to expand, given the scope of the request and the policy considerations of the MPS. The area to be re-designated and re-zoned, currently used for residential purposes and the school's existing playground space, is less than half of the size of the current school site. The existing MPS policy is supportive of maintaining institutional uses in their current locations. The requested changes to the MPS and LUB will allow a long-standing institutional use to continue in its present location by permitting a minor expansion to the institutional lands to accommodate their operational needs.

The LUB standards are intended to mitigate the impact of institutional buildings on adjacent properties. Under the P Zone, an addition to the existing school building would be regulated by the standards set out in the R-3 Zone. Buildings are required to be set back 10 feet from interior property lines and 20 feet from street lines. The 20 foot setback from the street may be reduced to 10 feet for parts of the building that can be contained within an 80 degree horizontal angle. Height and massing of a building is further limited by a 60 degree angular plane, applied to the elevation from the property line or centreline of the street.

If the applicant chose not to undertake an addition as they currently envision, the P Zone would regulate development on the lots. The minimum lot area and lot frontage required under the P Zone for new buildings is 8,100 square feet and 90 feet of continuous street frontage, respectively. Without lot consolidation, the three abutting lots (915, 921 and 967 Tower Road) would not meet the minimum lot area and lot frontage required. The undersized lots could be used for institutional uses permitted by the P Zone, such as park or recreational space, but the lots would not be eligible for a Development Permit for an institutional structure unless a variance for lot area and lot frontage was to be granted.

Change to the Height Precinct

Section V, Policy 7.0 indicates that the method for measuring height within a Height Precinct should be based on the Generalized Future Land Use Map set out in the MPS. Staff recommend that the proposed

re-designation of the subject properties to Institutional should be accompanied by a corresponding change to the Height Precinct. This change would maintain the 35 foot height limit, but allow the entire proposed school site to be measured by the method currently applied to the existing school (i.e. “between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street”). The applicant has indicated that this change would allow an addition to be constructed to a similar height as and match the floor plates of the existing school building.

District 7 & 8 Planning Advisory Committee

On October 24, 2016, the Districts 7 & 8 Planning Advisory Committee (PAC) recommended that the application be approved, provided that property-specific special requirements which address buffering and mitigation of site impacts between parking areas and adjacent residential and pedestrian uses can be implemented.

After thorough review, staff recommend the changes to the MPS and LUB as outlined in Attachments A and B. The property has been used as a school for more than 100 years, and the building and school grounds have a long-standing relationship with the immediate neighbourhood. The intent of the existing P Zone and the Height Precinct is that setbacks, maximum height and massing requirements will mitigate the impact on surrounding properties. The P Zone has been applied across the Halifax Peninsula on many institutional properties within residential neighbourhoods, typically schools and churches. Staff recommend that it is appropriate to apply the Institutional designation and P Zone.

Heritage Policy CH-16

Attachment C presents Regional Plan Policy CH-16, regarding Development Abutting Registered Heritage Properties. Policy CH-16 directs HRM to “*consider a range of design solutions and architectural expressions*” for properties abutting registered heritage properties when reviewing applications for development agreements, rezonings and MPS amendments. Criteria under Policy CH-16 relates to the impact of building form and design of new development on abutting heritage resources. Policy CH-16 has been evaluated for the lots abutting the existing heritage-registered school site (915, 921 and 967 Tower Road).

The school site is a prominent feature on the street and the nature and scope of the proposed MPS and LUB amendments are not anticipated to have a significant impact on the site’s heritage character. The form of development on the abutting lots would be regulated by the P Zone and the Height Precinct. An addition to the school building would be required to meet the same height and massing standards that apply to the existing building. If the applicant chose not to move forward with a proposed addition, the minimum lot area and lot frontage requirements will restrict the construction of additional structures on these lots.

Subsequent to this report, HAC will consider the impacts of a proposed addition on the existing heritage resource under a separate application for substantial alteration.

Draft Centre Plan Policy Direction

The Halifax Regional Municipal Planning Strategy (the “Regional Plan”) identifies the Regional Centre as the area encompassing the Halifax Peninsula and Dartmouth between Halifax Harbour and the Circumferential Highway. Through the recent review of the Regional Plan, the adoption of a Regional Centre Plan was confirmed as a primary objective for the Municipality. The Centre Plan will include the creation of a new Secondary Municipal Planning Strategy for the Regional Centre as well as regulatory and financial tools to ensure that the vision statement and guiding principles endorsed by Regional Council are achieved. Draft policy directions were delivered to the Community Design Advisory Committee for review in October 2016.

The proposed amendments to the MPS and LUB are consistent with the policy directions of the draft Centre Plan, which indicate that the Centre Plan will “*support and facilitate the ongoing operation of ... educational facilities*”. The draft Centre Plan Urban Structure has identified most public and private

school sites in the Regional Centre within the Parks and Public Spaces classification, including the Halifax Grammar School site. The draft Urban Structure recognizes the school's existing institutional use, and envisions an expansion of the site.

