



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

**Item No. 11.2.1**  
**Halifax Regional Council**  
**October 30, 2018**  
**November 27, 2018**

**TO:** Mayor Savage Members of Halifax Regional Council

Original Signed

**SUBMITTED BY:**

\_\_\_\_\_  
For Councillor Stephen D. Adams, Chair, Halifax and West Community Council

**DATE:** October 10, 2018

**SUBJECT:** **Case 20102: Amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Mainland for 383 Herring Cove Road, Halifax**

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#### **ORIGIN**

October 9, 2018 meeting of Halifax and West Community Council, Item 13.1.7.

#### **LEGISLATIVE AUTHORITY**

HRM Charter, Part 1, Clause 25(c) – “The powers and duties of a Community Council include recommending to the Council appropriate by-laws, regulations, controls and development standards for the community.”

#### **RECOMMENDATION**

That Halifax Regional Council Council give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law for Halifax Mainland (LUB) as set out in Attachments A and B of the staff report dated September 11, 2018, to create a new zone which permits a 7-storey mixed-use building at 383 Herring Cove Road, Halifax, and schedule a public hearing.

## **BACKGROUND**

At their October 9, 2018 meeting, Halifax and West Community Council considered the staff report dated September 11, 2018 regarding Case 20102: Amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Mainland for 383 Herring Cove Road, Halifax

For further information, please refer to the attached staff report dated September 11, 2018.

## **DISCUSSION**

Halifax and West Community Council considered the staff report dated September 11, 2018, and forwarded the recommendation to Halifax Regional Council as outlined in this report.

## **FINANCIAL IMPLICATIONS**

Financial implications are outlined in the staff report dated September 11, 2018.

## **RISK CONSIDERATION**

Risk consideration is outlined in the staff report dated September 11, 2018.

## **COMMUNITY ENGAGEMENT**

The Halifax and West Community Council is comprised of six (6) elected members. Meetings are held in public unless otherwise indicated and the agendas and reports are posted to the HRM website.

## **ENVIRONMENTAL IMPLICATIONS**

Environmental implications are outlined in the staff report dated September 11, 2018.

## **ALTERNATIVES**

Halifax and West Community Council did not provide alternatives.

## **ATTACHMENTS**

**Attachment 1** - Staff report dated September 11, 2018.

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: David Perusse, Legislative Assistant, Municipal Clerk's Office 902.490.6732

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

**Item No. 13.1.7**  
**Halifax and West Community Council**  
**October 9, 2018**

**TO:** Chair and Members of Halifax and West Community Council

*-Original Signed-*

**SUBMITTED BY:**

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Kelly Denty, Director, Planning and Development

*-Original Signed-*

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Jacques Dubé, Chief Administrative Officer

**DATE:** September 11, 2018

**SUBJECT:** **Case 20102: Amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Mainland for 383 Herring Cove Road, Halifax**

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**ORIGIN**

- Application by TEAL Architects on behalf of FH Development Group Inc.
- September 6, 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 Halifax and West Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) for Halifax and Land Use By-law for Halifax Mainland (LUB) as set out in Attachments A and B of this report, to create a new zone which permits a 7-storey mixed-use building at 383 Herring Cove Road, Halifax, and schedule a public hearing; and
2. Approve the proposed amendments to the MPS for Halifax and LUB for Halifax Mainland, as set out in Attachments A and B of this report.

## **BACKGROUND**

TEAL Architects, on behalf of FH Development Group Inc., has applied to develop a 7-storey mixed-use building at 383 Herring Cove Road, Halifax. This proposal cannot be considered under existing Municipal Planning Strategy policies, so the applicant has requested to amend the Municipal Planning Strategy for Halifax (MPS) and Land Use By-law for Halifax Mainland (LUB).

<b>Subject Site</b>	383 Herring Cove Road, Halifax (PID 00333070)	
<b>Location</b>	Southern corner at the intersection of Herring Cove Road and Sussex Street (1 lot)	
<b>Regional Plan Designation</b>	Urban Settlement	
<b>Community Plan Designation (Map 1)</b>	Minor Commercial, Mainland South Secondary Plan Area	
<b>Zoning (Map 2)</b>	C-2A (Minor Commercial)	
<b>Size of Site</b>	2,417 square metres (26,020 square feet)	
<b>Street Frontage</b>	130.76 metres (429 feet) on two streets (corner lot)	
<b>Current Land Use(s)</b>	Vacant (former gas station)	
<b>Surrounding Use(s)</b>	North, across Sussex Street:	The Royal Canadian Legion, South Centre Mall, which includes a grocery store, Canadian Tire, drugstore, etc.
	East, across Sussex Street:	Central Spryfield Elementary School, mix of low-density residential and commercial buildings
	South:	Houses, Macintosh Run, and the Captain William Spry Centre
	West:	Houses

### **Proposal Background**

The applicant has proposed to develop a mixed-use residential and commercial building on the site of a former gas and service station at the corner of Herring Cove Road and Sussex Street. The proposed building would have greater height and density than the current policy and zoning allows. The applicant indicated that a primary reason for requesting additional density is to offset costs to remediate the site.

At its September 6, 2016 meeting, Regional Council considered a MPS initiation report that outlined the applicant's request for a 7-storey mixed-use residential and commercial building on the site. Following an initial review of the request, staff outlined their concerns that the proposed building could be too large next to low-rise residential buildings, and that the site did not warrant a site-specific amendment to policy. Regional Council chose to initiate the site-specific MPS amendment process, subject to the application addressing height and massing issues through the planning process. Council passed the following motion:

*MOVED by Councillor Adams, seconded by Councillor Walker*

*THAT Halifax Regional Council direct staff to initiate a process to consider amendments to the Halifax Mainland South Secondary Municipal Planning Strategy and Mainland Halifax Land Use By-law **subject to addressing the height and massing issues referenced within the staff report dated July 26, 2016 to enable a mixed-use building located at 383 Herring Cove Road, Halifax. In doing so, staff is directed to follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.***  
 [emphasis added]

### **Proposal Details**

In response to Regional Council's direction and feedback from staff, the applicant revised the proposal several times during the planning process. The proposal was initially 7 storeys, but the applicant presented a 10-storey proposal at the public information meeting. In response to Regional Council direction and feedback from staff, the applicant designed the current 7-storey proposal, which was presented to the public

at an open house in April 2018. The current version of the proposal is shown in Attachment C. Major features of the proposed building include:

- An overall height of seven storeys, to a maximum of 25 metres (82 feet);
- 60 residential units;
- 685 square metres (7,380 square feet) of commercial space on the ground and second levels;
- On-site parking for vehicles and bicycles; and
- Indoor amenity space and ground-level landscaping.

### **MPS and LUB Context**

Under the Mainland South Secondary Planning Strategy (Section X of the Halifax MPS), the site is designated Minor Commercial and zoned C-2A - Minor Commercial. Section X Policy 2.2 states minor commercial uses are permitted, including commercial facilities serving several neighbourhoods, with a range of retail, professional, office and service facilities. The C-2A Zone also permits multi-unit residential buildings in accordance with R-3 (General Residential and Low Rise Apartment) Zone requirements, including a maximum density of 75 persons per acre; however, a maximum 35-foot (10.7 metre) height restriction applies to all buildings in the C-2A Zone.

### **The Regional Plan and Related Community Planning Initiatives**

Under the Halifax Regional Municipal Planning Strategy (the 'Regional Plan'), the Spryfield area is designated as an Urban District Growth Centre. Spryfield is within the Urban Settlement Designation. Regional Plan policy directs that when reviewing secondary planning policy, like the existing MPS, Spryfield should be considered for a mix of low, medium and high-density residential uses and for commercial uses with access to transit. Buildings should be designed with streetwalls and building step backs, and should create attractive spaces for pedestrians.

#### *Spryfield Community Visioning*

The 2014 review of the Regional Plan introduced Policy G-2, which requires HRM to consider the Community Visioning statement for Spryfield, adopted-in-principle by Council in 2009.

Part of the Spryfield Vision and Action Strategy calls for a review of the Halifax MPS to implement the vision of the Herring Cove Road Streetscape Study as opportunities arise. The Action Strategy requires neighbourhoods to include well-designed, walkable, mixed-use buildings, which increase housing density in appropriate areas. The Action Strategy also promotes re-using vacant lots and promoting Spryfield as a place for retail and commercial services.

#### *Herring Cove Road Streetscape Study*

The Herring Cove Road Community Development & Streetscape Planning Project was commissioned by HRM and finished in 2005. This study used research and public input to look at how to strengthen the Herring Cove Road area. The report recommended:

- clustering commercial uses to serve Herring Cove Road and surrounding neighbourhoods;
- encouraging pedestrian-friendly development; and
- allowing mixed-use developments, especially with residential components.

The study also called for a redesign of the Herring Cove Road and Sussex Street intersection, which could allow for the subject site to be acquired for a new skate park. The skate park was instead built on the Captain William Spry Centre property. Changes have been made to the intersection: a slip lane was removed and some trees were planted.

#### *Transit Service and the Integrated Mobility Plan*

Through the Moving Forward Together Plan, Halifax Transit has established a Corridor Route along Herring Cove Road, which will provide frequent service (15-minute frequencies on weekdays) on this high demand corridor. The site has direct bus service to Halifax Shopping Centre, Quinpool Road, Spring Garden Road and Downtown Halifax. More destinations can be reached through a connection at Mumford Terminal.

The Integrated Mobility Plan (IMP), adopted by Regional Council in December 2017, aims to improve mobility choice across the region. The IMP identifies the area around South Centre Mall on Herring Cove Road as a potential transit-oriented community.

## **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 by:

- providing information and seeking comments through the HRM website;
- posting signs on the subject site;
- mailing letters to property owners within the notification area;
- hosting a public information meeting on January 12, 2017, where a 10-storey proposal was presented (a copy of the minutes is provided in Attachment D); and
- hosting a public open house on April 23, 2018, to present the final 7-storey development proposal.

