

Centre Plan Package A | Developer letters and submissions

(February 23 – May 8, 2018)

Number	Contact	Comment	Attachment
<p>DEV001 2017-12-04</p> <p>And DEV012 2018-01-25</p>	<p>Tony Maskine Blue Basin Group</p>	<p>TONY: As discussed attaching a concept that we believe represents a viable option for consideration as part of the City Centre Plan regarding our property at 307 Prince Albert Road and 5 Glenwood.</p> <p>Let me know if the same can be tabled as discussed.</p> <ul style="list-style-type: none"> • 3D rendering • elevations • plans <p>KASIA: Thank you for your inquiry related to the Centre Plan, and specifically in relation to 307 Prince Albert Road referred to me from Andrew Faulkner. The property (PID 00112110) continues to be designated as a Corridor under the draft Centre Plan with a maximum proposed height of 6 storeys, and backing on an Established Residential Area.</p> <p>I'm afraid we are not in a position to comment on other built form aspects of the proposal at this time as the built form regulations have not been released. However, the Centre Plan direction document endorsed by Regional Council places a strong focus on pedestrian-oriented development and transitions to residential areas in the Corridor designation.</p> <p>TONY: Six stories is significantly less than what is permitted as-of-right on this property and entirely inconsistent of our expectations as landowners.</p> <p>Pedestrian oriented development and transitions to residential areas can be made compatible with higher structures and more intense development. The neighbourhood immediately abutting this property is suffering from lack of development or the wrong type of developments. This area is in close proximity to the highways and in addition to respecting the adjoining established residential areas must also recognize the growth of the community in whole. To catalyze catalyze such re-development you must consider a more intensive use than the current draft.</p> <p>Finally and most importantly, 6 stories in conjunction with other proposed constraints will not be built as the economics cannot support the cost of such a project in this location. Rising interest rates and increasing costs will likely have further negative impact on any development.</p>	<p>Attachment 1</p>

		I highly recommend that your group re-consider the parameters for development in this corridor and I am available to meet for a more detailed discussion.	
DEV002 2017-12-05	Robert Ghosn	When looking over the Corridors map, I noticed a property of ours that is just outside the line of being part of the plan! The property in question is:XXX If not too late, could you included us as part of the Corridors. Attached are 2 photos of our property in question and the existing line. If there is anything further I can do please let me know.	Attachment 2A and 2B
DEV003 2017-12-06	John Lindsay East Port Properties	Via Kelly Denty	Attachment 3 Letter
DEV004 2017-12-12	Jeffry Haggett WSP	On Thursday WSP and Killam are looking forward to meeting with you to discuss the Medical Arts parcel and adjacent properties owned by Killam Apartment REIT. At the meeting we are seeking clarity on two matters: <ol style="list-style-type: none"> 1. Requesting a boundary revision of the Centre Plan urban structure map to align with a forthcoming application for subdivision of designated Municipal Heritage Property (XXX) and subsequent lot consolidation with XXXX; and, 2. How the Centre Plan Framework will be applied in this area (setbacks, stepback, FAR, transition rules). <p>The attached PDF is a quick read and offers context and outlines questions to guide the meeting's discussion.</p>	Attachment 4 Document
DEV005 2017-12-15	Jeffry Haggett WSP	Thank you for your time and information yesterday. We will send a brief memo and letter regarding the boundary in the coming week.	
DEV006 2018-01-09	Matt Neville EDM Planning Services	Carl: At the Urban Development Institute's suggestion to CDAC, we re-scheduled the engagement meetings with industry that were going to happen in advance of the formal release of the documents. This meeting has been replaced with a series of 4 industry stakeholder workshops that will be happening through the course of March and April. The focus of each of these meetings will be on a different aspect of the Package A policies and regulations such as the Centres and Corridors, Higher Order Residential Areas, and Future Growth Nodes. We are still finalizing formats and locations for these events, but do have March 7, March 23, April 11, and April 26 th tentatively in place. Once dates are confirmed we will be reaching out with individual invitations to groups like UDI, and other industry stakeholders with invitations. Our centreplan.ca website will also be continuously updated as dates are confirmed. I'm cc'ing Kasia Tota – Principal Planner on the project – to make sure we've got you on our list to reach out to when dates, times, and locations are confirmed. Matt Neville: I see mention of an industry stakeholders event for the Centre Plan in a document from december. Are these events still scheduled for January 11 and 12th? If so, I'd like to attend one if possible. Any info you have is much appreciated.	

DEV007
2018-01-22

Blaise
Morrison
Armour
Group

Kasia:

Here is the e-mail about their properties of interest. FYI – properties of interest to Blaise.

Kyle:

PID	Zone	Height	GFAR
40173627	HR-2	32 m	5.47
40173619	HR-1	14 m	2.53
40173601	HR-1	14 m	2.53
40173593	HR-1	14 m	2.53
00100487	ER-1	11 m	
40174302	HR-1	14 m	2.53
40173528	HR-1	14 m	2.53
00100263	HR-1	14 m	2.53
00100255	ER-1	11 m	

These 9 PIDs are near Mic Mac Mall (highlighted in bright yellow below):



Kasia:

Kyle – could you check GFARs and Heights on the following properties?

PIDs: 40173627, 40173619, 40173601, 40173593, 00100487, 40174302, 40173528, 00100263, 00100255).

Blaise Morrison: Sorry for not getting this to you earlier. I've attached the letter we sent to Jacob last year, as well as a LUB Summary Table that compares existing rules with approved DA's in the area to give us a baseline for our proposed/desired density.

For information purposes, we are engaging Architecture49 and Heather Brown of Co-Work Architecture to start preparing some plans and schematic building drawings to get a sense of what is possible. We will do our best to work within the Centre Plan's proposed framework (i.e. 6 storey's and an FAR of 3.0??), but, to be frank, we are looking to do what's right and best for the site from a design and aesthetic perspective. We think the site merits a little extra height (no shadow impacts on residential neighbours; next to a Highway Interchange, transit hub, mall and employment centre), and the grading is quite advantageous to get a parking structure above grade (but tucked into the slope) with a 'tower' on top. A slender tower in this area might make more sense. Nothing crazy (our letter even states we are only considering up to 12 storeys), but something simple and practical. Think 5800 South Tower (image attached). Nice brick building, not too obtrusive, mixed with R1 to R3-type buildings. Anyway, nothing has been designed, but these are our initial thoughts.

Have a review and let me know what you think. We think the easiest path for approval is to apply for a development as-of-right via the new Centre Plan regulations, but hope that the new rules provide us with the flexibility needed to design and construct what is actually best for this unique opportunity site within the Regional Centre.

		<p>Thanks, and let me know if another meeting is worthwhile. Perhaps something before the holidays (if we have something to share...even if not) or early in the New Year.</p> <p>Elora: Hey Blaise, Following up on our chat this morning, can you please send through the letter you submitted to Jacob earlier this year as well as any supportive documents on the building that would be helpful for our team to have.</p>	
<p>DEV008 2018-01-22</p>	<p>Bill Campbell</p>	<p>Draft Centre Plan: 6085 and 6087 Coburg Road</p> <p>Carl: Bill, Thanks for the heads up on this. This property is on the radar of the team and per Jacob’s email below you should notice change when we release the draft documents at the end of February.</p> <p>Bill: Carl, I see you are filling in for Jacob on the Centre Plan while he is out on maternity leave. See below, a mail I just sent to both Jacob and Elora inquiring about the status of the two properties on Coburg Road, that we have been discussing since the first draft of the Centre Plan.</p> <p>Bill: Jacob and Elora, I see on the Centre Plan site that you are scheduling something to be released in February on the Centre Plan. I am following up for the owners of Coburg Coffee and our understanding from previous correspondence with you that the original proposal of the Plan would be changed to a higher designation and zone for the properties at 6085/87. Will the documents to be released in February confirm this?</p> <p>Bill: Jacob and Elora, Thank you for your reply. In going back over our respective mails, I do see where you and Elora have told me about the plan for a report in the Fall. So sorry for bothering you again. I think it was seeing your most recent report to the Committee with recommended changes that got me a bit worried that perhaps the process had altered. Your email clarifies things and we look forward to seeing the report in the Fall.</p> <p>Jacob: Bill, The determination was made that a specific list of changes was not going to be provided to Regional Council. I apologize, I thought we had confirmed this with you. In the approvals we received from Council on June 13th we have the necessary flexibility to fix oversights such as the one affecting your clients.</p> <p>We intend to make the requested change to the designation and include the subject sites in new zoning for mixed uses in a new zone. We are working on this through the summer and have committed to taking this public in the fall, likely following the updates to the Downtown Halifax and Downtown Dartmouth plans that are long overdue to council for necessary updates after extensive review.</p> <p>I am taking a large chunk of vacation in August but Elora should be able to answer any questions and loop in our full team if necessary while I am off.</p>	

Bill: Jacob and Elora, I am following up with you both on the matter of the Draft Centre Plan and my clients property and business, the Coburg Coffee House. Earlier this year in your email of May 15 we were advised that:
"The opportunity to include 6085 and 6087 Coburg in the Higher Order Residential is recognized and we will bring that as one of the changes (underlining added) we would suggest is necessary as we develop the specific LUB regulations."
and

"provide in their report to Regional Council a list of changes that will be necessary based on input we've received on the latest draft"

In reviewing the most recent changes that were taken before your committees for changes to the Draft Centre Plan it appears that the land use designation of 6085 and [6087 Coburg Road](#) was not included in reports or the committee's discussions and recommendations. I do note that you indicated in your mail that changes are also to be considered in the September, perhaps there is another or additional processes you have in place for you taking my clients matter to the committee or council for consideration as committed to in your email.

The process for considering the Draft Plan is relatively complicated and I want to make sure I do not miss something as September approaches. Therefore, could you please let me know your current intentions as to how and when the proposed land use designation and zoning of these properties will be processed and considered, so I can inform my client.

Bill: I will continue to monitor things for my clients, however I am wondering if there is a mailing list or notice list of activity associated with the redrafting of the plan, for those that have made submissions, so we do not inadvertently miss something as things proceed?

Jacob: Bill, As a follow up, there was no list of specific changes added by the CPED committee but we obtained the necessary latitude to make changes such as this prior to the submission of the final Secondary Municipal Planning Strategy and Land Use By-Law.

Bill: Jacob, Thank you very much for your detailed response. It is good to have a clear understanding of the process and committee structure that will review the draft and submissions in response to the draft Plan.

My client is pleased that you will bring forward to the Standing Committee, the change in designation to the Higher Order Residential for [6085-87 Coburg Road](#), for consideration. We look forward to the outcome of that review for these properties.

Jacob: Bill, I apologize for the long delay in response, I know there has been further communication between you and Elora Wilkinson between this email and now.

With respect to submissions on the draft we are taking them via email and letter input to myself, or team members, or the Regional Planning email (planhrm@halifax.ca). Of course, correspondence can be sent to the clerk as the plan proceeds through the approvals process, but we hope your first stop for inquiries and input is always our team.

To confirm, your client's properties are designated as Established Residential in the draft Centre Plan document. This document is proceeding through review by the Community Design Advisory Committee (April 26th, 2017), the Community Planning & Economic Development Standing Committee (May 18th, 2017), and Regional Council (TBD).

With Regional Council confirmation on this draft of the Centre Plan we will have the support we need to proceed with authoring the Secondary Municipal Planning Strategy & Land Use By-Law for the Regional Centre. We are targeting Fall of this year to bring these to council for lands designated as Corridors, Centres, Higher Order Residential, and Future Growth Nodes.

Obviously, your clients request to be considered in the Higher Order Residential designation is pertinent at this time. For issues such as this there is an opportunity to identify areas that should change as we progress through the Council and Committee processes.

Our intention is for the CPED Standing Committee to provide in their report to Regional Council a list of changes that will be necessary based on input we've received on the latest draft. This include changes that are substantial are represent opportunities for further clarity and direction based on what we have learned since the release. This will solidify the Draft and our direction from Regional Council.

The opportunity to include 6085 and 6087 Coburg in the Higher Order Residential is recognized and we will bring that as one of the changes we would suggest is necessary as we develop the specific LUB regulations.

Bill: The purpose of my mail though is to inquire how the Draft Centre plan impacts a client's property, as well as the process for making submissions on the Draft Centre Plan.

1. My client owns [6085 Coburg Road](#), the Coburg Coffee House. I am interested in confirming the proposed designation on his property as well as the property immediately to the west, [6087 Coburg Rd](#).

I have looked carefully at the digital map (Figure 6: Urban Structure Map on page 89) in the Draft Centre Plan and it appears that both these properties are proposed to be designated as "Established Residential" whereas other properties to the west along the north side of Coburg are designated as "Higher Order Residential Area". However when viewing the maps digitally it is difficult to be exact and I am not in Halifax right now so cannot access a hard copy, and must do my research on-line.

		<p>Could you let me know who on your staff I might talk to get confirmation of the proposed designation and/or forward this request on to them for their response. That would be much appreciated.</p> <p>2. If the designation is proposed to be "Established Residential" it may be my client's intent to object and request the Higher Order Residential Designation". I have checked the recent announcements on the release of the Draft Plan and the Centre Plan website but cannot find reference to how property owners or general citizens are to comment on the proposed draft. Could you please direct me to an on-line description of the process for making submissions, or just let me know what it is so I can advise my client.</p>	
DEV009 2018-01-23	Joe Metlege Templeton Properties	<p>Kelly: Carl, Please have a read and let me know your thoughts. Not sure of the current situation relative to the heritage piece. I believe we advised Joe that he could go ahead with his own consultation independent of what we are doing on Centre Plan. Correct?</p> <p>Joe: Hi Kelly, My team and I have been doing a lot of work since our last meeting and was hoping to meet with you and Councilor Smith prior to your launch of the Center plan at the end of Feb (perhaps second week of Feb for our meeting).</p> <p>We wanted to discuss in greater detail a few things inc.:</p> <ul style="list-style-type: none"> -does it make sense for our consultation process to tie into yours? -if not, We are planning to have 4 meetings with the 4th being the formal PIM .. can we coordinate so our 3rd meeting can end and say a month or so later have the official PIM? -we are looking for an update around the 'heritage district' and what (if any) impact is foreseen to our site. -closer collaboration to allow for a reasonable path of least resistance between what your department of professional planners would like to see, and what I as a private developer needs to see on the site... this is a crucial step as we don't want to go through a process looking to completely fly in the face of the plan, and at the same time we don't want a 'general plan' which the centre plan is, to rabbit hole a specific large site like our St. Pats. Site. <p>The hope is that in this meeting we can have enough clarity so that if there are some terms or concepts that we can agree to that might require a bit of an adjustment to the public plan, these adjustments can happen BEFORE it's made public as opposed to after the fact.</p> <p>We can make ourselves available to your schedule, perhaps you can setup a time and date that works with you and your team for early to mid February and let me know.</p>	
DEV010 2018-01-23	Joe Faddoul Concorde Way	<p>Joe: Carl, Thanks so much.</p> <p>Carl: Hi Joe, Thanks for your email. Prior to me joining the team, your request was reviewed by the group. At the moment, we're finalizing the draft plan in preparation for the release of the draft plan and Land Use By-law on February 28th. At that point, all the designations and plan boundaries will be available for public review in addition to the regulations which will guide development of the built form in these designations. If the designations aren't in line with your request, there is still time to submit requests along with rationale for the requested changes in advance of the final plan going to Council for consideration and final adoption.</p>	

		<p>I'd suggest reviewing the draft plan on http://centreplan.ca/ when it's released in late February. At that point, feel free to reach out to me with any concerns, or additional feedback on why designation boundaries may be better aligned differently.</p> <p>Joe: Hi Carl, Back in July I had spoken to Jacob Ritchie regarding a request for boundary change on the new center plan in which he said would be reviewed. I haven't heard back anything since and understand Jacob may not be around currently and that you would be the guy to speak to. Below is my email to him. Could you let me know if this was ever reviewed or what the status may be?</p> <p>Hello Jacob,</p> <p>As a follow up to our meeting this morning, I would like to request the boundary be changed over 4 more properties on Scot Street to reflect the same as the zone on Joseph Howe Drive.</p> <p>The current boundary includes PIDs 00181479, 00181487, 00181495 & 00181503. I would like to request the following PIDs are the same; 00181511, 00181529, 00181537 & 00181545.</p>	
<p>DEV011 2018-01-24</p>	<p>Nicole Babineau Paramount Management On behalf of Louie Lawen Dixel Developments</p>	<p>Nicole: Thank you for the email. Carl we are struggling with the understanding of all these conditions to be met.</p> <p>The additional understanding now is that you must have a development permit, construction permit in hand and footings have to started prior to the first notice in the paper. So is the first notice in the paper when the notice to adopt timeline starts? Therefore all conditions must be met before that date. I am wondering how this is possible when we wouldn't know when that notice was being put in.</p> <p>We are requiring clarity on the now footings that must be poured. We are wondering how a construction permit that is valid for 1 year (as per Louie's understanding) also requires footings to be poured? Can you also please explain what are the exact requirements for a construction permit to be considered started and what abilities exist to extend the construction permit.</p> <p>Carl: We have confirmed the content of my email below with a Development Officer with the additional clarification that it's not the construction permit that establishes non-conformity, but the pouring of footings (ie: the commencement of construction). This means that you would have both a Development Permit <u>and</u> Construction Permit in hand, however footings <u>also</u> have to be started prior to the first notice in the paper for the public hearing (ie: 1st reading).</p>	

The first step in the process of approval I described below begins with a meeting of the Community Design Advisory Committee. You'll be able to keep an eye on their agendas at the link [here](#) with the earliest that the committee would be seeing documents on route to approval being this June (but more likely later than that).

Kate: Nicole – Thanks for the follow up.

We are working on a response to your email and will follow up in the near future.

You are generally correct, but I want to provide you with a bit more detail.

Nicole: Carl, Can you please advise on my email from Wednesday,”. It is important our team understands this process completely.

Nicole: Carl, was just wondering if you could confirm that my understands are correct here.

Nicole: Carl, Thank you for the information. For simplicity sake. Once Regional Council gives first reading to the regulation and schedules a public hearing that is when, very simply put, non-confirming buildings (under the proposed LUBs)with a development permit but not a construction permit are out. Obviously I am not considering how regional council will choose to grandfather or not. I just want to make sure our team is very clear on our understanding.

Carl: Hi Nicole, Notices to adopt a By-law happen when Regional Council gives first reading to the regulation and schedules a public hearing. The process leading up to this is that a report would make its way through the Community Design Advisory Committee, the Community Council, and Finally to Regional Council. To get through the Committee and Community Council and onto a Regional Council agenda would typically take no less than 2-3 weeks throughout which the report would be publicly available. We are looking for transparency in our processes, so there is certainly no intention of surprising anyone with a public hearing.

You are correct that this is several months away. As we've released, our engagement plan for the Centre Plan will take us to the first week of May. At that point, we will have several weeks of work ahead of us in amending the draft documents we release in February based on the feedback we receive over the course of March, April and into May.

With regard to grandfathering, The policies and regulations that currently exist in the Dartmouth, Peninsula Halifax, Downtown Dartmouth and Downtown Halifax planning documents will continue to be used to evaluate planning applications up to the point of formal adoption of the new Regional Centre planning documents. Plan amendment applications are also evaluated based on alignment with the Centre Plan, as directed by Council. When the Regional Centre MPS and LUB are completed and a Public Hearing is scheduled, Council will be presented with options regarding how to assess planning applications submitted pre-adoption. Council may choose to “grandfather” certain applications under the former rules, or to immediately transition to the Centre Plan, however no direction has been received on this as of yet.

Nicole: Kate, Thanks for the information. So as I understand your email we will be given notice to when the *notice to adopt the LUB* date will be. Simply put that you will be putting together a *notice to adopt*, you will be working towards a target take to issue the notice, we will be made aware of that target date. Is there a lead period in place from when you announce you are going to submit the notice to when you actually submit the notice?

Once the notice to adopt date issued development permits for building that under the new LUB would be considered non-conforming and without construction permits in place will not be allowed to move forward.

It is also my understanding that this is a number of months away. The engagement process for Centre Plan (CP) must be completed and reviewed prior to submitting the notice to adopt, this would be mid April before it could begin.

I am trying to break this down in clear way. The other aspect I am looking at having answered is, I am correct that there are no grandfathering provisions being created as part of Centre Plan? I am reviewing the Section 253 of the HRM Charter and looking for clarity.

Lastly what exactly does the first notice of intention to adopt or amend actual mean? What implications that I have not stated above will this mean?

Kate: I'm going to refer you to one of the latest documents on the Centre Plan – which shows community engagement occurring until the end of April 2018.

<https://www.halifax.ca/sites/default/files/documents/city-hall/boards-committees-commissions/171214CDACItem8.1.pdf>

To monitor / understand what is happening with the Centre Plan approval process, I'd recommend you follow the Community Design Advisory Committee website, as their agendas contain reports/information from staff on the Centre Plan. <https://www.halifax.ca/city-hall/boards-committees-commissions/a-c/community-design-advisory-committee>

We aren't yet in a place where we can provide you with an exact date for the notice of intention to adopt the LUB, it will depend on the results of the engagement process. I don't anticipate we will be in a place to give you an estimation on formal notice until the Regional Centre Secondary Planning Strategy and Land Use By-law begins the formal Council Approval Process – we are still a number of months away from that starting.

Carl Purvis the project manager for the Centre Plan project right now (he is filling in while Jacob Ritchie is on Paternity leave) – I would check in with him in April for an update on the status.

Nicole: I am contacting you on behalf of Louie Lawen and Dixel Developments. I have left you a voicemail with regards to getting a full schedule for Centre Plan related dates. I do require this in writing as we are concerned about

		<p>upcoming dates and those implications with regards to our development permit for our property on Mumford Road. I understand that not all dates are set in stone and are pending the timeline of other work.</p> <p>Specifically we are looking for the date the first publication of the notice of intention to adopt or amend a LUB.</p> <p>If you can please get back to me either on the phone or email earliest convenience it would be greatly appreciated.</p>	
<p>DEV013 2018-01-31</p>	<p>Bill Campbell</p>	<p>Westmount Area</p> <p>Elora: On February 23rd we will be releasing Package “A” of Centre Plan which includes the draft policy and regulations for the Centres, Corridors, Higher Order Residential, and Future Growth Nodes designations. We will not be discussing the Established Residential areas at this time, as that will fall under “Package B” which will be released later in the year.</p> <p>Speaking generally, during the release of “Package B” we will be bringing forward a single-unit zone, however that zone will likely permit backyard suites and secondary suites, if the lot meets the necessary requirements for lot size, etc. These will not be considered two units on a lot, as the backyard suite would have to be subordinate to the single-unit dwelling, similar to an accessory shed.</p> <p>In regards to the Heritage Conservation District, while they are named in policy as a recommendation, it will be a separate planning process to bring forward an HCD. At that time the defined boundary and any regulations related to the HCD designation would be brought forward. However that is not within the scope of Centre Plan.</p> <p>I have cc’d Carl Purvis, as he is the acting manager on the Centre Plan while Jacob is off on paternity leave. Please let me know if you have any further questions- I hope this is helpful for your group’s discussion.</p> <p>Bill: Jacob and I discussed two matters related to Westmount, last year with the first phase of the Centre Plan was published and prior to him going on maternity leave.</p> <p>These were the changes to the R-1 zone that would allow two units on a lot or conversions of an existing house to two units; and, the area identified as the proposed Heritage Conservation area for Westmount. The central concern being the relaxation of the R-1 zone to allow additional units while at the same time identifying the area as a conservation district.</p> <p>The residents that I am assisting on this had intended to submit their concerns last year but that did not happen. Now that the Centre Plan process is about to publish a more detailed draft and have meetings, the residents have decided to renew their efforts to make a submission.</p>	

		<p>However. before doing that I just wanted to inquire to see if any changes to consideration of the issues we raised regarding both the R-1 zone that might impact on Westmount as well as the extent of the Conservation Area have been dealt with. When Jacob and I talked he appeared to be sympathetic to the issues we raised and I thought that perhaps the new detail might deal with the issues and the residents would not have to take the initiative to make a submission.</p>	
DEV014 2018-02-06	<p>Nicole Babineau Paramount Management</p> <p>On behalf of Louie Lawen Dixel Developments</p>	<p>Mitchell Street & Centre Plan</p> <p>Kate: Carl / Kasia – as I understand it, Louie has been in to see Jacob about all his properties (including his properties on Mitchell Street). We advised Louie and Nicole what the Centre Plan (June 13th iteration) suggests for his property/uses. We gave them a copy of the Engagement Plan (Dec 2017) and indicated that they should keep an eye to CDAC. We advised them of the release date the Centre Plan is targeting (Feb 28th) and that they should review that document and then meet with your team to discuss.</p> <p>Nicole: Kate & Miles, Thank you for meeting with us to discuss this unique site. Louie and have discussed and we fill due to the pressing time that we would like to try and set up a meeting with both of you and necessary centre plan staff. We would like to further discuss what we believe this site needs and what steps we need to take.</p>	
DEV015 2018-02-08	<p>Jeffrey Haggett</p> <p>WSP</p>	<p>Medical Arts Boundary Revision Request</p> <p>Jeffrey: Hello Kasia: Please find the original email attached. Please contact me if you have any questions.</p> <p>Kasia: Jeffrey – Would you mind re-sending your correspondence related to the Medical Arts boundary request. I was not included on the original Dec. 20 e-mail and Jacob didn't get a chance to forward it before he left.</p> <p>Jacob: Jeffrey, As discussed, we support this change in boundary at the time that you make the subdivision and change the property lines. For the vast majority of properties (there may be two exceptions) in the Regional Centre we have aligned designations with the property lines.</p> <p>Thank you for putting the request in a formal letter, we will watch this property as we proceed to adoption of the Regional Centre Land Use By-law in 2018. Although it is unlikely to be recognized in time for the release of the drafts in February of 2018 please do take this email as confirmation that the boundary change will be made when the property is sub-divided and will be reflected in the eventual adoption documents.</p> <p>Jeffrey: Again thank you for your time last week meeting with the Medial Arts development team. Please find attached the letter formally requesting a revision to the Centre Plan Spring Garden Centre urban structure boundary pending approval of subdivision and lot consolidation.</p>	<p>Attachment 5</p> <p>Document</p>
DEV016 2018-02-26	<p>Peter Rouvalis</p>	<p>Centre Plan Changes – Promenade at College & Robie</p>	<p>Attachment 6</p>

<p>DEV019-2018-02-27</p>	<p>Noel: Kasia/Carl; We really appreciate how busy you both are right now on the Centre Plan consultations. However, we would appreciate an early opportunity to meet with you to discuss the proposed changes to our properties and try to develop a go forward understanding collaboratively. We will be attending the CDAC meeting tomorrow if you want to have a brief chat there to set up a meeting or conversely suggest a day/time that might work for you.</p> <p>Kate: Carl/Kasia – see notes below and attached. While these are two separate processes, they are related, and Peter and Noel would like further information on the Centre Plan, and how the latest version applies to their property, and why it has changed between versions. I’ve suggested that Peter/Noel might want to meet with your team, so they can better understand the latest version of the Plan and some of the thinking that went into it.</p> <p>Kate: In follow up to our call yesterday – I wanted to provide you with a brief set of notes. If there is anything else you would like to add/adjust to reflect our conversation, please let me know.</p> <ul style="list-style-type: none"> • We are working to the motion of Regional Council that directs staff to consider the June 2017 Centre Plan document /design principles • Your proposal is following a Plan Amendment process – which is a little different from the Centre Plan • By initiating your application, Council has indicated they are willing to look at your site as a stand-alone item – at the same time as they work separately on the Centre Plan • In our August 1 2017 report staff indicated we would update Council on progress with various applications, once we are closer to a final version of the Centre Plan. • If we have not concluded your application at that time, staff will identify the most expedient way forward <ul style="list-style-type: none"> ○ https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/170801rc14110.pdf • Staff will continue to work on your application as Plan Amendment, despite a new version of the Centre Plan being released <p>Centre Plan status:</p> <ul style="list-style-type: none"> • Right now, the Centre Plan is subject to engagement and public comment – this is not final version of the document • The engagement is slated to last a number of months – at which point the document will need to be assessed for potential changes in response to input. • The level of input/feedback received will affect how long it takes us to review the document before it moves forward into the formal adoption process • The following document provides an overview of the Centre Plan engagement program and timelines. <ul style="list-style-type: none"> ○ https://www.halifax.ca/sites/default/files/documents/city-hall/boards-committees-commissions/171214CDACItem8.1.pdf <p>I’d also suggest that you:</p> <ul style="list-style-type: none"> • Get involved in the Centre Plan and meet with that team and find out if/why they have changed the massing requirements that apply to your property 	<p>Letter</p>
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		<ul style="list-style-type: none"> • As the Centre Plan team is separate from the Plan Amendment team, they have a bigger view and are looking at the whole of the Centre Plan Boundary and refining the information that was contained in the June 2017 document • Centre Plan is open for comment before it is finalized – so this is an important time to feed in comments • You’ve confirmed your team would be in attendance as the Centre Plan Industry Workshops <p>I spoke with Noel Sampson of your team earlier this morning and will connect him directly with the Centre Plan team in a follow up to this email.</p> <p>Peter: Please find attached a letter requesting a meeting. We look forward to your timely response.</p>	
<p>DEV017 2018-02-26</p> <p>DEV020 2018-02-27</p>	<p>Chris Miller Canada Lands Company</p>	<p>Correspondence to CDAC</p> <p>Chris: Carl, Thanks for the follow up. If I don’t get to CDAC tomorrow I’ll see you Thursday morning.</p> <p>Carl: Hi Chris, I understand that we have a meeting on Thursday, so lets spend some time discussing these sites at that meeting. Sorry for the delay in my reply. We’re excited to present to CDAC tomorrow, but it’s been a sprint to the finish.</p> <p>Chris: Hi Carl, I trust all is well at your end.</p> <p>Attached is a copy of a letter which CLC sent to CDAC in April 2017. Following its circulation at the Committee I indicated to Jacob that we’d be happy to discuss any of our comments/requests, to date we haven’t received any response or feedback. I’m assuming you have a copy of our letter in the staff file.</p> <p>We are reviewing the recently released Package A documentation. Just quickly, we noted that our 3 specific requests relating to Urban Structure designations for a number of CLC properties have not been incorporated – specifically the designations (and related draft RCSMPS/RCSLUB provisions) of Shannon Park PIDs 41402934 and 41394016 and Oxford Street properties PIDS 41429275 and 41429267.</p> <p>It is apparent that a number of changes were made from the Urban Structure map/designations released in 2017. While I understand that the purpose of the current engagement efforts relating to Package A is to solicit public and stakeholder input and comments, I’m unclear whether CLC’s April 2017 comments to CDAC have been considered (by CDAC and/or staff)and deemed not appropriate or whether CLC’s comments can only be considered through the current public consultation process?</p> <p>Chris: Sherryll, Attached please find a letter to the Community Design Advisory Committee addressed through the Chair Fred Morely.</p>	<p>Attachment 7 Document</p>

DEV018
2018-02-27
DEV029
2018-03-02

Peter
Stickings
Manager,
Corporate
Real Estate
Finance and
Asset
Management

Mark: Hi Carl, Built form info on each attached.

Carl: Mark:
Bloomfield Site

Development Rights	
Designation / Zone	Centre / Cen-2
Minimum Lot Area	279 sq.m.
Minimum Lot Frontage	9.1 m.
Maximum GFAR	Unknown
Maximum Height	Unknown
Minimum Streetline Yard	Robie, Agricola, Almon : 1.5m Fern : 0.5m
Maximum Streetline Yard	Robie, Agricola, Almon : 3m Fern : 2m
Maximum Streetwall Height	8m
Site Plan Approval Area	Yes
Special Area	No
Prominent Site (Visual Terminus)	No
Pedestrian Oriented Commercial Street	No
Viewplane	No

Kyle: Hi Carl, Really the only reason that “individual height schedules” for Bloomfield and St. Patrick’s HS were not released with Package A is that, as I have mentioned, we ran out of time before the submission deadline arrived. (To our credit, we did manage to map heights for all but five of the 23,097 lots in the Regional Centre, i.e., 99.97% of them..!)