Conclusion

Staff have reviewed the application and the existing policy context and advise that the MPS should be amended to re-designate and rezone 915, 921, 967 and a portion of 945 Tower Road to Institutional and the Park and Institutional Zone to enable a proposed expansion of the Halifax Grammar School. A change to the Height Precinct which corresponds to the designation change will enable the height of a proposed addition to be considered under the same requirements as the existing school building. As the MPS encourages the retention of institutional uses in their present locations, staff advise the requested changes to the MPS and LUB are appropriate to allow the Halifax Grammar School to expand. Furthermore, the proposed MPS and LUB amendments are not anticipated to have a significant impact on the heritage character of the existing school site. Therefore, staff recommend that the Heritage Advisory Committee recommend that Halifax & West Community Council recommend that Regional Council approve the proposed amendments as set out in Attachments A and B.

FINANCIAL IMPLICATIONS

The HRM costs associated with the processing of this planning application can be accommodated within the approved 2016/17 operating C310 Urban and Rural Planning Applications.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application involves proposed MPS and corresponding LUB amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

The Heritage Advisory Committee may choose to recommend that Halifax & West Community Council recommend that Regional Council:

1. Modify the proposed amendments to the Halifax MPS and LUB for Halifax Peninsula, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the Halifax MPS and LUB for Halifax Peninsula. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1: Generalized Future Land Use
Map 2: Zoning and Notification Area
Map 3: Map 2-4, South End Area Plan, Halifax MPS
Map 4: Height Precinct Map ZM-17, Halifax Peninsula LUB

Attachment A: Proposed MPS Amendments
Attachment B: Proposed LUB Amendments
Attachment C: Policy Evaluation of CH-16 Development Abutting Heritage Properties
Attachment D: Public Information Meeting (PIM) Minutes

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Leah Perrin, Planner II, 902.490.4338

Report Approved by: Original signed
Kate Greene, Policy & Strategic Initiatives Program Manager, 902.225.6217



Map 1 - Generalized Future Land Use

915, 921, 967, & Portion of 945 Tower Road,
Halifax

HALIFAX



Subject Properties



Areas proposed to be redesignated
from MDR (Medium Density Residential)
to INS (Institutional)