The public comments received at the public information meeting, sent directly to staff after the public information meeting, and received at the public open house are summarized below:

### *General issues with the proposal and/or planning process:*

- A few felt that the proposal could revitalize Herring Cove Road
- A few were concerned that the proposal was not in line with the Spryfield Community Visioning process and Herring Cove Road streetscape study (which envisioned the site as a greenspace)

### *Proposed built form, design and use:*

- Many felt the proposed building is too tall (in response to both the 7-storey and the 10-storey building proposal)
- Many felt the proposed building was inappropriate or out of scale with the neighbourhood
- A few were concerned with limited setbacks to adjacent residential properties
- A few felt there was a need for mixed-use buildings in the area, including new multi-unit buildings and additional commercial space
- A few felt there should be larger units for families, and more affordable units

### *Traffic and parking:*

- Many had traffic safety concerns, particularly around the Herring Cove Road and Sussex Street intersection
- Several people had concerns about the potential for increased traffic volume
- A few were concerned with parking in the neighbourhood

### *Environmental issues:*

- Some had concerns with the site's contamination (former gas station)
- A few had wind and shade concerns
- A few had concerns about the health of McIntosh Run

A public hearing must be held by Regional Council before they can consider MPS amendments. Should Regional Council decide to proceed with a public hearing on this application, property owners and residents within the notification area shown on Map 2 will be notified of the hearing by regular mail. Newspaper ads for the hearing will also be published.

The proposal will potentially affect stakeholders, including residents, property owners and business owners and operators.

## **DISCUSSION**

The Halifax 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 the MPS are significant undertakings. Council is under no obligation to consider such requests. Changes to policy should only be considered within a broader planning context and when warranted due to a change in circumstances.

### **Applicant's Rationale for Policy Changes**

This application proposes changes to the Halifax MPS that are specific to the subject site. The applicant submitted rationale with their application, which suggests that:

- Additional density will allow for remediation of the site (former gas station);
- The site is highly visible and centrally located on Spryfield's main street;
- The site is well-connected to transit and within walking distance to nearby amenities including schools, the Captain William Spry Community Centre, grocery stores and other shopping;
- The Regional Plan identifies the Spryfield area as an Urban District Growth Centre, where new growth could be accommodated; and
- The building's massing and setbacks have been designed not to negatively impact neighbours.

### **Staff Review of Policy Changes**

Staff have reviewed the applicant's proposal, per Regional Council direction from September of 2016. Staff have considered:

- Regional Plan and Integrated Mobility Plan policies;
- the existing secondary plan policy and regulations;
- the surrounding neighbourhood context; and
- public feedback.

The Regional Plan and Integrated Mobility Plan have both identified this area as a potential place for higher density. Higher density development will contribute to regional land use and transportation goals. The site is close to shopping, schools, recreation, and employment. It is well-connected to major transportation routes, including frequent transit service. Increasing residential density in the area can contribute to a walkable and complete community, where people can live, work, and play within the neighbourhood. The proposed MPS amendments and proposed zone control building form, so that higher density development is appropriate for the surrounding context.

Existing MPS policy places the site within a minor commercial area, which allows commercial uses that serve several neighbourhoods. Residential uses can also be built, as per the standards in the R-3 Zone. These standards allow buildings up to 35-feet tall. The applicant is proposing a height of 82 feet. The maximum density allowed in the R-3 Zone is 75 persons per acre. The proposed building is denser than 75 persons per acre.

The current MPS policy and LUB regulations have not been updated since the Regional Plan or Integrated Mobility Plan were adopted by Council. The existing zoning does not recognize the regional goals to increase density in areas with access to amenities and access to quality transit services. The existing zoning does not account for the site's prominent corner location, or the importance of urban design principles. Existing zoning regulations provide limited control over appropriate building design. Therefore, staff advise changes to the MPS and LUB would allow for an increase in density on the site and ensure better building design.

### **Proposed MPS Amendments**

Attachment A contains the proposed MPS amendments. The proposed MPS policy states that within the Minor Commercial designation, redevelopment of this former gas station site is desirable. Redevelopment can contribute to a walkable, complete community, provided it is sensitive to the residential neighbourhood nearby. The proposed MPS policy envisions a pedestrian-oriented, mid-rise building on the subject site. Development will be enabled by a new zone in the Halifax Mainland LUB. The zoning approach will be

based on urban design principles. The proposed policy also limits the overall height of any new building to 25 metres (excluding non-habitable space).

### **Proposed LUB Amendments**

Attachment B contains the proposed LUB amendments, which implement the proposed MPS policy. A new zone is proposed, called “C-2D – Herring Cove Road Residential/Minor Commercial Zone”. As a planning tool, zoning allows for flexibility in a building’s design, provided the requirements of the zone are met. The proposed C-2D Zone sets standards for:

- building envelope regulated by required maximum height, setbacks, and stepbacks;
- built form and site design;
- building materials;
- landscaping;
- parking;
- signs; and
- amenity space.

Staff note they have completed a preliminary review of the applicant’s current proposal (Attachment C) against the proposed C-2D Zone, but a new building at 383 Herring Cove Road could look substantially different from the applicant’s current drawings. For example, the applicant has not maximized the potential building envelope for the portion of the building facing Herring Cove Road. Also, the proposed C-2D Zone is not prescriptive about architectural detailing or materials. Any changes will be at the discretion of the developer to make, within the constraints of the proposed zone. Therefore, Regional Council is being asked to consider only policy and by-law regulations for this site. The specific building would be assessed and approved through the development and building permit process.

Important elements of the proposed C-2D Zone include:

#### *Uses*

The proposed zone permits most of the same uses as the C-2A Zone, in keeping with the site’s Minor Commercial designation. The zone permits apartment houses and a range of commercial uses including:

- retail;
- small repair shops;
- personal services;
- offices;
- banks;
- restaurants;
- health clinics;
- community facilities;
- institutional uses; and
- commercial recreation uses.

Motor vehicle-related commercial uses (dealers, repair, and service stations) are not permitted, in keeping with the policy intent that the site should encourage a walkable neighbourhood. Health clinics, community facilities and institutional uses are permitted, as these uses can contribute to a complete community.

As the site is within a commercial node in the Spryfield area, and Herring Cove Road is a busy main street, the proposed zone requires that commercial uses are provided on the ground level facing Herring Cove Road. To promote pedestrian comfort, commercial entrances must be located facing public streets, and the ground level must be designed with large windows.



### *Built form and design requirements*

The proposed zone includes built form requirements to limit the overall height and massing of any building on the site, and to ensure appropriate transition to adjacent low-rise residential properties. The proposed zone requires the building to be set back significantly from the side and rear property lines. To further limit the massing, and to allow for transition to the low-density residential environment at the rear, building depth is restricted to 25 metres. Minimum lot frontage and lot area requirements included in the proposed zone mean that only one main building can be constructed on the subject site.

The proposed zone allows for a seven-storey building, to a maximum height of 25 metres (82 feet). To encourage human-scaled design, the building's streetwall must be set close to the street. The maximum streetwall height is 10.5 metres (34 feet), above which the building must be stepped back.

The proposed zone prohibits low-quality and inappropriate cladding materials (such as vinyl siding, plywood, stucco, mirrored glass, etc.). Any exposed foundation wall (which may result from grade changes across the site) would be required to be architecturally detailed or clad with appropriate building materials.

### *Residential units*

The proposed zone permits multiple unit residential development. To encourage higher residential density in the area, the number of dwellings units is not restricted. Instead, the proposed zone requires a range of unit types. At least 30 percent of the units must have two or more bedrooms.

### *Landscaping and amenity space*

The proposed zone requires landscaping within required yards. Trees and shrubs must be planted throughout the required yards, as a buffer to residential properties. If a fence is provided, a mix of trees, shrubs, and hard landscaping materials (such as paver stones) can be included within the yard.

Amenity space (either common use or private) may be provided as patios or balconies. Interior amenity space is required. The amenity space is calculated based on the number of units, and must include a common fitness room or community room.

### *Parking*

Because the site is easily accessed by transit and is near shops and services, the vehicle parking requirements in the proposed zone have been reduced from the general LUB requirements. Parking for both residential and commercial uses are required. To encourage pedestrian-oriented building design, vehicle parking must be located within a building (underground or otherwise), or located at the rear or side of the building and not visible from the public street.

The general bicycle parking requirements of the Halifax Mainland LUB will apply to this zone.

### *Signs*

The proposed zone includes signage requirements that provide commercial businesses with several options for signs. The requirements ensure that signs contribute to pedestrian-oriented building design.

## **Conclusion**

Staff advise that the proposed MPS and LUB amendments will allow for appropriate redevelopment of a former gas station. Staff have reviewed the applicant's request, Regional Council's direction, the existing policy and regulations, the surrounding neighbourhood context and public feedback. Staff have also reviewed the Regional Plan and the Integrated Mobility Plan. The proposed MPS policy identifies that the subject site is in an established commercial node. The site is easily accessible by walking and transit and is near shops, services and jobs. A mixed-use development can contribute to a walkable, complete community. A proposed new zone will allow for additional residential density on the site. The new zone's provisions ensure appropriate transition to the adjacent residential neighbourhood and require better building design than could be achieved through the current zoning. Therefore, staff recommend that Halifax & West Community Council recommend that Regional Council approve the proposed MPS and LUB amendments, as found in Attachments A and B.

## **FINANCIAL IMPLICATIONS**

The HRM costs associated with the processing of this planning application can be accommodated within the approved 2018-19 operating C320 Policy & Strategic Initiatives.

## **RISK CONSIDERATION**

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

## **ENVIRONMENTAL IMPLICATIONS**

The site is a former Shell gas station. Some remediation was completed prior to the sale of the property so that it could be used for commercial uses. Prior to construction of any residential building on the site, an additional environmental assessment will be required. This process is regulated by the provincial *Contaminated Sites Regulations* under the *Environment Act*, and will include an environmental site assessment and remediation by a site professional. If it is discovered that contamination from the site has spread to nearby properties, the *Contaminated Sites Regulations* require notification to the Minister and the affected property owner(s), and remedial measures must be taken.