These sites necessitated individual height schedules because they are large and it was indicated in the Purple Document that they should contain more than one height precinct. To show “sub-parcel” height precincts

Attachment 8
Document

properly, we decided to use individual schedules instead of cramming detail into the already crowded “master” heights schedule (Schedule 9). This was a considered decision made in consultation with Kurt’s group.

Ultimately, an individual heights schedule will show the single property in question, in context, with dimensioned height precincts mapped and labelled. These schedules will necessarily take more time to create than Schedule 9, which shows height precincts locked to property boundaries. The analogy of “hand-made” (individual heights schedules) vs. “mass-produced” (Schedule 9) is appropriate here.

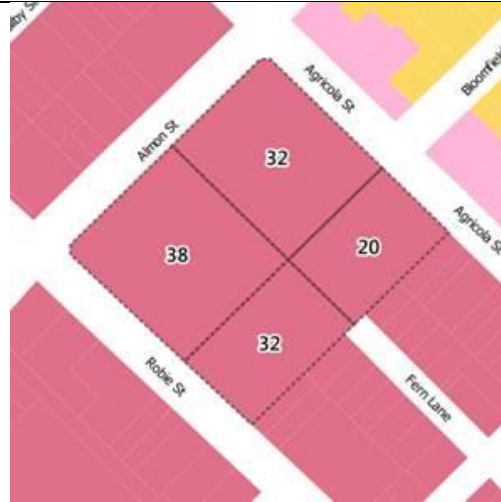
Maximum GFARs correspond directly to maximum heights; they come and go together, and we must know the height(s) for a property before we can determine its GFAR. (See the second table below.) But it is worth noting that, even if a parcel has multiple heights on it, there will still be a single GFAR. This aligns with our use of GFAR as a tool for encouraging creativity in built form. We may need to revisit a property’s GFAR if it is later subdivided, however.

My intent has always been to publish numbers for these sites ASAP. As we have discussed, there’s a chance they could be ready for CDAC next month, if deemed a priority.

Anyway, here’s what I have compiled in terms of data for these properties. You will see that we’re actually pretty far along on this:

	Bloomfield	St. Patrick’s HS
Lot area	1.34 ha	1.43 ha
Zone (Package A)	CEN-2	CEN-2
Purple Document heights		

Proposed maximum height (Package A, second release)



Note: These have not yet been released publicly



Note: These have not yet been released publicly

Proposed maximum GFAR (Package A, second release)

5.00

Note: This has not yet been released publicly

5.75

Note: This has not yet been released publicly

As you can see, heights and GFARs have already been assigned for the two “*” sites. The only thing not done was the preparation of maps polished enough to include in Package A.

Please note that “proposed maximum GFARs” above assume that the “*” sites will be developed as up to four buildings on one property. If the properties are subdivided roughly along the dotted lines shown, we would re-assign individual property GFARs according to the following table:

Height limit — storeys	Height limit — metres	GFAR
1 st.	5 m	0.50
2 st.	8 m	1.25
3 st.	11 m	1.75

4 st.	14 m	2.25
5 st.	17 m	2.75
6 st.	20 m	3.50
7 st.	23 m	4.00
8 st.	26 m	4.25
9 st.	29 m	4.50
10 st.	32 m	5.00
11 st.	35 m	5.25
12 st.	38 m	5.50
13 st.	41 m	5.75
14 st.	44 m	6.25
15 st.	47 m	6.50
16 st.	50 m	6.75
17 st.	53 m	7.25
18 st.	56 m	7.50
19 st.	59 m	7.75
20 st.	62 m	8.00

I have no useful information to contribute re: future streets and property lines — would those be laid out through the DA process? Or would HRM subdivide the lots ahead of selling them, thereby bringing them below the 1-hectare threshold?

Carl: Hi Guys, Real Estate has some obvious interest in properties that have been / will be in the near future - involved in some real estate transactions. Sites include:

- Bloomfield
- St Pat's on Quinpool
- St. Pat's A on Brunswick

Peter Stickings originally had the questions below, but I think after some further reading he's now a bit clearer on the development rights to the site. With that said, he raises a good point. In essence – we may be disadvantaging some of our own sites by not identifying GFAR and Height as this makes them substantially more difficult to market as compared against the greater amount of certainty given to other sites. We've talked about this was more about time and lack of information (re: future streets and property lines) than anything else.

Obviously, they have the DA option on these sites being over 1 ha, however they're concerned that while the DA allows for flexibility, potential buyers might be scared off by the uncertainty. So with that said, could you pull together a synopsis – as best you understand it- of:

- Current development rights
- A brief (1 paragraph or less) rationale as to why the heights and GFARS were left off the draft documents (time being an obvious factor)
- Factors to consider when assigning GFAR and height for the sites
- Any assumptions used in assessing the above (ie: a street connection through the site will be needed)
- A list of variables that we as a Municipality need to decide on before heights and GFAR can be determined more definitively

I won't pass along what you provide along verbatim, but would use components of it to pass along to real estate. I'd like to have this by the Wednesday of next week to discuss further with Kelly. Let me know if you have any questions.

Kelly: I asked Carl to put together a package of info on the three sites. Let me check with him on that and I'll get back to you. Probably best to walk through it at a meeting with your folks.

Peter: Hi Kelly. Congrats on getting Centre Plan Package A out the door and the opening of the Storefront.

Looking for some help. I understand Bloomfield and St. Pats High are zoned CEN 2 and St. Pats A is zoned HR 2, with all three falling in the greater than one hectare category. I have some questions on timing where approvals are subject to a development agreement. I am anticipating needing some speaking points for CAO as to why staff are proposing this and the implications of a longer development approval time line on the capital reserve contributions.

I would like to get more information on the DA application process under the proposed RCSMPS and RCLUB. I am assuming it is not the DA process of old.

As per Schedule 9 of the RCLUB is the separate "individual height schedule" available?

Are Schedule 11 GFARs for St. Pats High and Bloomfield "to be determined" via DA?

		<p>What is the best way for my team to be walked through the process specific to large lot developments within the Centre Designation?</p>	
<p>DEV021 2018-03-01</p>	<p>Blaise Morrison Armour Group</p>	<p>Draft Centre Plan Comments - Halifax Grammar School</p> <p>Elora: FYI – I responded to Blaise already.</p> <p>Blaise: Hi Elora: I know you guys are probably looking for ‘Package A’ comments right now, but I have a comment/note on ‘Package B’ that I think should be captured now.</p> <p>Halifax Grammar School (HGS) is currently under negotiation to purchase PID 00064311 (909 Tower Road). The plan is to knock down the single family home and incorporate the property into their outdoor play space. Currently, the Urban Structure Map shows this property as residential and now ‘Parks/Institutional’ (whatever permits ‘School’ uses). I think changing it now to match HGS’s future designation and zone would be the best way forward.</p>	
<p>DEV022 2018-03-01</p>	<p>Joe Metlege, Templeton Properties</p>	<p>Gfa for st. Pats.</p> <p>Kelly: As discussed.</p> <p>Joe: Hi Kelly, I have had an initial review of the centre plan, and noticed a GFA of 3.5 applied to the st. Pats site. This results in a potential of half what we had been consulting with you and your team (as well as the community) for the last year.</p> <p>Can we setup a meeting to discuss what productive way we can move the GFA to 7?</p> <p>I understand that through the centre plan the GFA cannot be changed (currently the way it’s proposed) even through a DA Process.</p> <p>I think we have an amazing opportunity to really change the fabric of the north end in a really positive way, but only if our numbers work. We have spent over a year listening to the community and hearing what their needs are, and this is what’s driven the million sq. ft. Formula.</p> <p>Currently the way the centre plan is, the DA process is going to become very difficult for our site, as we simply will be extremely limited with what we can offer and support (as far as ‘giving back’ to the community). I’m the type of developer that likes to create a collaborative development that the community, ourselves, and the city of Halifax can boast and be proud of, and I’m concerned the current documents will restrict this opportunity in its current state.</p> <p>Please let me know how we can work together to correct this situation.</p>	

<p>DEV023 2018-03-01</p>	<p>Carl Purvis</p>	<p>Shannon Park - Centre Plan Meeting</p> <p><u>Attendees</u></p> <ul style="list-style-type: none"> • Chris Millier – CLC • Greg Zwicker – WSP • Kasia Tota • Ben Sivak • Paul Morgan • Carl Purvis <p><u>Synopsis of Past</u></p> <ul style="list-style-type: none"> • Went out with not very much to develop principles • Developed Development concepts • Led to a preferred concept • Engineering, traffic and parks on board • Now close to a viable concept • Communication with bridges, CN, BIO, transit, Millbrook, etc. ongoing • Don't want to keep talking at the community any more • Doing civil work and want to advance the documents to the point where things can start • Want to know the process – how we get to the finish line • Urban Structure mapping is a problem for Shannon Park – Problem for Oxford Street <p><u>Process – Ben</u></p> <ul style="list-style-type: none"> • Originally – Shannon Park was moving faster than Centre Plan – but Centre Plan has caught up • Gearing up for an urban design study which didn't happen • CP incorporated policies on things that have been decided • Couldn't commit to parks and road locations at this stage • Do have site specific policies in the CP that guide road network and parks spaces. • Idea being to apply CP zones to the map and ID heights and densities • Can't control subdivision from the MPS. Therefore – forced into a DA to regulate location of roads and parks <p><u>Millier</u></p> <ul style="list-style-type: none"> • We do have a road layout with Centre Lines and lots proposed • School board has an agreement to acquire the school site, however there's no timing surrounding this. • The school board may no longer exist very shortly – and as such it's possible this sale will never happen 	
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		<ul style="list-style-type: none"> • Also – a DA and zoning would apply to shared development lots existing near Tufts Cove. The DA would apply until such time that the lands may become reserve lands at which point the regulations would not be valid <p><u>To-Do from CLC</u></p> <ul style="list-style-type: none"> • Final location of roads • Final location of Parks • Proposed GFAR • Proposed heights • Proposed Streetwall heights • Selection of zones from existing zones – figure out what works in the proposed zones and design manual • Contemplating how to deal with Sea Level Rise – Elevation of the roads and public infrastructure. Is it below sea level and susceptible to storm surge <p><u>To-Do from HRM</u></p> <ul style="list-style-type: none"> • Start on the DA • Identify what’s missing from previous submissions 	
<p>DEV024 2018-03-01</p>	<p>Kasia Tota</p>	<p>Shannon Park Meeting - my quick notes Development Submission Submitted Traffic Study – 2nd version today Started in 2015 Concept Planning</p> <p>Background</p> <ul style="list-style-type: none"> - Canada Lands requires consultation - 3 concepts - Preferred concepts - Communications with CN, Transit, Parks, BIO, Millbrook, - Would like to apply for permits, construction documents 2019 - Piping & roadwork - Questions: process, timelines, FARs - Urban Structure CDAC Letter - Have a problem for Shannon & Oxford - Have not looked at LUB deeply depending on this conversation <p>Ben</p> <ul style="list-style-type: none"> - Shannon Park was moving faster than Centre Plan - The process slowed down, stopped - We took it as far as the policy allowed but did not have details 	

- Site specific policies incorporated
- We need location of parks & road network to guide subdivisions
- Halifax Charter does not allow to control subdivision through the MPS
- The DA is interim to develop detailed height framework
- Once completed, it gets discharged and zones are created
- One public hearing at the start

Chris

- Centre line profiles
- Servicing schematic
- May or not may be public street
- Fixed as of Dec. 2016
- Parkland strategy proposed
- Pedestrian & AT Strategy, Traffic Impact Study
- Archeological Impact Assessment

Ben

- Things changed since we last met
- The DA does not have to be complicated

What is missing?

Carl

- What happened to the Urban Design Study?

Chris

- Use Centre Plan as a basis for Shannon Urban Design
- Open to having HRM be part of the urban design for Shannon
- Didn't know where we HRM was going
- Where there are Urban Design Guidelines Canada Lands

Ben

- HRM cannot control subdivision from an MPS
- We did not hear back

Greg

- How long will it take

Carl

- The time consuming process is the negotiation

- If most design questions are answered it can move quickly and concurrently
- School: what is the status?

Chris

- Nothing has changed since April 2016
- Millbrook Legal MOU
- Phasing
- School lease: owned by CLC-HRSB, renewed automatically
- 2014: Obligations to service Millbrook and let them travel through to access land
- Right of first refusal by HRSB
- 4.5 acres April 15, 2016 deadline
- 4 PIDS acquired by DND also Nootka
- Millbrook will not get title until 2021/22
- Lots 20, 21, 25 are shared development blocks and will become reserve lands
- Compatibility important
- Millbrook actively pursues infilling of Tufts Cove
- Road may be constructed may Millbrook t get federal funding (lots 20&25)

List of variables

- Final location of roads
- Final location of parks
- Proposed GFAR & heights & streetwalls
- Proposed zones
- Pedestrian oriented streets
- Sea level rise – elevation of roads & public infrastructure don't have answers on those
- LUB 3.2 m
- DA can run hand in hand with the Centre Plan

Chris

- 3,000 units not enough for a ferry terminal; too shallow water; Shubie Canal;
- Cannot purport to coordinate with Millbrook but can provide connections
- Coordination with Bridges

Oxford Street

- March 28 – 3151/3139 Oxford Street public information meeting
- March 31, 2019 closing date
- Developed comprehensively – CBSA Building
- Work program – demolish lab building June or July

		<ul style="list-style-type: none"> - Request a change to Corridor Designation - RFP for Urban Design and Demolition for Ralston Building <p>Summary</p> <ul style="list-style-type: none"> - Dec. 2016 Submission not sufficient - Ben to start with a DA - Chris can provide an updated concept plan to Ben - Propose to relocate road & transit hub issue (2 options) - Expected amenity; open space; public plaza; density bonusing; - 3.5 GFAR across the site is not where on the spectrum? - Appealed assessments 	
DEV025 2018-03-02	Bill Campbell	<p>6085 and 6087 Coburg St: Coburg Coffee house</p> <p>Bill: Elora, As we discussed today on the phone. my clients and I, were very disappointed to find that the recently released Package A did not include a change to the designation and zoning of my client's land and his neighbour's to the west to the higher order residential designation and zone.</p> <p>There have been more then 20 emails back and forth trying to resolve the matter over the past year, starting March 29, 2017, as the first draft documents were released. Moreover, we were assured in return mails by all those we talked and wrote to (you, Jacob and Carl) that Package "A" would contain the changes.</p> <p>As we discussed this morning, you are now proposing to take this matter to the team and have the change made in a new draft designation and zone maps that are scheduled to come out in about 4 weeks. We appreciate that very much, and we respectfully request confirmation that the change to the proposed maps will take place as soon as you possibly can.</p>	
DEV026 2018-03-02	Tom Emodi TEAL Architects+Planners Inc.	<p>Hi Carl, A clear presentation today ... well done and thank you!</p> <p>Would it be possible to receive a copy of it to share with our team here at TEAL?</p>	
DEV027 2018-03-02	Luc Ouellet	<p>Questions and Issues from Design Professionals (Package A)</p> <p><u>In attendance:</u></p> <p>Abigail MacEachern, Architecture 49 Julien Boudreau , Ekistics Plan & Design Greg Zwicker, WSP Kristin O'Toole, WDCL Ross Cantwell, Cantwell & Company Consulting</p>	

Tom Emodi, TEAL Architects
Jeffry Haggett, WSP? Or Fowler Bauld Mitchell?
Sue Sirrs, Outside! Planning and Design Studio
Jacob Jebailey, WM Fares Architects
Anne Sinclair, Anne Sinclair Architect
Eugene Pieczonka, Lydon Lynch Architects

Greg Zwicker – You may be asking a lot from the Design Advisory Committee, i.e. with the number of applications that will be coming forward.

Tom Emodi – The Development Officers will need to be educated on design.

Tom Emodi – There needs to be discretion in design excellence. In-house design experts would be a good strategy, either as an employee or on retainer.

Jeffry Haggett – Maybe there needs to be two committees. One committee would be looking at the Downtown and the other for the rest of the Regional Centre.

Sue Sirrs – Would there be a staff report to the Design Review Group? We need to pay the members of the Committee. The Committee needs to dive deeper with the consulting design professionals on why certain design decisions were made.

Jacob Jebailey – It should be mandatory that the application be before the Design Review Advisory Group during the pre-application process.

Ross Cantwell – At one point does the Municipality need to hire architects instead on relying on a Committee of volunteers.

Eugene Pieczonka – FAR should be calculated to interior walls, not exterior walls. If not, it will discourage building using certain types of sustainable cladding.

Tom Emodi – You shouldn't arbitrary set the FAR threshold so high. You are leaving cash on the table.

Ross Cantwell – Let the non-profit sector manage the units. Give them the cash and they will build it. You are going to be loosing units every 15 years. You could build less units (not with a 15-year timeline) and use those units to financially leverage other units in the future.

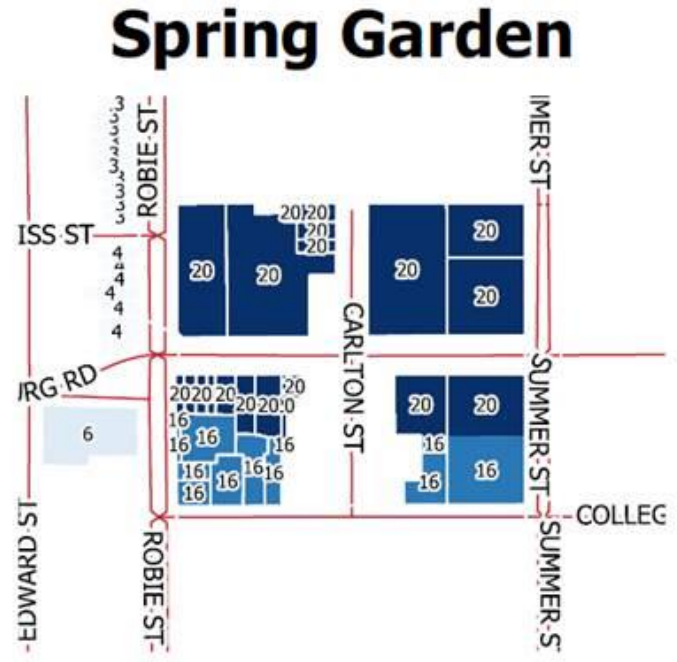
<p>DEV028 2018-03-02</p>	<p>Luc Ouellet</p>	<p>Questions and Issues from Members of the Development Industry</p> <p><u>In attendance:</u></p> <ul style="list-style-type: none"> • Peter Polley, Polley Corp • Mark Van Zeumeren, ? • Jim Donovan, Starfish Properties • Simon Wilbee, Starfish Properties • Marc Ouellet, Boris Holdings <p><u>Questions, Comments and Issues:</u></p> <p>Peter Polley – The Development Industry workshops have not been well advertised. The UDI only sent out the list of the public open houses.</p> <p>Peter Polley – I don’t know where to start with the problems with this document (Peter had an issue with maximum floor plate size, without realizing that it was only applicable to a high-rise situation above the streetwall; a situation that does not apply to his properties).</p> <p>Peter Polley – How were the FAR values arrived at? Some of the FAR values being proposed are too low to make it financially viable to redevelop sites hosting squat and ugly buildings. According to Peter these sites currently have FAR values than are not dissimilar what is being proposed.</p>	
<p>DEV030 2018-03-06</p>	<p>Chris Miller Canada Lands Company</p>	<p>3139 Oxford Street Authority</p> <p>Chris: Carl,</p> <p>Attached please find confirmation of authority provided by Public Services and Procurement Canada to Canada Lands Company CLC Limited to act on behalf of PSPC in relation to all planning matters relating to civic 3139 Oxford Street (PID 41429267). You will not that the authority explicitly enables CLC to “submit any type of planning/rezoning applications and supporting documents/reports to the City of Halifax, <u>as if CLC were the owner of the Property</u>”.</p> <p>As has been confirmed with you, CLC will be acquiring 3139 Oxford Street for the purposes of redeveloping the property in conjunction with CLC property at 3151 Oxford Street (PID 41429275). We will be initiating our public engagement effort relating to the redevelopment of these 2 properties at a public meeting to be held on March 28, 2018. CLC has noted that the March 2017 Urban Structure mapping for the “Centre Plan/Purple Document” designates these properties as Institutional Employment. These lands have not been included in the February 2018 draft RCSMPS/RCSLUB (Package 1). Going back to April 2017 we have requested that both of these properties be included in the Bayers Road/Oxford Street Corridor designation.</p>	<p>Attachment 9</p>

DEV031
2018-03-06

Kyle Miller

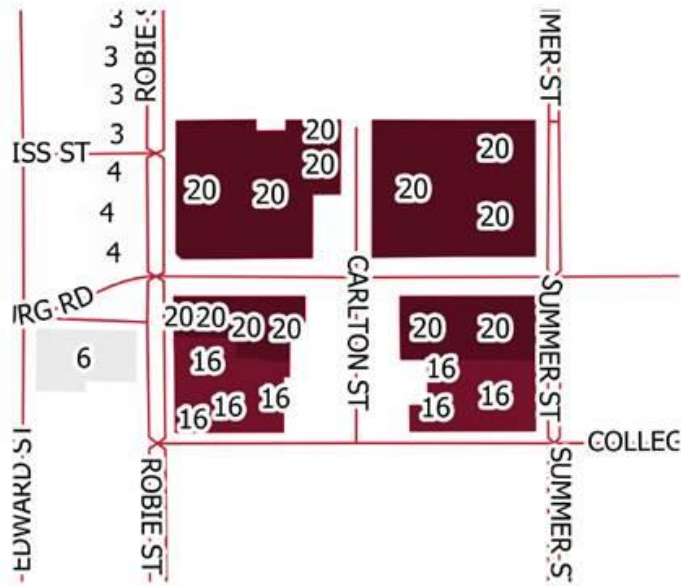
Kyle: I've taken a look. I can't find anything particularly concrete.

As of July 24, Spring Garden looked like this (heights in storeys):



As of August 18:

Spring Garden



The earliest things I can find still show 16 storeys along College Street.

I think 16 storeys was an initial height assignment that nobody ever flagged as potentially problematic. In other cases, Jacob did flag when I used a height that wasn't at the top range of the Purple Document heights. He didn't mention this one, so it didn't get changed.

The only possible justification we could give would be the ER neighbourhood across Robie St. I don't think that is a particularly convincing argument considering we have 20 storeys right next to the heritage streetscape on Carlton St.

I am open to changing it — but we need a mechanism for recording proposed mapping changes and decisions. I could add it to my redesignations document?

DEV032
2018-03-08

Rudy Vodicka

Andrew
Cranmer |
Senior Sales
Associate

Rudy: Hi Carl, Thank-you for agreeing to meet with us on Monday to discuss municipal strategic disposal sites (i.e., St. Pat's High, Bloomfield, and St. Pat's A.)

In anticipation of our meeting, I offer the attached letter and questions below—namely regarding St. Pat's High—on behalf of the municipality's broker, CBRE, and their sub-consultant, Ekistics, which, I propose, guide our conversation. Apologies for short-notice.

Attachment
10
Letter

	<p>CBRE Limited Capital Markets</p>	<p>CBRE's COMMENTS: Hi Rudy, I'd like to understand the process of the proposed development agreement for these larger lots, noted in Part XII, 206. This will, as discussed, create a fair amount of uncertainty around the Quinpool project and potentially impact pricing (negatively).</p> <p>Rob's assessment is very thorough and, as he noted, the floor plate issue is a big one I've heard from a wide range of developers.</p>	
<p>DEV033 2018-03-08</p> <p>DEV036 2018-03-09</p> <p>DEV037 2018-03-13</p>	<p>Joe Metlege</p> <p>Templeton Properties</p>	<p>Jono Meeting</p> <p>Joe: Given the fact we have two large high profile sites, is there an opportunity to book a longer meeting time to give all enough time to discuss issues and concerns without being rushed?</p> <p>Carl: Hi Joe, I've shared your email with Steve Higgins and also discussed with our director Kelly Denty. It sounds like some of your concern and frustration is in having multiple conversations at different times, and with different people. I think the best course of action moving forward is for us to have a meeting which would include yourself, your architect (if desired) Jacob Ritchie and myself. Notwithstanding my involvement with the plan in the past months, Jacob will be back in the office beginning on the week of March 26th. Having both Jacob and myself at the meeting will help the continuity of the conversation. I've had a look at the plans you've sent over, and have a number of questions for you regarding that development site, as well as your ambitions on the St Pat's Alexander site. I understand you spent some time at our storefront recently, and had the chance to have some questions answered.</p> <p>Steve Higgins: I had from Andy Metledge the other day which was based on his assumption that I was still in the CAO's Office. With respect to the Cogswell Street lot, they're walking around with a development permit assuming it secures some development rights but our message to industry is that a construction permit is required to protect those rights. I'm also not clear on what the building associated with that DP looks like. I presume it's more valuable to him than what he perceives he can achieve under CP... otherwise we probably wouldn't be having this conversation.</p> <p>St. Pat's A seems to be a concern ... the plan for lot this big is to proceed by DA which is essentially the same process that's available to them now. Clearly the policy framework might be different which might impact the yield but, given the circumstances around this lot, I'd say it's highly likely Council will end up with some special consideration here anyway.</p> <p>Joe: I would also like to express that my partner Norman Nahas and I are extremely frustrated (as are our consultants, architects etc) with what we have seen and experienced to date, including the numerous meetings that have appeared to have gone to waste, because we have seen nothing in the latest centre plan documents that reflect anything that resembles the numerous discussions and concerns brought to your department and managers for years throughout this process.</p>	

In fact, we continue to be given only this same response 'email us your concerns so we can try and work with you to address them' and then the time comes and goes, and nothing positive comes of it.

Now to the specific sites.

Trinity site : cogswell and Brunswick street

Attached is the As of right development the site permits today. It takes into account and falls within the angle controls, setbacks, density, ramparts and view plans. In short, the centre plan should have mechanisms to not negatively impact developers who have existing rights. In this case it's as of right and as such should maintain its rights.

For example, you indicate a 7.5 gfa for this site, but when you factor the setbacks, max tower footplate, max street wall, and the existing (and pointless) viewplane, it is impossible to build our as of right project that was shared with your department years ago.

In fact, we likely can't achieve half the sq. Footage or density, so what was the point of consulting with the city, if everything was going to be ignored ??

St pats Alexandra site:

I also want to discuss the st pats Alexandra site and the requirement from Jono to be able to develop 1 million sq. Ft of development. This is based on 16 months of community consultation and hearing and understanding all of the amenities, and community benefits that are seriously lacking, and can be partially (or completely improved) in the immediate area. We were/are prepared to proceed with formal DA discussions and applications, however in light of this latest centre plan proposal, we have slammed the brakes on it entirely and are questioning the whole thing.

The centre plan in short is either purposefully deceptive at worst, or unintentionally restrictive at best.

For example, to allocate a 3.5 gfa and then include a 20 meter height restriction, max Floor plate, max street wall, and required setbacks, literally make it impossible to achieve a development that is anywhere in line with what's been discussed for years with both the community and the city.

In our discussions yesterday you advised me that the GFA was no indication of what should be built there but a maximum, which left me confused to say the least. You further told me that there are mechanisms on sites over 1 hector development agreements and suggesting that there are mechanisms in a development agreement that allow for the height limitations and other restrictive and prescriptive design parameters to have some mechanisms to expand on. But you conveniently left out the important point that these " mechanisms "are also capped sometimes at only 10% greater then what is normally permitted, which would mean a 60 foot height limit through a DA could potential he be negotiated to 66 feet which is less than the full story, and hence a false premium. To be

		<p>clear, a site like st. Pats should have the permission to go as high as needed to achieve the community and development requirements.</p> <p>Also I want to make clear that when several hundred pages of planning documents are released, as was the case with the Centre plan, with little to no reflection of dozens of hours of consultation that have taken place Specific to my sites, it raises serious question to my partner and I as to how genuine or interested the city really is and creating a workable plan, or are they just interested in adding further restrictive legislation on top of an already restrictive plan.</p> <p>I hope the meeting next week is one that can lead to serious and meaningful change that will benefit all parties involved.</p> <p>In close I want to remind you that we are local citizens as well, and we employee hundreds of local citizens who share in our visions, and we provide house of for thousands of citizens who agree and appreciate our visions. These are our stakeholders. So to make the claim that you have heard overwhelmingly that viewplanes are not a foolish and arbitrary restriction on the city, and that high density developments as proposed by developers goes against the community wishes, begs the question of what do you consider ourselves and our stakeholders ??</p> <p>Please suggest a few days and times next week (preferable Wednesday-Friday) where we can discuss further in person with yourself, Steve, and anyone else you feel is needed in the meeting.</p>	
<p>DEV034 2018-05-02</p>	<p>Hadia Askri Hadia Bedoui</p>	<p>Carl: Hi Hadia, Thanks very much for this email submission. As mentioned within our meeting, we will be consolidating the feedback we've received from all of our stakeholders over the past months and presenting it to our committee of Council. This process will begin at the start of June as we work towards creating a new draft document to provide to Council for their consideration. Please do feel free to reach out to us over the coming months for an update on what progress has been made, and benchmarks in the process to come.</p> <p>Hadia: Good day, Jacob and Carl, I'd like to first start by thanking the both of you gentlemen for your time and energy on Friday. It was a great meeting that gave me valuable insight. Thank you.</p> <p>As per discussion at the meeting, please accept this email as a letter asking for revisions to be made to the center plan to help support the program and community we are going to create.</p> <p>The following six bids are under one ownership: 6046, 6044, 6038 Quinpool Rd - PID 00163154, 00163147, 00163139, respectively, and 6053, 6049, 6043 Pepperell - PID 00163063, 00163071, 00163089, respectively. Please consolidate them and consider them one lot.</p> <p>We have been working endlessly with the community, particularly the disabilities community trying to establish what is desperately needed in HRM. Both my partner and I understand first hand the struggles families are faced</p>	

with when raising children and young adults with severe disabilities. As much as it can be challenging for the families we cannot begin to express in words how heartbreakingly challenging it is for the kids and young adults.

After a child has reached his or her peak in school most likely completing high school, depending on the severity of their disability, funding is cut drastically and programs become far and few between. All the skill sets these young adults learned over all the years of having a valuable structure of going to school and socializing are basically null and void and forgotten. The programs that are available to them are very scarce and extremely difficult to meet the criteria necessary to be apart of them. These young adults end up spending most of their days in front of the TV or end up in nursing homes. No quality of life.

We understand first hand the dire need for affordable and barrier-free housing her in Nova Scotia, especially in the HRM. We have done excessive research trying to fully understand the demographics, the challenges that the city faces, the challenges the disabilities community faces, the things that have been done, what has worked and what hasn't and we feel we have a very forward-thinking approach to help bridge some of the gaps that are currently present.

The bottom line for this project genuinely is social responsibility. In order to make this a successful model that hopefully will set a benchmark for future projects to follow, we require more space to work with. The reality of the situation is that we have a to create an environment that can still generate profits, creating a mix of affordable, market and commercial, all barrier-free units. We need our programming to be fully self-sufficient and not require any government funding to keep afloat. To do this we require more space and feel that it'll be more beneficial for our programming, the community, and the city if the following changes are made to the proposed center plan:

Height on Quinpool changed from 38m to 67m

Height on Pepperell changed from 14m to 18m

Change the FAR from 5.5 to 15

I've included a brief preliminary draft of what the programming of the building will entail. We appreciate all the hard work you and your team have done so far in creating the new center plan. You've all done a wonderful job and it's going to do wonders for our city. Hats off to you all.

What:

This project entails developing a large apartment building complex that is specifically designed to provide affordable barrier-free housing, social enterprise and bridge gaps amongst people living with any and all disabilities (visual, hearing, physical etc.) and without, creating and all-inclusive barrier free community. The land that is currently addressed 6046, 6044, 6038 Quinpool and 6053, 6049 and 6043 Pepperell is where the proposed development be erected. In total there is 19,866 sq feet.