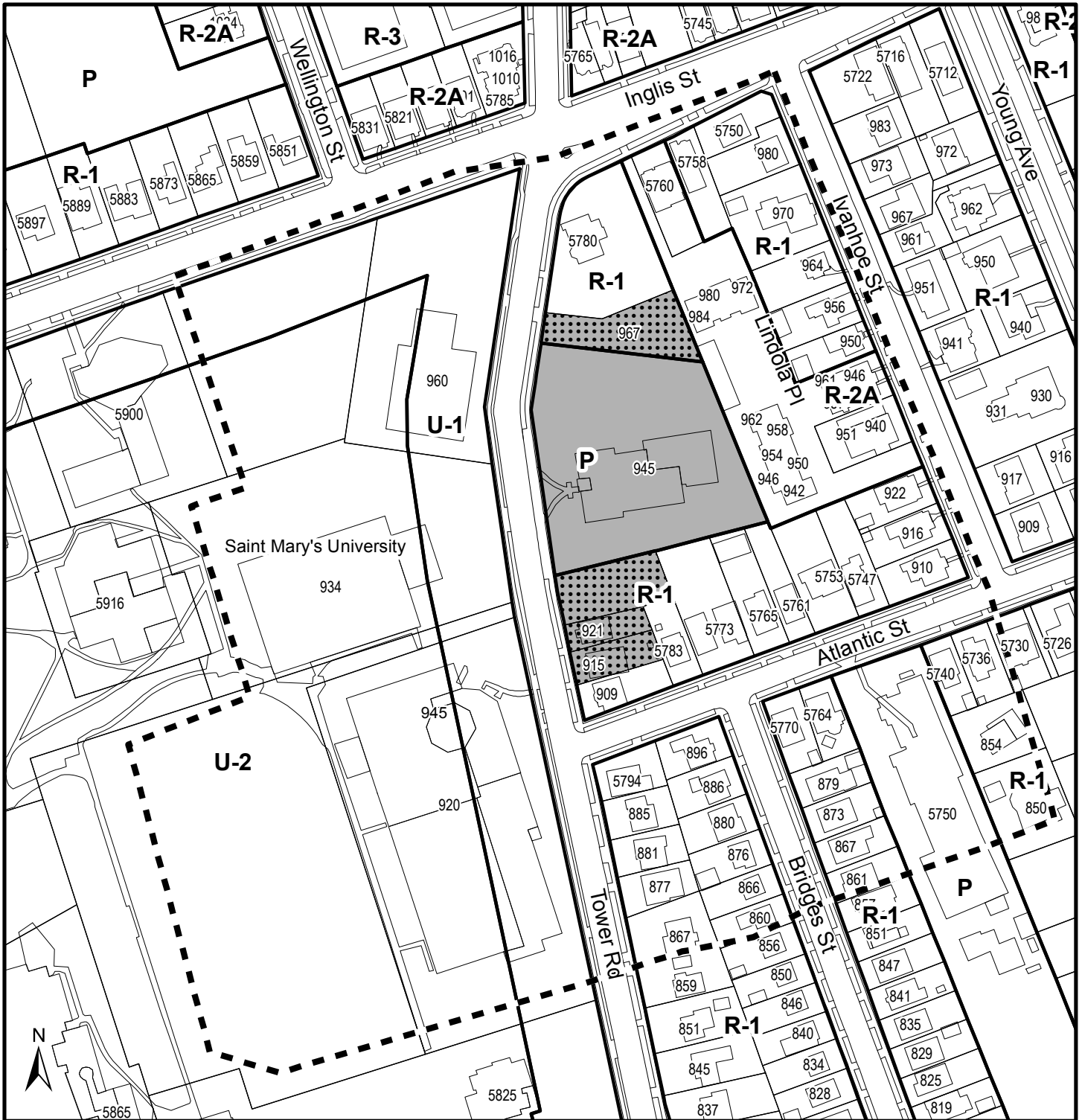
Designation

- LDR Low Density Residential
- MDR Medium Density Residential
- U University
- INS Institutional

Halifax Plan Area
South End Area Plan Area

This map is an unofficial reproduction of
a portion of the Generalized Future Land
Use Map for the plan area indicated.




The accuracy of any representation on
this plan is not guaranteed.



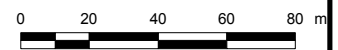
Map 2 - Zoning and Notification

915, 921, 967, & Portion of 945 Tower Road, Halifax

HALIFAX

-  Subject Properties
-  Areas proposed to be rezoned from R-1 (Single Family Dwelling) to P (Park and Institutional)
-  Area of Notification

- Zone**
- R1 Single Family Dwelling
 - R-2A General Residential Conversion
 - R-3 Multiple Dwelling
 - P Park and Institutional
 - U-1 Low-Density University
 - U-2 High-Density University