## **ALTERNATIVES**

The Halifax and West Community Council may choose to recommend that Regional Council:

1. Modify the proposed amendments to the MPS for Halifax and LUB for Halifax Mainland, 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 MPS for Halifax and LUB for Halifax Mainland. 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
Attachment A:	Proposed MPS Amendments
Attachment B:	Proposed LUB Amendments
Attachment C:	Applicant's Proposal
Attachment D:	Public Information Meeting (PIM) Notes

Report Prepared by: Leah Perrin, Planner III, 902.490.4338  
Sean Gillis, Planner II, 902.490.635

***-Original Signed-***

Report Approved by: \_\_\_\_\_  
Eric Lucic, Regional Planning Manager, 902.430.3954


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**Map 1 - Generalized Future Land Use**

383 Herring Cove Road

**HALIFAX**

 Subject Property

**Designation**

- LDR Low Density Residential
- MDR Medium Density Residential
- HDR High Density Residential
- RDD Residential Development District
- MNC Minor Commercial
- MJC Major Commercial
- INS Institutional

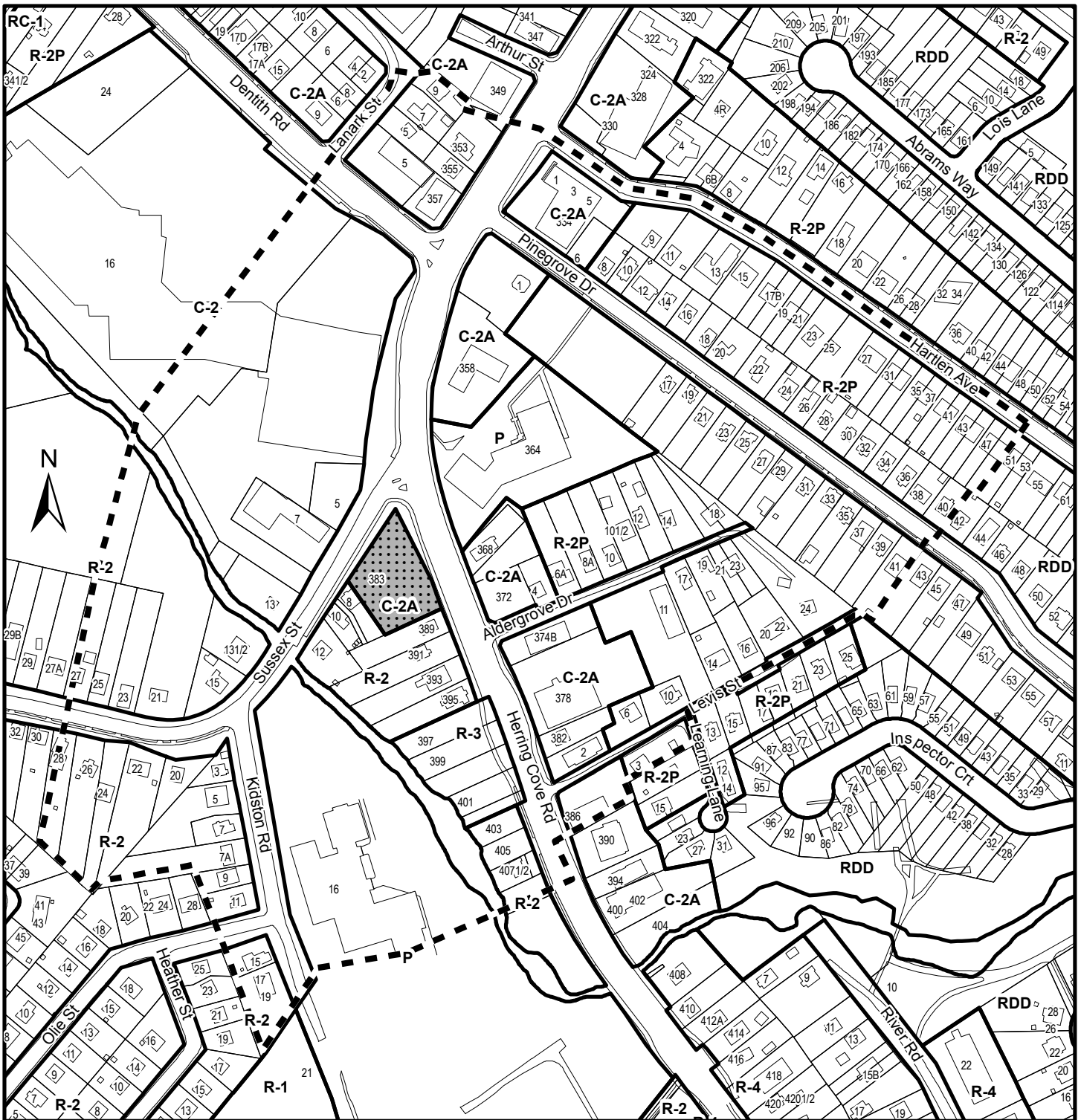


This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

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

Halifax Plan Area

Mainland South Secondary Planning Strategy



### Map 2 - Zoning & Notification

383 Herring Cove Road

Subject Property

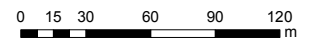
Notification Area

Halifax Mainland  
Land Use By-Law Area

#### Zone

- R-2 Two Family Dwelling
- R-2P General Residential
- R-3 Low-Rise Apartment
- R-4 Multiple Dwelling
- RDD Residential Development District
- C-2 General Business
- C-2A Minor Commercial
- P Park & Institutional

**HALIFAX**



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

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

## Attachment A

### Amendments to the Municipal Planning Strategy for Halifax

**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 adding the text shown in **bold** below to Section X Mainland South Secondary Planning Strategy Objectives and Policies, after Policy 2.3.2 and before Policy 2.4:
  - 2.3.3 **The property located at the southern corner of the intersection of Herring Cove Road and Sussex Street (383 Herring Cove Road), is designated “Minor Commercial” and was formerly developed with a gas and service station. To encourage redevelopment which contributes to a walkable, complete community, while ensuring that the design of any new building is sensitive to the adjacent residential neighbourhood, the Halifax Mainland Land Use By-law shall be amended to introduce an area-specific zone titled C-2D (Herring Cove Road Residential/ Minor Commercial Zone). The C-2D Zone shall permit minor commercial and residential uses in pedestrian-oriented mid-rise buildings no taller than 25 metres (not including non-habitable space). C-2D Zone provisions shall regulate built form, including streetwall height, building setbacks and stepbacks, the external appearance of buildings, amenity space, landscaping, buffering adjacent to residential properties, and signage.**

I HEREBY CERTIFY that the amendments to the Municipal Planning Strategy for Halifax, 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 , 2018.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2018.

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Municipal Clerk

## Attachment B

### Amendments to the Land Use By-Law for Halifax Mainland

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

1. By amending the "TABLE OF CONTENTS" by adding the words "**C-2D Zone**" after "C-2C Zone" and renumber accordingly.
2. By adding the words shown in **bold** below to the classes of use zones following the words "C-2C Dutch Village Road Mixed Use Zone" in Section 16(1):

#### **C-2D Herring Cove Road Residential/ Minor Commercial Zone**

3. By amending Section 16(2) by adding the words "**C-2D**" following the words "C-2C" and before the words "C-2" as shown in **bold** below:

16(2) The uses of buildings and land permitted by this by-law in such zones may be referred to as R-1, R-2, R-2P, R-2T, R-2TA, R-2AM, R-3, R-4, R-4A, RC-1, C-1, C-2A, C-2B, C-2C, **C-2D**, C-2, C-6, I-1, I-2, I-3, P, U-2, T, H, US, UR, PWS, RDD, WC, WCDD, BWCCD, WCCDD, CD-1 CD-2, CD-3, ICH, RPK, PA and WA uses, respectively.

4. By adding the following new zone after the C-2C (Dutch Village Road Mixed Use) Zone, as shown below in **bold**:

#### **C-2D ZONE HERRING COVE ROAD RESIDENTIAL/MINOR COMMERCIAL ZONE**

**38CA(1) The following uses shall be permitted in the C-2D Zone:**

- (a) apartment houses;
- (b) home occupations;
- (c) retail and rental stores, excluding:
  - (i) motor vehicle dealers;
  - (ii) motor vehicle repair shops;
  - (ii) service stations; and
  - (iii) adult entertainment uses;
- (d) health clinics;
- (e) appliance and small-scale electronics repair shops, including shoe and clothing repair;
- (f) personal service uses including barber and beauty shops, self-service laundries and funeral services;
- (g) theatres;
- (h) offices;
- (i) banks and other financial institutions;
- (j) restaurants;
- (k) community facilities;
- (l) commercial recreation uses;
- (m) day care facilities;
- (n) institutional uses; and
- (o) uses accessory to any of the foregoing uses.

**38CA(2)** No person shall in any C-2D Zone, carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection 38CA(1).

**38CA(3)** No person shall in any C-2D Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection 38CA(1).

#### **LOT FRONTAGE AND AREA**

**38CB(1)** Buildings erected, altered or used for C-2D uses in a C-2D Zone shall comply with the following requirements:

- (a) The minimum lot frontage shall be 70 metres (230 feet); and
- (b) The minimum lot area shall be 2000 square metres (21,529 square feet).

#### **BUILT FORM REQUIREMENTS**

**38CC(1)** Buildings erected, altered or used for C-2D uses in a C-2D Zone shall comply with the following requirements:

- (a) The streetwall shall be set back from the streetline a minimum of 1.5 metres and a maximum of 6.5 metres;
- (b) The maximum streetwall height shall be 10.5 metres from street line grade, except:
  - (i) the maximum streetwall height may be exceeded by a clear uncoloured glass guard and railing system to allow for the safe use of podiums and rooftops by the occupants of the building;
- (c) For a building located on Herring Cove Road, the length of the streetwall on Herring Cove Road shall extend a minimum of 65 percent of the lot frontage;
- (d) A minimum setback of 6 metres shall be provided between side and rear lot lines and the portion of the building above parking structures;
- (e) Above the streetwall, the building shall be stepped back a minimum of 3 metres for all portions of the building above the streetwall height facing street lines;
- (f) The overall building shall not exceed seven storeys to a maximum height of 25 metres;
- (g) The maximum height requirement in Section 38CC(1)(f) shall not apply to a church spire, lightning rod, elevator enclosure, an elevator enclosure above a structure required for elevator access to rooftop amenity space, flag pole, antenna, heating, ventilation, air conditioning equipment or enclosure of such equipment, skylight, chimney, landscape vegetation, clock tower, solar collector, roof top cupola, parapet, cornices, eaves, penthouses or other similar features, provided:
  - (i) the total of all such features shall occupy in the aggregate less than 30% of the area of the roof of the building on which they are located; and
  - (ii) such features shall be setback no less than 3 metres from the outermost edge of the roof on which they are located. No setback is



required for clock towers, parapets, cornices and similar architectural features; and

- (h) Above a height of 10.5 metres, the building depth shall not exceed 25 metres. For the purposes of determining building depth on a corner lot with frontage on Herring Cove Road, the front lot line shall be considered the street line with Herring Cove Road.