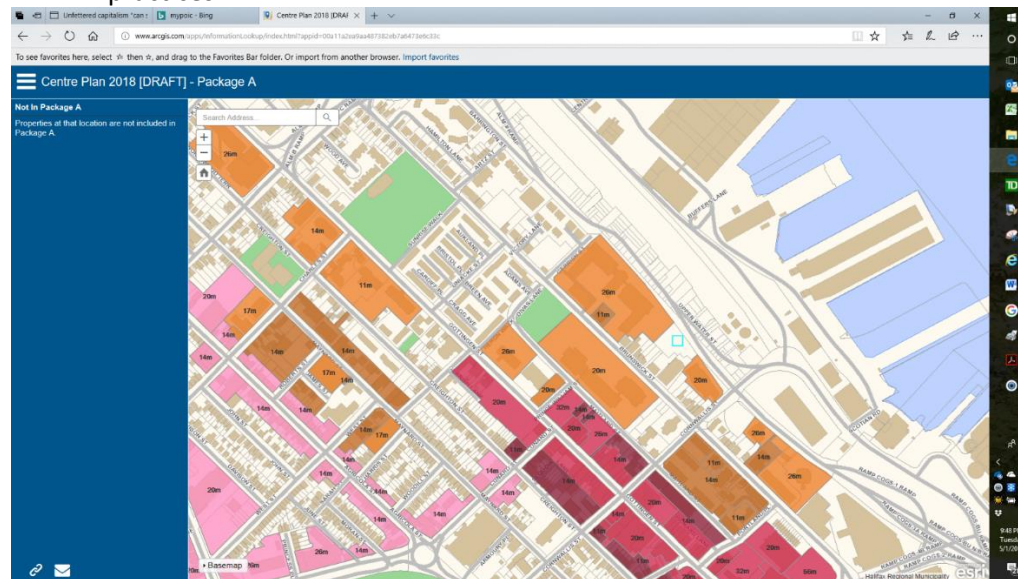
Concept:

The vision behind this project is to provide affordable barrier-free housing options to those living with disabilities in HRM, creating a sustainable self sufficient community that empowers those living with disabilities, through

		<p>bridging the gaps that are currently present and promoting an all-inclusive environment (those living with and without disabilities). Social enterprise will be a major component of this project. Jobs around the premises will be offered to qualifying residents occupying the building to help with rent expenses, but also to empower residents and nurture their independence. We aim to redefine accessibility standards through creating a technologically, state of the art, barrier free complex that is conceptually appealing and functioning, but most importantly bringing forth awareness of what barrier free truly means and looks like.</p> <p>The building will be 100% eco friendly relying on geo-thermic and solar for energy sources. There will be a day program that caters specifically to adults living with more severe disabilities. There is to be a large community greenhouse and solarium that residents will be responsible for with the aid of volunteers. The harvest will either be sold or distributed amongst the residents. There will be a large accessible salt water swimming pool and state of the art gym facility that will also be opened to the public at a fee. It will be more than just a building, it will encompass and be centred around social enterprise, empowerment, community, holistic healing, sustainability, inclusion, and nurturing. To make this project sustainable we there will be a mix of affordable coupled with market rate units and commercial space.</p> <p>The Adult Day Program will be specially for adults living with sever disabilities that no longer have the same resources available to them as they did when they were still in the school system. The vision is to create a place that encourages and promotes socialization, empowerment and community. Just like facilities that are currently open to children with disabilities, the same type of care will be given. Staff will include a nurse, a physiotherapist, occupational therapist, and music therapist on given days. After children with disabilities graduate from the school system funding becomes scarce and programs become harder to find and their care takers lack proper support. The day program will offer families of those living with sever disabilities a support team and place to find relief in a safe, nurturing, holistic environment.</p>	
<p>DEV035 2018-05-03</p>	<p>Peter Polley Polycorp</p>	<p>Centre Plan / Polycorp land inventory</p> <p>Peter:</p> <ol style="list-style-type: none"> 1. I wanted to follow up re our land on Barrington Street. PID 148429. When we met last year, we discussed that it is not shown as labelled for development. You indicated when we met that this was a mistake. It is still not labelled for development. It is not parkland or required open space. I have mentioned this PID to several staff members several times, see screen shot below. It has not been fixed and needs to be fixed. The Spice Condos project next door is more than 25 meters tall, and the site should transition up to the approx. 20 story tall towers beside it. The site is subject to a view plan that will limit development height to approx. 100 feet tall on most of the site. A Centre Plan height in the 10-story range would be appropriate, with some of it being carved back by the overriding View Plane legislation. The “shadow effect” of St. Patrick’s church allows heights on the site to be built above the nominal view plane heights on the property. 2. As well, at one of the industry consultations I questioned the requirement for pedestrian oriented/ground oriented suites on limited access streets such as North Barrington Street. Our land at Mont Blanc 	

Terrace/Glebe Street/ Barrington Street – in addition to facing a 50 foot grade differential – does not make sense to have suites oriented to a high speed limited access highway type street. Staff indicated that they would review and agreed that this does not make sense for limited access streets like this that have no pedestrian streetscape.

3. When we met, you indicated that provision would be made in the Centre Plan for sites which are awkward/abnormal shapes and that have abnormal grade conditions. This has not been done in the Centre Plan and is a major problem as it will hinder hill side sites and irregular shaped parcels of land as undevelopable based on criteria developed for flat, squarish pieces of land.
4. A FAR of 2.25 on our lands on Kencrest Avenue and Glebe Street is simply absurd. The land is zoned R-3 now. The Centre Plan represents a significant down-zoning from the current zoning status.
5. When we met a year ago, we also discussed the 2 properties on Kencrest Avenue between 3775 Kencrest Avenue and Mont Blanc Terrace as being appropriate to be higher order residential. We have ongoing discussions with the property owners re these properties, and running the higher order residential to the corner would be appropriate, given the significant amount of parkland abutting and the existing transit service in the area.
6. As well, when we met, we discussed at length the inclusion of our highly insulated exterior wall systems in the FAR mathematics as a major problem with the FAR being done on a gross floor plan basis. Essentially, it penalizes builders building well insulated buildings and actually encourages thin, uninsulated exterior walls – in direct conflict to the movement in building codes and environmental/sustainable development practices.



		<p>Jacob: We are quite busy prepping for the release of our draft plan materials over the next few weeks, I believe we discussed the “white areas” and I mentioned that these were mostly intended to hold a similar level of intensity in the future for some of the non conforming residential apartment houses and that we would clarify that in our next release as all areas are “designated” in the Urban Structure that we will be proposing to hold in policy.</p> <p>Can we set up a meeting for late in the week of October 24th? As we are just releasing our first draft of the proposed policies there is still plenty of opportunity to input on the project.</p> <p>Sent: Wednesday, September 28, 2016 10:49 PM</p> <p>Peter: Jacob, We had exchanged voice mail messages over the summer, which by far too quickly.</p> <p>As I had indicated in my voice mail message to you at the time, we have interests in several pieces of land on the peninsula and close to the peninsula which are either currently zoned for high density residential development, or which are appropriate for high density residential development – but which are coloured white on the latest version of the Centre Plan. One of the parcels of land is approximately an acre of land – which is a large tract in terms of peninsula land holdings – and my guess is that HRM staff have just missed realizing that it is actually surplus to another property. Some of the others are occupied by 50+ year old R-3 and other uses which are at the end of their feasible lifespan.</p> <p>I would like to meet to discuss how these sites which are coloured white on the Centre Plan drawing would interact with future zoning and land use considerations. When are you available ?</p>	
DEV038 2018-03-14	Peter Stickings	<p>Peter: Thanks Carl for the session this morning. I would like to pick up our discussion specific to the DA process for one hectare sites again once we are closer to our RFP and marketing points for Bloomfield and St. Pats High respectively. I think we can build in more context and information about the "process" that may build more confidence amongst bidders.</p>	
DEV039 2018-03-14 DEV041 2018-03-15 DEV046 2018-03-21	Carl Purvis	<p>5969 College Street - Plan Amendment App</p> <p>Peter: Carl; Thank you for your response to our queries about the proposed changes to the height designations for our properties on Robie/College/Carlton Streets. We will review your response in detail and discuss our path forward with our internal and HRM planning teams. Thanks for responding within the timeline you committed. Much appreciated</p> <p>Carl: Hello All, Below, please see a draft of the email to be sent out to Peter Rouvalis and team regarding his application at Spring Garden, Robie and College and the more recent changes to height maximums within the draft plan. I'd like to send this out tomorrow afternoon, so please let me know if you have any concerns with the content below by noon tomorrow. I will send this out and cc the individuals included within this email.</p>	

Further to our meeting last week, Kasia and I committed to you that we would track down the reason for the change in the draft Centre Plan heights applicable to your lands at Spring Garden, Robie and College. We have since had the opportunity to speak with our Municipal Heritage Officer, as well as the staff that have been working on our density and height mapping over the past weeks and months. In speaking with these individuals, the decision to reduce the draft height permissions on one property amongst the dozen+ which are the subject of your plan amendment application was very much a conscious one.

The Centre Plan as you know is focused on adding people to our Regional Centre with the expectation that 18,000 units will need to be added over the coming years. With that said, the plan looks to strike a balance between adding these units without upsetting the existing character of our communities that its residents appreciate so much. As such, acknowledging that growth will need to occur in strategic locations of our Centres, Corridors, and Higher Order Residential areas, we do not want new policies to actively encourage the demolition of existing registered heritage properties, such as the one located at 5969 College Street. We recognize that your intent within your site specific plan amendment is to retain and relocate this building to a location nearby given not only its heritage value, but also the sentimental value it has to your team. HRM - via Kate Greene, Miles Agar, and Tyson Simms – is negotiating in good faith with you on Development Agreement policies which would facilitate that approach. Should Council approve this policy, it would be written into our current plan as well as the future Centre Plan to ensure these development rights are protected.

If however, for whatever unforeseen reason, Council does not approve a site specific amendment for your property, the rules and regulations within the most recent Draft Centre Plan Secondary Municipal Planning Strategy and Land Use By-law – inclusive of those regulations relating to density and height, would apply to your site. While this is not the course the redevelopment of this site is expected to take, we again do not want to encourage the demolition of existing heritage resources due to increased heights and densities applied to them. As such, in working with the Municipal Heritage Officer, we have been working to identify registered heritage properties within the boundaries of Package A areas, and amending heights so as to not incentivize their demolition.

I would note again – as we did in our meeting last week – that conformance of your project to the Centre Plan relates explicitly to the Purple Document from earlier in 2017 and not the most recently released version with amended heights. Acknowledging that you see the change as a communications issue between yourselves and the public, we as Municipal staff can certainly be clear about the intent of this change, as well as the fact that your proposed Plan Amendment applications accomplishes the intent of heritage resource preservation.

Myself as well as the staff cc'd on this email are available to you throughout the rest of your plan amendment process to address follow up questions you may have.

<p>DEV040 2018-03-14</p>	<p>Joe Metlege, Templeton Properties</p>	<p>Re: St Pat's Alexander & Cogswell + Brunswick</p> <p>Joe: Thanks Carl, We will send you a model we are getting done now, which will show 3 options :</p> <ol style="list-style-type: none"> 1. what the centre plan allows for, which is less then what the GFAR even permits. (I think its less then 500,000 sq ft of buildings) 2. What we had worked on with community members (unofficially) and were preparing to proceed on concept (which essentially has higher then permitted street walls, and 15 story buildings. And a total build out of 1 million sq ft. 3. Achieving our 1 million sq ft, but implementing the street wall restrictions stipulated in the centre plan, and taking the density lost from the reduced street wall, and applied to the top of the towers (bringing the height of the buildings higher). <p>Carl: Hello, Per our recent discussions, this meeting with Jacob and I will be to discuss the draft policies which apply to these 2 sites, the resulting built form, and the processes under which they would be made. We have your plans for the Cogswell site, but if there is anything more concrete you would like us to look at in advance of the meeting in relation to St Pat's please pass it along.</p>	
<p>DEV042 2018-03-15</p>	<p>Eric Roe Saint Andrew's United Church</p>	<p>Saint Andrew's United Church</p> <p>Eric Roe: Kasia, good morning. Your suggested time and place for the meeting on March 29 works for us.</p> <p>I will attend on behalf of Saint Andrew's United Church and I will be joined by Kirk Mawhinney from Reichmann International.</p> <p>Kasia: Hi Eric – Thank you for the follow-up. We would be happy to meet with you to discuss the proposed Centre Plan policies and regulations, as well as your proposal. I would like to propose that we meet at the Centre Plan Storefront on 5261 George Street at 10 am. Please let me know if that would work for you.</p> <p>Eric Roe: Good afternoon Leah and Kasia. Kasia, we would very much appreciate the opportunity to meet with the Centre Plan team to discuss the possible development of the Church Hall portion of the Saint Andrew's United Church property located on the corners of Robie Street, Coburg Road and Edward Street. The purpose of the meeting would be to discuss the potential for development, review some preliminary drawings and obtain initial feedback on whether or how such a development might fit the Centre Plan.</p> <p>A representative of the developer, Reichmann International Development Corporation, will be in Halifax on March 29. It would be great if a meeting could be scheduled on that date. The only time on March 29 that we will not be available is between 12:30pm to 2pm.</p>	

		<p>Leah: Hi Eric, Thanks for the meeting last week. I've touched based with the Centre Plan team – you can contact Kasia Tota, Principal Planner (copied here). I've passed along your preliminary building drawings to her.</p> <p>Eric: Good afternoon Leah. On behalf of St. Andrew's United Church, thank you once again for taking the time last week to meet with us.</p> <p>As discussed, I think a logical next step for us would be to meet with your colleagues on the Centre Plan Team. Any assistance/advice you could provide in helping us set up such a meeting would be greatly appreciated. As a representative of the developer will be in Halifax on March 29 it would be great if a meeting could be scheduled on that date. We are available the morning of March 29 as well as anytime after 2:30pm.</p>	
<p>DEV043 2018-03-16</p>	<p>Joe Metlege, Templeton Properties</p>	<p>Joe: Hi Carl, Thanks for reaching out, it's much appreciated. To be honest, I've been involved in so many discussions over the years both in public forms and in private meetings, that it often feel like the effort is being done more for a check box exercise as opposed to genuine desire for improvement.</p> <p>For example, I met yesterday with one of my architects who's working on designing our another project of mine and I discussed this process, he mentioned about a year and a half ago himself and about 40 other designers and architects met re. Centre plan. After the meeting the group submitted a lengthy and detailed letter recapping serous concerns with details, and regulations. None of the items were even addressed or implemented in the new documents.</p> <p>There's been a very low moral in the design and development community, not to mention genuine concern for the overall economic well being of our city, but many of our industry has all but given up fighting for the common good.</p> <p>I'm out of town next week but will see how the meeting on the 27th goes with yourself and Jacob. No better place to speak then there anyways. Hopefully your desire for positive input and improvements to the plan will be seen in the outcome of our meeting.</p> <p>Carl: Hi Joe, As you know, we've been working hard for many months on our draft Centre Plan documents and have finally got them released and out the door. We've done our best to internally test the regulations and policies we've created, but we're well aware that the likelihood we got them perfect on the first try is low. As such – and as a developer in the Municipality that has a great deal of vested interest in our planning documents – we would love to get your help in making sure these regulations will result in great buildings in the Regional Centre.</p> <p>A few weeks ago, you would have received an email inviting you to a series of meetings. As of the start of this week, I've noticed you've not yet signed up for any of the sessions as of yet, but with that said, I've heard word that some of these invitations may have been sorted into junkmail because of the software we used. I also note, we sent the invite to your Jonodevelopments gmail account – which you may not monitor as closely. I wanted to</p>	

		<p>ensure they were on your radar. We will be holding 3 meetings in the coming weeks for members of the development community to dive into a few of the topics in the plan in more depth. I've included the topics below.</p> <p><u>Friday March 23rd</u> Built Form Regulations</p> <p><u>Wednesday April 11th</u> Gross Floor Area Ratio (GFAR), Density Bonusing and Development Approval Process</p> <p><u>Thursday April 26th</u> General Regulations & Wrap-up</p> <p>If you missed this email and need another invitation, please do let me know and we'll get you one forwarded asap. Again – we'd love to see you out at these events.</p>	
<p>DEV044 2018-03-19</p>	<p>Cesar Saleh WM Fares</p>	<p>University Housing Cesar: Hi Carl; hope all is well. I am wondering if you can provide some clarity on a specific Centre Plan Item, or guide me in the right direction. The Item is pertaining to residential uses associated with University Housing under the Employment Area section (Centre Plan Document - April 2017 – Page 134)</p> <p>I know that this Designation falls under Package B; are there any updated policy guidelines than what was released in April of 2017?</p> <p>I am interested in understanding the definition of <u>residential uses associated with university housing</u>. Is there such a definition at this point?</p> <p>Institutional Employment Areas (PAGE 134 APRIL 2017 release) Residential Uses h) Residential uses associated with institutional uses , such as university housing, and long-term care facilities, shall be permitted. Supports Objective E1, E2</p>	
<p>DEV045 2018-03-20</p>	<p>Aaron Murnaghan</p>	<p>Potential Higher Order Residential - Property for inclusion Aaron: Hi Carl and Kasia, I received a call from Matt Neville at EDM who is representing the owners of 1256 Barrington Street. This is a large property on the NW corner of Barrington and Harvey Streets which is bisected by the Centre Plan/DT Halifax Plan boundary.</p> <p>During the early stages of developing the Old South Suburb HCD, our team had intended to include the entire property within the HCD boundary and to amend the DT Plan area boundary to conform to the new HCD boundary in order to provide additional development rights to the property owner. Since this will not be legally possible,</p>	

		<p>they are wondering if there may be a possibility of extending HOR designation to the back half of the property which would complement the proposed development rights attainable under the HCD Plan.</p> <p>From a heritage perspective I see no issue with this change as the property does not currently contain a heritage building, and the HOR designation may allow for a more rational transition to the neighbouring townhouse development on Harvey Street.</p> <p>As a heads up, the consultant will likely be coming to the storefront either tomorrow (Wednesday) or Thursday to discuss this and other matters affecting this property owner.</p>	
DEV047 2018-03-27	<p>Nathan Rogers</p> <p>Dalhousie University</p>	<p>Hello planners: I attended the Open House session yesterday at the Dalhousie Student Union Building.</p> <p>While Package A has little or no relevance to Dalhousie University lands, I did have a meaningful discussion with staff who informed me that Package B will include minimum parking provisions specific to Dalhousie. The suggestion was that parking requirements would be tied to number of classrooms on the campus. The Centre Plan is promoting “minimum motor vehicle parking requirements are significantly reduced” (Big Changes Centre Plan under Business/Economic Development_page 4 of 5). The Centre Plan team has not had a detailed discussion with me regarding parking at the university. I am keen to know how the plan will achieve a significant reduction in vehicle parking requirements as stated.</p> <p>In practice, our current parking requirement of 1,730 parking spaces is not working. I remain hopeful that the Centre Plan can make this situation more realistic – and follow through on the promise of a significant reduction in motor vehicle parking requirements.</p>	
DEV048 2018-04-02	<p>Shaman Ferraro</p>	<p>Green Roofs</p> <p>Shaman: To follow up our conversation, I would recommend examining the Toronto Green Roof Bylaw and also their Eco-Roof Incentive Program. The Eco-Roof incentive Program is a great alternative to developers whom would rather opt-out of installing a green roof. It provides a mechanism to pay-for-exemption rather than leaving it up to the discretion of City Council to provide an exemption. Revenues from the Eco-Roof Incentive program are made available as a partial rebate to those whom are not required to install a green roof but would like to.</p> <p>More so, to continue our discussion I would highly recommend Halifax examine implementing minimum design requirements for green roofs to ensure they are being designed to succeed. Some key considerations are:</p> <ol style="list-style-type: none"> 1. Minimum growing media depth of 4" (Again, we've found this to be ideal in Atlantic Canada. Media that is shallower than this should be required to have automated irrigation installed. Otherwise, it is likely to dry out and fail if not being properly maintained) 2. Established vegetation with a minimum 2" root system upon installation 	

		<p>3. On-going maintenance contract for a minimum 2-year establishment period after installation</p> <p>With regards to best practices, items I always share with designers are:</p> <ol style="list-style-type: none"> 1. Access to water source (hose-bib) every 100 linear feet. - Multiple connections are important for large roofs and prevent maintenance providers from having to drag hoses across vegetation, which could damage the plants. 2. Non-vegetated zones around the building parapet, penetrations, drains and walk-ways between access points and/or mechanical equipment. 3. Do not install exhaust vents that blow onto the vegetation. Hot or cold, it will dry out of the plants causing plant loss. Air-intake equipment inside the green roof area is acceptable and encouraged 4. Do not install green roofs underneath overhangs or in areas that cannot be irrigated by rain. <p>Some additional points that I think would produce the best system results are:</p> <ol style="list-style-type: none"> 1. Vegetation must be pre-grown in Atlantic Canada - This both helps our local economy as well as provides green roof plants already established to our regional climate. 2. Green roof system must be a modular system - This is a major item of preference based on experience. Built-up systems are good if properly done but modular systems remove a lot of risks from human error during the installations. 3. Green roof installer must be trained and certified by the system manufacturer - This should be required to prevent inexperienced installers from doing poor jobs. Training is a 1-time charge and only \$350 for a group of 1-10 people <p>Lastly, I would reiterate that the option of selecting either green roof or Solar PV should be removed. Green roofs provide a direct benefit to building owners but also a significant community benefit. From a dollar & cents discussion, solar is much easier to quantify as green roof benefits include several variables that are often hard to determine (such as reduced stormwater fees, energy savings, improved structural protection, urban beautification & improved tourism and if accessible - reduced employee turnover, reduced sick days). In terms of having "sustainable" goals, they are comparable. But they target significantly different objectives with relation to sustainability.</p> <p>Please feel free to call me anytime. As I mentioned, I am very eager to work with you and help any way possible in making sure green roofs in Atlantic Canada are designed for success!</p> <p>If it is of interest to the planning committee, I'd be happy to schedule a time to present green roofs to the HRM team and continue this discussion in more detail.</p>	
DEV049-2018-04-03	Kasia Tota	Workshop #1 - Built Form Feedback.	Attachment 11

		<p>Kasia: Hi – just forwarding this to everyone as it relates to our next workshop. I asked Mark to compile the notes from all 3 Workshop #1 tables, and Kyle developed an initial list of potential revisions to built form requirements. Depending on how comfortable we are with these we could share those at the next workshop. Definitely should do a brief “report back” of the previous session, but the proposed changes should be discussed by the whole team. We’ll need some time this week to nail down the workshop.</p> <p>Mark: In follow-up to Kyle’s last e-mail, Attached is a chart the captures the feedback we received from Workshop #1 (Combined from all 3 note takers).</p> <p>The notes are broken into Centre, Corridor and Higher Order. They are in no particular order after that.</p> <p>The comments captured in the table focus on the built form issues raised at the workshop, with a focus on trying to remove duplication within each section. You may find duplication from section to section if the same comment was received for each.</p> <p>This will help us determine the response to the built form comments we heard.</p>	
<p>DEV050 2018-04-03</p>	<p>Norman Nahas Nanco Developments</p>	<p>Oxford Theatre Norman: As discussed, can you please provide me the person that would deal with the Oxford Theatre, along with potential amendments to the CP, while taking into consideration the benefits of maintaining a Performing Arts Centre.</p>	
<p>DEV051 2018-04-03</p> <p>DEV052 2018-04-03</p>	<p>Janice Kehoe, Executive Assistant to Kim Day</p> <p>Steele Auto Group</p>	<p>Steele Auto - Centre Plan Follow-Up Meeting</p> <p>Janice: That is perfect Carl and we are happy to accommodate here at our office which is (8 Basinview Drive, Dartmouth, NS B3G 1G4) We are just past the Dartmouth Yacht club going towards Bedford.</p> <p>If there are others from your office to be included in this meeting can you provide me with their names and address’ and I will send an invite out with the meeting details.</p> <p>Carl: Hi Janice, We could do 11am on April 20th. If this is okay, please let us know where we can meet you. We can certainly accommodate a meeting at our HRM offices, but would be happy to come to you if that’s easier.</p> <p>Janice: Hi Carl, I have checked some times that would work for Kim and her team she wants in attendance and our first availability that week is April 20th and as it stands right now we can do anytime 10am – 4pm that day.</p> <p>Let me know if there is an hour during that time frame that will work for you? I have a hold on that time in order to provide you time to clarify with others on your team.</p>	

		<p>Kim: Good afternoon Carl, Thank you for reaching out in a such a timely manner. I have asked Janice, my executive assistant, to circulate some dates and times for a meeting. I look forward to further discussing the issues that serve all of our interests.</p> <p>Carl: Good Morning Kim, Great to meet you last Thursday evening to talk about the draft Centre Plan. As we discussed, it's important for us to hear from business and land owners like yourself to learn about the nuances of your business, problems you may have experienced in the past in dealing with our existing regulation, as well as any concerns you may have with our draft documents. We would like to set up a time with you to discuss your properties, and how the draft plan considers their future use and potential redevelopment. If you're able to provide a list of addresses, we can come prepared with some of the specifics as to how the draft policies impact them. Further, notwithstanding the Kempt Road industrial area policies won't be coming out until our 'Package B' policies are released, we can provide some more thoughts on what policies we are considering for areas like these.</p> <p>We're looking at the week of April 16th as a window of time that may work well for a meeting. Please let us know if you have some availability in this window, and we can set something up as soon as possible. Looking forward to speaking with you further.</p>	
<p>DEV053 2018-04-04</p> <p>DEV054 2018-04-04</p> <p>DEV062- 2018-04-11</p> <p>DEV063 2018-04-12</p> <p>DEV075 2018-04-30</p>	<p>Kirk Mawhinney</p> <p>REICHMANN INTERNATIO NAL</p>	<p>Saint Andrew's Church - Meeting Follow-Up</p> <p>Carl: Hi Kirk, I've clarified that yes in fact the southern property line of your site would in fact be considered a rear property line and as such subject to a 6m setback as per our draft transition policies. Further to our conversation on Friday, if you've not yet had a chance to look at our Design Manual document, please do have a look. It can be found on our Centre Plan website here. Information on 'Variations' to the standards in the by-law can be found in Section 05 of the document.</p> <p>Kirk: Carl, Thanks for the answers provided. I think we would still like to have the call with you to go over a few specifics. Lets have a call at 2:30pm ADT – we will call you at this time if that is okay. What is the bets number to reach you?</p> <p>Carl: Hi Kirk, Please see answers to your questions below. Please note that these answers reflect the numbers in the Draft policies and by-laws which are of course subject to change before they move forward to Council for their consideration.</p> <ul style="list-style-type: none"> - GFAR – specific to the Church property is 3.5 - Setbacks as it relates to the Church property are as follows: <ul style="list-style-type: none"> o 3 metre side yards against the property line to the south adjacent to the small scale detached houses o 2.5 – 3.5 metre setbacks above a height of 11 metres (depending on the overall height of your building) o 1.5 metre setbacks along Edward, Coburg, and Robie 	

- Permitted density and setbacks etc on 1380 Robie, whether sperate or part of the Church property have not yet been determined and would not be released until Package B given their status as 'Established Residential'
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- Public Consultation timeline for Centre Plan – Package A
 - o We will be engaging the public on the contents of Package A until May 4th. At that time, we will be reviewing the feedback we have received over the past weeks, and using that feedback to inform changes to the draft plan before providing updated documents to our Committee and the public at-large

If you'd still like to arrange a call to discuss, I'd be happy to do that. Tomorrow afternoon after 2:30 is open in my schedule at the moment.

Kirk: Carl, Thank you again for meeting with us at the end of March. We have been working on a few changes to the plans based on the comments received in our meeting and also the meeting we had with the Councillor . We would like to clarify a couple of thing with you and it would be easier to set up a call to discuss. Can you let us know a good time for you over the next couple od days? The key items for review are:

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Carl: Good Morning, Following up from our meeting last Thursday, we mentioned that we would confirm the use the Dorm-style residence would be classified as within the Draft Centre Plan. In looking at this more closely, and conferring with the subject matter experts, we've determined the residence area would be classified as a 'Rooming House' use. This use is allowed within the Corridor zone as its currently proposed, and would require a total of 1 parking stalls regardless of the number of beds or rooms within it. As discussed, this is likely less parking than what you anticipated we would require. With this said, I would qualify the policy as being in its draft form, and subject to change based on the feedback we receive over the course of our engagement efforts.

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DEV055 2018-04-06	John Stappas Sykea Salon Spa	<p>64 Russell Street</p> <p>John: Hello Carl, My name is John Stappas and we spoke last week regarding 230 232 and 234 Victoria Rd. In Dartmouth. I hope you remember me I was with my brother Nick and You guys were very helpful in answering our questions and had mentioned at that point that I could add 64 Russell Street onto the footprint of the property that I own on 230 232 and 234 Victoria Rd. If you could send me the specifics on what you would need on my end I would like to get that done. Thanks in advance.</p>																
DEV056 2018-04-06	Scott Low	<p>CSR Referencing Centre Plan</p> <p>Scott: Gentlemen, I had a walk-in architect inquiry today, April 6, specifically asking about Centre Plan.</p> <p>The potential applicant knows about CP and that it is not yet law, but they intend to sequentially develop multi on the site to CP specs which is on Portland St. in the Package A COR Zone.</p> <p>Except for one property. So the CSR ask was for an option that the COR map be changed, if possible.</p> <p>The civics, PIDs, and Dartmouth zoning up for redevelopment are:</p> <table border="0"> <tr> <td>358 Portland St</td> <td>40345001</td> <td>C-2</td> </tr> <tr> <td>360 "</td> <td>00221614</td> <td>C-2</td> </tr> <tr> <td>362 "</td> <td>40356081</td> <td>C-2</td> </tr> <tr> <td>364 "</td> <td>00221622</td> <td>C-2</td> </tr> <tr> <td>N/A</td> <td>00221952</td> <td>R-2</td> </tr> </table> <p>The latter is the property with no frontage and for which they are inquiring as to COR Zone potential. They are also looking into consolidation and a DA as alternatives given CPs status and this outlier property. They are preparing to make a pre-CP application if necessary, so I thought it prudent to flip this to you.</p>	358 Portland St	40345001	C-2	360 "	00221614	C-2	362 "	40356081	C-2	364 "	00221622	C-2	N/A	00221952	R-2	
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DEV057 2018-04-07	Ross Cantwell HRM	<p>Centre Plan Input from Ross Cantwell</p> <p>Ross: Here is some unsolicited input (well OK, the below below solicited it). I am quite concerned about the potential delays and costs associated with an expanded design review for the Centre Plan - as well as several other issues. I think you really have to re-think some of these provisions. Anything that slows down permit approvals downtown adds costs (and therefore increases prices) for anything that is built, and creates the potential to shift demand to the suburbs.</p>	
DEV058 2018-04-07	Apartments	<p>For context, you have to realize that many of the larger developers are really contractors. they have in house project managers, designers, engineers, site supervisors. Once you are set up like this you always have to have a building under construction otherwise you have to lay off staff, or eat their payroll costs. If these developers don't have a next project ready to go in the urban core, they will look elsewhere.</p> <p>You also have to recognize that, rightly or wrongly, that HRM has approved thousands and thousands of new units (singles, towns, mults) in suburban masterplanned communities such as Bedford West, Russell Lake, etc etc. As such, if it gets too hard, too slow, or too expensive in the Urban Core, developers have options (Southwest can built hotels in Dartmouth Crossing, etc). Tony Metlege (little Tony :-) built Gardenstone Place in the Hydrostone, and another down the street at Almon and Isleville. I spoke to him during some of the Cogswell Interchange work and he went on about the additional cost of building downtown (no laydown space, extra delivery charges, sidewalk closure permit fees, etc etc). He is now constructing multiple large apartment buildings in Bedford South/West (Luxor 2,3 etc) as there is a good market for these (downsizing couples selling modest homes, putting the sales proceeds in the bank, and renting, and he can build twice as many the suburbs as he can in the urban core.</p> <p>So, downtown has competition. Yes, downtown is more desirable for certain demographic co-horts, but if it gets too hard, things will go elsewhere. My concern with design review is that it's just one more thing that will disfavor downtown. There is no design review in Bedford West. Isn't the intent of form based code that you put together logical rules that everyone can follow and then and then just get out the way and let the developers team do there thing? I understand the need if you have an old and outdated plan, but with new plans based on new community input, adding a complicated version of this process to the Centre Plan is going in the wrong direction.</p> <p>Here are some bullet points on my thoughts on an approach moving forward.</p> <ol style="list-style-type: none"> 1. Hire a City Architect and Reduce the Reliance on Design Review. Planners have an appreciation for design, but they dont know how to build things. Having a planner supervise design detail changes is like me taking a course in antomy and then me telling my surgeon how to do the operation. The old City of Halifax used to have a city architect and i think most if not all large modern cities do as well. With an architect or two on staff, many of the small and inevitable design variances can be approved at the desk. this will speed things up, and reduce the number of decisions that can be appealed to council (who 	

make decisions politically, and not always based on logic). Set a minimum size for design review. XXX,XXX Gross SF and up.