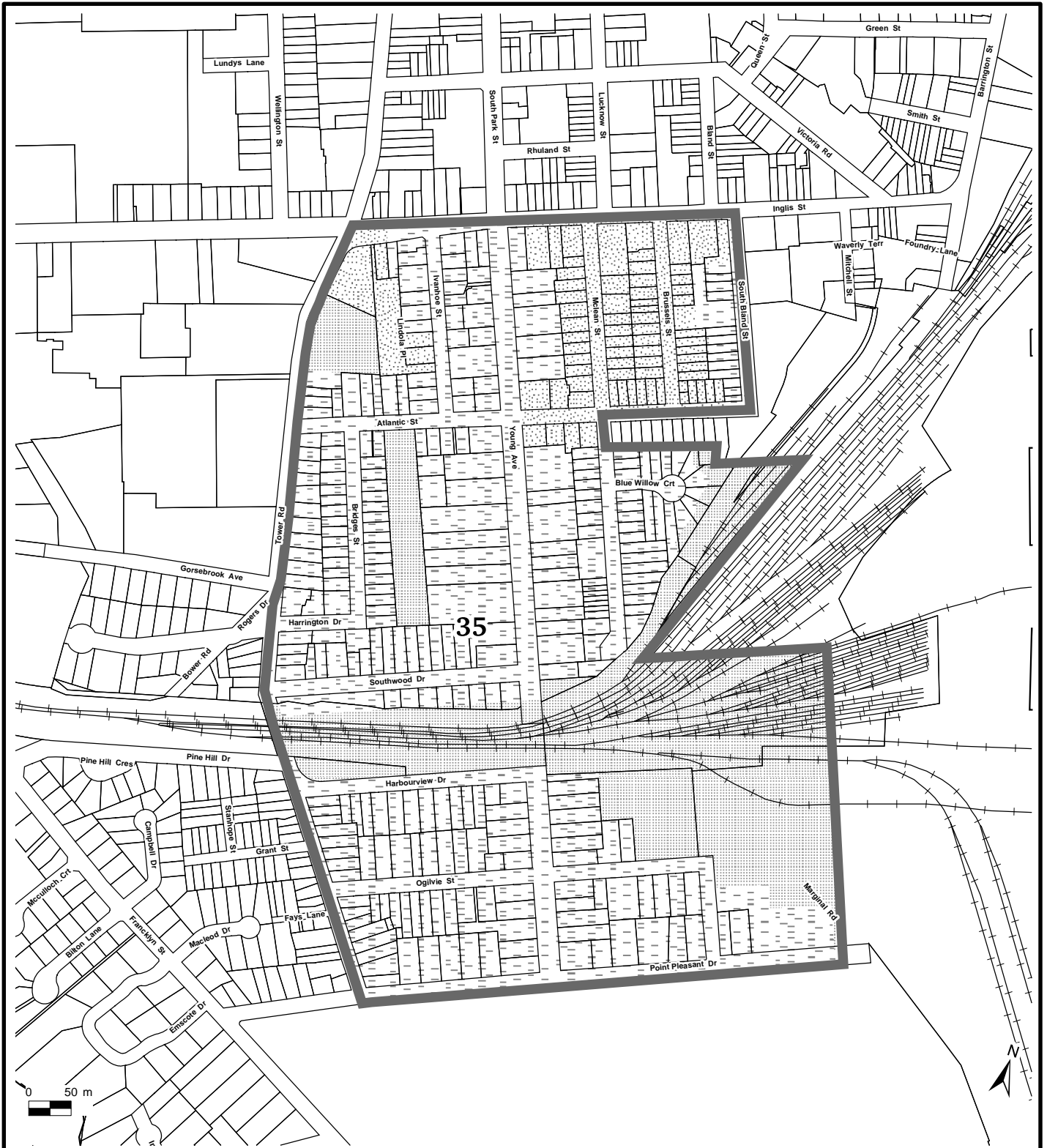


This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.


Halifax Peninsula Land Use By-Law Area

Map 3 - Map 2-4, South End Area Plan, Halifax MPS



Height Precincts District 4

00 Maximum permitted height in feet

 Height precinct boundary



Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

HALIFAX
REGIONAL MUNICIPALITY
PLANNING AND
DEVELOPMENT SERVICES



Map 4 - Height Precinct ZM-17

915, 921, 967, & Portion of 945 Tower Road,
Halifax

HALIFAX



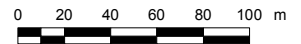
Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street



This map is an unofficial reproduction of a portion of the Height Precinct Map for the plan area indicated.

HRM does not guarantee the accuracy of any representation on this plan.

Attachment A

Amendments to the Halifax Municipal Planning Strategy

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Halifax is hereby amended as follows:

- 1. By amending Map 9A of Section V, as shown in the attached Schedule A; and**
- 2. By amending Section V, Part 7 District Policies Map 2-4 as shown in the attached Schedule B.**

I HEREBY CERTIFY that the amendments to the Halifax Municipal Planning Strategy, as set out above, were duly passed by a majority vote of the Halifax Regional Municipal Council at a meeting held on the day of , 2016.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2016.

Municipal Clerk




Schedule A

915, 921, 967, & Portion of 945 Tower Road,
Halifax

HALIFAX



 Areas to be redesignated from MDR (Medium Density Residential) to INS (Institutional)