#### **LOT COVERAGE**

**38CD(1)** Buildings erected, altered or used for C-2D uses in a C-2D Zone shall comply with the following requirements:

- (a) The maximum lot coverage shall be 75 percent, except that parking structures below grade, or extending no more than an average of 1 metre above grade, may cover 100 percent of the lot area.

#### **COMMERCIAL MAIN FLOOR AND ENTRANCES**

**38CE(1)** Buildings erected, altered or used for C-2D uses in a C-2D Zone shall comply with the following requirements:

- (a) No dwelling unit shall be located on the ground level facing Herring Cove Road;
- (b) Entrances to commercial uses shall be located facing public streets; and
- (c) The ground floor of the streetwall on Herring Cove Road shall be comprised of 60 percent glazing and shall have a minimum height of 3.7 metres.

#### **EXTERNAL BUILDING APPEARANCE**

**38CF(1)** The following external cladding materials shall be prohibited:

- (a) vinyl, except for vinyl windows;
- (b) plastic, except for architectural laminate panels;
- (c) bare or painted plywood;
- (d) standard concrete blocks, however architectural concrete products are permitted;
- (e) exterior insulation and finish systems where stucco is applied to rigid insulation as a primary weather protection for the building envelope;
- (f) mirrored glass in spandrel panels or vision glass panels; and
- (g) darkly tinted glass, excepting spandrel glass panels.

**38CF(2)** Any exposed foundation wall or parking structure taller than 0.6 metres shall be architecturally detailed or clad in a manner complementary to the exterior cladding and materials of the main building.

#### **RESIDENTIAL UNIT MIX**

**38CG(1)** Apartment houses in the C-2D Zone shall contain a minimum of 30 percent of the dwelling units which are 2 bedrooms or greater.

#### **LANDSCAPING AND BUFFERING**

**38CH(1)** Buildings erected, altered or used for C-2D uses in a C-2D Zone shall comply with the following requirements:

- (a) All yards shall be landscaped open space.
- (b) The top of parking structures shall be landscaped open space.
- (c) Landscaped open space shall include soft landscaping.
- (d) Landscaped open space may include hard landscaping.

**38CH(2)** Where the lands abut a residentially zoned or used property:

- (a) The whole landscaped open space shall be soft landscaping.
- (b) Trees and shrubs shall be utilized and shall be planted at a rate of one (1) tree (minimum of 45mm caliper) and three (3) shrubs per 4.6 metres of required landscaping measured along the property line; and
- (c) Notwithstanding 38CH(2)(a) above, the required soft landscaping may be reduced to a minimum width of 1 metre if:
  - (i) a 2 metre wooden, stone (or acceptable equivalent) opaque fence is provided along the abutting residential property line; and
  - (ii) hard landscaping materials are provided in the remainder of the yard.

#### **AMENITY SPACE**

**38CI(1)** Apartment house buildings in a C2-D Zone shall provide amenity space at a rate of 10 square metres per unit in the form of unit patios, unit balconies or terraces, and interior amenity space. Interior amenity space shall include one of the following common elements for use by the building's occupants:

- (a) fitness room of a minimum size of 40 square metres; or
- (b) community room of a minimum size of 40 square metres.

#### **PARKING**

**38CJ(1)** Buildings erected, altered or used for C-2D uses in a C-2D Zone shall comply with the following requirements:

- (a) Vehicle parking shall be enclosed in a building, or located in the rear or side yard of the building and not visible from the public street;
- (b) Notwithstanding subclause 9(a)(ii), off street parking for residential uses shall be provided as follows:
  - (i) 0.9 spaces for every unit of two or more bedrooms; and
  - (ii) 0.5 spaces for every bachelor unit or one-bedroom unit;
- (c) Notwithstanding clause 9(d), off-street parking for the following uses shall be provided at the following ratios:
  - (i) 1.8 spaces per 100 square metres of gross floor area of office space;
  - (ii) 2.5 spaces per 100 square metres of gross floor area of retail/service store space; and
  - (iii) 3 spaces per 100 square metres of gross floor area of restaurant space.

**SIGNS**

**38CK(1) For uses permitted by Section 38CA(1), signage may be placed upon the building that complies with the following requirements:**

- (a) Illuminated signs shall be illuminated in such a manner not to cause a glare or hazard to motorists, pedestrians or neighbouring premises;**
- (b) Fascia signs shall not extend beyond the extremity of a wall on which they are affixed;**
- (c) The maximum combined size of fascia signs on the wall of a building shall be no greater than 10 percent of the total area of said wall;**
- (d) One projecting sign per business premise, a maximum 1.9 square metres in size shall be permitted;**
- (d) The aggregate area of all window signs shall not exceed 25 percent of the window, or glass area of a door, to which they are affixed;**
- (e) Signs on awnings shall not cover more than 25 percent of the area of the awning and the length of the text shall not exceed 80 percent of the length of the front valance; and**
- (f) No signs shall be permitted on the roof of a building.**

5. Amending Map ZM-1 as shown on Schedule A.

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 , 2018.


GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2018.

\_\_\_\_\_  
Municipal Clerk



**Schedule A**

383 Herring Cove Road

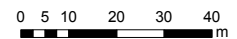
 Area to be Rezoned from C-2A (Minor Commercial) to C-2D (Herring Cove Road Residential/Minor Commercial Zone)

Halifax Mainland  
Land Use By-Law Area

**Zone**

- R-2 Two Family Dwelling
- R-2P General Residential
- R-3 Low-Rise Apartment
- R-4 Multiple Dwelling
- RDD Residential Development District
- C-2 General Business
- C-2A Minor Commercial
- P Park & Institutional