2. **Make a Better Link Between Density Bonusing and Local Amenities.** The TEAL study laid this out. I have been to enough Centre Plan meetings to get the feeling that residents are not happy with all the proposed density. Armco gets 5 extra floors and the adjacent residents get a lump of coal. Ok, some affordable housing for 15 years is good, and a better sidewalk (which should be required anyway) is nice, but Re-read Toderians section on public benefit plans in the TEAL study - this was brilliant. Host a meeting and ask the community what they would want (for the non affordable housing portion) of the density bonus. Downtown might want heritage preservation and public art, Spring Garden might focus on the Public Gardens, around the Commons might want hockey rinks, rollerblade trails, etc etc). At that point, you now have something that the public wants that you can bargain with a developer (e.g., if we give 5 extra floors you will get 50% of the funding for a hockey rink, etc). This will get the public on your side. Currently, the developers get extra density and the public gets ??? (not very clear or a strong message). I think the staff discussion on the Willow Tree project was heading in the right direction, but a bit ahead of its time (no Centre Plan).
3. **FAR is absolutely the right way to go, but be careful with the height provisions.** FAR simplifies so many things, once you understand it. the problem is that many people don't understand it, and its going to take some time to figure it out. I think it was a missed opportunity during the consultation phase to not have workshop participants play with lego blocks (review the Bloomfield School study that Brian MacKay Lyons did in 2008? there are pictures of what residents did with lego blocks - fascinating). the process of placing the blocks helps all involved understand intuitively how FAR works. My point is, the current heights you are showing are a comfort blanket for planners and the public (and maybe even developers) but they should not limit the placement of lego blocks on a site (i.e., if the site is 10,000 SF and the FAR is 2.25, you need to know you can get 22,500 SF of building on that property - that is how you help stabilize the land valuation market). Right now, I have seen scenarios where due to setbacks and height, you can only get say 21,000 SF on the site. The lack of architects on staff is apparent in some of the draft setbacks and stepbacks in the LUB, but once you get those right, the height limitation should be pushed up only to stop *extreme height*. the reality is that extreme height will only be an issue on larger lots, as there aren't enough lego blocks to go that high on small properties, and floor plates need to be large enough (within reason) to be efficient (i.e., you would never propose a 1,000 SF footprint and go 20 floors).
4. **Phase In the Bonus Density Provisions.** By not updating key secondary plans and LUB's for 20 or 30 years, HRM has unknowingly introduced instability into the land market. "not happy with the allowed density or height? no problem, just apply for Schedule Q and apply for a DA". This has been the game in the North End for years. Many Developers think that this is now their job (to find ways to exploit the system). Over time, land owners and brokers got wise to this, and started increasing the price of land. "I know it only allows 5 floors, but your going to ask for 8 floor and I want some of that). The new owner at College and Robie paid an obscene amount of money to the Shannon's for an old 24 unit apartment building. Now he needs an obscene amount of density to pay for this. You are going to have to let developers know that the bonus density charges are coming, but phase it in, so that recent purchases (which might have overpaid) can work their way through the system.

5. **Dont Be Too Prescriptive with the Housing Mix.** Markets are dynamic and change. Developers have to react to change. Think of all the wasted staff time dealing with Clayton/Cresco's requests to alter single family housing lot frontages. 50 feet was hot until the market wanted 40 feet, and then 32 feet. Do you really care? you set the overall density for the community Residential and commercial) and and once that's gone its gone. Yes, the multi's should be spread around, but a good land developer won't mess up their own community. Likewise, specifying the ratio of one bedrooms to two bedrooms, the size of each unit, how many three bedrooms, etc is doing nothing but driving up costs. If you force a developer to build something that is not market driven, you are adding inefficiencies to the market. Someone has to pay for that. I have walked away from development opportunities because the LUB wanted a unit mix that was not supported by the market. Again, set some broad parameters (minimum unit size is 400 SF, etc) and then get out of the way. you are doing this with parking, which is very positive, so why not do it with unit mix?
6. **Getting Families Back on the Urban Core.** In the same light, regulating 3 bedroom units is not a prescription to get families to move back to the urban core. I dont have many 3 bedrooms, but the one's I have are filled with students. Back to point 5, the site I walked away from was developed by a builder who put a 12 unit addition on a large house on Tower Road. All units are 3 bedrooms. I asked him what he was going to rent them for and he said "\$600 per room". I am sure that he rents a 3 bedroom for \$1800 (not rooms) but it went to the heart of the issue - he sees these three bedrooms as student dorms, not family housing. If you want more family housing, build and fund day care through the urban core, create more pocket parks, enable granny suites and tiny houses on rear lots/lanes to make single housing more affordable. In other words, Put the infrastructure in place for families, keep prices reasonable, and they will come.
7. **HRM Planning Staff Need a Better Awareness of How Developers Make Money.** the economics of real estate development are not rocket science. there are plenty of on-line courses that can be used (UnivBC Sauder School of Business offers on-line courses for real estate appraisers). HRM should have someone develop a half day course to understand a basic construction cost estimate (you would be shocked how many people have absolutely no idea what things cost - a reporter last week though you could build an apartment for \$25,000!). a basic pro forma income statement would help you understand what Armco's building (or anyone's) is worth once its done. OK, that was not a pitch for consulting work, and I wouldn't have time to do it anyway. You have people on staff who get this (John MacPherson and Peter Stickings in Real estate) but they rarely see planning files. There is a consulting firm in Vancouver that does this for the City - they were part of the TEAL study as well, and could likely do this for you. FYI, the majority of all planners need this, as the Dal Planning program is very deficient in its use of financial data (they have 1 optional real estate course offered every other year). Everyone (councillors included) should understand the basics of how this works, as it will help with negotiations and decisions.
8. **Re-Visit the Plan for Affordable Housing.** this is coming up at each meeting. Why just 15 years? what happens in year 16? I think its a big mistake riding the coattails of Housing NS. they do not have the model to be following. The keys to more affordable housing include:
 1. **Keep the supply of new housing going.** more supply with static demand means prices will slide down demand curve. constricted supply with increasing demand means a shift up in price.

2. **Time delays can kill projects and add to costs.** The Housing Trust budget for our 115 unit project on Gottingen Street (in design now) was \$150,000 in 2009 when we bought the property. Our current budget is thin at \$200,000 per unit. Who pays for the increases? tenants. I would bet that for most major projects struggling through the planning and review process downtown, that most would need at least 1 or 2 more floors just to cover the cost of time delays in getting approvals. Make the approval process very fast and developers don't need as much density.
3. **Waiving building permits is a great first step, but the Halifax Water fees are a killer.** At 2183 Gottingen, the waiving of fees is worth \$130,000, but we will still cut a cheque to HRM for about \$300,000 to cover sewer and water charges. Ouch
4. **Halifax water sewer and water charges are skewed to favor larger apartments.** \$2,740 per unit regardless of size. So a 400 SF studio, or 600 SF one bedroom pays the same fee as a 2 , 3 or 4 bedroom apartment. Which one uses more water? this is wrong, and needs to be fixed (UARB has to amend the Halifax Water Act). Demographics dictate that we are going to see smaller and smaller average households. Demand for modest priced one bedrooms is incredible so why do these residents have to subsidize more affluent renters/owners in larger units. My 400 SF rental studios on Gottingen (\$875-\$950 a month) pay the same fee as \$800,000 3 bedroom condos at the Pavillon/CBC site. This is wrong.
5. **HRM Housing.** I applaud Councillor Mason's interest in having HRM take on Housing NS's apartment stock, but be careful what you wish for. There is decades of deferred maintenance that will cost a fortune. Perhaps start with a housing department that works with developers and nonprofits to help them create affordable housing. No one at HRM offers to help the Housing Trust of NS. we are asked to pay \$40,000 a year in property taxes for two parking lots that generate less than \$20,000 a year in parking fees. we are going backwards (which you can do for a while), but no one is proactive on this file. I know there are many others in a similar position (Harbour City Homes, etc).
6. **Get the Housing and Homelessness Coalition to do something constructive; enough with the studies.** they have started to look at the nonprofit section, but its been dysfunctional for quite some time, and therefore cant do much to help in the production of affordable housing. they need to facilities some consolidation, or services sharing. capacity building also a big challenge.
7. **Re: funding affordable housing using Bonus Density proceeds.** the approach of just targeting projects with a GFAR over 3.5 is too narrow. its easy to get a little bit from everyone than it is to target a few big projects. 15 years of affordability is not a good model; if you want short term affordability, work with Housing NS to get more rent supplements and then target the 1,500 vacant units that are available today (50,000 apartments times 3% vacancy means we have 1,500 units in HRM that are vacant as you read this email). I think you should get a bit of cash from every unit built and then put it into an affordable housing fund. when the fund gets to a certain level, issue an RFP and ask for proposals from the private sector, nonprofit sector, etc. buy the projects that make the most sense. I don't buy the argument being used at the public meetings (better to get more units for 15 years, than fewer units forever). Remember, there is money available right now from Housing NS and CMHC that is not being funded, as the matching funds

		<p>are not available. Any funds HRM puts into an affordable housing project are likely going to lever more provincial and federal funds that are out there. Did you know that Housing NS typically has a hard time spending their allocation of funding. You dont save \$400,000 to buy a house, you save \$20K or \$40K and get a loan for the rest. its the same with affordable housing, use your funds to lever other funds and get a bigger pool of AH that is affordable in perpetuity. Perhaps we do need inclusionary zoning (cant believe I'm saying that, but the lack of housing production is shocking).</p> <p>The private sector development community in our city is an amazing resource. these people are smart, motivated and very efficient. There is a lot of competition and they will beat each other up to keep housing prices down if you set the right conditions. Everything that you put in the LUB and approvals process for the Centre Plan needs to be reviewing in that light. Does this add time delays? Does this add unnecessary cost? Its great to say that you are going to collect bonus density monies to build public benefits, but where is the <i>quid pro quo</i> (i.e., you need to make it very easy and quick to get building permits)? To me, the use of bonus density payments is doable BUT ONLY IF you can streamline the planning and permitting process so that things move very quickly (think of all the staff time you will have for other staff reports). HOWEVER, if the implementation of the Centre Plan is cumbersome, slow, and expensive, developers wont be able to also make these payments - the math just won't work. Instead, they will relocate their financial resources and go elsewhere, which I don't think is the way to build a great city.</p> <p>to quote Jennifer Keesmaat "Make doing the right thing easy".</p>	
DEV059 2018-04-09	Joshua Szulewicz	<p>7171 Chebucto Rd</p> <p>Josh: Hi Jacob, We would love the opportunity to sit and chat about exactly what we envision for the site. At this moment my brother, myself, and Jeff are unsure of our travel schedule after Friday (April 13th) as each of us will be in and out of town over the next month. That does leave a few options open. We can arrange a conversation via telephone, arrange for Kassner Goodspeed to represent us, or if it is not pressing, arrange to meet once we know we will all be back with our feet on the ground in Halifax. I do believe this is a prime site and would be disappointed to not have it addressed through the center plan.</p> <p>Jacob: Josh, I appreciate the email, I've gone back to my notes and rechecked the Centre Plan material from March 2017. While that site may have been mentioned as a holding, my record of our conversations focus on Bayers Road properties and properties in the South End (South Street, South Park Street, etc.).</p> <p>Your property at 7171 Chebucto, and other properties located in the proposed CDD zone, have opportunity that is focused on comprehensive redevelopment into the future rather than immediate change. That said, the entire purpose of releasing draft documents and embarking on the engagement we are doing right now is to make sure we get the details correct before proceeding to Council with a final package. We are happy to sit with you to discuss the Chebucto Road site in detail, how we feel it fits with the CDD zone around Mumford, and understand your opportunity for redevelopment there.</p>	

		<p>Let us know if you would like to setup a time during the week of April 16th, our team is quite tied up with Open Houses, Council Committees and Workshops this week and next. I do apologize for the delay.</p> <p>Josh: Hi Carl, I am currently working along with my uncle Jeff Webber and our architect, Kassner Goodspeed, on developing a plan for a multi-use (retail, office, residential) building at Jeffs site at 7171 Chebucto Rd. This is a site we previously discussed in our meetings with Miles Agar and Jacob Ritchie. Our Architect has notified us that under the proposed centre plan this site will NOT be recognized as an "easily" developable site and classified as CDD. We believe the best zoning approach for this site would be Higher Order Residential. Our vision for the site includes a multi-story mixed-use building. If you could please provide us some feedback on this, it would be greatly appreciated.</p>	
<p>DEV060 2018-04-09</p>	<p>Eric Burchill Southwest Properties Limited</p>	<p>Centre Plan Package A Development Industry Workshops #2 & #3</p> <p>Jacob: Eric, Thanks for that, I understand what you are asking for here. We can rearrange some resources to get summary comments to the group at an earlier juncture.</p> <p>This week we will not have those typed comments for distribution, but our presentation (specifically on GFAR) does cover some high level response to the comments we got at the first workshop. By next Friday (April 20th) we will provide typed comments from the first workshop for review by those present. Following this week's workshop we will distribute typed comments by April 24th and following the April 26th workshop we will provided typed comments by May 8th. This will provide an opportunity for participants to see the collected comments, they will not be assigned to individuals as the comments were collected at round tables.</p> <p>Our goal is still to create a consolidated document covering all workshop feedback at the conclusion of engagement when we have the resources available to put everything together in a single document, but I appreciate the input to add this step.</p> <p>Eric: Hi Jacob- Welcome back. My question was pertaining to workshop participants (or those invited but unable to attend).</p> <p>It is important for staff to confirm what feedback has been recorded- so that participants can ensure that their comments have been recorded and recorded as they intended. It would also allow those who have not been able to attend to review to see if their perspectives have/or have not been already referenced by other participants.</p> <p>This is particularly important where previous industry consultations during the Center Plan process did not include clear mechanisms for such capture of feedback.</p> <p>Ideally the information gathered at the first sessions should be distributed to the participants prior to the next to ensure that participants maintain confidence in the process and continue to provide the feedback you are seeking.</p>	

		<p>Jacob: Eric, The month of May will be very busy collating and drafting edits to the work based to the feedback we've received through the review period. With the last workshop session scheduled for April 26th I think it is most realistic that all of our efforts for coordinating responses (including the report referenced below) will be directed toward materials being ready for the CDAC meeting at the end of May.</p> <p>The feedback report referenced is targeted to go directly to workshop participants, but considering the same staff are doing both the CDAC prep and this report it is likely they will be ready around the same time.</p> <p>All that to say, we will target the week of May 21st. We will confirm this timeline at the workshop on April 26th.</p> <p>Eric: Good Day All: Can you advise re: the anticipated timing to receive the feedback summary you reference.</p>	
<p>DEV061 2018-04-10</p>	<p>Rob & Jane Merchant</p>	<p>6085 & 6087 Coburg Road Halifax, request for Higher-order residential zone</p> <p>Kyle: Dear Rob, Many thanks for the follow-up — not sure if you have received a reply from anybody else, but I wanted to acknowledge your message and confirm that your redesignation request is in our system, and has been for some time. For completeness, I have also entered your email into our online feedback system.</p> <p>Regarding Development Agreements, it's a complex topic and yes, the introduction of new planning documents will inevitably create non-conformities, despite our efforts to minimize these. I do expect we will see DAs being discharged as a result of Centre Plan's increased permissiveness in certain zones; from an administrative perspective, this is desirable due to the bureaucratic overhead that DAs can create. To me, the main difference between the recent Coburg/Seymour DA and other buildings with DAs (that have been in existence for many years) is that Coburg/Seymour just happens to be under development at the time a new plan is being considered. Without any kind of transitional moratorium in place, this sort of situation is not unexpected. Nevertheless, I do understand your concerns, and I have made sure they are recorded.</p> <p>Robert: <i>Hello again Kyle and Paul, Thank you for chatting with me on Tuesday March 20th regarding the proposed Centre Plan and LUB as it impacts our property at 6085 Coburg Road (and also my neighbours at 6087).</i></p> <p><i>As I related to you, in our diligent following of the Centre Plan process, we had been assured on a number of occasions that our property would be included in the high density residential designation and zone. As I understand it from our discussion on March 20th you explained that our property was not specifically intended to be excluded from the high density residential designation in the most recent release of Package A (and the exclusion was likely an unfortunate oversight). Based on our discussion, and recent communications between my consultant (Bill Campbell) and Elora Wilkinson, it is my understanding that we have now been reassured that in the next iteration of the Plan our property will be assigned the HR-2 designation and zone. Your, and the Centre Plan team's attention to this, is very much appreciated.</i></p>	

		<p><i>Additionally we discussed how existing development agreements in the Centre Plan area may be handled after a new plan is approved. Essentially you advised me that any current properties under development which have DA's can, if they choose to do so, discharge their DA's after construction is completed. And further by doing so, even if that building may not meet requirements for setbacks, ground-floor height, lot coverage, etc under the new Centre Plan zoning, their building immediately becomes a "non-conforming" structure. However they then may take advantage of the new and less restrictive commercial zoning under the new Centre Plan. And, this is the case, even if the approved DA had restrictions on use. This seems to me, and you agreed, to be "having your cake and being able to eat it too", and have unintended consequences. We may wish to discuss this latter situation again with your team in the future.</i></p>	
DEV064 2018-04-18	<p>Shelley Dickey, Planner Shelley Dickey Land Use Planning</p>	<p>Draft Centre plan and LakeCity Works- Windmill Road- Dartmouth</p> <p>Shelley: Hi Kyle, Attached please find a submission from Liam O'Rourke, Executive Director of LakeCity Works - Windmill Road, Dartmouth as a response to the 2018 draft of the Centre Plan- package "A".</p> <p>Thank you in advance for your consideration of the implications of the draft Centre plan for this important and long-standing Dartmouth organization.</p>	Attachment 12 Letter
DEV065 2018-04-18	<p>Shelley Dickey, Planner Shelley Dickey Land Use Planning</p>	<p>Draft Centre Plan and Auto Service in Corridors</p> <p>Shelley: Hi Kyle, Attached please find a submission on behalf of Chad Kennedy requesting that vehicle service uses be permitted in Corridor designations and providing justification for this request.</p> <p>Thank you in advance for your consideration of the implications of the draft Centre Plan related to the continuation and growth of vehicle service uses in various neighbourhoods throughout HRM.</p>	Attachment 13 Letter
DEV066 2018-04-18	<p>Jenifer Tsang, Sunrose Land Use Consulting</p>	<p>5578 and 5588 Morris Street</p> <p>Jennifer: Hello Center Plan Planners, I am representing Jim Taylor, the owner of the property located at XXXX in Halifax. The property is a 4.5 storey semi-detached building that is currently zoned R2A i the Halifax LUB.</p> <p>We met with Paul Morgan and Luc Ouelet at the downtown Centerplan office on April 6, 2018. From that meeting, we understand that Package A includes a proposed new zone HR2. We believe that this zone would be appropriate for the Morris Street properties.</p> <p>The reason for this is because the Morris Street properties currently contain an 11 room boarding house and 2 apartment units in each half of the semi-detached building. This is a total of 22 rooms and 4 apartment units being rented out. The building is quite old and has been used for this use for many years. It appears to be a non-conforming use since the R2A zone does not list boarding homes as a permitted use.</p>	

		<p>The neighbours to the property have approached Jim Taylor and asked him to “please” redevelop the property. The surrounding land uses are residential flats, Atlantic News, and the old Tower Road school. One of the residential neighbours were broken into and the owner thinks it may be due to the activities that take place on my Client’s property. There have been numerous complaints against the property and the police are there almost every week due to disorderly activity on the site.</p> <p>Jim Taylor is willing to redevelop the property but needs to have a zone that allows redevelopment potential that is financially viable and does not reduce the number of rental units/rooms.</p> <p>We are hereby requesting that the property located at 5578 and 5588 Morris Street be included in Package A of the Centre Plan and to be considered for HR2 zoning.</p>	
DEV067 2018-04-19	<p><i>Shelley Dickey, Planner</i> Shelley Dickey Land Use Planning</p>	<p>Centre Plan submission- First Baptist Church - Woodland Avenue and Lancaster Drive, Dartmouth Shelley: Hi Kyle, Attached please find a submission from the Trustees of First Baptist Church, Dartmouth as a response to the 2018 draft of Centre Plan- package “A”.</p> <p>Thank you in advance for your consideration of the implications of the draft Centre plan for this long-standing Dartmouth institution as they plan for their move from the historic location on Ochterloney Street to their new home.</p> <p>As requested, I have also attached the submission previously made to the Centre Plan team for this property in response to the 2016 draft of Centre Plan.</p>	Attachment 14A and 14B Letter
DEV068 2018-04-20	Stanley Bauld	<p>Kyle: Dear Stanley, Thank you for stopping by the Centre Plan Storefront yesterday.</p> <p>For the Cousins’ and Bright Pl. projects, I will follow up shortly with two emails connecting you to the planners on those cases — they are the best people to provide you with the latest updates on each project, including renderings.</p> <p>Projects underway today are happening under the current rules, not Centre Plan. Centre Plan has no legal effect until adopted by Council, for which the timeline is still TBD.</p> <p>Regarding 5711–5771 Duffus St.: A preliminary draft of the Centre Plan, which came out a year ago, showed the entire block along Duffus St. as orange “Higher-Order Residential”. Here is a screenshot (sorry there are no street labels):</p>	



At the time, we received feedback that the first three properties were privately owned and should be zoned “Established Residential” — which is why the map was revised as follows:



However, if you would like to submit a comment that #'s 5751–5771 should **also** be switched to Established Residential (i.e., removed from the “Higher-Order Residential” zone), please let me know and I will ensure it is recorded.

Every request like this will be reviewed in due course. Unfortunately I don’t have the background information handy on why the decision was made to zone the existing houses as “HR” in the first place, but it’s entirely possible it was an error — which is why your feedback is valuable at this stage.

		<p>Stanley & Lynn Bauld: Kyle, Thank you for taking the time to talk with me about the Center Plan I am looking for more up to date information about 2 projects in my area 1. Cousin's development on the corner of Robie & Duffus streets (3545 Robie St & 5881 Duffus St) 2. Bright St development. off Lady Hammond Road (3639 Bright St) 3. also why the change in zoning for 5771 & 5751 Duffus St from Res to H.O.R What I would like to know, if available is are these projects part of Center plan ? do they have to follow Center Plan rules ? or are they outside of the Center plan because they were submitted before Center Plan started also looking to see what the final details of the buildings Who do I talk to at Planning for further details about these developments?</p>	
DEV069 2018-04-20	Edward Edelstein ecogreenhomes	<p>Edward: Carl, Jacob, Thanks for dropping by the other day on your walk around. Based on our conversation, and Andrew's suggestion, our office put this drawing together to show you what the current proposal will look like on Gottingen and Maitland Streets. We have already sent you a letter expressing our concerns.</p> <p>We did three massing diagrams to show you what your proposal would make possible here on the 2165 Gottingen site that we are currently designing, which is a 40' wide x 100 long PID connected to another similar PID towards Maitland.</p> <p>The top drawing shows what is possible now in Pen North 8 zoning. 15 nice one bedroom units for the top three floors are possible. The middle drawing show what the current Centre plan will make possible. Only 2 or three units for the top floor would be possible. The lower drawing is what we propose for this area. 15 nice one bedroom units for the top three floors are again possible.</p> <p>Keep in mind for the middle drawing that the new plan does not allow residential on the street level in these commercial zones. Therefore, the middle drawing would have very limited residential potential.</p> <p>Keep in mind as well, the building code requires two stairs which even on these small commercial lots which means a taller narrower building is difficult to build and finance. Even if one built the middle drawing up to the height limit you propose, at most it would have perhaps 6 units if one lost some main floor commercial space.</p> <p>The square footage allowed goes from the current 20,000 sq ft with 50 height to 10,000 with the GFAR of 2.5. We don't think this works.</p> <p>We would appreciate knowing whether you plan to leave your proposal " as is" or what changes you may make before the public consultation period ends so we can have time to respond.</p>	Attachment 15 Drawings
DEV070 2018-04-05	John M. Salah	<p>Gladstone and South Street Developments</p>	Attachment 16 Letter

	Quadra Engineering Limited	<p>Jacob: George, My apologies for the delay, I am following up from our phone call last week. I referenced at that time that I would respond to your original letter with a confirmation that we will still consider a change to allow more volume at Gladstone & Almon as we had discussed when we met in December of 2016.</p> <p>The process at this time is all about making sure we get the Centre Plan correct, the entire purpose of releasing draft documents and embarking on the engagement we are doing right now is to make sure we get it right before proceeding to Council with a final package.</p> <p>We will reconsider the attached letter, specifically with focus on Gladstone and moving to the higher end of the 4-6 storey height limit that was proposed in the materials that were reviewed by Council in 2017.</p> <p>Jacob: John et al, Thanks so much for the quick follow up, we appreciate the letter and will consider it while making revisions to the Centre Plan.</p> <p>John: Good morning Jacob, It was good to meet with you yesterday. Please accept the attached letter from us to get the process started allowing us to hopefully develop the Gladstone Street and South Street properties to a reasonable potential.</p>	
DEV071 2018-04-20	Jacob JeBailey, WM Fares	<p>Centre Plan Package A review</p> <p>Thanks again for taking the time to meet with Cesar and I yesterday. We felt it was a healthy and informative discussion for all parties. As requested, I have enclosed the following two PDFs for your review and records:</p> <ol style="list-style-type: none"> 1. Summarized LUB draft Notes 2. LUB draft markups and commentary <p>My commentary and markups in the second PDF reflect a kind of knee jerk reaction based on our knowledge and experience in architectural feasibility with our ongoing planning projects. I would be open and happy to discuss any specifics should you require clarity or more rationale.</p> <p>Finally, would you be so kind to forward me the email contacts of the personnel that would like to be included in a shared dropbox folder with our sketchup models?</p>	Attachment 17 and 17B
DEV072 2018-04-05	MATT NEVILLE EDM Planning Services Ltd.	<p>Centre Plan Comment - 1256 Barrington Street</p> <p>Matt: Hello Centre Plan Team, Following discussions with you, please see the attached letter summarizing the issue and request regarding the draft Centre Plan and the designation and zone proposed for the property at 1256 Barrington Street. I've included the Clerks Office here as well, so that the letter may be provided as information and input to CDAC.</p>	Attachment 18 Letter
DEV073 2018-04-24	Liam MacSween	<p>Lake Banook – Centre Plan Input</p> <p>Liam: Good Morning,</p>	Attachment 19

		Please find the attached correspondence re: Centre Plan Input. Please note that hard copies will be made available at tomorrow's meeting.	Document
DEV074 2018-04-27	Connor Wallace WSP	5880 Spring Garden Road (PID: 00125492) – Medical Arts Building Connor: Hello, WSP Canada Inc. is pleased to submit the attached letter on behalf of Killam Apartment REIT as a response to the Draft Centre Plan Package A released in February of 2018. We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff in an effort to align future planning documents with Killam's vision for the future development of their property.	Attachment 20 Letter
DEV075 2018-04		Kirk Mawhinney, Reichmann International - Re: St. Andrew's Church	Attachment 21 Letter
DEV076 2018-04-30	<i>Shelley Dickey, Planner Shelley Dickey Land Use Planning</i>	Centre Plan submission- Dynamic Properties - Halifax Shelley: Hi Kyle, Attached please find a submission from Dynamic Properties, Halifax as a response to the 2018 draft of Centre Plan Package "A" as well as comments regarding pending Package "B". Thank you in advance for your consideration of the implications of the draft Centre Plan on the significant land holdings of Dynamic Properties on Peninsula Halifax.	Attachment 22 Letter
DEV077 2018-01-05	Jacob JeBailey, WM Fares	Centre Plan, Tower Case Study Carl: Food for thought regarding Centre built form regs. Jacob JeBailey will be in touch regarding some sketch up models that relate to some studies on corridors he's completed as he references below. Jacob JeBailey: Hi Jacob/Carl, As promised, we've undergone a quick massing/yield study for 6050 Young Street according to the Draft LUB parameters. A few things to consider here: <ol style="list-style-type: none"> 1. This is a relatively 'smaller' lot compared to adjacent parcels on Young street and it's still a viable feasible project even with a 41foot interior lot line setback for the tower 2. We feel that Young Street could easily sustain a 4-storey streetwall vs 3-storey due to ROW width. 3. The calculated GFAR for this development as masses is +/-6.7 even though the permitted GFAR 8.0. This is obviously do the height parameter of 62m (20 floors). We strongly feel that GFAR should dictate the height is areas like this vs applying two parameters with the same objective. 4. As a side note, we feel that the adjacent lots including the PERCEY's parking lot should just be zoned CEN-2 for consistency of projected immediate growth. Why breakup the street fabric here at a MAJOR intersection? Makes no sense. Lets promote the redevelopment of underutilized lots like this !– especially the corner gas station. PS - we've yet to coordinate a dropblox link with our case studies.. We're still cross checking and fine-tuning our models.. You should expect something by end of week though!	Attachment 23