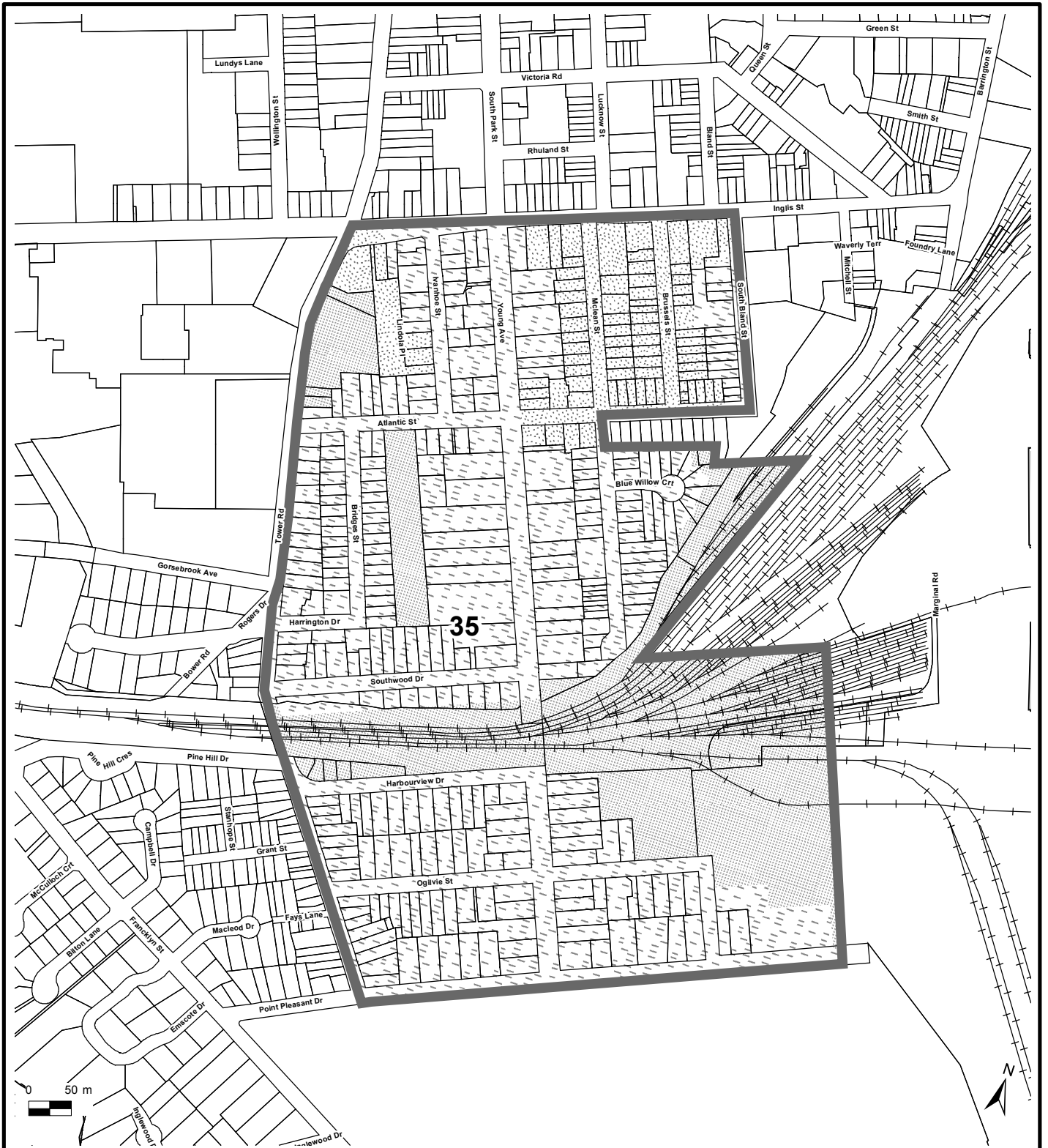
Designation

- LDR Low Density Residential
- MDR Medium Density Residential
- U University
- INS Institutional

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.


The accuracy of any representation on this plan is not guaranteed.

Halifax Plan Area
South End Area Plan Area



Schedule B
Height Precincts
District 4

00 Maximum permitted height in feet

 Height precinct boundary



Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

HALIFAX

Attachment B

Amendments to the Halifax Peninsula Land Use By-law

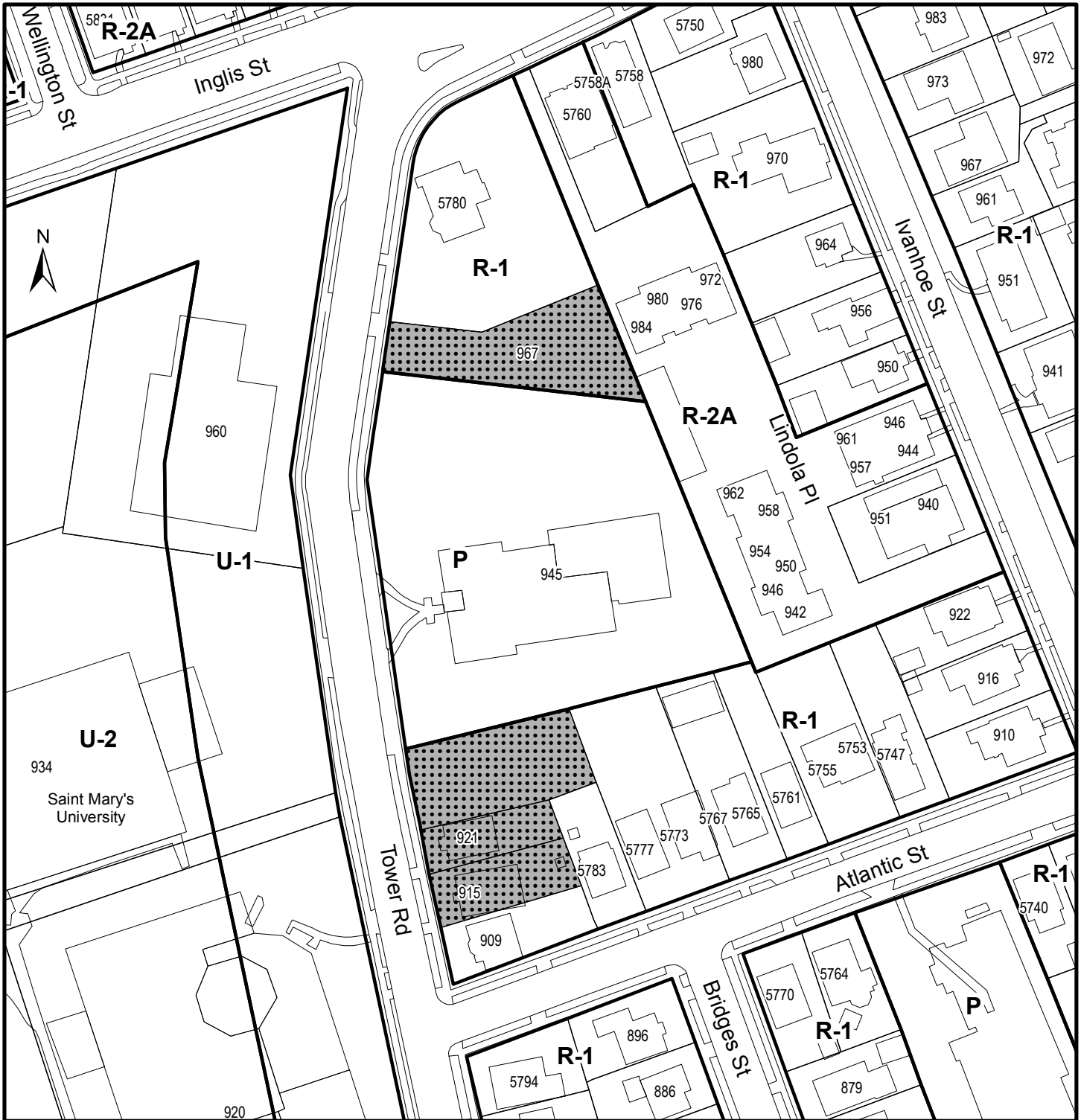
BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Peninsula is hereby further amended as follows:

- 1. By amending Map ZM-1 as shown on Schedule C; and**
- 2. By amending Map ZM-17 as shown on Schedule D:**

I HEREBY CERTIFY that the amendments to the Halifax Peninsula Land Use By-law, as set out above, were duly passed by a majority vote of the Halifax Regional Municipal Council at a meeting held on the day of , 2016.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2016.


Municipal Clerk



Schedule C

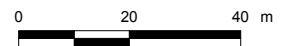
HALIFAX

915, 921, 967, & Portion of 945 Tower Road,
Halifax

 Areas to be rezoned
from R-1 (Single Family Dwelling)
to P (Park and Institutional)

Zone

- R1 Single Family Dwelling
- R-2A General Residential Conversion
- P Park and Institutional
- U-1 Low-Density University
- U-2 High-Density University



This map is an unofficial reproduction of
a portion of the Zoning Map for the plan
area indicated.

The accuracy of any representation on
this plan is not guaranteed.

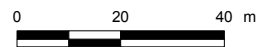
Halifax Peninsula Land Use By-Law Area




Schedule D: Amendments to the ZM-17 Height Precinct Map

915, 921, 967, & Portion of 945 Tower Road,
Halifax

HALIFAX



Amend subject areas to:
 Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street.

The accuracy of any representation on this plan is not guaranteed.

Attachment C

Excerpts from the Regional Municipal Planning Strategy: Policy Evaluation

Policy 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:*

| Policy Criteria | Comment |
|---|---|
| <p><i>(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;</i></p> | <p>The applicant has requested the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) which would apply the Institutional designation and P (Park and Institutional) Zone, as well as change the method of measurement under the Height Precinct, to properties abutting the existing school site. Following a consolidation of the properties, the school building and grounds could expand onto the abutting sites. An addition to the building would be required to meet the requirements of the P Zone. The P Zone follows standards of the R-3 (Multiple Dwelling) Zone in terms of lot area, frontage, height and massing standards. The proposed amendments to the Height Precinct would allow the height of a proposed addition to be measured by the method currently applied to the existing school (i.e. "between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street"). The detailed architectural design, character and materials of an addition will be considered by HAC under the request for substantial alteration.</p> <p>If the applicant chose not to undertake an addition as they currently envision, the P Zone would limit development on these sites. Without lot consolidation, the three abutting lots (915, 921 and 967 Tower Road) would not meet the minimum lot area and lot frontage required under the P Zone for new buildings. The undersized lots could be used for institutional uses permitted by the P Zone, such as park or recreational space, but the lots would not be eligible for a Development Permit for an institutional structure unless a variance for lot area and lot frontage was to be granted.</p> |
| <p><i>(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;</i></p> | |
| <p><i>(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:</i></p> <ul style="list-style-type: none"> <i>(i) incorporate fine-scaled architectural detailing and human-scaled building elements.</i> <i>(ii) reinforce, the structural rhythm (i.e., expression of floor lines, structural bays, etc.) of abutting federally, provincially or municipally registered heritage properties; and</i> <i>(iii) any additional building height proposed above the pedestrian realm mitigate its impact upon the pedestrian realm and abutting registered heritage properties by incorporating design solutions, such as setbacks 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;</i> | |

| | |
|---|--|
| <p><i>(d) the siting of new developments such that their footprints respect the existing development pattern by:</i></p> <p><i>(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</i></p> <p><i>(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;</i></p> | <p>The pattern of development is currently defined by the presence of the school site in contrast to surrounding residential development. The area to which the amendments will apply is less than half the size of the existing school site; therefore, an expansion to the school site would have minimal impact on the development pattern of the street.</p> |
| <p><i>(e) not unreasonably creating shadowing effects on public spaces and heritage resources;</i></p> | <p>The P Zone and 35 foot Height Precinct would limit height and massing to the same standards that currently apply to the existing heritage building. A significant shadow impact is not anticipated.</p> |
| <p><i>(f) complementing historic fabric and open space qualities of the existing streetscape;</i></p> | <p>The existing heritage-registered school site has a significant presence on the street. The area to which the amendments will apply is less than half the size of the existing school site; therefore, an expansion to the school site would have minimal impact qualities of the streetscape.</p> |
| <p><i>(g) minimizing the loss of landscaped open space;</i></p> | <p>The setbacks required by the P Zone are greater than those required by the R-1 Zone currently applied to the abutting properties, therefore it is not anticipated that a loss of landscaped open space will occur.</p> |
| <p><i>(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;</i></p> | <p>There is currently a parking lot on the north side of the existing school site. The applicant has proposed to locate parking on abutting properties to the south of the existing school. The LUB does not regulate the location of parking for institutional uses.</p> |
| <p><i>(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;</i></p> | <p>Not applicable - The HAC will review under the request for substantial alteration.</p> |
| <p><i>(j) having the proposal meet the heritage considerations of the appropriate Secondary Planning Strategy, as well as any applicable urban design guidelines; and</i></p> | <p>The objective of the Heritage Policies under the MPS is “<i>The preservation and enhancement of areas, sites, structures, streetscapes and conditions in Halifax which reflect the City's past historically and/or architecturally.</i>” The policy</p> |