**HALIFAX**



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

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

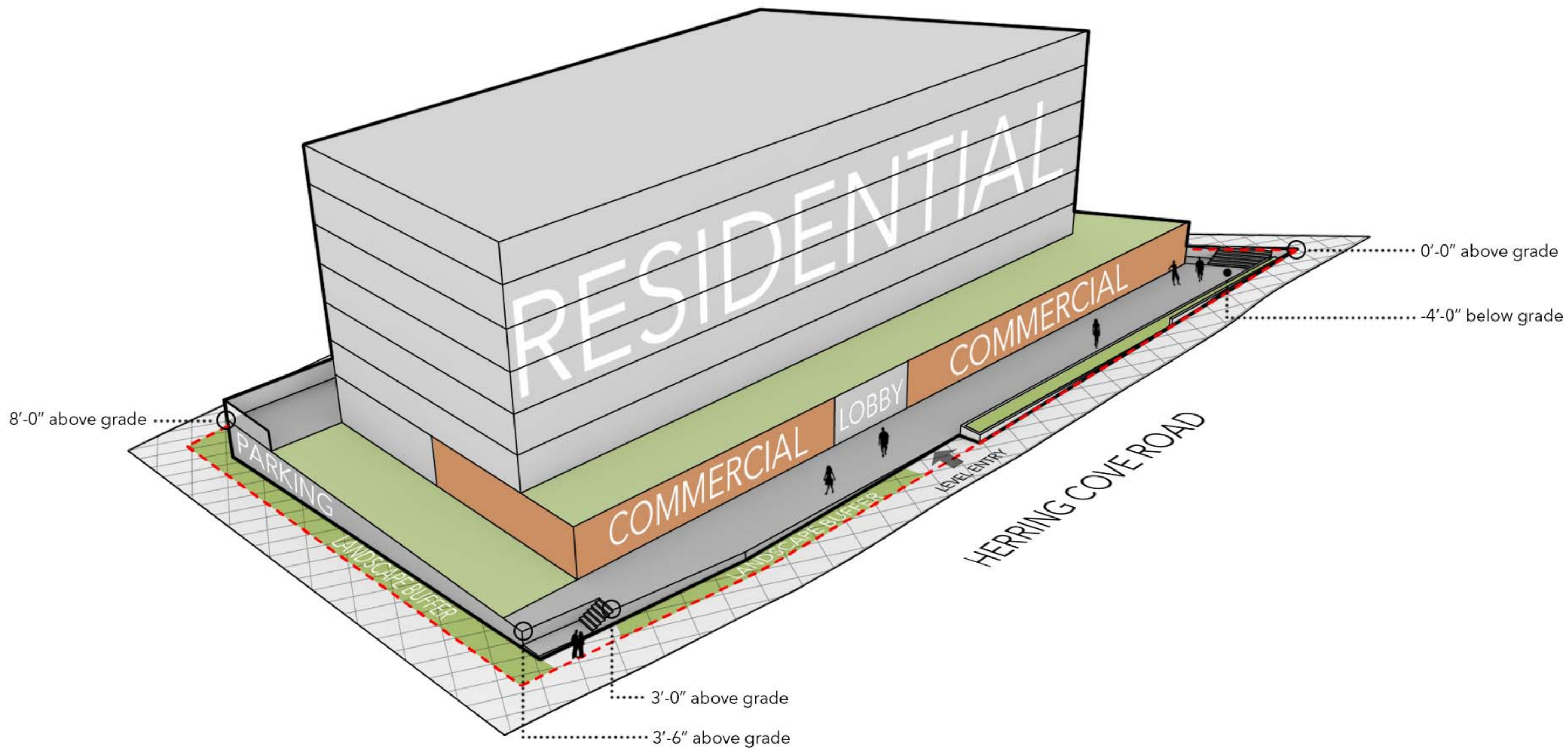
# 383 Herring Cove

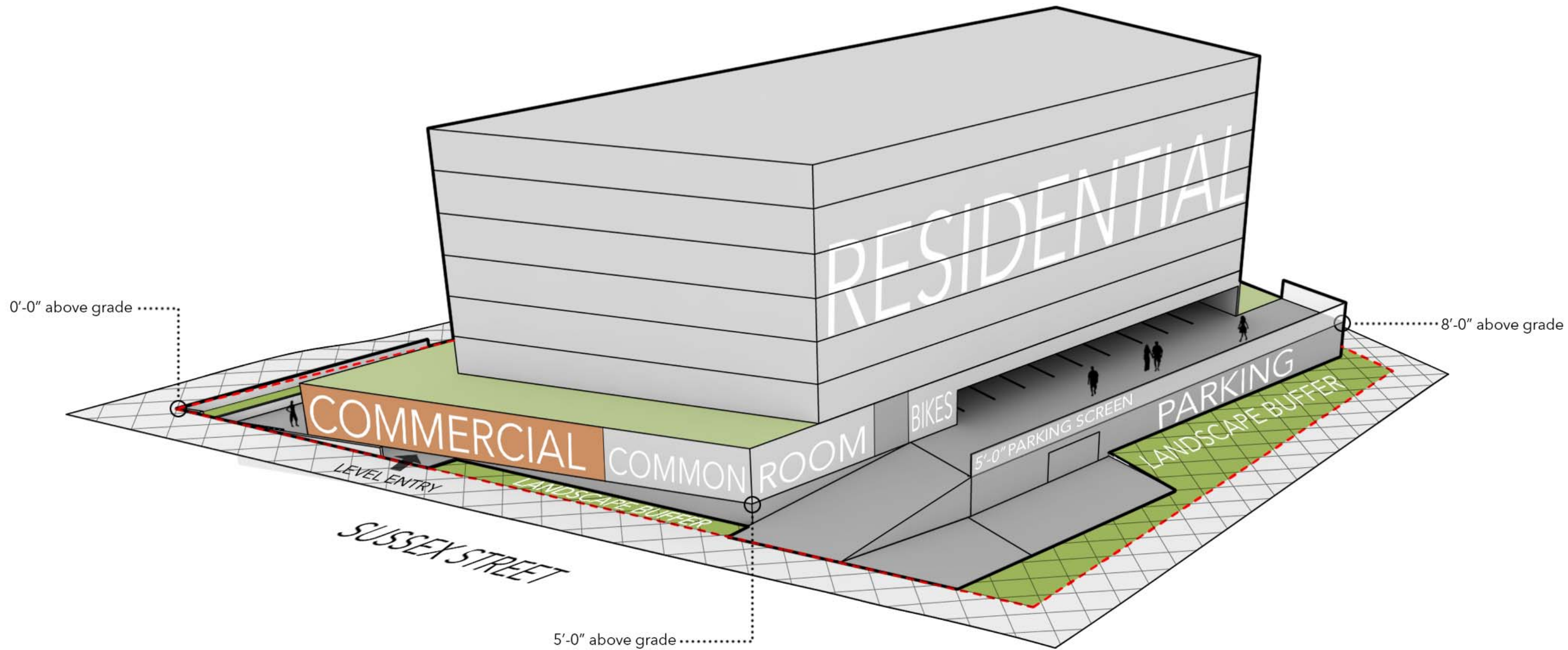
383 Herring Cove

Cover Sheet	A000
Building Data Sheet	A001
Perspective	A002
Perspective	A003
Architectural Site Plan	A100
Level P1 Floor Plan	A102
Level 1 Floor Plan	A103
Levels 2-7 Floor Plans	A104
Building Section	A301



		383 Herring Cove						Rentable	Gross
unit type		1A	1B	1C	2A	2B	2C	nsf/floor	gsf/floor
rentable sq.ft. / unit (nsf)		615	770	550	1380	880	1000		
Level 2		2	3	1	1	1	2	8350	9950
Level 3		2	3	1	1	1	2	8350	9950
Level 4		2	3	1	1	1	2	8350	9950
Level 5		2	3	1	1	1	2	8350	9950
Level 6		2	3	1	1	1	2	8350	9950
Level 7		2	3	1	1	1	2	8350	9950
TOTAL UNITS PER TYPE		12	18	6	6	6	12		
TOTAL UNITS							60		
TOTAL RENTABLE RESIDENTIAL AREA (nsf)								50100	
TOTAL RENTABLE COMMERCIAL AREA (nsf)								7380	
GROSS BUILDABLE AREA ABOVE GRADE (LEVELS 1-7) (gsf)								74385	
GROSS BUILDABLE AREA BELOW GRADE (LEVEL P1) (gsf)								21935	
TOTAL GROSS BUILDABLE AREA FOR PROJECT (gsf)								96320	
PARKING									
(18) Bachelor Units @ 0.5 parking space / unit								9	
(42) 1 & 2 Bedroom Units @ 1 parking space / unit								42	
685 sm Commercial Space @ 3 parking spaces / 100 sm								21	
10% reduction of parking spaces for bicycle parking								-7	
TOTAL REQUIRED CAR PARKING BAYS FOR PROJECT								65	
INDOOR AMENITY AREA (COMMON ROOM) (nsf)								1155	







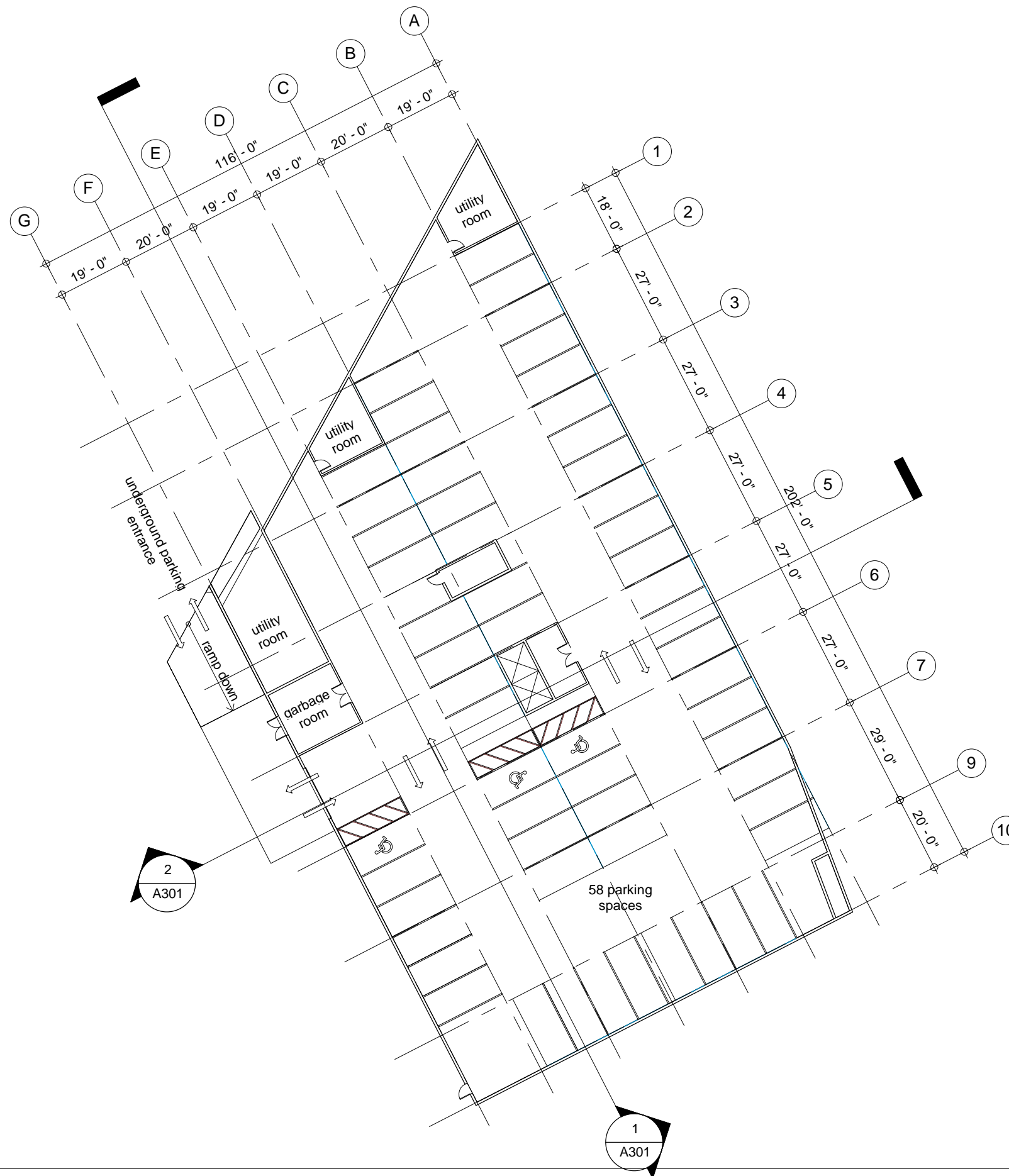
**LEGEND**

- property boundary
- existing building or tree to be demolished
- setbacks and setbacks
- landscaped roof
- asphalt paving
- driveway locations
- grass
- landscaped patio
- proposed planting
- HRM land