DEV078 2018-05-01	Blaise Morrison Armour Group	<p>Centre Plan - Dartmouth Properties</p> <p>Blaise: Thanks Carl: Yes – the primary rationale is that all of these properties adjacent to HR lands in our ownership.</p> <p>Carl: Hi Blaise, Thanks very much for this submission. I’m cc’ing our planHRM account to make sure we record these for the consideration of CDAC and Council moving forward. Given all of these properties are adjacent to existing HR lands, I think this is your primary rationale for the request, but we’ll be in touch if we have any follow up questions as we start to consider all of our feedback received over the past weeks.</p> <p>Blaise: Hi Jacob & Team: As you continue to revise and take feedback re: the Draft Centre Plan, I was hoping HRM would consider including the following three properties within the “Higher-Order Residential” Zone and Designation boundary:</p> <ul style="list-style-type: none"> • 222 Crichton Ave., Dartmouth (PID: 00100255) • 242 Crichton Ave., Dartmouth (PID: 00100495) • PARCEL GG-3 Crichton Ave., Dartmouth (PID: 00100487) <p>The Armour Group Limited currently owns the above listed parcels and has short term plans to submit a development application for new residential units at our Kings Wood and Kings Arms properties (the above listed properties are included in our plans). I believe there is adequate justification for this request as the following points briefly summarized our position:</p> <ul style="list-style-type: none"> • 222 Crichton Ave., Dartmouth (PID: 00100255) <ul style="list-style-type: none"> ○ Current Ownership: The Armour Group Limited ○ Current Use: Vacant Land ○ Frontage: Glen Manor Drive and Crichton Avenue (corner lot) ○ Adjacent Use: Low-Rise Apartments ○ Proposed Use: Low-Rise Apartments or Townhouse (6-12 units) • 242 Crichton Ave., Dartmouth (PID: 00100495) <ul style="list-style-type: none"> ○ Current Ownership: The Armour Group Limited ○ Current Use: Vacant Land ○ Frontage: Land-Locked Parcel ○ Adjacent Use: Low-Rise Apartments ○ Proposed Use: Low-Rise Apartments or Townhouse (12 units) – lot consolidation with other PIDS likely required • PARCEL GG-3 Crichton Ave., Dartmouth (PID: 00100487) <ul style="list-style-type: none"> ○ Current Ownership: The Armour Group Limited ○ Current Use: Vacant Land
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		<ul style="list-style-type: none"> ○ Frontage: Land-Locked Parcel ○ Adjacent Use: Low-Rise Apartments ○ Proposed Use: Low-Rise Apartments or Townhouse (12 units) – lot consolidation with other PIDS likely required 	
DEV079 2018-05-01	Matt Neville EDM Planning Services Ltd.	<p>Centre Plan - Wellington Street</p> <p>Matt: Hello Centre Plan Team: On behalf of a property owner on Wellington Street, please see the attached letter summarizing the issues and change request regarding the draft Centre Plan. I've included the Clerks Office here as well, so that the letter may be provided as information and input to CDAC.</p>	Attachment 24
DEV080 2018-05-01	Connor Wallace WSP	<p>One Hectare sites with multiple lots</p> <p>Connor: Hello, WSP Canada Inc. is pleased to submit the attached letter on behalf of Killam Apartment REIT as a response to the Draft Centre Plan Package A released in February of 2018. This letter is regarding variety of Killam’s land holdings within the Regional Centre.</p> <p>We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff in an effort to align future planning documents with Killam’s potential long term development plans.</p>	Attachment 25
DEV081 2018-04-01	Adam Conter Priority 1 Real Estate	<p>Please let me start by saying you are all owed a great deal of respect and thanks for the efforts you are making on this ambitious plan. There are thousands of opinions and addresses, streets and ideas and it is a tough balance to present a cohesive plan in a city that is somewhat change adverse. Thank you to all of you who are contributing daily and I do hope this becomes something great.</p> <p>I’ve done my best to review the areas which are important to me. Areas where I live, where I visit often, where I may own real estate and areas of opportunity. With this I have only 3 comments:</p> <p>1) Agricola Corridor. The centre plan is calling for corridors and I believe this work is paramount to creating not only inspired investment, design and density but allows other important parts of our city (Transit etc.) to have a clear plan of where they too can focus improvements. As such, my comment is simply this. On the East side of Agricola, where lot depths are near 100 FT you’ve increased the potential height to 14M. This would allow modest 5 storey construction over time and smart infill in an area already popular to cyclists and an area that is very walkable. On the West side of the street is being offered the same 14M heights, however the Corridor zone stops at the rear boundary of the existing properties, many are only 40FT deep. Though the 14M height is welcome for the reasons stated above, it is actually not possible, based on built form, to erect a building of any good design, nor density on a lot with such little depth. My suggestion therefore is that this Corridor Zone be extended to 100 FT in depth which may mean absorbing properties in the rear. This will allow you to actually achieve the future planned heights should people choose to build and maintain the certainty of zoning.</p>	

		<p>2) Windsor Street Corridor. This area is again, a well selected corridor acting as a major artery to the central peninsula as well as being (in the southern section) close to our hospitals and other large employers. Two quick comments 1) I think there is a typo on the plan as presented as there is a 14M height given to the corner of Chebucto and Windsor (The Needs property) while each and every property surrounding it is given 20M. It would make sense at this intersection to also get 20M. In addition the blocks South of Chebucto in this corridor should also be given 20 M. This part of windsor is complimented by larger buildings already and this will cascade towards an area where we know large towers will be (Quinpool) so this will create an appropriate matching of scale. The same argument as above regarding lot depth applies as you should “paint” the corridor colour across all properties which would give you the depth required to achieve the height.</p> <p>3) Duffus Street. This area is most personal as I am a resident of the Hydrostone. I own 5540 Duffus Street a North Facing Hydrostone where i used to live for 5 years before moving still within the area. Along the North Side of Duffus there are 6 properties which over time have fallen to some disrepair. This happens, but they abut the Lawton’s Corner (Novalea and Duffus) where the height is market at 14M. This property is deep and on a busy corner, so this height (or higher, 20M) would work well with good set backs etc) however the property marks that the 14M is also available on the land locked parcel in the “middle” of the Lawton’s parcel. This means you could end up with a 5 storey tower set back in the back yard of 2 separate residential homes... I think this would create some level of poor design / planning. It is my suggestion that 5527 and 5531 Duffus be absorbed into the 14M height zone as anyone (Lawton’s) should they develop, would be able to purchase those two properties and add good scaling to that side of the building and improve the general look of this high traffic corner.</p> <p>Finally, I wanted to make a comment on the plan and the implementation. I have been an active supporter of growth in Halifax for nearly 10 years and I have watched, sometimes painfully, as we have made these efforts to improve our city and planning. I want to say simply that no plan matters unless we provide it with a strong enough staff compliment (both in numbers of staff and in capability) to execute the plan. If we are to put this ambitious plan forward we should not only increase our staffing, but increase our Development Officers in number and give these development officers the power to make solutions. We need to empower our planning staff and support them as they do their jobs. This plan falls flat if we don’t hold it up with the strength of a strong team.</p> <p>Thank you all for your tireless efforts. I hope my comments are seen as constructive and I would welcome the chance to influence these changes</p>	
DEV082 2018-05-01	Shelley Dickey	<p>Attached please find a submission from Jocelyn Dorrington, Chairperson of the DBDLI Board as a response to the 2018 draft of Centre Plan package "A".</p> <p>Thank you in advance for your consideration of the implications of Centre Plan for the planned addition and use of 5450 Cornwallis Street by DBDLI.</p>	Attachment 26 Attachment 27

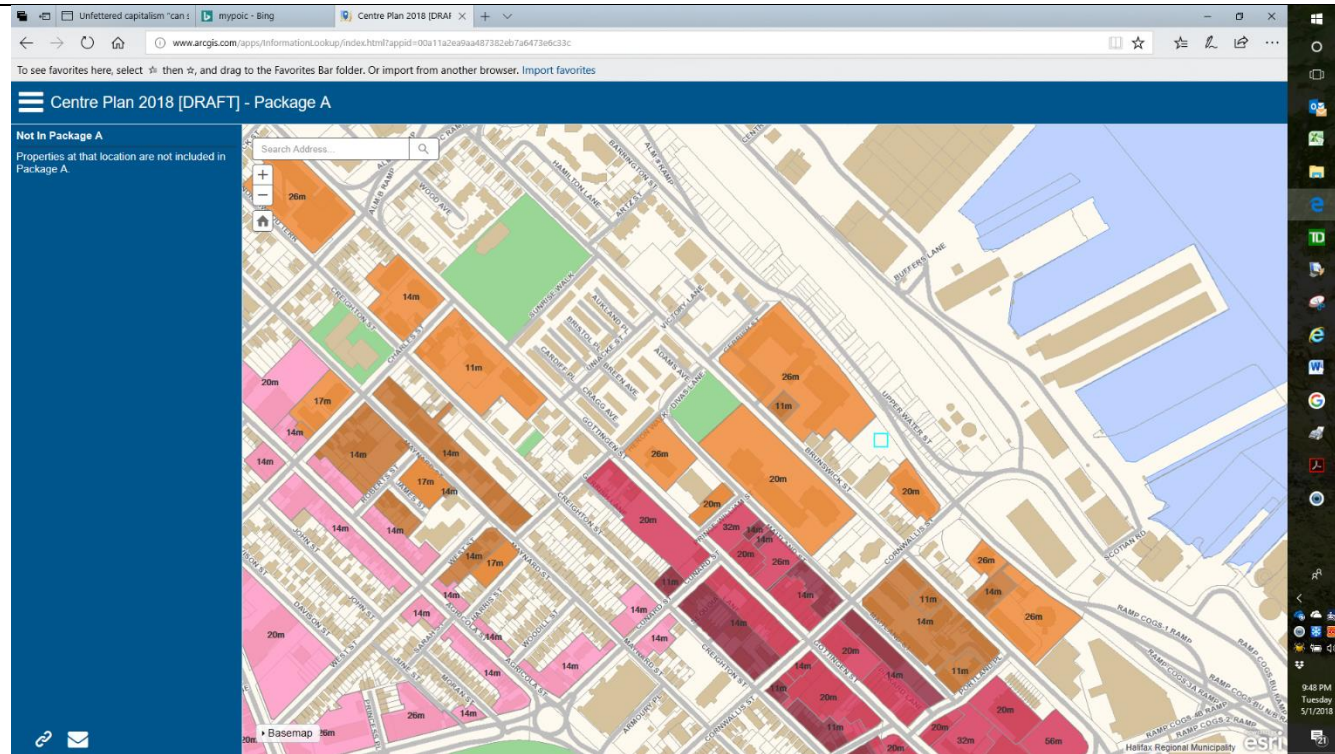
DEV083 2018-05-02	Peter Rouvalis	<p data-bbox="470 99 1115 131">Re 5969 College Street – Plan Amendment Application</p> <p data-bbox="470 172 1843 383">CARL: Further to our meeting last week, Kasia and I committed to you that we would track down the reason for the change in the draft Centre Plan heights applicable to your lands at Spring Garden, Robie and College. We have since had the opportunity to speak with our Municipal Heritage Officer, as well as the staff that have been working on our density and height mapping over the past weeks and months. In speaking with these individuals, the decision to reduce the draft height permissions on one property amongst the eight which are the subject of your plan amendment application was very much a conscious one.</p> <p data-bbox="470 423 1843 837">The Centre Plan as you know is focused on adding people to our Regional Centre with the expectation that 18,000 units will need to be added over the coming years. With that said, the plan looks to strike a balance between adding these units without upsetting the existing character of our communities that its residents appreciate so much. As such, acknowledging that growth will need to occur in strategic locations of our Centres, Corridors, and Higher Order Residential areas, we do not want new policies to actively encourage the demolition of existing registered heritage properties, such as the one located at 5969 College Street. We recognize that your intent within your site specific plan amendment is to retain and relocate this building to a location nearby given not only its heritage value, but also the sentimental value it has to your team. HRM’s Urban Plan Amendment Team - via Kate Greene, Miles Agar, and Tyson Simms – is negotiating in good faith with you on policies which would facilitate that approach. Should Council approve this policy, prior to the Centre Plan being approved, it will be written into the Halifax Municipal Planning Strategy, and staff intends to carry the policy forward into the future Centre Plan documents to ensure the development rights are protected.</p> <p data-bbox="470 878 1843 1162">If however, for whatever unforeseen reason, Council does not approve a site specific amendment for your property, the rules and regulations within the most recent Draft Centre Plan Secondary Municipal Planning Strategy and Land Use By-law – inclusive of those regulations relating to density and height, would apply to your site once the Centre Plan is approved. While this is not the course the redevelopment of this site is expected to take, staff again do not want to encourage the demolition of existing heritage resources due to increased heights and densities applied to them. As such, in working with the Municipal Heritage Officer, we have been working to identify registered heritage properties within the boundaries of Package A areas, and amending heights so as to not incentivize their demolition.</p> <p data-bbox="470 1203 1843 1406">I would note again – as we did in our meeting last week – that the direction from Council that is informing the Urban Plan Amendments Team review of the project relates explicitly to the June 2017 version of the Centre Plan and the planning principles described in the August 1 2017 motion of Council, not the February 2018 version of the Centre Plan with amended heights. Acknowledging that you see the change as a communications issue between yourselves and the public, we as Municipal staff can certainly be clear about the intent of this change, as well as the fact that your proposed Plan Amendment application considers heritage resource preservation.</p> <p data-bbox="470 1446 1843 1511">PETER: Thanks for providing the developer forums as part of your efforts to fine-tune the Centre Plan so it achieves the development goals that have been developed. We found them quite useful.</p>	Attachment 28
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		Regarding our non-heritage properties in the Robie/College street area, please find attached a letter requesting that our properties be restored to their previous height designation consistently with the other properties in the Spring Garden Center area. If there is any additional information your team need about our properties, just ask. Thank you for considering this request.	
DEV084 2018-04-18	David Harrison		Attachment 29
DEV085 2018-05-03	Ed Edelstein		Attachment 30
DEV086 2018-04-26	Arab Brothers		Attachment 31
DEV087 2018-04-24	Arab Brothers		Attachment 32
DEV088 2018-05-04	Maskine	Attached please find our submission re Centre Plan. Please circulate to the Centre Plan Planning team and CDAC committee members.	Attachment 33
DEV089 2018-05-03	Jeff Weatherhead Prince Albert Road	Could you please put forward my request to have my property PID XXX, Dartmouth designated Higher Order Residential -1 (HR-1)? It is adjacent to an 8000 sq ft PID XXX and I do not want to get locked into a conflict of uses as this neighbourhood changes out its character.	
DEV090 2018-05-03	Sue Sirrs APALA Outside! Planning & Design Studio	Thanks for the opportunity to comment on the Centre Plan. I'd like to record the following comment: <ul style="list-style-type: none"> In some sections of the Agricola St. Corridor, the lot depths are too shallow to accommodate the new built form requirements and the landscape buffer between zones. I'd like to propose that additional lots along Harris & Woodill be included in the corridor designation. Please see the attached drawing. Thank you for your consideration.	Attachment 34
DEV091 2018-05-04	WMFares via Liam MacSween	Good Morning Mr. Chair and Members of CDAC, Please find the following submission (1 of 3) re: Comments on Centre Plan from WM Fares.	Attachment 35 Feedback Package A
DEV093 2018-05-04	WMFares via Liam MacSween	Good Morning Mr. Chair and Members of CDAC, Please find the following submission (2 of 3) re: Comments on Centre Plan from WM Fares.	Attachment 36

			Feedback Package B
DEV092 2018-05-04	WMFares via Liam MacSween	Good Morning Mr. Chair and Members of CDAC, Please find the following submission (3 of 3) re: Comments on Centre Plan from WM Fares.	Attachment 37 Feedback Package C
DEV094	Carmen and Robert MacDonald via Neil Lovitt	Please find attached a letter prepared on behalf of Carmen and Robert MacDonald regarding the draft Centre Plan Package A designation for properties located at 3430 and 3480-3486 Prescott Street.	Attachment 38
DEV095 2018-05-02	Louie Lawen Dextel	<p>Louie: We are planning to send a complete formal CP review of a few of our sites but this could not wait. I just got informed about section 81 which requires at all street corners an unobstructed viewing triangle of 6 m measured along each street frontage. The triangle is defined in def 239. No obstructions over 1 m in height in that area. So every corner building has to lose a huge chunk to enable clear views for drivers to let them turn faster.</p> <p>Is this for the pedestrian orientated streets? Or is this for vehicle traffic ? Or is this HRM architectural code ?</p> <p>Please explain and help me understand how much “control” or “clarity” HRM wants</p> <p>Jacob: You are not the first person to notice this, we have many comments calling for adjustment or elimination of this provision.</p> <p>I believe this was written to aid sight lines for vehicles turning, the potential incongruence between the pedestrians first policy idea and this provision is noted and we will work to straighten it out in the revisions in the plan.</p>	
DEV096 2018-05-02	Rob LeBlanc Ekistics	<p>Jacob thanks for taking the time to meet and review several files under the new draft CP. I have tried to be constructive in our approach to identifying the challenges and potential solutions to the existing draft policies in the CP and LUB. I hope you will find the observations useful as you advance to the next draft.</p> <p>I appreciate your willingness to meet and listen to the issues.</p>	Attachment 39 Gottingen Heritage DA

			<p>Attachment 40 Victoria Street Development</p> <p>Attachment 41 Green Street Development</p> <p>Attachment 42 Robie Street Development</p>
DEV097 2018-05-02	Peter Polley Polycorp	<p>Peter: We had exchanged voice mail messages over the summer, which by far too quickly.</p> <p>As I had indicated in my voice mail message to you at the time, we have interests in several pieces of land on the peninsula and close to the peninsula which are either currently zoned for high density residential development, or which are appropriate for high density residential development – but which are coloured white on the latest version of the Centre Plan. One of the parcels of land is approximately an acre of land – which is a large tract in terms of peninsula land holdings – and my guess is that HRM staff have just missed realizing that it is actually surplus to another property. Some of the others are occupied by 50+ year old R-3 and other uses which are at the end of their feasible lifespan.</p> <p>I would like to meet to discuss how these sites which are coloured white on the Centre Plan drawing would interact with future zoning and land use considerations. When are you available ?</p> <p>Jacob: We are quite busy prepping for the release of our draft plan materials over the next few weeks, I believe we discussed the “white areas” and I mentioned that these were mostly intended to hold a similar level of intensity in the future for some of the non conforming residential apartment houses and that we would clarify that in our next release as all areas are “designated” in the Urban Structure that we will be proposing to hold in policy.</p> <p>Can we set up a meeting for late in the week of October 24th? As we are just releasing our first draft of the proposed policies there is still plenty of opportunity to input on the project.</p> <p>Peter:</p>	

		<ol style="list-style-type: none">1. I wanted to follow up re our land on Barrington Street. PID 148429. When we met last year, we discussed that it is not shown as labelled for development. You indicated when we met that this was a mistake. It is still not labelled for development. It is not parkland or required open space. I have mentioned this PID to several staff members several times, see screen shot below. It has not been fixed and needs to be fixed. The Spice Condos project next door is more than 25 meters tall, and the site should transition up to the approx. 20 story tall towers beside it. The site is subject to a view plan that will limit development height to approx. 100 feet tall on most of the site. A Centre Plan height in the 10 story range would be appropriate, with some of it being carved back by the overriding View Plane legislation. The “shadow effect” of St. Patrick’s church allows heights on the site to be built above the nominal view plane heights on the property.2. As well, at one of the industry consultations I questioned the requirement for pedestrian oriented/ground oriented suites on limited access streets such as North Barrington Street. Our land at Mont Blanc Terrace/Glebe Street/ Barrington Street – in addition to facing a 50 foot grade differential – does not make sense to have suites oriented to a high speed limited access highway type street. Staff indicated that they would review and agreed that this does not make sense for limited access streets like this that have no pedestrian streetscape..3. When we met, you indicated that provision would be made in the Centre Plan for sites which are awkward/abnormal shapes and that have abnormal grade conditions. This has not been done in the Centre Plan and is a major problem as it will hinder hill side sites and irregular shaped parcels of land as undevelopable based on criteria developed for flat, squarish pieces of land.4. A FAR of 2.25 on our lands on Kencrest Avenue and Glebe Street is simply absurd. The land is zoned R-3 now. The Centre Plan represents a significant down-zoning from the current zoning status.5. When we met a year ago, we also discussed the 2 properties on Kencrest Avenue between 3775 Kencrest Avenue and Mont Blanc Terrace as being appropriate to be higher order residential. We have ongoing discussions with the property owners re these properties, and running the higher order residential to the corner would be appropriate, given the significant amount of parkland abutting and the existing transit service in the area.6. As well, when we met, we discussed at length the inclusion of our highly insulated exterior wall systems in the FAR mathematics as a major problem with the FAR being done on a gross floor plan basis. Essentially, it penalizes builders building well insulated buildings and actually encourages thin, uninsulated exterior walls – in direct conflict to the movement in building codes and environmental/sustainable development practices.	
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Carl:

On behalf of Jacob, please let me confirm receipt of this email. Some of your more broad comments are certainly ones we've heard on multiple occasions from multiple individuals, and are aspects of the draft plan we'll need to reconsider moving forward. As mentioned within our engagement meetings, we will be consolidating the feedback we've received from all of our stakeholders over the past months and presenting it to our committee of Council (the Community Design Advisory Committee). This process will begin at the start of June as we work towards creating a new draft document to provide to Council for their consideration. A sincere thank you for your letter, and participation in many of our events and workshops over the past weeks.

Peter:

Can you or Jacob specifically respond regarding PID 148429 and why it is still – after several requests to HRM staff members – not labelled with an appropriate designation for development, given the existing R-3 zoning, the existing approved Development Permit and its location between two large scale multi-unit residential developments ?

Jacob:

		<p>With respect to PID 148429, I can't speak to any specific reason why this property was left out again. I know your request had been made and I appreciate you making the request again.</p> <p>I will speak to the team over the next few days to try to get an understanding if there was any specific reason why this property was left out, but my expectation is that it may have been something we missed – even with your repeated requests and our best efforts.</p> <p>If it was not just missed, and there was a reason for omission I will get back to you with that detail.</p> <p>Peter: Thank you very much for your prompt response.</p>	
DEV098 2018-05-03	Connor Wallace, WSP on behalf of Maricor Properties Ltd.	<p>WSP Canada Inc. is pleased to submit the attached letter on behalf of Maricor Properties Ltd. as a response to the Draft Centre Plan Package A released in February of 2018. This letter is regarding their properties located at 2131 Gottingen Street and Maitland Street, Halifax.</p> <p>We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff through the remainder of the planning process.</p>	Attachment 43
DEV099 2018-05-04	Connor Wallace, on behalf of Westwood Construction Ltd	<p>WSP Canada Inc. is pleased to submit the attached letters on behalf of Westwood Construction Ltd. as a response to the Draft Centre Plan Package A released in February of 2018. These letters are regarding variety of Westwood's land holdings within the Regional Centre.</p> <p>We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff in an effort to align future planning documents with Westwood's future development plans.</p>	Attachment 44 Bens Attachment 45 Robie Attachment 46 May 2018
DEV100 2018-05-04	Michael Napier, Michael Napier Architecture	<p>As you know I have followed the progress of the Centre Plan closely and have attended most of your workshops. Many of my thoughts have already been conveyed to you during these workshops and various conversations with you both over the past several years. I will not reiterate all of this in this email as I know you have much information to sift through.</p> <p>I know you have received many impassioned reasons why certain areas deserve more development potential than presently forecast. In many cases I have similar thoughts but I will leave others to pass their comments and concerns on to you.</p> <p>Generally, as with all planning documents, the ability to write a policy that fairly reflects all conditions is a difficult task. I have repeated many times that 'one size does not fit all'. Given the nature of Halifax's topography and a</p>	

		<p>non-grided street layout, in a large proportion of the area under review, many sites that our office have reviewed are not able to achieve the prescribed FAR, once other layers of planning controls contemplated are overlaid. My fear is that there will be no incentive in many of the designated areas to encourage the growth that is desired within the plan. Many will take the easy path and the rush to the burbs will continue.</p> <p>A few thoughts on a limited number of specific items are noted below:</p> <ul style="list-style-type: none"> - 3.5 GFAR not a reasonable number for density bonusing (for example almost the entire Quinpool Road area would be excluded) - take the 'G' out of GFAR, net floor area only - should have GFAR or height limit - not both - take ground floor area out of GFAR numbers in predominantly mixed use developments - .25 above grade exemption for parkade to not count in GFAR difficult to impossible to achieve on sloped sites - corner triangle for traffic is 'traffic engineering' not planning - 4.5m ground floor height requirement not needed everywhere especially in small lot situations and given retail trends downward - 6m break in streetwall too rigid on sloped sights, need flexibility to accommodate a level commercial floor - 'tower' floor area works for 40 stories - not above streetwall height to 20 stories (GFAR's will be almost impossible to hit) - no 'mid-rise transition' above streetwall to 'tower' portion' (as in downtown halifax LUB) - streetline yard set back should be more flexible at grade and not apply to streetwall above - under section 199, Public Benefit requirements and conservation of a registered heritage building, sentence 2) <i>must be completed in accordance with Parks Canada Standards</i> is far to onerous and could result in this section seeing little uptake and the continuation of worthy buildings disappearing from our built environment <p>We are all hoping to achieve the same result for Halifax, that of a healthy, dynamic place to live, creating wonderful neighbourhoods and experiences for all its present and future occupants. You know that I am more then willing to discuss any of the aspects of the plan with you at anytime. If you have any questions or comments regarding the above please let me know.</p> <p>Carl:</p> <p>Thanks very much for these comments, and for all of your participation in our engagement efforts over the past weeks. We will certainly reach back out to you should we need clarification as we start to dig back into the regulations and look at ways to amend our draft. We certainly want to ensure we create a plan which can be developed under and avoids the 'rush to the burbs' you reference below.</p>	
DEV101 2018-05-04	Peter Henry, Peter Henry Architects	<p>Thank you for providing the opportunity to comment on the draft Centre Plan Land Use Bylaw regulations for Package 'A'.</p> <p>I represent the Mi'kmaw Native Friendship Centre in the redevelopment of their lands on Gottingen Street.</p> <p>The Mi'kmaw Native Friendship Centre would like to have discussions with HRM Planning Staff about the proposed Land Use Bylaw controls for its properties near the northwest corner of Gottingen and Cornwallis Streets (PIDs 00155572, 00155598, and 00367409), in particular the GFAR and Height limits. As you are aware, the</p>	Attachment 47

		<p>Friendship Centre submitted a 'Pre-App' (Case 19618) and had discussions with HRM staff through 2015, prior to the writing of the current draft Plan and Bylaw.</p> <p>The current draft Plan and Bylaw do not appear to reflect the building envelope we proposed at that time, whereas it appears other projects "in the works" in the same vicinity are reflected in the GFAR and Height proposals. In fact, there is quite a variety of heights and GFARs in the immediate vicinity and we're struggling to understand the urban idea supporting various restrictions and why we are on the "low end" of the scale.</p> <p>Fortunately, you are at a stage in your process where you are seeking input and we'd be happy to sit with you to understand the rationale behind the proposed controls. We reviewed the draft Secondary Planning Strategy and did not find enough detail to help us understand why the controls are proposed as they are. It will be a benefit to the Mi'kmaw Native Friendship Centre to meet to discuss the matter in the context of our earlier 'Pre-App'.</p>	
DEV102 2018-05-04	Adam Godwin Yuille Auto Works Submission	Please see our attached comments regarding the draft.	Attachment 48
DEV103 2018-05-04	Mitch Dickey Twin Lakes Development Limited	On behalf of Twin Lakes Development Limited, attached please find a submission regarding Package A of Centre Plan. Please circulate to relevant staff and to members of CDAC.	Attachment 49
DEV104 2018-05-04	Mitch Dickey personal comments	Attached please find my personal comments on Package A of Centre Plan. Please circulate to appropriate staff and to CDAC.	Attachment 50 Lake Banook Canoe Course Wind Study Attachment 51 MD Submission
DEV105 2018-05-04	Benjamin Carr	<p>Hi Jacob thanks again for meeting with us earlier this week. Attached is the Rosedale grandfathering letter as well as letters for the other sites. These are written from Joe and I and are in addition to those Rob wrote.</p> <p>Good luck with the consolidation and evaluation of all the data!</p>	Attachment 52 2348 Gottingen

			<p>Attachment 53 Green Street</p> <p>Attachment 54 Rosedal Grandfathering</p> <p>Attachment 55 5653 Victoria Road</p> <p>Attachment 56 Robie Street</p>
DEV106 2018-05-04	Patrick Leroy Harbour City Homes	<p>Thank you for our meeting of Friday, April 27th, 2018 wherein we discussed the Center Plan’s impact relative to properties owned by Harbour City Homes (HCH). HCH is a Not-For-Profit provider of affordable housing for those of modest incomes. We rely solely on rental income to fund our operation. The rents we offer are significantly below free market rents in the immediate area largely bounded by Barrington, Cornwallis, North and Maynard streets. Within this envelope we own 18 properties or 180 residential units. Approximately a third of our housing stock is located on Brunswick street.</p> <p>In 2015 the HCH Board made the difficult decision to sell 9 properties of which 6 consisted of registered historic properties. We had to do this as we simply could not afford to carry out the repairs necessary to offer structurally and architecturally sound living accommodations. After paying down long-term debt commitments the remaining sales proceeds were used to effect long needed repairs to our remaining building stock. Today, we now have three registered properties, and several others that are still in dire need of repair or complete renovation.</p> <p>In 2017 HCH engaged Stantec Engineering to identify the repair and the replacement requirements of our building portfolio for the next ten years. Stantec also prioritized the timing of these repairs and probable costs associated with each. Their findings proved that our property located at XXXX Gottingen Street was in the worst condition. The Gottingen Street property consists of three buildings. Two containing 6 units each and one with 12 units. The 12-unit building is bordering uninhabitable, indeed 46% of the campus is vacant due to its condition. After examining various rehabilitation scenarios and associated costs the redevelopment of the site must be considered. We engaged the Affordable Housing Association of Nova Scotia (AHANS) as part of this evaluation. We fully intend to engage the stakeholder community relative to the site’s redevelopment. A sustainable development that will be in scale with the neighbourhood’s built form while meeting the spirit and intent of the center plan’s key objectives surrounding: human scale development; affordable and improved special care housing options; and a “pedestrian first” approach that also encourages public realm opportunities.</p>	<p>Attachment 57 HCH Board Feedback</p> <p>Attachment 58 Map with HCH properties</p>

		<p>To achieve these objectives, we will need greater residential density for the site. Economically the project will have to pay for itself while producing the sorely needed additional cashflow that will allow HCH to address other challenged properties that remain within its affordable housing portfolio.</p> <p>HCH may include XXX Creighton Street as part of XXXX Gottingen's redevelopment. We ask for its inclusion as part of the center plan rezoning. Combined the site would measure 18,800 ft². (See attached schematic). Assuming an average unit size of 600 ft² (Unit mix yet to be defined), we see at least 50 residential required for the site with a height limit no less than 14 meters. The latter is consistent with those heights currently proposed under the Center Plan for properties either adjoining XXXX Gottingen street or further south down on this main corridor.</p> <p>We are currently working with AHANS, CMHC, The Province of Nova Scotia, and potentially the City of Halifax in acquiring the necessary capital through the National Housing Strategy's Co-Investment Fund to redevelop this high priority site.</p> <p>On behalf of the Board of Directors of Harbour City Homes I thank you for your time and consideration relative to this matter.</p>	
DEV107 2018-05-04	Louie Lawen Dexel	<p>We have been working for HRM for several years on the Center Plan (CP) , but have several concerns with the latest draft of by-laws for CP.</p> <p>The Lawen Group has been actively developing and building for the last 24 years in Halifax and Dartmouth. With 10+ sites within the CP boundary, we have a major stake in the success of the CP.</p> <p>Please see attached concerning the Center Plan as official feedback to HRM.</p> <p>I request a meeting to review this submission, please advise when you would be available.</p>	Attachment 59 Dexel feedback
DEV108 2018-05-04	Southwest Properties via Christina Lovitt WSP	<p>Please find attached two submission letters on behalf of Southwest Properties Limited regarding their properties on Tobin Street and South/Harvey.</p>	Attachment 60 South and Harvey streets Attachment 61 Tobin Street
DEV109 2018-05-04	Nousha Saberi, United Gulf	<p>Attached you will find the letter regarding the former YMCA site. Please let me know if you have any questions.</p>	Attachment 62
DEV110 2018-05-04	Tim Keddy Horizon Court	<p>There are a number of good points within the Centre Plan. The general philosophy of the plan is a good concept. Keeping Halifax a walkable city is a great idea, better biking, outdoor activities the city does need to have a strategy in place.</p>	

For the purpose of our comments we will focus only on some of the key points around residential building construction and restrictions. In this area the Centre Plan has dramatically failed the community and will likely result in the causing opposite effect of the plans goals.

As it relates to the residential development goals, the Centre Plan is mathematically flawed. It will not be possible to reach their growth goals.

Within in the HRM defined Center Plan map area. I discussed with HRM planning staff, they believe within this same area in the last 5 years approximately 4500 units have been developed. They weren't sure how many buildings that represented. But my best estimate is approximately 150 units per building in that period.

Last 5 Years:

4500 units / 150 units per building = 30 buildings / 5 years = 6 Buildings per year.

Next 12 Years:

HRM growth projections for next 12 years is 18,000 units:

(Based on the building size and height restrictions my best estimate is the average number of units per building would only be 60.)

18,000 new units / 60 units per building = 300 buildings / 12 years = 25 buildings per year.