| | |
|---|--|
| | <p>criteria speaks to preserving heritage properties through heritage designation, and ensuring development that will impact heritage resources is sensitive and complementary.</p> <p>As the area to which the MPS and LUB amendments will apply is less than half the size of the existing school site, the anticipated impact on the heritage context is limited. An addition to the heritage property will be reviewed by the HAC through the substantial alteration process.</p> <p>There are no urban design guidelines for this area.</p> |
| <p><i>(k) any applicable matter as set out in Policy G-14 of this Plan.</i></p> | <p>Policy G-14 (pertaining to Regional Plan amendments requiring subsequent amendments to other planning documents for consistency), does not apply in this case.</p> |

Attachment D - Public Information Meeting Minutes



DISTRICTS 7 & 8 PLANNING ADVISORY COMMITTEE PUBLIC MEETING MINUTES September 22, 2016

PRESENT: Ms. Sunday Miller, Chair
Mr. Michael Bradfield
Mr. Grant Cooke
Ms. Amy Siciliano
Councillor Waye Mason
Councillor Jennifer Watts

REGRETS: Ms. Katherine Kitching
Ms. Sarah MacDonald
Mr. Joe Metlege
Mr. Ashley Morton, Vice Chair

STAFF: Mr. Tyson Simms, Planner
Ms. Leah Perrin, Planner
Ms. Cailin MacDonald, Legislative Support

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to the Districts 7 & 8 Planning Advisory Committee are available online: <http://www.halifax.ca/boardscom/D78PAC/160922d78pac-agenda.php>

The meeting was called to order at 7:02 p.m. and adjourned at 8:12 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 7:02 p.m. at Saint Mary's University (Courtside Lounge), Halifax and introduced the Planning Advisory Committee and its purpose in hosting the public meeting.

2. PUBLIC INFORMATION MEETING

2.1 Case 20405 – Application by Armour Group Limited, on behalf of Halifax Grammar School, to amend the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law to enable the rezoning of 915, 921 and 967 Tower Road and a portion of 945 Tower Road, Halifax from R-1 (Single Family Residential) Zone to the P (Park and Institutional) Zone.

The Chair invited Mr. Tyson Simms, Planner, to present Case 20405 – Application by Armour Group Limited, on behalf of Halifax Grammar School, to amend the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law to enable the rezoning of 915, 921 and 967 Tower Road and a portion of 945 Tower Road, Halifax from R-1 (Single Family Residential) Zone to the P (Park and Institutional) Zone.

Mr. Simms outlined the purpose of the meeting, noting that staff will provide background information on the application process as well as explain existing policy and regulations that apply in the area.

Mr. Simms explained that the application by Armour Group Limited on behalf of the Halifax Grammar School is to amend the Halifax Peninsula Municipal Planning Strategy (MPS) and the Land Use By-law (LUB) to permit an expansion to the Halifax Grammar School located at 945 Tower Road. He went on to explain that the application is to amend the designation of the subject site from Medium Density Residential (MDR) to Institutional (INS) and amend the zoning from Single Family Dwelling (R-1) to Park and Institutional (P). He also noted that the application includes amending the definition of height, as defined in the MPS and LUB, as it applies to 967 Tower Road so that it is consistent with the existing school property.

Mr. Simms provided the context surrounding the proposed site and the existing campus. He outlined that as part of the MPS designation the proposal is to re-designate the subject properties, 915, 921, 967 and a portion of 945, to Institutional. Mr. Simms continued to explain that under the LUB zoning the proposal is to re-zone the subject properties to a Park and Institutional Zone.

Mr. Simms explained that the MPS and LUB regulate building height through established height precincts. He commented that the proposal is to amend the definition of height for 967 Tower Road to reflect the same height currently permitted on the Halifax Grammar School site which is 45-50 feet.

Mr. Simms explained criteria outlined in the Park and Institutional (P) Zone. He further explained the uses permitted in this zone as well as specific building requirements, noting that the P Zone shall comply with the requirement of the R-3 (multiple dwelling) Zone. Mr. Simms explained that this zone requires: side and rear setbacks at a minimum of 10 feet; front yard setback at a minimum of 20 feet; and angular controls to regulate the size of the building.

Mr. Simms noted that the Halifax Grammar School is a registered heritage property and that any addition to the property is deemed to be a substantial alteration. He further explained that applications for substantial alteration are: reviewed by heritage staff, the Heritage Advisory Committee and Regional Council.