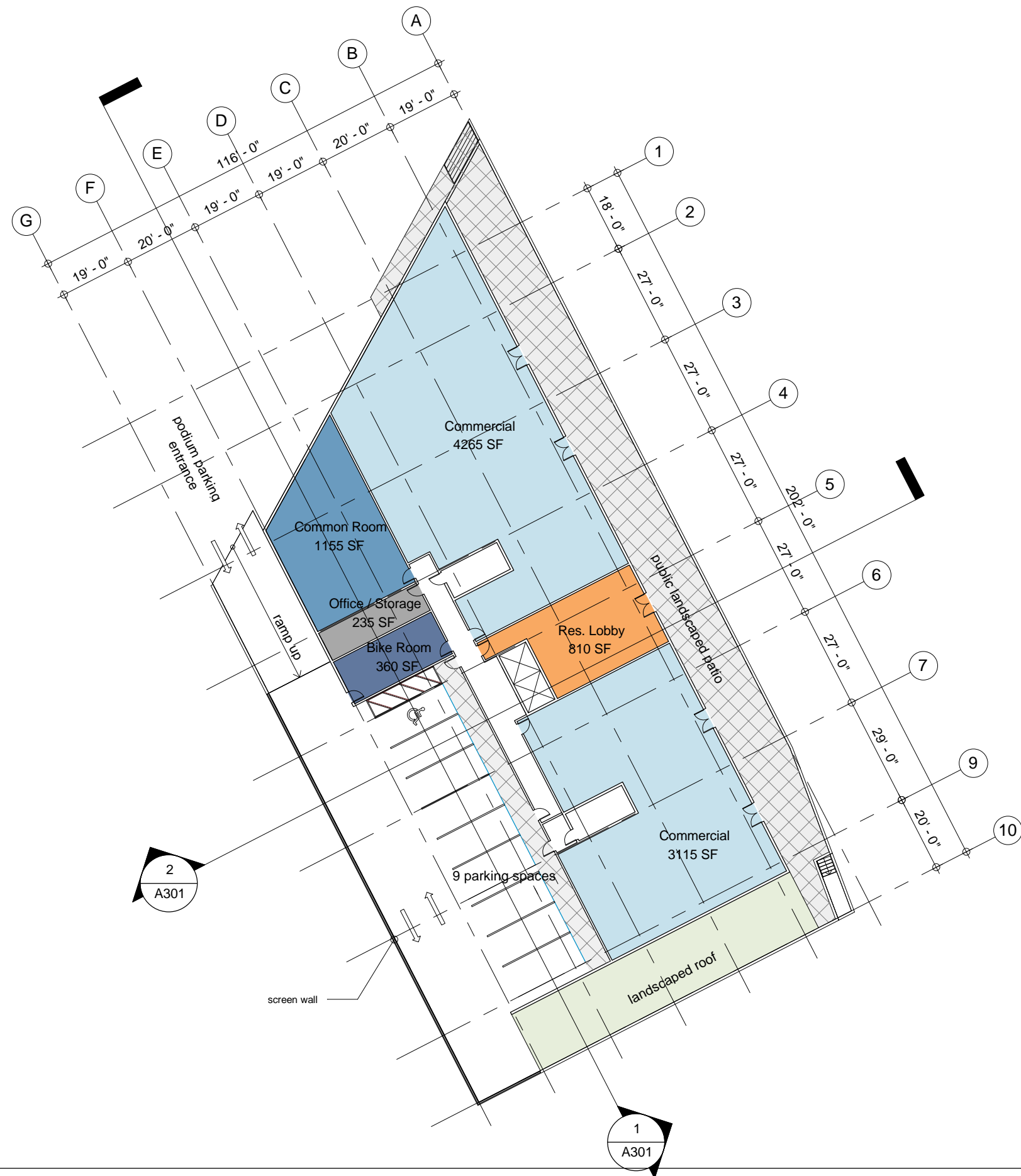
REVISIONS	





REVISIONS	





**Legend**

- Bike Room
- Commercial
- Common Room
- Office / Storage
- Res. Lobby

DO NOT SCALE DRAWINGS. ALL DIMENSIONS TO BE VERIFIED ON SITE. IN THE ABSENCE OF DIMENSIONS, OR IF DISCREPANCIES EXIST, CONSULT ARCHITECT. ALL MINIMAL DIMENSIONS SHALL COMPLY WITH THE NATIONAL BUILDING CODE. THE USE OF THIS DRAWING SHALL BE GOVERNED BY STANDARD COPYRIGHT LAW AS GENERALLY ACCEPTED IN ARCHITECTURAL PRACTICE.

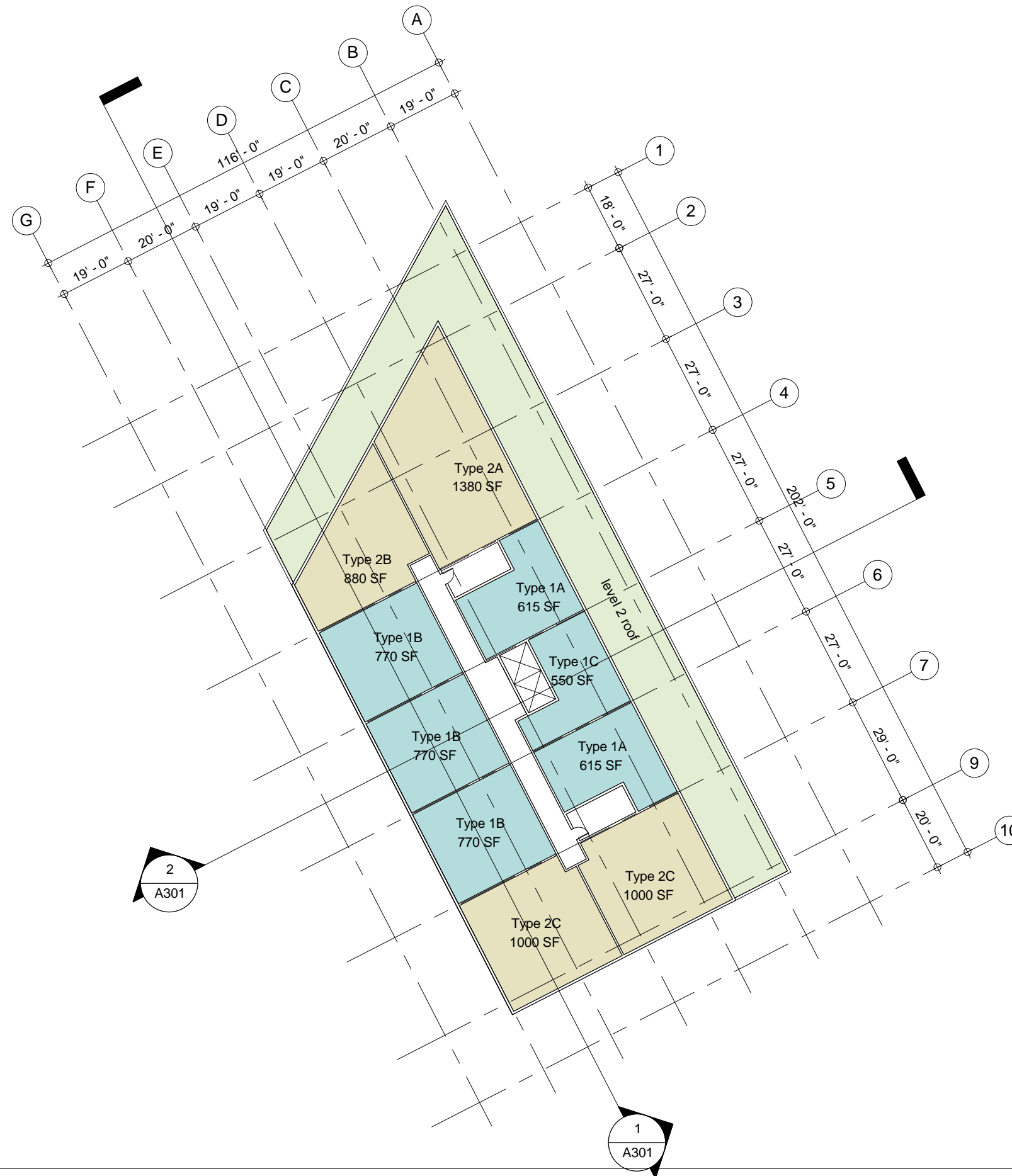
DWG	Level 1 Floor Plan
PROJ ID	[REDACTED]
PROJ NAME	383 Herring Cove

CLIENT	FH Development
ADDRESS	383 Herring Cove
DESIGNED BY	[REDACTED]

DRAWN	JC
DATE	2017.12.20
SCALE	1/32" = 1'-0"

REVISIONS	





- Legend**
- Type 1A
  - Type 1B
  - Type 1C
  - Type 2A
  - Type 2B
  - Type 2C

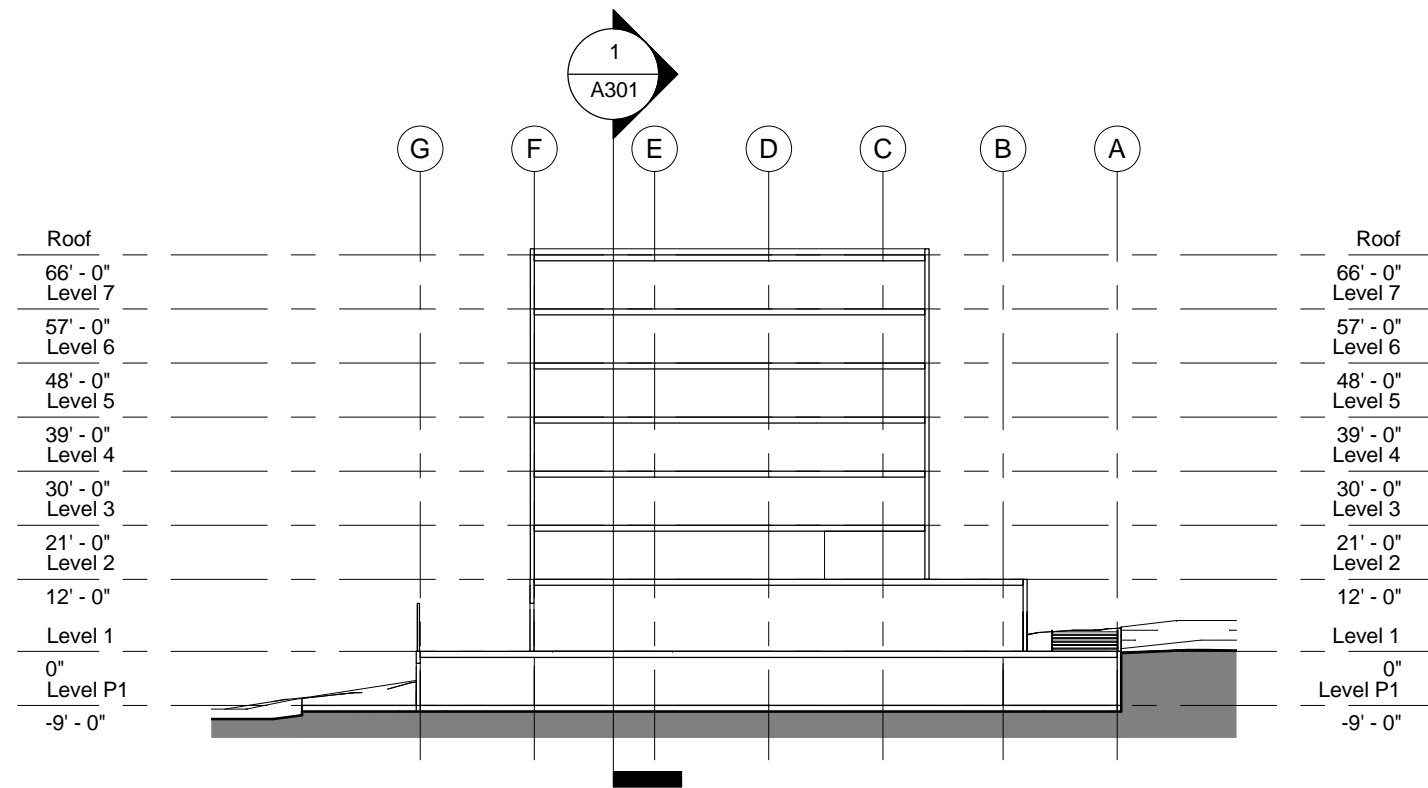
DO NOT SCALE DRAWINGS. ALL DIMENSIONS TO BE VERIFIED ON SITE. IN THE ABSENCE OF DIMENSIONS, OR IF DISCREPANCIES EXIST, CONSULT ARCHITECT. ALL MINIMAL DIMENSIONS SHALL COMPLY WITH THE NATIONAL BUILDING CODE. THE USE OF THIS DRAWING SHALL BE GOVERNED BY STANDARD COPYRIGHT LAW AS GENERALLY ACCEPTED IN ARCHITECTURAL PRACTICE.