At 25 buildings per year in the center plan area I can't imagine this is even remotely possible for numerous reasons. Logistically that would mean approximately 50 buildings being constructed at any given time, because of an average 2 year build this could be less with smaller buildings. There just isn't enough equipment, cranes, labour...etc. to meet this number of residential buildings (even less likely when you add in the commercial development). There is no economies of scale, instead of creating larger groups of connected communities, the plan would create isolated inefficient unconnected communities.

With shorter buildings this means more land and lots are required to meet the city's targets. One of the best things about Halifax is the abundance of trees, green spaces, parks and open areas, this makes Halifax walkable. Seeing 300 buildings go up wasting good land is the opposite of walkable. With taller buildings in the right locations we would have a much better city more efficient, more walkable and far better communities with 100 buildings accomplishing the same targets for total units. This is dramatically easier to achieve and we would have beautiful exciting buildings, not small unattractive boxes.

The restrictions in building size will mean the units will be extremely expensive for residents and / or the quality of the construction will be reduced to keep the costs down so that the residents can afford to live in the units. Ultimately this will force developers to build outside the Center Plan zone in order to be profitable, effective and build good communities. This obviously has the opposite effect that HRM wants.

		<p>This plan will put a much greater strain on the affordable housing issues, as well as the cities infrastructure for transportation, water, roads etc. It will encourage urban sprawl and increase traffic.</p> <p>The bonus density (Tax) is also flawed. The building restrictions means much higher priced units for residents who ultimately pay the bonus density tax. The city would be far better off using older stock of apartments with a significantly less average cost of 900-1000 per month rather than new building prices of 1900-2100 per month. The city could provide twice as much affordable housing with a better approach.</p> <p>Over the course of time cities are renowned for their architecture and historic buildings. Early on it was the churches and religious structures, then came government buildings, then big business buildings. Today the structures of the future are residences, communities within themselves. Think of any great city and architecture and buildings will be at the forefront. The building restrictions in the Centre Plan does not move the city forward, but in reverse. It limits the imagination, cripples our cities relevance in the world and diminishes the desire for people to move here.</p> <p><u>Horizon Court Lands:</u></p> <p>With respect to the lands around our properties on Horizon Court in Dartmouth, the Centre Plan forces our land to be non-conforming to the rest of the properties here. It destroys our ability to provide the lifestyle, the quality and the style of homes that our community is desperately searching for. People want to live in tall buildings. They want to have access to beautiful views, this is one of our (and the cities) greatest assets. We have a waiting list for our building. The residents of HRM and the land owners should not be forced into a “one size fits all” approach. Our lands are absolutely perfect for very tall buildings. We do not impede anyone’s views nor cause any significant adverse wind / shadow problems on the neighborhood. The taller the better for our lands, this way we can improve the community and continue to offer above average green spaces.</p>	
Dev111 2018-05-04	Façade Investments Limited via Christina Lovitt	Please find attached submission letter regarding Façade Investments Limited’s properties within the Quinpool Road Centre.	Attachment 63
DEV112 2018-05-04	Sue Sirrs, Outside! Planning and Design Studio	<p>Hi,</p> <p>Thank you for the opportunity to comment on the Landscape Guidelines in the Centre Plan. I was in attendance at the workshop on May 2nd and appreciate the notes in the attached file. I’d also like the following comments recorded:</p> <ul style="list-style-type: none"> ▪ Allow flexibility with the spacing & number of trees ▪ Put greater emphasis on protection of existing trees – too many are coming down with new development 	

		<ul style="list-style-type: none"> ▪ Require maintenance plans and figure out how to make property owners responsible for upkeep. The draft Landscaping section refers regularly to ‘sustainable’ when I believe the intent is to make sure that the areas are well maintained so plants live and thrive. ▪ Do not provide a list of approved plants. If anything, include a list of plants that are not allowed, ie. Norway maple & other invasive. ▪ Remove the word ‘native’ plants and replace with ‘urban tolerant species’. ▪ The vegetated buffer zones are important and should be kept in the plan. ▪ Small green spaces in front of buildings are very important and should be required. 	
DEV113 2018-05-04	Devin McCarthy	<p>Attached are comments for consideration re: the draft Centre Plan.</p> <p>The industry sessions in April were positive and I’m enjoying working with you guys and your team. Best of luck finalizing the plan!</p>	Attachment 64
DEV114 2018-05-04	Canada Lands Company via Connor Wallace WSP	<p>WSP Canada Inc. is pleased to submit the attached letters on behalf of Canada Lands Company Limited as a response to the Draft Centre Plan Package A released in February of 2018. This letter is specifically relates to CLC’s properties located in Shannon Park, Dartmouth and the former RCMP properties at 3139/3151 Oxford Street, Halifax.</p> <p>We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff in an effort to align future planning documents with CLC’s future development plans.</p>	Attachment 65
DEV115 2018-05-04	Rob Leblanc, Ekistics	<p>Jacob, thanks for meeting last week to discuss this file. As requested we looked at the differences between a 10-storey (750 sq.m. plate) and the 8-storey (1,100 sq.m. plate) massing and our investigation is attached. When you have a chance to take a peek, let me know and we can meet to discuss.</p> <p>Good luck with the CP review and redraft, see you tonight at the UD Awards.</p>	Attachment 66 Planning Letter Attachment 67 8 level site plan Attachment 68 10 level site plan Attachment 69

			Lucknow Massing Low res
DEV116 2018-05-04	Norman Nahas Nanco Developments	<p>I am writing to let you know that I think the GFAR of 3.5 and height of 20m set for the Oxford Theatre and King of Donair sites are going to have a negative consequence on the future of the sites.</p> <p>I am working with Culture Link to try to maintain a Performing Arts Centre in the old theatre portion of the building, but the fact that the area is 3 stories high means that in order to enable an arts use on the site, I need to forgo 2 stories of development, thus making the project not feasible with this use and allowance.</p> <p>The fact remains that the arts aren't able to pay market rate similar to a multi national, which I am able to accept, but I can not forgo rent and two stories of development and make financial sense of the project.</p> <p>Considering that this site is a corner site with the potential of arts and maintaining a memorable facade, I think that there should be allowed more development potential than proposed by three stories.</p> <p>My justification for this is that two stories would be lost for air space in the theatre and the arts space is not able to obtain market rent. These facts plus the extensive structural work required to build above the theatre, while maintaining the theatre in place are my justification to allow for three stories of additional height, plus associated GFAR added to the site.</p> <p>The methodology in place to apply for a Development Agreement under heritage is not enticing, as the site needs to be registered as a heritage site prior to doing the DA, which is not a favourable way to proceed.</p>	
DEV117 2018-05-04	Faisal Al- Hammadi FFI	Please see the attached correspondence from Faisal Al-Hammadi regarding the above noted.	Attachment 70
DEV118 2018-05-04	Jack Novack Dalhousie University	<p>I am writing in my capacity as Vice President of the Beth Israel Synagogue (1480 Oxford St.) and as Chair of its Future Directions Committee.</p> <p>As with other religious institutions, especially on the peninsula, we have experienced a substantial decline in membership and all the challenges that this brings with it. Where once we had over 400 members and a youth population of about 150, we now have a membership of 100 with the vast majority being over 60 years of age. This has provided a number of challenges including maintaining a building that is expensive and much too large for our current needs and a physical layout that is inappropriate for an aging membership. Despite these challenges we are still committed to maintaining a presence on the site, contributing to the welfare of the broader Jewish community including the very large Jewish student population at Dalhousie, a growing tourist population, a growing immigrant community and indeed to the broader secular community. The irony, of course, is that while formal membership in our Synagogue has declined, the number of Jews in Halifax, according to Statistics Canada, has actually increased but, consistent with the experience of other faiths, they are not "joiners". However their</p>	

		<p>spiritual, cultural and programmatic needs still need to be addressed; arguably more so than in the past. We believe that we can support the needs of our membership and extend our services to the broader Jewish community from a much smaller and more efficient footprint on the current site. We believe that the continuity of a strong Jewish presence on the peninsular contributes, significantly, to the diverse fabric of life which makes Halifax so special and welcoming. We also believe that our continued participation in civic, political and ecumenical areas helps to promote understanding and inter faith cooperation and contributes to overall good citizenship.</p> <p>Given these realities and opportunities, our Congregation has begun a process to partner with a developer to build a medium density development on the site which would contain about 35-40 units and also include more appropriate space for our Congregation. We are very mindful that in pursuing our interest that we also consider the interests of the neighbourhood as well and would therefor present, for approval, a design that would be entirely compatible in terms of density and the local aesthetic. We are also aware that Halifax by Design envisages a higher density on the peninsula in order to both create vibrancy and to make better use of existing infrastructure. Accordingly, we believe that that our interests are entirely compatible with this overall vision for the peninsula.</p> <p>In light of the foregoing, we would like you to consider including the property at 1480 Oxford St.in the designation that allows for mixed-use zone with medium to high density residential uses. This accommodation will be necessary for us to continue on the present site. In essence, traditional approaches to attending to spiritual needs and religious practices including physical plant have to give way to more efficient and indeed appropriate ways if faith based institutions are to be relevant to the new generations. We are looking to the Municipality to help us make that transition.</p>	
DEV120	John Newberry	<p>I have a long time client of mine that owns a number of older residential buildings in the south end of the Peninsula (through four different corp's). We have been looking specifically at two of those properties – 1066 and 1112 Tower Road, and just what our options are going forward. We had assumed there was an opportunity to re-develop these sites. One in particular has a deep lot that is not used, other than surface parking. Looking at the draft Centre Plan and the related limits to GFAR and site coverage, as well as the cost to demolish and rebuild, we are better off doing nothing. That is surprising, and rather unfortunate.</p> <p>A street like that should be able to have the ability for increased density. As is, there is not enough upside to effect real change/density to these prime properties.</p>	
DEV121 2018-05-04	Ross Cantwell HRM Apartments	<p>I forgot to mention in last weeks meeting that the proposed height and FAR for the 2215 Gottingen Street site dont appear to respect the current DA (which expires soon).</p>	
DEV122 2018-05-04	Jeffry Haggett	<p>One last email from me on the Centre Plan Regulations – thanks again for all the opportunities including this one to comment.</p>	Attachment 71

<p>And DEV123</p>	<p>FBM Architecture</p>	<p>Considering the transect and the Centre Plan.</p> <p>Over the past month I thought about how the proposed regulations loosely defines Centres, Corridors and Higher-Order Residential. In a way the Centre Plan’s Urban Structure suggests a type of reimagined transect? When considering this idea of a hybrid transect it highlights how the Centre Plan typologies are not clearly defining the variety of proposed neighbourhood structures, or built-form typologies that I understand you want to encourage.</p> <p>For example, a typical new-urbanist transect approach would recognize the Regional Centre is comprised of; T6-Urban Core; T5-Urban Centre; T4-General Urban; and, T3-Suburban. The transect is effective. If we gather 5-6 people who have worked with the transect an they would be able to roughly draw “T” boundaries in Halifax and be within 80% of one another. However, it would be hard for a person to read the Centre Plan Package A Urban Structure policies and determine what areas should be designated a Centre, Corridor, or Higher-Order Residential. For example, what makes Gottingen Street a Centre as opposed to a Corridor? In my reading of the policy and the built forms the Land Use Bylaw encourages, it suggests all of the Regional Centre is having a T-5 applied to it.</p> <p>Further A – On Character Defining Elements:</p> <p>There is no policy defining what character elements a <u>Designation</u> is comprised of. For example for Centres, there are the objectives CE 1-5, but no Policy offering definition, or character elements. For that matter, only the Corridor enabling Policy (18) offers one character element, <i>“The boundaries of the Corridor Designation are focused around streets with a high level of transit service”</i>. As we have disused in the past couple of months this will make it difficult to prepare a rezoning application or Staff Report on one.</p> <p>Let’s break down Policy 13 which enables creation of the Gottingen Street Centre.</p> <p><i>“Policy 13 Development standards shall be established in the Land Use By-law within the Gottingen Street Centre to generally permit low-rise to mid-rise buildings consistent with massing illustrated on Map 2 of this Plan [WHY...to encourage or support what policy, or intent], except on lots between Portland Place and Cogswell Street where high-rise buildings will also be permitted [WHY this exception...to encourage or support what policy or intent]. Development standards will support transitions to adjacent residential areas.”</i></p> <p>So, the reader is left unsure if in the Gottingen Street area, is the Plan wanting to encourage the widest range of housing choices, or support a particular pattern of retail frontages (everywhere, or where they presently exist) , variety of retail, offices, restaurants and bars.</p> <p>Further B – The lack of clearly defined character elements impacts the LUB and Design Guidelines</p> <p>Coming from the policy, the built forms the Package A Land Use Bylaw encourages supports the idea the whole Regional Centre Package A is having a T-5 transect applied to it. This is evidenced by requiring retail ready in HR-2</p>	
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on frontages across from Regional Shopping Centres, or zero lot lines on corridors that have a more streetcar suburb structure. As we have discussed this can be addressed through additional zones being written.

For the three parts of the Regulations, the Design Guidelines should address the variety of urban contexts and design responses for a Regional Centre. Presently, the document is more aligned with DH-1 urban design goals and not the unique context of community main streets and inner-centre and outer-centre communities. As a recommendation I suggest the guidelines maintain and even further their focus from the specific building to how it's design impacts:

- **“Pedestrian-friendly” design/ develop inviting streets and spaces/ producing great green streets**
 - through building design, landscaping adjacent to sidewalks and pathways -- guidelines that respect the variety of urban contexts
 - Guidelines for transit nodes should be well-defined - *“Strengthening the relationship between a variety of transportation modes and enhancing the immediate environment makes car-alternative transportation more attractive and feasible for the public.”*
 - Utilize Open Areas and Landscaping Opportunities to their full potential
 - Acknowledge that great streets are often primarily residential corridors with great landscaping (part of the public open space) that lead to centres/parks with destination uses and activities.
 - provide visual interest and a human-scaled level of detail, avoiding large areas of blank wall or garage doors.
 - provide convenient pedestrian access to destinations, with strong connections between main entrances and sidewalks
 - Use trees and vegetation, particularly along corridors where they are primarily residential.
 - For larger scale developments provide places to rest and gather.

- **Refocus heritage to - “Bridge the past and the future”**

- **Define and nurture unique neighbourhood areas patterns**
 - define Gottingen
 - define Agricola
 - define Windsor
 - Quinpool
 - Define Centres

Define typology patterns

- Mixed Use Centres and corridors
- Primarily residential corridors with some mixed use
- Higher order inner-centre (northend)
- Higher order outer-centre (mic mac mall)

		<p>Site Planning</p> <ul style="list-style-type: none"> ○ how to address the street ○ respond to basic neighbourhood patterns - average prevailing setback ● is the setback green or hard surfaced ● create usable outdoor spaces ● plan for trees ○ entrance locations ○ building orientation ○ integrate parking ○ integrating infill development - minimize scale contrasts ○ Backyard pattern ● <i>Principle: Respect the backyard realm by minimizing intrusions by larger structures, where this is a priority.</i> <ul style="list-style-type: none"> ● <u>“Building Design + Built form.”</u> <ul style="list-style-type: none"> ○ relationship to adjacent buildings ○ transitions to lower density zones ○ rhythm of development along street ○ Limit privacy impacts <p>As always, thank you for your time and consideration. I continue to be 100% in support of launching the Centre Plan in a timely manner. Pleaser contact me at any time to ask questions or share ideas.</p>	
DEV124 2018-05-07	David Garrett	<p>My apology, I had intended to address another item in my earlier email, which is the recommendation of providing in the Centre Plan a relaxation of requirements in current R1 zones, particularly the requirements concerning single-family only, lot size, frontage, etc. These would need to be carefully formulated and presented but would increase density, increase affordability, diminish the considerable burden currently borne under the Plan by neighbourhoods adjacent to corridors, and maintain the character of existing neighbourhoods.</p> <p>This was initially one of the goals proposed by the Centre Plan when it was under review by the Urban Design Task Force but seems to have been forgotten or at least diminished under the Plan as the focus shifted strongly to the corridors.</p>	
DEV125 2018-05-04	Christine Corbin on behalf of the UDI Centre	<p>Please see attached for an updated and final version of the independent review of the Centre Plan by Ms. Jennifer Keesmaat as UDI’s official commentary on Draft Package A.</p> <p>We thank you for your team’s collaboration with Ms. Keesmaat in preparation of this report. This review is intended to provide a sober second thought on the Centre Plan and the important role it will play in the future of</p>	Attachment 72

	Plan Committee	<p>our city. We sincerely hope the recommendations put forward by Ms. Keesmaat is given serious consideration as they point out many areas that the Plan can, and must, improve.</p> <p>We look forward to your participation later this week at the Public Meeting and Leader’s Table Dinner. If you have any questions, please don’t hesitate to contact us through the UDI office at 902-442-5017.</p>	
DEV126 2018-05-04	Troy Maskine BlueBasin Group	<p>Attached please find our submission re Centre Plan.</p> <p>Please circulate to the Centre Plan Planning team and CDAC committee members.</p>	Attachment 73
DEV127 2018-05-08	Ross Cantwell HRM Apartments	<p>I continue to argue that there is a big disconnect at HRM because no one on staff that has designed and/or constructed a building; correct me if Im wrong. Some of the preliminary “misses” in the draft plan just indicate a lack of understanding about how buildings are constructed (the 1.5M setback after the first 11M ignores all structural engineering , cost of construction rules).</p> <p>Re: Göttingen Street, if you would like change, you need to up zone some of the properties. For example, the slumlord who owns the half/semi building between Cornwallis and Prince William can make more money renting rooms than he can redeveloping his building based on the proposed bylaw. I don’t think this is in anyone’s best interest to encourage him to keep that building.</p> <p>From our analysis on Phase 2 of the VELO, the proposed plan is a downzoning of what we can do currently as of right. In addition, the expansion of design review terrifies me, and is enough for us proceed right away. It would be one thing if HRM had some architects on staff that could provide some constructive feedback on the design of the building, but planning staff comments, combined with a volunteer committee that is usually trying to curry favour with developer clients, is a recipe to design a camel (when you want a horse). And the whole process, potential for appeal, etc etc just seems like a nightmare.</p> <p>I lot of developers would do a lot of things to avoid a bad process. Subjecting everyone to a bad process is a sure way to make sure that density bouncing doesn’t work. I think developers will pay for extra density if they can get their approvals quickly (or go as of right).</p> <p>I am also pretty depressed about the disconnect between the density proposed in some areas, and the heritage resources that are under them. up zone over a nice old building and it will come down. does anyone walk the streets, or do they just draw this up on a map? We need to save our heritage resources or we will lose our soul as a city</p> <p>And what is with the up zoning on Robie between Spring garden and quinpool. lots of nice old homes on a tree lined street - GONE and replaced by awful 4 to 5 story wood boxes. the lots aren’t deep enough for major</p>	

development and will negatively impact the nice street one block back. in short, there is no enough upside for this change (in my humble opinion).

A COUPLE OF RANDOM COMMENTS

see below. I would submit that there is very little if any affordable housing on the block of Gottingen between Cornwallis and Prince William. the exceptions might be the youth dropping centre, and rooming house just south of the public laneway. they must mistakenly think that new housing has a negative impact on affordability.

also see below for GFAR. it has to be gross floor area (you can't ignore hallways). I do think you could give a small bonus for extra thick walls (passive house)., but just calculate it (length times width times extra inches times height).

Ross

Workshop #1 – Design Industry Feedback

Topic 1: Centre Designation

Definitions

- Suggestion that that “business incubators” be removed from the office definition.
- Definitions for dwelling, high density, and multi-unit unit dwellings are the same.

Built Form

- Overall there are too many rules in combination with one another.
- Rather than prescribing similar streetwall heights, it would be more appropriate to use a ratio of street width vs. streetwall height.
- The heights on Gottingen between Cornwallis and Prince William may trigger redevelopment of what is currently affordable housing.

Streetwalls

ridiculous to think you would exclude interior hallways, etc. GFAR estimates massing. re: wall thickness, maybe give a small bump in FAR if you have thicker walls (passive house might get an extra 1% or 2% over GFAR).

		<p>Built Form Requirements and GFAR</p> <ul style="list-style-type: none"> • Allowable GFAR cannot be achieved on many properties because built form requirements – particularly height restrictions – won't allow it. Need greater flexibility to relax other built form requirements so that allowable GFAR can be achieved. • Hallways, stairwells and other non-habitable areas should not be included in the building floor area and calculation should be measured from the interior of the building exterior walls. 	
<p>DEV128 2018-05-08</p>	<p>Jeremie LeBlanc Cmhc</p>	<p>Jacob: See attached to share for comment. As I mentioned, this is the internal work we did to check the viability of midrise across the Regional Centre.</p> <p>Jeremie Thanks for coming in on Friday to continue our discussions. As mentioned during the meeting, attached is a letter we sent in response to stakeholders asking for CMHC's comments on the Centre Plan.</p> <p>Dave has done some preliminary analysis of the proforma formuals and reference materials provided by Turner Drake. Some assumptions and methodologies they used stand out as very unusual. We'd be pleased to meet again and go through our analysis with you if you see that as being useful. Understanding that demands on your time are high, its totally up to you.</p> <p>Regarding our Rental Market Survey data. If you'd like to customize the date ranges or zones to help provide a more comparable "average market rent", we'd be pleased to consult further on that as well.</p> <p>Jacob I would love a further sit down with you and Dave this week. Perhaps Friday morning? Would 9am work for you guys for a 30 minute discussion. I am quite curious about the very unusual.</p> <p>Perhaps email would suffice if you could expand on the very unusual assumptions and methods. That is the concerning part for me in your note.</p> <p>Kasia Hi – here are my notes from the CMHC meeting. I am going to follow-up with Jeremy and David to receive a revised "typical" pro-forma which we worked from during the meeting. I agree with them that we should revise</p>	

our tables. The table David McCullough developed can also help us play with various NOI assumptions as related to reduced units.

The key issue was the absence of the cost of financing, as well as our assumption for NOI. Here are some quick points:

- Any project needs financing
- Building efficiency (leasable space) is typically 88-90% (10-12% is for mechanical and similar uses but larger buildings are more efficient)
- Assumption of 1200 sf units in the Regional Centre is “massive”; 650-700 sf is more typical; 725 sf for a 2 bedroom
- The units in the RC are small but they make up for it in design features & tall ceilings;
- Res. Cap. Rate of 5.5% - OK but can fluctuate over time;
- Lower cap rates in larger cities may put Halifax at an advantage at this time;
- NOI of 75% is very optimistic; operating costs can range between 50% for smaller buildings (as a % of gross income); to 35% for larger buildings. So a more realistic NOI assumption would be 50%-65%
- Builder profit of 20% - CMHC typically deals with Return on Investment (ROI) and Return on Equity (ROE) this can vary widely for condo vs rental buildings.
- 20% ROI may be possible in Toronto on condo buildings, but not in Halifax. 10-12% is seen as doing well. Rental buildings make their money back over time.
- Vacancy loss of 3% is a good assumption
- Return on Equity – most developers are putting as little as possible of their own equity to leverage other projects.
 - o 15% equity ok for larger developments with good track record
 - o 20% for typical requirement for smaller/newer developers
- Most projects are financed 80-85%; on a 66-unit example cost may be \$560K
- CMHC mortgage loan insurance harder to get for smaller and reduced rent buildings because they affect future growth
- Lower rents may represent a “stranded asset” and affect re-financing for future growth; this is why HNS capital grants are not that popular/effective.
- Typical projects want at least 1.1% ROI and 5.5% ROE
- Need to account for cost of financing; ratio of NOI to financing cost must be at least 1.2% to be viable
- Jeremy can look into CMHC custom Housing Market Indicators for rent levels; may require an MOU to ensure annual updates.
- The new Co-Investment Fund could count reduced rent units as a municipal contribution; this is a competitive program where 30% of the units have to be 80% or below median market rents
- Stacking in federal programs are seen to be not only ok but needed to make projects work.
- CMHC is all about releasing supply, but recognize the other issues the Plan has to balance.



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04 May 2018

Centre Plan Project Team
Centre Plan Advisory Committee
Halifax Regional Municipality, NS

Re: Proposed Reginal Centre Plan

I 'm writing to submit our comments on the proposed Centre Plan regulations, both in general terms and relative to how they affect our site at the corner of Prince Albert Road and Glenwood Avenue in Dartmouth.

The high level policy goals are good but also represent fairly generic motherhood statements that could reasonably apply to any city. More importantly, there are concerns with the details of the regulations that will actually discourage the intended redevelopment. Based on our review, the plan does not provide a balanced approach, effectively discouraging development in the core areas of the city while promoting development in areas outside of the Regional Centre.

Downzoning

The plan suggests that it will provide certainty and enable development in key areas with faster approval processes. However there are many areas that currently have generous zoning and development agreement rights where development has not happened. This is especially true in Dartmouth for areas such as Wyse Road, Windmill Road, and Pleasant Street where the economic case isn't yet viable even though there are no height or density limits. While the uncertainty of a DA process does discourage development to some degree, reducing allowable heights and imposing arbitrary GFAR that together slash achievable density will do nothing to spur development in such areas. Instead these areas will continue to underperform as land owners wait for rents to increase or for the rules to change. Where density bonusing is required to achieve maximum height, even less development will happen, especially in areas like Wyse Road where it is already possible under current zoning to develop these heights without having to pay the proposed density tax.

Heights

The proposed height framework is not appropriate. To consider that low rise buildings are no more than 11m and 3 floors, and that mid rise is only 4-6 floors, might make sense in a small town but not in a city trying to broaden its appeal and attract investment. A high rise building by any rational definition does not start at 7 floors. The existing downtown Halifax standards are more appropriate (low rise to 20m, mid rise to 33m) and for consistency's sake should be used throughout the Regional Centre. There are many homes taller than 11 m - are we intending to call these mid rise buildings? There have been no detailed, meaningful feasibility studies done by HRM that consider development economics, otherwise it would be clear that most sites simply cannot be developed under the proposed height rules. There also needs to be a provision for varied heights on large properties, which should be used to accommodate stepped mid to high rise buildings that transition to low rise forms on the same site. This approach provides flexibility, while guaranteeing protection for adjacent low density forms by providing greater separation to tallest buildings.

Built Form Framework

A built form framework is good if it provides for reasonable yield and design options. But unreasonably strict development standards that force small building footprints, building envelopes and floorplates with no flexibility are a problem. Given the wide variances in site size, shape and context throughout the Regional Centre, there should be the ability to adapt to unique conditions. An oddity is the prohibition of useable penthouse space, which will result in unsightly mechanical penthouses and reduce opportunity for rooftop amenity space.

GFAR

The use of Floor Area Ratios is a valid means of regulating development by tying allowable building envelope to lot size. However it is only effective when a net figure is used that factors out areas such as common circulation areas, elevator cores and stairways, areas of refuge, shared amenity space, above grade enclosed parking, lunch rooms & locker rooms in commercial buildings, and bike lockers. Using a gross number means that the building will contain as many small units as possible and the least permitted amount of common space. But to use FAR at all when there is a clear heights and built form framework is unnecessary and seems to be trying to find just one more way to limit and prohibit development. Use built form controls or net FAR, but not both.

Grandfathering of Development Agreements & Approved Development Permits

It's our understanding that development agreements already approved or those already in process, will be grandfathered for a period of three years and that changes to the design to approved applications may also be considered by Council. This seems appropriate given it recognizes the substantial investment made in acquiring lands and planning for development, a process that does not happen quickly.

Approved Development Permits, are however, subject to a different standard and are being dismissed / vacated entirely under the proposed Centre Plan. Given that Development permits are obtained as-of-right they should be afforded equal if not superior consideration under the new plan. Development Permit plans require submission of detailed designs consistent with submissions for development agreements. Development Permits have received approval that is similar to development agreements, so why can this fact not be recognized? One may argue that the development agreement is a contract which cannot be vacated while the development permit might be vacated as part of process. However common sense demands that the new Centre Plan respect the right afforded to as-of-right property owners that have clearly demonstrated their intent by way of obtaining a Development Permit. It is only fair that there be a clause in the new LUB which states that a DP issued under today's rules or that has been applied for by a certain date, will continue to be valid for a period of at least three years once Centre Plan is adopted.

307 Prince Albert Road / 5 Glenwood Site

This Property consists of two separate parcels which we are in the process of consolidating, to create a 25,707 square foot site. The property at 307 Prince Albert currently contains a funeral home and large parking lot, while 5 Glenwood contains a duplex. The funeral home site is zoned GC General Commercial while 5 Glenwood was recently rezoned by Harbour East Community Council to R4 High Density Residential. Our intent is to develop a mixed use, primarily residential building on the combined lot via an active development agreement application, however we must ensure that the proposed zoning and standards provide adequate development rights.

Impact of Centre Plan Rules on Our Site

Centre Plan is proposing a Corridor Zone that would allow mixed use development on a maximum lot coverage of 80%, with a 20m height limit and maximum GFAR of 3.5. These standards are only proposed for 307 Prince Albert while 5 Glenwood is to receive a low density zone. Given the recent decision by Council to rezone 5 Glenwood, the entire site should be placed within the corridor to avoid split zoning the consolidated property and to enable comprehensive development.

GFAR vs DA proposal - Based on lot size, Centre Plan only allows 65,825 square feet of gross floor area on the lot at 307 Prince Albert Road, resulting in a yield of only 40 to 45 units which is simply not viable. That GFA is substantially less than what the building envelope rules allow for, which

would be 80,000 square feet - Why have a set of standards seeming to allow one design be superseded by another standard? Just use one or the other without trying to create some hybrid system that conflicts with itself. With the zoning applied to the whole combined site, the maximum GFA of 3.5 would only allow 89,975 square feet and a yield of only 55 to 60 units. For the combined site, the building envelope rules would allow 110,000 square feet. By comparison, the development agreement application currently in process is for approximately 85 units, with gross floor area of 118,000 square feet and a GFAR of 4.6. We've been going through this process for several years and if it was viable to develop a 55 to 60 unit building we would already have proposed that under the DA, given some vocal opposition to any development on the site. This comparison demonstrates that the theoretical development capability allocated by Centre Plan simply does not provide enough real world incentive to redevelop, and that HRM has not undertaken a meaningful analysis of the impacts of its proposed limits.

Height Limits - The existing zoning on our site does not include any height limits, which enables unlimited height for commercial buildings while residential buildings are subject to DA, giving flexibility to determine what is appropriate given the unique characteristics and context of every site. Centre Plan however is now proposing to impose a 20m height limit that would only enable a 6 storey building, with no penthouses permitted. The site is at a major corner, at the intersection of 3 streets and where the primary street of Prince Albert Road is very wide. The abutting lands to the north contain a service station and hotel. The site is very deep, which allows for good transitions in scale from the front back to abutting low density. A large park is on the other side of Prince Albert. Such a site is logical candidate for greater height given just these factors. In addition to the aforementioned, a tall building can be developed on this site with no shadow impacts. But Centre Plan seems intent on giving in to the anti-development voices and favouring low rise forms that are more suburban in character and that (if even possible to be built) will waste development capacity by failing to capitalize on intensification and infrastructure opportunities. By contrast, Planning Applications staff most recently supported a 9 storey building on the site through the DA process and advised it was compatible with the area, and in 2012 staff made a case for 14 storeys on the same site. Why is another group of staff now saying that these forms aren't appropriate? The version of Centre Plan approved in principle in 2017 provided for the ability to have extra height on corner sites, where good transitions in scale could be provided. Our DA proposal substantially exceeds the proposed standards of Centre Plan relative to setbacks and stepbacks to abutting lands, and where this can be achieved there should be consideration for extra height. However the new version of Centre Plan has removed this ability, for unknown reasons. But on the basis of that now-removed corner provision, staff supports extra height for the site at Robie/Cunard in Halifax, and Centre Plan now provides for a 26m building on that corner instead of 20m as shown last year. This shows an inconsistent approach and demonstrates a lack of fairness, as the Prince Albert site is very similar to the Robie/Cunard one in terms of context to surrounding land uses. As such Centre Plan should show at least a 26 m height at the corner of Prince Albert/Glenwood, stepping down toward the back. The consideration for extra height, where appropriate transitions in scale can be provided, should be put back in Centre Plan as per Council's approval in 2017. That will allow design flexibility where the characteristics of a site make it appropriate and exemplary design and form can be provided that exceeds the minimums.