Mr. Simms reviewed the initial steps of the process as well as outlined the next steps for the application. He then invited the applicant, Mr. Steven Laffoley, Headmaster for the Halifax Grammar School, to speak on behalf of the Halifax Grammar School.

Mr. Laffoley, spoke briefly about the history and evolution of the school, its relationship with the neighbourhood and the heritage-influenced design aesthetic. Mr. Laffoley invited Mr. Joe Zareski to speak further about the project.

Mr. Zareski, Architect with Architecture 49, described that their firm completed a heritage impact assessment to determine which areas of the site had heritage value.

Mr. Zareski stated that they looked at the sites' setbacks and angular controls. He shared that the proposed design illustrates a courtyard and new entrance to the school. He also commented on the amount of greenspace planned for the site.

Mr. Zareski showed the proposed front elevation, commenting that they chose a modern use of traditional materials, textures and patterns to mimic the existing building. He also commented that the rationale to amend the height is to help mirror the existing building and to line up the interior floors where possible.

Mr. Zareski ended his presentation by presenting prospective renderings from different angles as well as materials planned to be used.

The Chair opened the floor to comments from the public.

Ms. Alison Boyd, Halifax inquired about the budget for the project as well as how the project will enhance student learning.

Mr. Laffoley responded by sharing that Halifax Grammar School has engaged in a capital campaign to and explained that the school provides greater learning opportunities for students and spaces to collaborate.

Mr. Shanchun Li, Tower Road inquired why there would be no opportunity to repeal this case, citing that generally the process for rezoning includes a repeal period. He expressed concerns as an immediate neighbour to the site and outlined the following concerns with the proposed placement of the parking lot: increase in traffic, increase in pollution and dust, elimination of greenspace, lack of sufficient area for snow removal, potential flooding and potential reduction in property value. He commented that he would prefer to see the location of the parking lot be greenspace or a playground. Mr. Li further outlined potential concerns should the school expand including increase in noise levels and vandalism. He concluded by stating that he opposes amending 915 and 921 Tower Road to a P Zone.

Mr. Simms explained that in this case since the proposed decision is to amend the MPS and LUB that an appeal would not be permitted and that he would confer with the municipality's legal staff and provide a response directly to Mr. Li at a later date.

Mr. David Richardson, Tower Road echoed Mr. Li's comments. Mr. Richardson expressed concerns that should the development move forward; neighbouring residents may decide to sell their properties and inquired whether this would enable the applicant to purchase the land and facilitate approval of further expansion. He also expressed concerns related to the location of the parking lot and the potential increased traffic in the area considering drop-offs for students of SMU and the Halifax Grammar School as well as the nearby bus stop.

Mr. Simms responded by providing clarification about the process, noting that should the applicant acquire more properties, these lands would be subject to the same application process .

Mr. John Mullin, representing Saint Mary's University expressed concern with the potential increase in traffic and expressed the need for a proper traffic study for the area to prevent further congestion.

Mr. Simms responded that a traffic impact statement has been submitted as part of this application and is being reviewed by transportation and planning staff. He commented that it will be reviewed by staff and will inform part of the staff report to Regional Council.

Ms. Terri Chisholm, parent of Halifax Grammar School expressed support for the project and echoed desires to complete a traffic study.

Ms. Henrietta Mann, Bridges Street expressed challenges with parking on Bridges Street and commented that she would like parking to be only allowable on one side of the street.

Mr. Simms noted that the LUB does not require a minimum number of parking spaces and referred the question to the applicant to clarify the number of spaces being proposed. Mr. Zareski commented that the number of parking spaces for the school remains the same and that they are exploring ways to minimize the parking lot in favour of greenspace. He also commented that the design incorporates a drop off zone to help ease traffic flow.

Mr. David Richardson, Tower Road inquired about the entrances to the parking lot.

Mr. Zareski responded that there is one entrance and one exit off of Tower Road.

Ms. Carolyn Maxwell, Ivanhoe Street shared concerns about the backside of the building, citing concerns related to lighting, garbage removal, exits, noise as well as fencing.

Mr. Simms responded that setbacks would be regulated by the LUB and that noise would be regulated by the municipality's existing noise by-law. He commented that municipal by-laws require a designated area for refuse collection and that the location is not known and would be determined during the permitting process.

Ms. Li and Mr. Li, Tower Road requested further clarification related to the property setback as well as by-law amendments.

Mr. Simms responded that the LUB outline permitted land uses as well as guidance on site design. He commented that staff can explore by-law requirements for buffering and that he is unaware of any set distance required for institutional development.

In response to a by-law amendment, Mr. Simms acknowledged Mr. and Ms. Li's concerns and commented that there is an ability to consider amendments to the zone. He commented that as part of the review process staff will look at requirements related to setbacks, buffering and fencing to address some of their concerns.

3. ADJOURNMENT

The Chair adjourned the meeting at 8:12 p.m.

Cailin MacDonald,
Legislative Support