DWG	Levels 2-7 Floor Plans
PROJ ID	[REDACTED]
PROJ NAME	383 Herring Cove

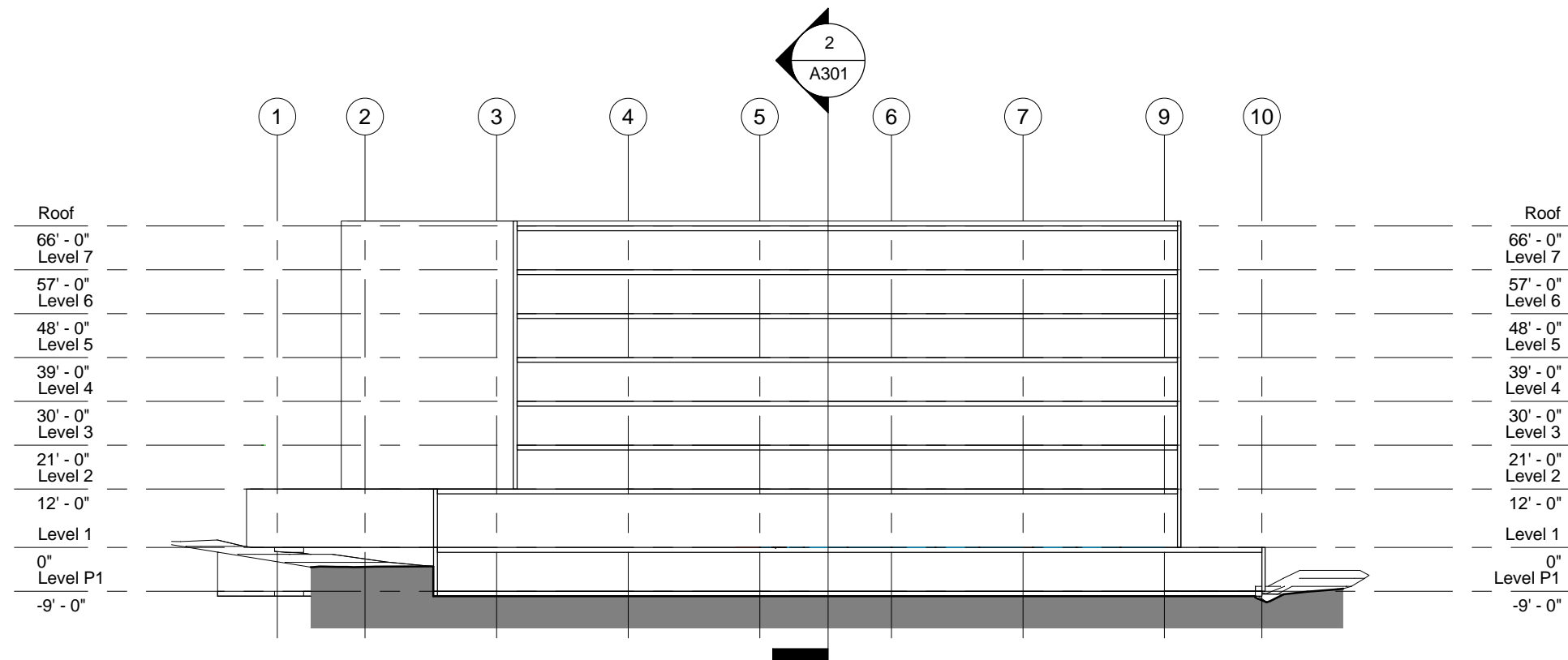
CLIENT	FH Development
ADDRESS	383 Herring Cove
DESIGNED BY	[REDACTED]

DRAWN	JC
DATE	2017.12.07
SCALE	1/32" = 1'-0"

REVISIONS	



2 East West Building Section  
1/32" = 1'-0"



1 North South Building Section  
1/32" = 1'-0"

## Attachment D: Public Information Meeting Minutes

### HALIFAX REGIONAL MUNICIPALITY Public Information Meeting Case 20102

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

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Thursday, January 12, 2017  
7:00 p.m.  
Captain William Spry Centre

#### STAFF IN

##### ATTENDANCE:

David Lane, Planner III, HRM Planning & Development  
Iain Grant, Planning Technician, HRM Planning & Development  
Jennifer Purdy, Planning Controller, HRM Planning & Development

#### ALSO IN

##### ATTENDANCE:

Councillor Stephen Adams  
Tom Emodi, TEAL Architects + Planners Inc.  
Ross Grant, TEAL Architects + Planners Inc.

#### PUBLIC IN

##### ATTENDANCE:

Approximately 50

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The meeting commenced at 7:02 p.m.

#### **Opening remarks/Introductions/Purpose of Meeting**

David Lane, called the meeting to order, introduced himself as the Planner guiding this application through the process and explained that HRM has received an application by TEAL Architects, on behalf of FH Construction Ltd., to amend the Halifax Municipal Planning Strategy to allow for an up to 10 storey mixed-use building at 383 Herring Cove Road by development agreement. He advised that Regional Council has requested that staff host a public information meeting for the purpose of receiving community feedback on the application.

Mr. Lane provided a slideshow presentation of the property explaining the site contains approximately 26,000 sq. ft. with 430 ft. of street frontage. The property is currently vacant and was previously used as a gas station. In the Halifax Municipal Planning Strategy the site is designated Minor Commercial and zoned Minor Commercial (C-2A) in the Halifax Mainland Land Use By-law. The site is intended to service several neighborhoods with a range of retail, professional, office and personal service facilities, not unlike the existing uses seen today along this section of Herring Cove Road. The existing By-law would permit a maximum 4-storey (50 ft. height) multi-unit residential building. Mr. Lane further explained that the development agreement portion of this application is a contract between the Municipality and the property owner that enables uses not permitted in the zone and must be first enabled by Plan policy.

Mr. Lane explained that issues of the proposal attendees may wish to consider include the proposed use, overall design, building height, relationship to the street and neighboring properties.

## **Proposal Presentation, Ross Grant & Tom Emodi, TEAL Architects + Planners**

Mr. Ross Grant provided a slideshow presentation explaining there was a former gas station on this site, the land is contaminated and needs to be remediated to ensure that the area is clean. He added that HRM has identified Spryfield as an Urban District Growth Centre in the 2014 Regional Plan and that the current density will create less traffic than the gas station. HRM has identified no issues with the current Herring Cove Road and Sussex Street intersection however, the Applicant is willing to make positive improvements to the intersection if requested.

Mr. Tom Emodi reviewed the overview of the proposal explaining that they are proposing 86 three-bedroom family units; 6 two-bedroom units and 48 one-bedroom units with 9,950 sq. ft. of commercial space for businesses in the area; 6,700 sq.ft. of indoor amenity space and 18,000 sq.ft. of outdoor amenity space. The proposal is for 10 storeys at the intersection and 4 storeys at the rear and side of the building. There will be a total of 74 parking spaces for residents, 8 visitor spaces and 27 commercial parking spaces. The property boundary setbacks are 15 ft. for the at-grade commercial uses and 40ft. for the above grade residential portion of the building.

Mr. Emodi explained that potential commercial space may include such uses as: daycare, boutique shops, coffee shop and professional office space. They would also like to include a portion of the residential rental units as affordable housing. He explained the Community Plan is over 30 years old and that the Regional Plan has identified this area as a Growth Center, adding that there currently is not a significant amount of commercial space in the area.

Mr. Emodi reviewed a slideshow presentation of the proposed design and a design comparison of what was previously submitted and included in the staff report at the September 6, 2016 Regional Council meeting.

### **Questions and Answers**

NOTE: The following questions were raised by attendees during the Applicant's presentation; no names were submitted.

Q - When was the plan created?

A - 1987 and hasn't been formally reviewed since, however has been through many amendments.

Q – In order to go forward, will there have to be changes made to the Community Plan?

A – Yes, and will take several months which will then will go to Council for a Public Hearing where Council will make a final decision.

Q – Were there amendments already made that happened in September?

A – Staff submitted a recommendation to Regional Council in September where Council directed staff to look further into this proposal and to bring out to the community for public feedback.

Q – Is this application a one-time amendment and will not change overall community plan?

A – This application is site specific to the property of civic address 383 Herring Cove Road.

Ms. Joy Woolfrey explained that there was a long community Visioning process for Spryfield that took place which was adoption by Regional Council in 2008. Those documents say to work with the community and vision of the community to see how they want it to grow.

Mr. Lane explained that the Spryfield Vision document can be found on the Municipality's website at [www.halifax.ca](http://www.halifax.ca). The Herring Cove Road Urban Design Streetscape

address transportation issues and beautification efforts which went to Community Council as an information item and is currently being reviewed and implemented by staff as budget resources permit.