Summary

For most properties, the proposed land use rules with their restrictions on height and GFAR will be a strong disincentive to redevelop sites. To underline this point, in 2017 Jacob Ritchie said in a public presentation (in relation to the review of the Downtown Dartmouth MPS) that growth targets have not been met because the 7 storey height limit in that plan is too restrictive. And yet that mistake is now proposed to be compounded and extended to a wider area. Most large sites, except those that have already advanced in a DA process or MPS amendment, will remain in their current state and HRM will not achieve its stated growth goals. It has become abundantly clear in the HRM-held developer workshops that city staff have little appreciation of the factors that contribute to decision making and investment in moderate to large scale redevelopments. The details of Centre Plan therefore need to be rewritten especially in the following areas:

- Decouple built form standards from GFAR, and just use one or the other, in order to bring clarity to site and architectural design
- Provide for a realistic heights framework for low, mid and high rise buildings,
- Don't tax the development of taller buildings in an effort to seemingly favour buildings of 6 floors or less,
- Undertake some meaningful feasibility studies on key sites to understand development economics around what is feasible and what is not, to break the cycle of HRM proposing rules that won't enable reasonable degrees of development,
- Extend the proposed Corridor zoning to also include 5 Glenwood Avenue.
- Provide grandfathering provisions for development permits equivalent to development agreements, and

We support the goal of providing clear and up to date planning documents for the Regional Centre, but it is imperative that they be founded in a real understanding of land development, otherwise HRM will fall far short of its stated Centre growth goals with the result that development of new multi unit buildings will shift more strongly to the suburbs where there is a large land supply and fewer restrictions.

Yours truly,

Original Signed

Tony Maskine, M.A.Sc., P.Eng.
Blue Basin Group

cc: Chair and Members of Community Design Advisory Committee
Sam Austin, Councillor, District 5

Attachment 2A: DEV002



Allegro Childcare Centre

COM
5415

Victoria Rd

Victoria Rd

Victoria Rd

Victoria Rd

Inglis

Inglis St

5460

5456

CONDO
5444

5434B

APT

COM

COM

APT
5429

COM
5397

1029

5449

APT
5475

COM

COM
5461

5455

5453

33

021

APT
5482

COM
5396



November 28, 2017

HALIFAX
P.O. Box 1749
Halifax, NS B3J 3A5

Attention: Kelly Denty, Acting Director Planning and Development

Reference: Centre Plan Urban Structure Classification Strawberry Hill Street Properties

Dear Sirs:

As agent for the owner, Eastside 2008 Equities Inc., of the five lots fronting on Strawberry Hill Street numbered 3597/3603; 3600/3604; 3630; 3660 and 3667 Strawberry Hill Street, we are requesting that the Urban Structure Classification for these properties be changed from the initially proposed Intensive Employment to Higher Order Residential.

It has been the intent of the owner, since their date of purchase in 2008, to convert these lands from commercial to multi-residential property as the overall development of the Halifax peninsula proceeded.

The properties of 3600/3604, 3630 and 3660 Strawberry Hill Street have significant adjacencies with Higher Order Residential and Established Residential properties which front on Windsor Street. The properties of 3597/3603 and 3667 Strawberry Hill Street, because of the extremely steep change in grade between these lots and the adjacent Kempt Road lots, have been and remain very separate and distinct from the Kempt Road district. Unlike the vast majority of the proposed Intensive Employment lands in the Fairview Cove Container District, these Strawberry Hill properties were never part of the various "dump" lands in the former City of Halifax.

In recognition of all of the above, and in particular the owners' continuous long term intention, we request that these five properties be classified as Higher Order Residential under the Centre Plan.



If you have any questions or require further information, please do not hesitate to contact me at (902) 468-5247 or email john.lindsay@eastportproperties.ca.

We look forward to your reply.

Yours very truly,

EAST PORT PROPERTIES LIMITED

Original Signed

JOHN LINDSAY
Chairman

MEETING BACKGROUND AND QUESTIONS

TO: Jacob, Kasia, Andrew and Aaron
FROM: Mr. Jeffry Haggett, Senior Urban Planner, WSP Canada Inc.
SUBJECT: Meeting Background Information and Questions Regarding Clarification of Centre Plan Framework as it applies to Medical Arts Site
DATE: December 12, 2017

On Thursday we look forward to meeting with you to discuss the Medical Arts parcel and adjacent properties owned by Killam Apartment REIT. At the meeting we are seeking clarity on two matters:

1. Request a boundary revision of the Centre Plan urban structure map to align with a forthcoming application for subdivision of designated Municipal Heritage Property (PID #00125450) and subsequent lot consolidation with PID 00125492; and,
2. How the Centre Plan Framework will be applied in this area (setbacks, stepback, FAR, transition rules).

Context

Figure 1 shows the area under consideration, Killam’s parcels are in green.

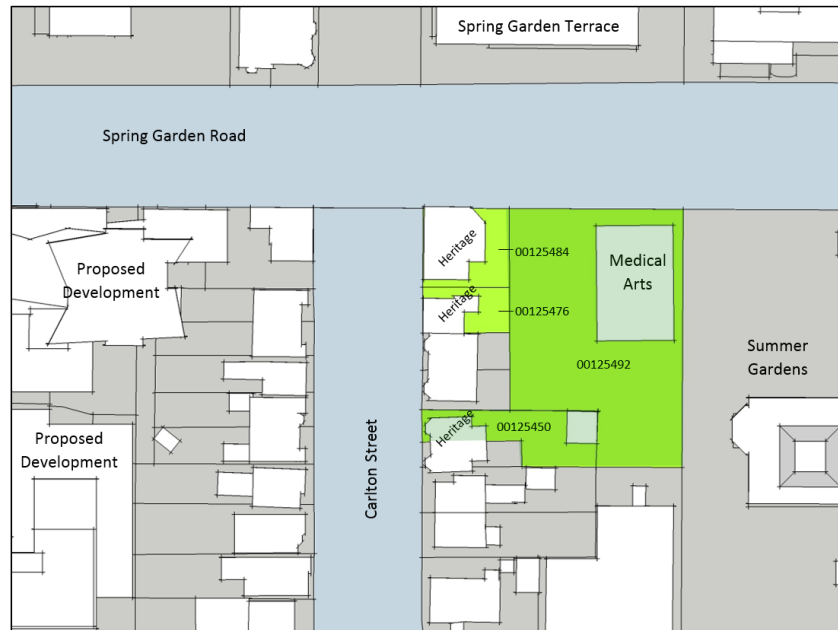


Figure 1: Site Context

1. SUBDIVISION AND “CENTRE” AREA BOUNDARY CHANGE

Killam intends to seek a subdivision and lot consolidation for PIDs: 00125450 & 00125492. It is the understanding an application for a substantial alteration to an existing Municipal Heritage Property (PID: 00125450) is required in order to enable the desired subdivision. The resulting change to the Medical Arts parcel’s boundaries should have the Centre designation applied to the additional area.

Figure 2 illustrates the intended subdivision and boundary change to the “Centre” designations.

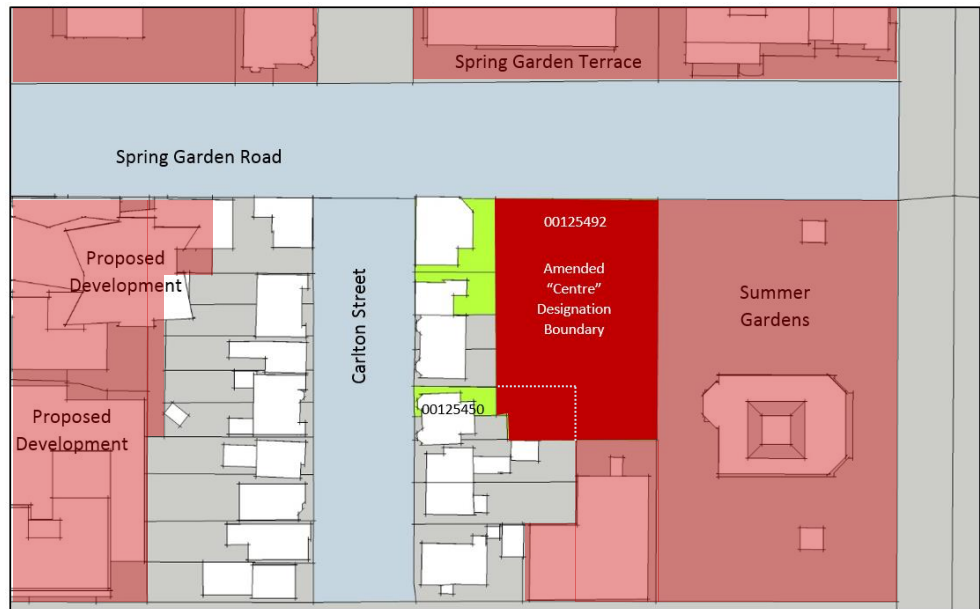


Figure 2: Proposed amendment to the Urban Structure Spring Garden Road Centre highlighted in red

2. APPLICATION OF CENTRE PLAN FRAMEWORK

The Medical Arts Parcel (PID: 00125450) falls under the Centre Plan initiative. As illustrated on the following page (Figure 2), the framework has identified the subject property to be within the **Spring Garden Road Centre**.

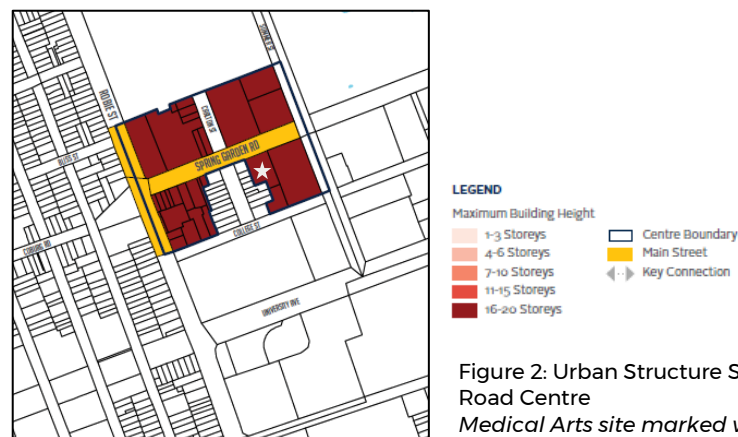


Figure 2: Urban Structure Spring Garden Road Centre
Medical Arts site marked with a star

Framework directions relative to massing

The following table lists the Centre Plan Frameworks guidance on massing. This list is intended to guide the meeting’s discussion towards understanding how the Centre Plan’s Framework will be implemented and affect future development potential on the Medial Arts site.

	DIRECTION WITHIN CENTRE PLAN FRAMEWORK	INTERPRETATION OF CENTRE PLAN FRAMEWORK & QUESTIONS
1. At Grade Floor Separation	Encourage new multi-unit development be built in a way that enables the transition from residential uses to commercial uses on the ground floor to allow for flexibility in use overtime. <i>CPF Reference: 3.3.2 (k)</i>	Anticipate minimum height of Ground Floor to be same as DH-1 which is 4.5m Will mezzanines be permitted within the ground floor when 6m floor plate separation is used?
2. Streetwall Setback	In Centres, set back buildings from the property line between 1.5 and 3m on commercial facades to allow for private amenity space adjacent to the Right of Way. <i>CPF Reference: 2.1.2 (ad)</i>	Anticipate 1.5m. What is planned for this block? Is this private amenity setback a public amenity/benefit that is privately owned?
3. Streetwall Height	Streetwall heights shall be set between 2-4 storeys depending on surrounding context. <i>CPF Reference: 2.1.2 (ae)</i>	Will a specific streetwall height be implemented for the Spring Garden Centre? Or will there be flexibility between 2-4 storeys?
4. Maximum Tower Floor Plate	To reduce the massing impacts of tall buildings, the Gross Floor Area of each storey above a building’s podium shall be restricted to 750 m2. <i>CPF Reference: 3.3.2 (o)</i>	Will maximum tower dimensions be the tool used to regulate tower sizes?
5. Tower Separation Distance	Require a minimum tower separation distance of 25m, above a building's podium, to provide for sky views and privacy between towers. <i>CPF Reference: 2.1.2 (ah) & 3.3.2 (r)</i>	Will this policy direction be implemented through minimum setbacks from property lines, or measured from existing towers on adjacent properties?

<p>6. Height Transition</p>	<p>Ensure tall buildings respect the height of the surrounding context by stepping down towards the adjacent existing or future built form, as identified within the Urban Structure Map.</p> <p><i>CPF Reference: 2.1.2 (af) & 3.3.2. (s)</i></p>	<p>What type of transition design guidelines are you considering?</p>
<p>7. Stepbacks above Podiums</p>	<p>Require tall buildings to stepback above their podium to promote human scaled design</p> <p><i>CPF Reference: 2.1.2 (ag)</i></p>	<p>Will the stepback be 3 metres above the street wall?</p>
<p>8. FAR</p>	<p>Control the density of new developments through maximum building envelope and Floor Area Ratio (FAR).</p> <p><i>CPF Reference: 3.3.2 (b)</i></p> <p>Measure Density by FAR</p> <p><i>CPF Reference: 3.3.2 (c)</i></p>	<p>What FAR is anticipated for the Spring Garden Road Centre?</p> <p>What parameters are excluded from FAR calculations?</p>
<p>9. Maximum Height</p>	<p>16-20 storeys</p> <p><i>CPF Reference: Spring Garden Road Centre Profile Map</i></p>	<p>To achieve the FAR and maximize design guidelines will buildings taller than 20 storeys be considered?</p>
<p>10. Density Bonusing</p>	<p>Create two building height regimes; a lower, pre-bonus height which may be achieved without the contribution of certain public benefits, and a post-bonus height where public benefits in excess of the minimum development requirements are achieved</p> <p><i>CPF Reference: 3.3.2 (f)</i></p>	<p>Will there be a pre-bonus and post-bonus FAR? What will that be?</p>
<p>11. Shadows</p>	<p>No shadows to be casted on the Public Gardens between March 21 and September 21 between the hours of 10:00am and 4:00pm.</p> <p><i>CPF Reference: 2.1.2</i></p>	<p>Will this be applied in policy, or LUB, or through design guidelines?</p>



Conclusion

The purpose of this memo is to assist in making the meeting on Thursday, December 14th productive for all attending. Please contact me with any questions you may have before then at 902.237.3504, or jeffry.haggett@wsp.com

Original Signed

Jeffry Haggett

December 20, 2017

Jacob Ritchie MCIP LPP
 Urban Design Program Manager, Regional Planning Division
 Planning and Development, Halifax Regional Municipality

Subject: Requesting revision of the Centre Plan Spring Garden Centre urban structure boundary.

Dear Jacob Ritchie:

On behalf of Killam Apartment REIT, WSP thanks you for meeting with the Medial Arts development team on Thursday, December 14, 2017. This letter formally requests a revision to the Centre Plan Spring Garden Centre urban structure boundary as was advised by HRM during the meeting.

Figure 1: Detail Spring Garden Centre shows the draft designations of the area under consideration.

- Red parcels are designated “Spring Garden Centre” in the Centre Plan Framework (2017).
- Parcels under consideration are outlined in a dashed line.

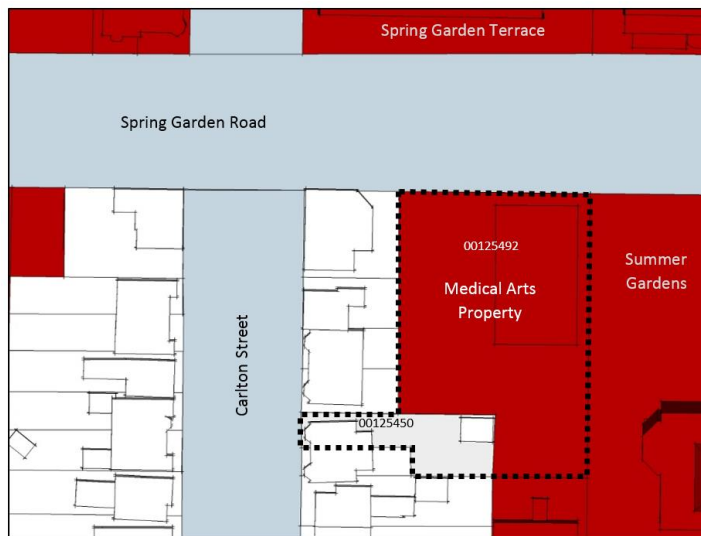


Figure 1: Detail Spring Garden Centre

In January of 2018, Killam intends to seek a subdivision and lot consolidation of the two parcels (PIDs: 00125450 & 00125492). It is understood an application for a substantial alteration to an existing Municipal Heritage Property (PID: 00125450) is required in order to enable the desired subdivision.

As Figure 1 illustrates, the Medical Arts parcel (PID: 00125450) is designated as “Spring Garden Road Centre” in the Centre Plan Framework. Pending approval of the substantial heritage alteration and lot consolidation it is requested the Spring Garden Road Centre designation be extended on the portion consolidated into the Medical Arts parcel. This revision is illustrate in Figure 2: Proposed Boundary Revision.

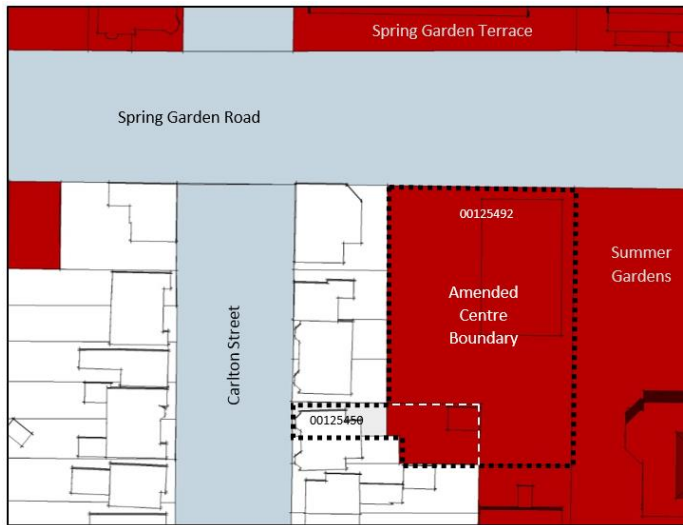


Figure 2: Proposed Boundary Revision

The proposed revision respects the Centre Plan Frameworks goals for encouraging growth in the area to support existing commercial activity, above average transit service and land available to accommodate growth. It is the intent of the Killam to redevelop the Medial Arts parcel in the long-term. Assuming Council approval the future application will be pursuant to Centre Area Policy and Land Use Bylaw. Although there are no immediate plans to make an application, the proposed revision is being made at this time to prevent requesting a plan amendment in the future to what will be recently adopted regulations.

Thank you for your prompt consideration of this request. A response clarifying this revision is acceptable pending approval of the subdivision and consolidation will be appreciated. Please contact the undersigned with any questions you may have.

Yours sincerely,

Original Signed

Attachment 6: DEV016

February 26, 2018

Kate Greene, MCIP, LPP
Policy and Strategic Initiatives Program Manager
Planning & Development
Halifax Regional Municipality
Halifax, NS

Centre Plan Changes – Promenade at College & Robie

Dear Kate:

I am writing to inquire about proposed height and GFAR designation reductions that were assigned to our properties in the updated Centre Plan version released publicly on Friday, February 23rd.

As you are aware, we have always approached our development proposal for the College/Robie properties with a collaborative mindset. We have appreciated the guidance and advice provided by staff over the last two years as we worked to fine-tune our core proposal. We believe our proposal is very sensitive to the heritage assets on our site and the desire of our neighbours to transition well to the surrounding uses. We were anticipating participating in our HRM-sponsored PIM in March, as discussed with staff a few weeks ago and as foreseen by Council in their decision last summer to advance our proposal.

Needless to say, it comes as a major surprise and disappointment that the updated draft Centre Plan included a significant reduction in the height and GFAR allowed on our properties, compared to others. This reduction makes our current proposal unviable. Our approach has always been to seek understanding and to try to appreciate HRM's perspective but in this instance, we feel blind-sided and singularly targeted.

I would respectfully ask that we have an urgent meeting so we can gain an understanding of the objectives of the draft changes by the group involved in the development of the Centre Plan.

We will make ourselves available at your convenience but since the report is being considered on Wednesday at CDAC, we obviously would appreciate an early meeting.

Sincerely,

Peter Rouvalis
Promenade at College/Robie

c.c. Myles Agar, Principal Planner, HRM
Tyson Simms, Project Manager, HRM
Dan Goodspeed
Wendell Thomas
Jim Meek
Noel Sampson



April 21, 2017

Mr. F. Morely, Chair, and Members
Community Design Advisory Committee
PO Box 1749,
Halifax, NS
B3J 3A5

Dear Mr. Morely and CDAC Members,

Re: Draft Centre Plan

Canada Land Company CLC Limited is mandated to acquire and redevelop federal properties which have been declared surplus to federal needs and which are deemed to be strategic relative to their locations, development potential and the ability for reintegration into the adjacent community fabric.

CLC's portfolio includes properties across the country, within the Halifax Regional Municipality CLC owns two sites which are located within the boundaries of the "Regional Centre", the area to be included in the proposed Centre Plan. CLC has monitored and participated in the Centre Plan process since its inception, attending CDAC and CPED meetings, participating in public and stakeholder engagement opportunities as well as making direct presentations to planning staff. CLC has also maintained ongoing communications with district councilors and the community regarding CLC's intentions and efforts relating to our properties.

The purpose of this letter is to provide comment relating to the draft Centre Plan document tabled with the CDAC at its March 29, 2017 meeting as it relates to 2 specific CLC sites: the former CFB Halifax Shannon Park lands; and the former RCMP on Oxford Street at Bayers Road. The underlined text in this letter includes specific requests for changes to the current draft Centre Plan document. The text in *italic* presents comments and/or general suggestions which CLC believes CDAC and planning staff should address.

Shannon Park

In March 2014 CLC acquired from DND approximately 89 acres of land at Shannon Park (PIDs 41404104, 41402942, 41402934 and 41394016). These lands included the Shannon Park Arena, the Shannon Park School, a Canex, a gymnasium and pool,

a variety of CFB Halifax administration buildings as well as 81 multiple unit residential structures containing approximately 421 dwelling units (“Private Married Quarters/PMQs”).

In May 2015 CLC initiated a comprehensive planning process to prepare a concept for the redevelopment of the entire property. This process included extensive public and stakeholder engagement efforts. HRM staff were consulted and included throughout the planning and consultation process. From the outset it was recognized that an opportunity existed to integrate CLC’s development planning efforts into the Centre Plan process, aligning CLC’s efforts with the new development framework for the Regional Centre. In April 2016 CLC presented a “preferred development concept” for the property to the public. The concept was submitted to HRM planning staff in December 2016 for formal review following the completion of preliminary engineering and traffic impact analysis.

Comments relating to draft Centre Plan provisions

Part 3.1 Urban Structure Map

1. Designation of PID 41402934

PID 41402934 is owned by CLC and is designated as Parks and Public Spaces in the current draft – **PID 414029334 should be designated Future Growth Node**, similar to the abutting 2 CLC properties. PID 41402934 includes the existing Shannon Park School. The Halifax Regional School Board has confirmed its intention to acquire the school but timing and actual lot boundaries have not been confirmed. School uses (as well as a range of other community and public uses) should be a permitted uses in a Future Growth Node and this property does not need to be designated separately. Planning for the integration of the Shannon Park School into the preferred development concept has been part of CLC comprehensive planning process.

2. Designation of PID 41394016

PID 414394016 is owned by CLC and is designated as Intensive Employment in the current draft – **PID 41394016 should be designated Future Growth Node**, similar to the other Shannon Park properties. This PID is Nootka Avenue (a private road) located between the CN right-of-way and Windmill Road. These lands have been included in CLC’s comprehensive planning process.

Part 3.5 Future Growth Nodes

3.5.1, General

3. The “Future Growth Nodes” designation is applied to a variety of differing types of areas – shopping centres, underutilized commercial lands, a large scale mixed used residential area and the CLC property at Shannon Park. While the character of these areas varies significantly, ***provisions in Section 5. 3 should explicitly recognize CLC’s Shannon Park lands as being distinct from other Future Growth Node lands.***

It is recognized that development of Future Growth Nodes “will not be immediate and may take several years to fully evolve into the desired form”. It is suggested that development of these areas may in fact take decades. In contrast, ***comprehensive redevelopment planning for Shannon Park has been underway since early 2016 and a preferred development concept has been submitted to HRM for review and approval. This fact should be acknowledged in the proposed policies.***

4. ***Part 3.5.1(b) should make reference to comprehensive planning efforts relating to Shannon Park being substantially completed.***
5. Part 3.5.1(c) requires Future Growth Nodes to include a “transit hub”, however confirmation of transit requirements would be part of the comprehensive planning approvals process. ***It is unclear how the provision of transit hub as a mandatory requirement can be confirmed in advance of liaison with appropriate agencies and the completion of planning approvals process.***
6. Part 3.5.1(d)(ii) suggests that a “Community Renewable Energy Plan” be included in comprehensive planning studies for Future Growth Nodes. No cross reference for this requirement is included in Part 2.7.4, Sustainability, Energy, and no description provided for the nature/scope for this type of study. ***Further details relating to the requirements relating to Community Renewable Energy Plans should be included in Part 3.5.1 or Part 2.7.4.***

Note

Reference is made in the introductory text to “Graham’s Grove” being included as a Future Growth Node. There are no corresponding lands designated as Future Growth Node on the Urban Structure Map. Lands at Graham’s Grove do generally not possess any of the characteristics present in other lands included in the designation.

Part 3.5.2, Land Use

Part 3.5.2(f)(g), Density Bonusing

7. The HRM October 2015 Density Bonusing Study Part 5, Deriving the Value of Density in the Regional Centre, makes specific reference to Shannon Park. ***The Density Bonus Study and draft policy directions contained in the Centre Plan, as they related to the redevelopment of Shannon Park, have not been prepared with input from or consultation with CLC.***

Density bonusing as envisioned in the Density Bonusing Study is primarily structured on an infill /individual development site basis and does not adequately address comprehensively planning development sites like Shannon Park. ***The Centre Plan should provide a greater level of detail regarding how the tool is anticipated to be used in the Future Growth Node context and specifically how pre-bonus/post-bonus threshold will be established.***

Part 2.2 Culture & Heritage

Part 2.2.1(d), Tufts Cove Archaeological Investigations

8. CLC has undertaken an Archaeological Screening and Reconnaissance Study for the Shannon Park lands (PIDs 41404104, 41402942, 41402934). The study was prepared pursuant to a Nova Scotia Department of Communities, Culture and Heritage Permit (Permit A2015NS052) issued through the Nova Scotia Special Places Program to CLC's consultant Cultural Resource Management Group Ltd. The Study has been submitted and accepted by the a Nova Scotia Department of Communities, Culture and Heritage and it has been submitted to HRM as supporting documentation relating to CLC proposed development.

The Study contains 9 recommendations, 6 of which relate to recommended archaeological monitoring during any construction-related ground disturbance at 14 specifically identified sites of archaeological interest. The study also recommends archaeological monitoring of lands within 50 meters of Tufts Cove where excavation extends below the depth of the pre-1950 original grade. Notwithstanding the recommended monitoring at identified sites of interest, ***the 2015 Cultural Resource Management Group Ltd. Archaeological Screening and Reconnaissance Study for the Shannon Park Lands clears the requirements for any further archaeological investigation on the Shannon Park lands.***

Policy 2.2.1(d) requires that “archaeological investigation and monitoring should be conducted, by the developer, where any excavation or disturbance of the ground plane is to be undertaken on areas controlled by Canada Lands Company”.

This policy is not consistent with the recommendations of the approved Cultural Resource Management Ltd. Archaeological Screening and Reconnaissance Study and reference to CLC lands should be removed from policy 2.2.1(d).

It must also be noted that *this policy does not recognize that the existing “ground plane” of the Shannon Park lands was substantially altered through circa 1950 site preparation.* Grade at the southern portion of the property, adjacent to the harbours’ edge contains on average 10 – 14 meters of fill, the depth of fill reduces as the site transitions to the north. Virtually the entire surface of the actively utilized portions of the Shannon Park site has been altered. Original unaltered grade exists in very limited area, primarily at the waters edge. ***With respect to the Shannon Park lands the CRM study makes specific reference to general archaeological monitoring being recommended only where pre-1950 grades are disturbed by future site development.***

The drafting of this policy was not done in consultation with CLC, and together with the Tufts Cove Potential Cultural Landscape designation this policy has not appeared in previously circulated versions of the draft Plan. This policy is not consistent with documentation provided to HRM relating to archaeological considerations incorporated into the comprehensive planning process for the redevelopment of the Shannon Park property.

3139/3151 Oxford Street

In December 2016 CLC acquired PID 41429275, civic 3151 Oxford Street. The property contains the former RCMP forensics lab building. CLC is in the process of closing the acquisition of PID 41429267, civic 3139 Oxford Street, the former RCMP Headquarters building at the intersection of Oxford Street and Bayers Road.

Between the 2 properties CLC will hold approximately 5 acres of land, strategically located at the intersection of Oxford Street and Bayers Road, flanked on the north and east by the CFB Halifax Willow Park complex. The properties became surplus to RCMP needs with the construction of new headquarters facilities in Burnside. CLC has acquired the properties for redevelopment.

Part 3.1 Urban Structure Map

9. Designation of PID 41429275 and PID 41429267

PID 41429275 is owned by CLC and PID 41429267 is currently being acquired by CLC. The properties are designated as Institutional Employment in the current draft – **PID 41429275 and PID 41429267 should be designated as Corridor.** CLC does not own or develop properties for institutional purposes.

CLC acquisition activities and intentions regarding development of the Oxford Street properties have been disclosed to and discussed with HRM planning, this information has not however been acknowledged or reflected in the current draft document.

The CLC properties provide for a logical connection between the “Oxford Street Corridor” and the “Bayers Road Corridor”. In the respective Corridor designations, properties on the east side of Oxford Street (between Bayers Road and Liverpool Street) and the north side of Bayers Road (between Oxford Street and Connaught Avenue) are designated Corridor and envisioned for redevelopment. Lots within both of these designations are small and relatively shallow and all about “Established Residential Areas”. ***The location, size, configuration and adjacency to non-residential uses make CLC’s Oxford Street properties suitable for larger scale higher density mixed use redevelopment.***

CLC looks forward to having these matters addressed through the Committee’s efforts and participating in the process to see the work on the Centre Plan successfully concluded.