Q – Did Staff recommended against this proposal?

A- Yes, the staff initiation report had a negative recommendation on the previous 7-storey building submission by the Applicant. Staff identified issues included the height, massing and transitioning to adjacent properties. Council asked staff to work with the Applicant to achieve the goals identified in the staff report. Staff report can be found on the website for this application.

Q - Who is the Client?

A - FH Development Group is the Applicant

Q – What will the fees be for affordable housing?

A - Affordable housing policy is being worked on by staff within the Centre Plan Project. While HRM encourages 2 and more bedroom units to accommodate families, it does not have the legislative authority to require affordable housing.

Mr. David Sampson, Sussex Street explained that he was involved in the streetscape project and visioning process for the area, explaining that this site is proposed to be used as a garden; in the visioning process, the community asked to follow the streetscape study recommendations and the objective was for it to become a greenspace and was never meant for a big development. He explained that he is not against the development but has concern about the size. He explained that this proposal would encourage a transient rental population and addressed concern with more people coming and going and feels that this area should be built for families who will stay in the area. He also addressed concern with the efforts of the community trying to get trucks and speeding vehicles off the street and added there were intersection improvements made a few years ago but, these changes actually made the situation worse. He also addressed concern with the proposed development causing more traffic concerns and suggested that intersection concerns need to be fixed prior to adding more traffic on Sussex Street.

Jeff Hollett, Sussex Street asked if the developer would like to live beside such a tall building?

Mr. Emodi explained that these apartments will be similar rents as to what is already in the area and explained that he would live next to this and any development, if it was good design. For example, if there was protection of privacy, minimal shadowing and access to light.

Mr. Hollett addressed concern with the Developer not being credible and also addressed concern with traffic and asked if the community is against the application, will HRM still allow it to happen.

Mr. Emodi explained that there will be a traffic study completed.

Mr. Lane explained that the community's feedback will be collected and included in the staff recommendation report that will be submitted to Council; Council will make final decision.

Ms. Joy Woolfrey, Purcell's Cove, explained that this neighbourhood is her "centre" for shopping and leisure/recreation and explained that this area has been identified as Growth Centre since the first Regional Plan (2006). She asked if the Herring Cove Urban Design Study will be available on the website for viewing and added that while back in September the members of Regional Council directed staff to continue with this application, however, there are is now a new Council. Mrs. Woolfrey also referenced the Community Facilities Master Plan. Mr. Lane said he would update the project webpage to contain links to these studies, as well as, the Spryfield Vision.



Ms. Nancy Hayden, lives in the area is okay with the proposal, however, has concern with the height and noted there should be more three bedroom rentals and less one and two bedroom units. She suggested having a catwalk (above grade walkway) crossing over Herring Cove Road where the current crosswalk is as this is a safety concern for the children.

Ms. Julie Robertson, Sussex Street, explained that the building design is nice, however, doesn't think it is appropriate for the area. She addressed concern with her adjacent gardens being impacted and would like to see a smaller proposal there. She added that there is already daycare in the area and addressed concern with the term "affordable housing" and how it isn't necessarily affordable to all. She explained that she would like to see the area incorporated into a community park and also has concern with the safety of the children crossing the streets.

Mr. Jim Hoskins, 42-year resident explained that he is familiar with the contamination and noted that Spryfield historically had a reputation for crime, however this has improved and are trying to provide affordable living to the remaining area. He addressed concerns with the height of the proposal, as well as, fire protection for a 10-storey building and asked if HRM Fire can even service such a building in this area; the height of this building setting precedence for future applications of this size; stormwater runoff issues for the abutting properties; safety of the intersection and the school across the street; and road safety. Mr. Hoskins recommends a smaller proposal be brought forward.

Mr. Lane explained that this application has not yet reached the stage in the process where staff circulates to internal departments, however, the proposal will be reviewed by professional staff prior to any decisions are made. Recommendations from internal departments will be submitted with the staff report. He confirmed that HRM Fire has standards which have to be satisfied in order to for a proposal to receive construction/occupancy permits.

Mr. Emodi explained that you cannot get a building permit without a storm water management plan. Also cannot get a building permit if HRM Fire does not agree that they can protect the building.

Mr. John Cole, a 59-year resident addressed concern with contamination of the site and asked why it has been allowed to sit there this long.

Mr. Lane explained that HRM does not regulate groundwater, the Provincial Depart of the Environment has jurisdiction and a monitoring program has been and continues to be in place for the site.

Mr. Emodi explained that this site has been partially remediated to its current status and is presently only permitted to have commercial uses.

Mr. Cole asked what the current vacancy numbers are in the area and addressed concern of not being able to fill these rentals.

Mr. Lane explained that there are a number of policy criteria that staff use when evaluating a proposal, however, vacancy rates are not a consideration.

Mr. Emodi stated Canada Mortgage and Housing Corporation data indicates vacancies are low and there is a need in creating more family unit rentals. A lot of people are moving back to Halifax now that there are better employment opportunities.

Mr. Cole expressed concern with a 10-story building and addressed traffic concerns.

Mr. Rick Dempsey addressed concern with taking away from the number of parking spaces available at the Shopping Centre. He also addressed concern with digging down and asked how

they are going to control the contamination from spreading to surrounding housing/properties. He asked what will happen to the MacIntosh Run when digging down on this property and asked if there is a buffer requirement from a water course that will protect the run.

Mr. Lane explained there is a minimum 20 metre watercourse buffer for any new developments. Mr. Emodi stated a Construction Management Plan is required to be submitted to the City as part of the building permitting process.

Mr. Terry Bobbitt, Spryfield Legion explained that he is proud of the community and it has all kinds of potential to make the community a whole lot better, and are currently working on continually making it better. He addressed concern with the safety of the children and the current traffic situation. He explained that the Community is growing, in the right direction but, parking is a concern.

Ms. Anne-Marie Curtis, Williams Lake Road area, explained that she enjoys the MacIntosh Run and addressed concern with traffic and the lack of parking in the area. She added that the speed is not acceptable and although this is a beautiful design, it is not appropriate for the area nor the vision she would like to see.

Mr. Kenneth Hiltz, Thornhill Drive, explained that the traffic study is typically only 49 meters from the site and doesn't have any traffic accidents incorporated in them. At this time Mr. Hiltz made reference to a Dartmouth Main Street/Tacoma Drive Traffic Study that he viewed online and addressed his concerns with that particular study being compared to the traffic concerns in this area. Mr. Lane explained that the website should not reference any other traffic study and explained that he would ensure the webpage references the correct information.

Mr. Hiltz addressed concern with the traffic in this area and agreed with the idea of an overhead walkway bridging Herring Cove Road, but suggested it to be universally accessible. He also addressed concern with no crosswalks being referenced on the site plans submitted by the Architect. He explained that there are currently no fire truck ladders in the area that would reach up 10-storeys. The vision scope for this area has proposed 3-4 storey buildings; not 10 storeys and explained that this proposal does not fit within that scope. He addressed concern with greenspace on the top of building and explained that it will not benefit the residents in the area. He is not in favor of proposal.

Mr. Emodi explained that traffic studies are site specific and should not be compared to any other previous studies. The lack of viewings of crosswalks on the designs have been an oversight and the crosswalks will remain and added that he believes there should be more.

Mr. Richard Astry addressed concern with City owned vehicles using the parking area for storage of their vehicles and asked if construction vehicles will also be using this space during construction.

Mr. Emodi explained that there will be a Construction Management Plan.

Mr. Astry asked for a list of investors in this development and asked if these are the original owners of the property.

Mr. Emodi explained that it is owed by a local company and that this property was purchased three years ago.

Mr. Astry addressed concern with wind damaging the proposed building and asked if a wind study will be completed.

Mr. Emodi explained that HRM does not require a wind study to be completed however, there is a possibility of having one completed.

Mr. Tom Levesque explained that the design is great and asked how many fewer units than what is proposed would be viable.

Mr. Emodi explained that it depends on what the demands are. The less amount of units, means the less amount of amenities that can be offered. He explained that he does not have these numbers with him, however, as the unit numbers come down, the less site remediation that can happen.

Mr. Levesque explained that there needs to be a mix of uses and residential units in the area and asked if they have current traffic numbers and what is the predicted percentage increase.

Mr. Lane explained that he does not have the numbers available however, he explained that HRM Traffic Engineers would assess this during their review.

Mr. Alan Snow explained that he owns multi-unit rental in the area and this proposal will create competition for him; which he welcomes. He explained that this is a signature development for Spryfield and added that it is a very attractive design. He noted that he thinks this is a positive development for area.

Mr. Amereault lives next door to proposal. The proposed 15 ft. setback from the property line concerns him, in addition to eliminating 30 ft. plus of trees that is currently between the two properties.

Mr. Emodi indicated the required landscape plan can provide a replacement buffer.

Mr. Amereault addressed concern with safety for children, high traffic/speed and parking availability for the café and other businesses. He explained that Mr. Emodi's presentation overlapping building elevations of the two proposals (7 and 10 storeys) was confusing, and suggests a wind study be completed.

Mr. Emodi explained that he would review the detailed drawings of the original proposal compared to the new proposal with Mr. Amereault following the meeting.

Ms. Mary Penny explained that the street is 60 feet wide. She expressed concern with traffic and traffic congestion during rush hour. There was an offer on the land for it to become a parking lot and it was declined and now it is being proposed for a 10-storey building. She is not supportive of this application and would like to see it only as a parking lot. She addressed concern of the contamination and the concern for safety of children related to vehicle traffic.

Ms. Joy Woolfrey feels that this is the wrong direction for Spryfield and that you cannot build community by one big building at a time and suggests that HRM complete more studies before approving applications of this size. She explained that she is also concerned with all of the public consultation that took place with the area becoming a park and questions why HRM did not purchase the land for park use. She feels that this land could be remediated to allow for a park.

Mr. Lane explained that when funds are available staff and Council make decisions on where to allocate funds and what to purchase during annual budgeting.

## **Closing Comments**

Mr. Lane thanked everyone for coming and expressing their comments and posted his contact information for anyone who wished to submit additional comments.

## **5. Adjournment**

The meeting adjourned at 9:25 p.m.