On behalf of Canada Lands Company CLC Limited,

Original Signed

Chris Millier
Director, Real Estate

Attachment 8: DEV018 and DEV029

Bloomfield Site

Development Rights	
Designation / Zone	Centre / Cen-2
Minimum Lot Area	279 sq.m.
Minimum Lot Frontage	9.1 m.
Maximum GFAR	Unknown
Maximum Height	Unknown
Minimum Required Streetline Yard	Robie, Agricola, Almon : 1.5m Fern : 0.5m
Maximum Required Streetline Yard	Robie, Agricola, Almon : 3m Fern : 2m
Maximum Streetwall Height	8m
Site Plan Approval Area	Yes
Special Area	No
Prominent Site (Visual Terminus)	No
Pedestrian Oriented Commercial Street	No
Viewplane	No

St. Pats' High School Site

Development Rights	
Designation / Zone	Centre / Cen-2
Minimum Lot Area	371 sq.m (to end of Quingate Pl.), 279 sq.m. (remainder)
Minimum Lot Frontage	12.2m (to end of Quingate Pl.), 9.1m (remainder)
Maximum GFAR	Unknown
Maximum Height	Unknown
Minimum Required Streetline Yard	1.5m
Maximum Required Streetline Yard	3m
Maximum Streetwall Height	11m
Site Plan Approval Area	Yes
Special Area	No
Prominent Site (Visual Terminus)	No
Pedestrian Oriented Commercial Street	Yes (Quinpool Rd.)
Viewplane	No

St. Patrick Alexandra Site

Development Rights	
Designation / Zone	Higher Order Residential / HR-2
Minimum Lot Area	279 sq.m.
Minimum Lot Frontage	9.1m
Maximum GFAR	3.5
Maximum Height	20m
Minimum Required Streetline Yard	3m
Maximum Required Streetline Yard	No
Maximum Streetwall Height	8m
Site Plan Approval Area	Yes
Special Area	No
Prominent Site (Visual Terminus)	Yes
Pedestrian Oriented Commercial Street	No
Viewplane	No

AUTHORIZATION

To Whom it May Concern,

RE: The property municipally known as 3139 Oxford Street, Halifax, NS and legally described as PID Number 41429267 (the "Property")

As owner of the Property, we, the undersigned, hereby authorize Canada Lands Company CLC Limited ("CLC") to conduct the following activities:

- to commence a planning process for the Property in conjunction with any property owned by CLC;
- to engage in any type of public consultation process with respect to the Property; and
- to submit any type of planning/rezoning applications and supporting documents/reports to the City of Halifax, as if CLC were the owner of the Property;

And for so doing, this shall be its full and sufficient authority.

We, the undersigned, hereby agree that this Authorization may be transmitted by facsimile, email or such similar device and that the reproduction of signatures by facsimile, email or such similar device will be treated as binding as if an original.

DATED at Halifax N.S., this 7th day of December, 2017.

HER MAJESTY THE QUEEN in right of Canada as
represented by the Minister of Public Works and
Government Services

Original Signed

March 5, 20178

RUDY VODICKA
PROJECT MANAGER . REAL ESTATE DEVELOPMENT
CORPORATE REAL ESTATE | FINANCE AND ASSET MANAGEMENT
HALIFAX

1 Starr Lane, Dartmouth, NS
B2Y 4V7

CONTACT

Rob LeBlanc
president
t 902 461 2525

Re: Draft Centre Plan Review for St. Pats Site

Dear Rudy;

As requested, we have reviewed the current draft of the centre plan and made some notes as it relates to future development potential of the site. I understand that before we meet, you would like to review my notes with the director for further clarification. I have a few general comments and then some specific comments:

Landscape Architecture

Planning

Architecture

Civil/Transportation Engineering

General Comments

1. Setting a definition of High-rise at over 6-storeys will continue to propagate the fear of height in Halifax. The **Emporis Standards Committee** defines a high-rise building as “a multi-story structure between 35–100 meters tall, or a building of unknown height from 12–39 floors” and a skyscraper as “a multi-story building whose architectural height is at least 100 m or 330 ft.” In almost every other city in the world, High-rise buildings start at 10-12-storeys. The City of Toronto defines the mid-rise as 5-11 storeys with the “tower” or high-rise greater than the mid rise height. Calling a 7-storey building a “high-rise” will continue to perpetuate the fear of height in Halifax. More importantly, Halifax is proposing to follow Toronto’s lead in reducing the tower dimensions to 750 sq.m. which is fine for towers over 12-storeys, but in Halifax’s case, limiting anything over 7-storeys to a plate size of 750 sq.m. significantly reduces the yield of a site. In the case of St. Pat’s, it will directly impact the yield and value of the site.
2. Policy 64 of the Centre Plan needs rewriting for simplification.

Specific

1. (12) “A development permit shall expire 24 months from the date issued”. On master planned-multi-phased developments like St. Pats, this could be a problem.
2. (17) “Public information and consultation are required before submitting an application for substantive site plan approval.” I’m confused why the public would be involved in site plan approvals now? The whole idea was to create greater development certainty. What role will the public play in evaluating development proposals?
3. (36 g). We may be relocating Windsor Street in one of our options. Policy 36g speaks to when a street is closed, but there could be instances like this project where a road could be relocated. This should be accounted for in this section.
4. (72-2) “A lot without direct access to a street may be developed if: it is accessible through a registered easement at least 2.5 metres wide.”. This is a large lot and it will be important to note that a phased development may not have street frontage and

that there is a vehicle to accommodate large developments without frontage.

5. (105-2-c) "Any main building higher than 20.0 metres is a high-rise building." As previously noted, this will be very problematic since anything considered a high rise has a maximum floor plate footprint of no more than 750 m.sq. 950 sq.m. creates an efficient floor plate to allow a scissor stair.
6. (106 -2) "Underground parking areas are permitted to cover up to 100% of a lot if they are entirely located below an elevation of 0.25 metres above the streetline grade." Most sites in Halifax have slopes and it is nearly impossible to keep the underground parking garage 100% below 0.25. Even along street frontages only (this policy applies to everywhere around the building). This policy needs rethinking to accommodate buildings on sloping sites.
7. (107 4 C&D) "All grade-related units shall have: a ground floor set at least 0.25 metres above the streetline grade; and (d) a barrier at least 1.0 metre high and 1.5 metres long, such as a planter, wall, fence, railing, or vegetation, between the street and unit entrance." Again sloping sites make this impossible. On a sloping street, it is common practice to set some units below sidewalk grade with steps down, some units at grade, and some units up to 2m above grade (with stairs). Grade-related units require some flexibility where their finished floor elevation lies relative to the street grade. I don't know what the purpose of the 1m barrier provides in (d)?
8. (166-5b) "All required or provided bicycle parking must be: accessible from ground level with ramps, at least 2.5 metres wide, that do not exceed a slope of 7%". Suggest using building code ramp requirements of 8% to stay consistent.
9. (170-3) "The walking distance from a primary building entrance to any Class B bicycle parking must not exceed: (a) 15 metres for unsheltered bicycle parking;". The primary entrance is usually a busy spot. Suggest that any resident accessible building entrance rather than just the primary building entrance.
10. (191-1) I'm not clear here. Am I to understand that any GFAR above 3.5 is only available through incentive or bonus requirements? The difference in GFAR above 3.5 is subject to bonus requirements? So anything above 5 or 6 storeys is considered a bonus?
11. (203-1) "An incentive or bonus zoning agreement must contain: where necessary, detailed construction drawings, site plans, specifications, and cost estimates for any required or provided public benefit". Detailed construction drawings and specifications seems excessive at an approvals stage.
12. No height defined for this property yet but it sits between a 62m and 38m high zone so we assume it's somewhere in the middle (~15 storeys?). GFAR is between 8.0 and 5.5 so I assume we are between at around 7? That's over 1m sq ft of buildable area or over 700 units (assuming no commercial). The tower dimensions of 750 sq.m. (above 7 storeys) and separation of 25m will significantly limit what is possible in the real design.

I don't see any setbacks in the bylaw yet. Downtown has maximum setbacks which if implemented here could significantly impact the design.

Anyway, those are my initial thoughts. Hope they are helpful. All in all, there is lots of opportunity to develop this site based on the current plan draft.

Original Signed

Rob LeBlanc
President, Ekistics Plan + Design

Workshop #1 Feedback Summary - Designers and Developers

Issues raised:

Centres	<ul style="list-style-type: none">-The 6 m ER buffer is ridiculous for Centres & Corridors-Streetwall should 11 m across the board; in Centres higher yet (4 storeys)-GFAR is enough on its own, too many rules in combination with one another-Increase exclusion list for GFAR calculations.- If we accept GFAR and Height, give us a break on the other regs.- Should use a Ratio of street width to appropriate street wall height-Streetwall heights need to be more. Three stories should be a minimum.-Garage door at 4.5m: could not meet CEPTED rules, could be dangerous spaces. Too prescriptive. Cuts into the parking garage. Creates unusable space as well, to insulate.-4.5 floor to ceiling height is too restrictive. Very problematic with sloped conditions. 4m from floor to ceiling is suitable. It also discourages the use of quality insulation and drives up the cost of development based on concrete requirements.- Increased the heights of the streetwall to 12m.-height measured in 8m widths on a slope, forces to step foundation slab and becomes is too expensive, take from average grade across the front only with allowance for 3.0m - 4.5m 1st floor ceiling height would be suitable.-Get rid of a prescribed floor-to-ceiling height on 1st floor, should be market driven or only require it on pedestrian oriented commercial streets.-Podium height will not be achievable based on 4.5 ground to floor ceiling height.-side and rear yard requirements should be the same, transitional should be the same for both.--combined rear set-back and step-back of 12.5m cuts too much into the transitional example, of the floor plate, etc... does not make economic sense to build under this.- On smaller sites the FAR with such prescriptive rules will not allow allows achievable development, increase exclusion on FAR- Stretewall design needs flexibility, a suggested method would be a range in streetwall height or a 10% variance on the number. This is needed for articulation and creativity, and allowing height.- Is daylighting triangle even needed
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	<ul style="list-style-type: none"> -750 sq floor plate does not work, and dimensions are too prescriptive. 10,000sq.ft is suggested as it is a leasable commercial floor space. - Remove the linear dimension from the tower massing, leave it to square footage. - Rely on wind and shade studies to determine what is a suitable tower floor plate. - Suggestion, 70ft should be a narrowest dimension for tower length. - Narrower portion of the tower is too tight, for hall ways to have viable residential units. - 20m X 45m tower floor plater should be a minimum. - There should be no podium requirements for a mid rise form, no step back. - set-backs to side line should be a percentage of the lot width, to a maximum number. - Bonusable GFAR - 3.5 needs to be starter, the bonus needs to be above the FAR prescribed. - Unit mix, has to go away. Effects the bottom dollar too much, we need to stay out of the market. -10" podium above grade is too minimum.
Corridors	<ul style="list-style-type: none"> -The 6 m ER buffer is ridiculous for Centres & Corridors -Streetline set-backs makes sense in HR but in COR 1.5 m is a big ask -4.5 m commercial requirements should not be required, will lose a floor of the building. Not realistic. No maximum or 12 feet would be more realistic especially in HOR and Corridors -Should Viewing Triangle be needed at all, or above the first story? -Minimum streetline setback should not be continuous along the entire building façade unless on a street where a wider sidewalk is needed. -Why is minimum streetline setback established for the entire height of a building? Should only be required for first 2 or 3 stories. -Schedules 12 and 13 (Streetline setbacks) are difficult to read. -Why is minimum 4.5 metre height required on all COR zoned properties but ground floor commercial developments are not mandatory. Requirement increases the cost of at grade residential and small scale commercial developments. Should only be required on pedestrian oriented commercial streets. -Measurement of height from the streetline grade at 8 m. intervals poses a big problem on steep slopes which are prevalent in the regional centre. Should be greater flexibility depending on slope. Suggestion made that a maximum variance of 3 m. be permitted on sloped surfaces. -Why does the commercial component require a separate exterior entrance from the residential component (s. 60(3)). Should just require one entrance required at grade level. -Building Stepbacks, Setbacks and Lot Coverage: requirements will create difficulties for building viability on certain corridor streets where lot depths are small (such as Windsor St.). Will create skinny dwelling units.

	<ul style="list-style-type: none"> - Need greater flexibility to respond to context of surrounding development and maintain neighbourhood fabric. - Should have a structural engineer comment on setbacks and stepbacks - Stepback requirement has cost and structural ramifications as more columns are required. - Building Height should not include parapets. - Height measurement “from average finished grade around the periphery of the building” will be problematic on steeply sloped properties. Need greater flexibility to address unique situations. - 20 m. in height will not allow for a 6 storey building - Height restrictions are only needed on larger lots where taller buildings become viable. -Should allow maximum height at a specified distance back from the corridor streets and then a lesser height beyond this distance instead of based on zoning and property lines. - Max. Building Dimension, why specify a maximum 64 m. building depth or width (s. 116(1)(a)). Issue of articulation can be addressed through design manual. - Allowable GFAR cannot be achieved on many properties because built form requirements – particularly height restrictions – won’t allow it. Need greater flexibility to relax other built form requirements so that allowable GFAR can be achieved. Hallways, stairwells and other non-habitable areas should not be included in the building floor area and calculation should be measured from the interior of the building exterior walls - Don’t mandate % of 2 bedroom units.
Higher Order Residential	<ul style="list-style-type: none"> -In the HR – Height can’t constrain your GFAR, we have to be able to bank on GFAR -What about excluding ground level parking from GFAR, more exclusions in general? -Use a lego block approach to help the public get comfort -Why not regulate height with storeys -What is the basis of the 50% lot coverage maximum, will not make redevelopment viable. Some areas already have higher coverage, should be 80% max. -Setback provision from each lot line, then why do you need a lot coverage control? -Parking could be above grade 0.25m, how can I do underground parking given the grade? -Must be located in the back -Streetwall heights of 8 m should be revisited to allow for 3 floors -4.5 m commercial requirements should not be required, will lose a floor of the building. Not realistic. No maximum or 12 feet would be more realistic especially in HOR and Corridors. Or Have a minor variation provision of 10% -A lot of constraints/provisions -Need economic case studies, If you want to catalyse development you need fewer constraints

- HR area will need to be more surgically developed
- Construction costs per square foot – need to sit down with developers to understand this better.
- Amenity space is better internalized, on a terrace etc.
- Well-designed entry way better than a side yard ramp
- This is a light handed approach to densification
- No need to control unit type size, command economy is shown not to work, developers follow demand and adjust.
- 4 feet set-back is the new norm for large homes
- You are taking for granted the amount of land available for redevelopment.
- Asking for 3 m rear yard and a 2.5 m setback to streetline is too much
- 3 m setback at grade – why?
- If want to transition – a set-back of 1.5 m is a good number
- Need to examine the HR zone in more detail – example 1 ER has 6 different setbacks within?
- Streetwall should 11 m across the board; in Centres higher yet (4 storeys)
- Maximum building dimension at 40 m – 35 m tower dimension is too low, 64 m should be in HR as well
- For through lots max out your building dimensions, otherwise 64 m
- Architectural breaks every 6 m breaks up the walls, no need for dimensions on top of that
- HR zones should be on Tower Road & Wellington Street
- There is so much diversity in the HR areas that we may need another zone, more texture – through lots, large lots, fine-grained?
- Maximum setbacks in some areas problematic – where large trees exist
- More DA options for larger sites?
- Stepbacks – 3.5 m after an 8 m streetwall; what if you don't go up to 20 m?
- Not allowed to do parking at street line, and you can't put parking on the side yard?
- You need to connect the streets
- Landscaping chews away buildable space in lieu of the other requirements
- Toronto/Vancouver have very different contexts; high end design possible in a high end market
- Be careful of having too many form requirements that create un-necessary costs (insulations, supports, etc..)
- A lot of parking burden based on low-rise, low-density buildings (less than 5 units). Parking should be zone based not typology based.
- You want to leave room for innovation
- Streetwall/Stepback Example – 3 floors is 30 feet; step back after 30 feet otherwise puts a real burden on smaller lots and buildings. Mansard roof will disappear.
- All of the requirements collectively put a real burden on low rise buildings



April 17, 2018

Submission Re: Draft Centre Plan and LakeCity Works- 386 Windmill Road (PID 41079799) and 4 Fernhill Drive (41079807), Dartmouth

To the Centre Plan Team,

I am writing to you regarding the implications of the draft Centre Plan for the LakeCity Works property at 386 Windmill Road and the property we anticipate acquiring from HRM at 4 Fernhill Drive. Our non-profit charitable organization is focused on providing opportunities for persons who face barriers to employment, and those requiring assistance in securing paid work in the market. These services are provided throughout the community and in our Windmill Road workshop where approximately 50 people are involved in the production of high quality solid wood furniture and other products. Working with a staff of 13 professional woodworkers and cabinetmakers, up to 35 clients are able to gain competitive working skills within a supportive environment.

We are currently in the process of rezoning 4 Fernhill Drive from the current R-2 (Two Family Residential) and R-3 (Multiple Family Residential- Medium Density) zones to the C-2 (General Business) zone (Case 21548) which is enabled by the current Commercial Designation of 4 Fernhill Drive in the Dartmouth MPS. This rezoning is one of the conditions of the purchase and sale agreement approved by Regional Council at a Public Hearing held on July 18, 2017. As the long term intent of LakeCity is to use this property in conjunction with our current woodworking operations at 386 Windmill Road, rezoning the property to C-2 is required.

Our property is part of an extensive and long established corridor along Windmill Road focusing on light industrial, auto service and sales, major commercial and public utility uses. There are a few isolated residential uses including single family dwellings and medium scale apartment buildings. This corridor stretches from Farrell Street to Highway 111.

The 2018 draft of Centre Plan, as we understand it, proposes that the area fronting on Windmill Road from Farrell Street to Fernhill Drive be designated and zoned as "Higher Order Residential". It is stated in a memo to CDAC on February 20, 2018 that "Parts of Windmill Road previously designated as Intensive Employment (*in the 2017 draft of Centre Plan*) were designated as a Higher Order Residential area as light industrial uses are rare and are not seen to not be compatible with existing residential uses and the redevelopment of Shannon Park". We disagree that light industrial and major commercial uses are rare along this stretch of Windmill Road. In fact it is residential uses which are in the minority. We do not agree that the retention of this long standing existing industrial/commercial corridor would be incompatible or have any negative impact on the planned redevelopment of Shannon Park, or on the existing residential areas on either side of Windmill Road.

Designating and zoning this area of Windmill Road as Higher Order Residential under Centre Plan has serious implications for our current property and our planned acquisition of 4 Fernhill Drive.

386 Windmill Road, Dartmouth, NS B3A 1J5
902-465-5000



Our Windmill Road operation includes three main components: light manufacturing (with warehousing), and associated offices and retail. It is intended that the Fernhill Drive property would be an extension of the woodworking operation and used for parking, storage and/or manufacturing.

Although it appears that the proposed HR-2 (Higher Order Residential 2) zone as drafted would allow our office and retail functions, it would not permit our primary manufacturing function. There is provision for "fabrication" as a permitted use in the HR-2 zone which would include "neighbourhood-scale manufacturing". However with 13 employees, and up to 50 people involved in the woodworking operation, this could not be classified as neighbourhood scale manufacturing which is defined as light manufacturing with up to 5 employees. We believe that our current operation would fall under the definition of "light manufacturing use" which is not proposed to be permitted in the HR-2 zone.

In addition, the proposed Centre Plan does not make any provisions for the expansion of uses made non-conforming under the plan. If these provisions of Centre Plan proceed unaltered, we would be in the position of being restricted to the current extent of our woodworking operation as a non-conforming use.

The 4 Fernhill Drive property is proposed to be in the Established Residential Area under Package "B" of Centre Plan. Although the details of this designation and zone are not yet known, it can be inferred that this will not allow the development or use of 4 Fernhill Drive for retail, office or light manufacturing uses in the future.

As currently proposed the policies and regulations under Centre Plan will limit the operation of LakeCity Woodworkers and LakeCity Employment Services now and into the future. Our plans to extend our current operation onto 4 Fernhill Drive, notwithstanding the outcome of our rezoning application, would seem to be eliminated despite the clear intent of other HRM staff and Regional Council to allow our operations to continue and to expand onto the Fernhill Drive property.

We would respectfully request that both the overall direction of plan policy and the details of the land use regulations, as they relate specifically to our current and future operation at 386 Windmill Road and 4 Fernhill Drive, and more broadly to the Windmill Road corridor, be re-examined to allow LakeCity Employment Services to continue to provide its valuable services in Dartmouth.

Original Signed

✓ Liam O'Rourke
Executive Director
LakeCity Works

cc. Councillor Tony Mancini
Councillor Sam Austin,
Chairman and Members, Community Design Advisory Committee

386 Windmill Road, Dartmouth, NS B3A 1J5
902-465-5000

April 18, 2018

Submission regarding Vehicle Repair and Service Uses as proposed in Centre Plan 2018

To: The Centre Plan Team,

I wanted to raise an issue on behalf of Chad Kennedy of Kennedy's AutoPro regarding the regulation of vehicle service uses in package "A" of the most recent proposal of Centre Plan.

I would like to make the case that vehicle service uses are an appropriate use for areas proposed to be designated Corridor in Dartmouth. It should be noted that vehicle service does not extend to auto body shops where major body work, welding and painting take place.

In the proposed Centre Plan, vehicle service that Mr. Kennedy provides at Victoria Road and Albro Lake Road, would fall under the quite broad definition of service station as "*premises used for the retailing of motor vehicle fuels, lubricants, and accessories, the repair and servicing of motor vehicles indoors, motor vehicle inspection or car wash facilities*". However, this use is only proposed to be permitted in the Centre 2 zone on Wyse Road and nowhere else in the Dartmouth Centre Plan area.

In addition to Mr. Kennedy's successful vehicle service operation in the proposed Victoria Road corridor, there are well-established small to medium scale vehicle service uses in each of the other proposed Corridors (Pleasant Street, Portland Street and Prince Albert Road). Under Centre Plan, all existing auto service and repair uses that are currently located in these Corridor zones would be made non-conforming uses. It is my understanding that there will be no process to specifically address uses made non-conforming by Centre Plan. This would remove the ability to expand any existing vehicle service uses, to redevelop existing uses, or to establish new service centres.

While it may be appropriate to make certain uses non-conforming if they do not promote the goals, objectives and vision of Centre plan, it is my opinion that auto service uses should be permitted within the proposed Corridors as they do promote this overall vision.

One of the main objectives of Centre plan is to facilitate residential intensification of the Centre Area. Intensification will be successful if the residents of these denser neighbourhoods have direct access to the commercial and service uses that they require. To force such uses out of the Centre of Dartmouth would be contrary to the goals of Centre Plan to promote complete and sustainable communities.

Vehicle service and maintenance uses provide a valuable service within neighborhoods, are frequently required by most residents, and should be located close to a concentration of customers to allow convenient access to the services. For routine repair and maintenance including motor vehicle inspections, oil changes, tire changes, and minor repairs, it is preferable to have a neighbourhood-oriented service center close by to avoid having customers drive long distances to areas like Burnside to access this service. The existing vehicle service uses located in the proposed Corridors allow customers

to drop off their car in the morning for service, and take transit to work to retrieve their vehicle at the end of the day.

It is also my opinion that there is an inconsistency in the way other auto related uses are regulated in Centre Plan. For instance, a car and truck rental use is proposed to be defined as a retail use (which includes the servicing and repair of these rented cars and trucks) and is currently proposed to be permitted in the COR (Corridor) and HR-2 (Higher Order Residential 2) zones whereas locally-oriented repair garages are not. Additionally, “service uses” such as taxi and tow truck dispatchers (which would include the taxi and tow truck depots on site) are proposed to be permitted in the COR and HR-2 zones. All of these uses have very similar characteristics and land use impacts in that they provide an auto-focused service and require cars and trucks to be temporarily parked on the property.

There should be consideration given to the size and form of auto service uses and the location and size of parking areas and outdoor storage, with appropriate site and design standards that address expansion of existing uses and the establishment of new ones. We are confident that such regulation would ensure the successful integration of vehicle service uses in the Corridors as just one of many neighbourhood-oriented commercial uses.

We would request that as Centre Plan moves forward, and is revised based on consultation with various stakeholders, that vehicle servicing be a permitted use in Corridor zones.

Sincerely,

Original Signed

Shelley Dickey
Shelley Dickey Land Use Planning

On behalf of Chad Kennedy
Chad Kennedy’s Autopro, Dartmouth

CC. Councillor Austin, District 5
Councillor Mancini, District 6
Chairman and Members- Community Design Advisory Committee

October 12, 2016

**Lancaster Drive/Woodland Avenue/Cannon Terrace-Dartmouth
Lands of First Baptist Church**

Prepared for: HRM Centre Plan Team

On Behalf of: Trustees of First Baptist Church - Dartmouth

Introduction:

This submission is being made on behalf of the Trustees of First Baptist Church- Dartmouth in relation to the ongoing work of the Centre Plan Team in determining the policy direction and development regulations for the Centre Plan area of Halifax and Dartmouth.

First Baptist Church Dartmouth owns an 8.26 acre property located at the corner of Lancaster Drive and Woodland Avenue spanning north to Cannon Terrace with frontage on all of these streets (PID 41113887). This property is currently located in the Dartmouth Municipal Planning Strategy and Land Use Bylaw area, is designated Residential under this strategy, and zoned R-1 (Single Family Residential). Under the Regional Planning Strategy the site is designated Urban Settlement and is located within the Mic Mac Mall Urban Regional District Growth Centre.

Intended Site Development:

First Baptist plans to develop approximately 5.5 acres of this site with up to a 30,000 square foot church with up to 300 parking spaces and generous landscaped areas and greenspace. It is anticipated that the Church would be constructed in two 15,000 square foot phases. This can proceed by-right under the existing R-1 zoning for Dartmouth as *places of worship and associated halls* are a permitted use. This development plan will leave approximately 2.5 acres of land to meet additional goals of the Church. First Baptist Church seeks to encourage and allow for the development of medium density housing on this property to respond to the demand for such housing from its members, and to promote a diversity of housing forms in the surrounding residential neighbourhoods.

To meet these goals, it is the Church's intent to apply for a rezoning from R-1 (Single Family Residential) to R-3 (Multiple Family Residential- Medium Density) for this 2.5 acre portion under the existing policy framework available in Dartmouth. It is our understanding that a rezoning could be considered at this location and would be required to meet the provisions of Policy IP-1 (c) of the Dartmouth MPS. Furthermore any subsequent residential development on the site greater than 2 units would be subject to Policy IP-5 of the Dartmouth MPS.

The proposed (preliminary) site plan is attached to this submission. The Church and its required parking would be located in the north portion of the property at the rear of the houses along Cannon Terrace and Viridian Drive. The main access to the church would be via a new driveway to and from Lancaster Drive with a secondary access through the existing driveway on Cannon Terrace. The proposed R-3 area would extend along the southern boundary of the property bordering Woodland Avenue with dedicated driveway access onto Lancaster Drive.

Although subject to detailed negotiation under a development agreement, the intent is to enable approximately 100-120 units in a moderate height building form. The church would anticipate and encourage the development of new housing which is affordable to its members and to residents of the existing communities, and which seeks to integrate supportive housing.

Centre Plan:

The Centre Plan documents which have been released as of June 2016 show this property as an “established residential area”. It is our understanding that the intent in these areas is to allow minimal intensification in the form of secondary suites in existing single family dwellings, or the development of two unit dwellings on infill lots.

We would like to make the case that this parcel actually borders an established residential area, and has unique characteristics which would make it suitable for development beyond single family density levels with secondary suite provision. We would seek forms of development which promote the population growth objectives of the Centre Plan while encouraging complete communities, strategic growth, and sustainability. This site provides an opportunity to support residential intensification in the Centre in a manner that is respectful of and builds upon existing neighbourhoods.

This site is located at a major signalized intersection, is adjacent to an existing R-3 development parcel (currently approved for a 44 unit – 50 foot height residential building under development agreement), will be buffered from all existing single family dwellings on Cannon Terrace and Viridian Drive by the Church property (an R-1 use), and is well served by major commercial areas, schools, recreation and open space uses, and transit services. This site is located within the Mic Mac Mall Urban Regional District Growth Centre of the Regional Plan which supports medium density residential uses on sites adjacent to established residential neighbourhoods.

Assessing this site specifically against the seven indicators used to evaluate the growth potential of Primary Growth areas proposed for Centre Plan would also point to this site as a prime candidate for medium density residential development.

This site is within walking distance (with sidewalk access) to the Mic Mac Mall transit node and to the park and ride facility at the corner of Mic Mac Boulevard and Woodland Avenue. This proximity gives this site direct **transit** access to the **major employment areas** of Mic Mac Mall, the Downtowns of Dartmouth and Halifax, Burnside, and Dartmouth Crossing.

This site has excellent pedestrian access to major **open space** and recreation resources including Maybank Field, the soccer fields and tennis courts adjacent to Crichton Park School, Cyril Smith Golden Acres Park, and Albro Lake Park.

There is **vacant land available** for development on this site, and there is **development interest** in this area with the recent development of the Willow Ridge CDD.

This site will have a major **community asset** with the development of First Baptist Church, which will provide many valuable services and experiences to the community as it does in its current location.

Finally developing this site for medium density residential uses will make use of the existing oversized services constructed in this area with the development of Lancaster Ridge. There are no anticipated piped or transportation **servicing constraints**.

Requested considerations:

Related to the intended by-right development of the First Baptist Church site, it is requested that *places of worship and associated halls* remain as a **permitted use** in the R-1 zone in the Centre Plan area. This recognizes the compatibility of such uses within neighbourhoods, their important function as community assets that allow for a variety of experiences, and their role in the creation of complete communities.

With respect to the development of the remainder of the site - to reflect the established Regional Plan policy intent for this property as part of the Mic mac Mall Regional District Growth Centre and the characteristics of this property which favour medium density residential development as discussed above, it is requested that the policies and regulations of the Centre Plan **preserve the ability** to allow the consideration of this type of residential intensification on the First Baptist Church site.

Respectfully Submitted,

Original Signed

Trustees of First Baptist Church, Dartmouth



FIRST BAPTIST CHURCH

Dartmouth | love. life. legacy.

April 19, 2018

***Submission regarding Lancaster Drive and Woodland Avenue Dartmouth
Lands of First Baptist Church- Centre Plan 2018***

To the Centre Plan Team,

I am writing to you regarding the implications of the draft Centre Plan for the 8.26 acre property owned by First Baptist Church Dartmouth at the northeast corner of Lancaster Drive and Woodland Avenue in Dartmouth (PID 41113887).

Introduction:

First Baptist is in the process of moving from our current Ochterloney Street location to this new home at Lancaster and Woodland. There are plans to develop approximately 5.5 acres of this site for the Church campus. First Baptist Church is seeking to allow for the development of medium density housing on the remaining 2.75 acres to respond to the demand for such housing from its members near the new Church site, and provide for a diversity of housing forms and choice in the surrounding residential neighbourhoods.

This property is currently designated Residential under the Dartmouth MPS and zoned R-1 which permits the church to be developed by right. Under the Regional Planning Strategy the site is designated Urban Settlement and is located within the Mic Mac Mall Regional District Growth Centre.

Concept Proposal:

In order to facilitate multiple unit residential uses on this property under the existing Dartmouth MPS and LUB, FBC has applied for a rezoning (Case 21552) from R-1 to R-3 for this 2.75 acre parcel (see attached concept plan). The Church with its required parking and large open space areas would be located in the north portion of the property at the rear of the houses along Cannon Terrace and Viridian Drive. The main access to the church would be to and from Lancaster Drive with a secondary access off Cannon Terrace which is currently existing. The proposed R-3 area would extend along the southern boundary of the property bordering Woodland Avenue with dedicated driveway access onto Lancaster Drive. The future intent is to enable up to 120 units in a mid-rise building form of 6 storeys through the required development agreement process.

We have shared the site planning goals of the Church with the Lancaster and Willow Ridge Communities through an open house session held in November of last year. In addition we have initiated discussion with the owners across Lancaster Drive and have determined that there are common interests with these two properties given their relative location and the desire to coordinate land uses and access from Lancaster Drive.

Centre Plan Request and Justification:

The latest version of the Centre Plan SPS and LUB does not address the FBC property. We are assuming that it will be proposed as an Established Residential Designation in Package "B". We are requesting that this 2.75 acre portion of the site be designated as Higher Order Residential and zoned HR-2 under a revised Package "A" of Centre Plan, with a height limit of 20 metres, and a GFAR of 3.5.

This designation and zoning in Centre Plan would implement and conform to the existing policies of the Regional Plan relative to the Mic Mac Mall Regional District Growth Centre, and would support the primary intensification goals of Centre Plan in a manner that is respectful of and builds upon existing neighbourhoods, while encouraging strategic growth and sustainability.

Of primary importance is that the FBC site is fully encompassed within the Mic Mac Mall Regional District Growth Centre of the Regional Plan which promotes and enables a higher intensity of residential and commercial development based on the inherent characteristics of this general location. These include the major signalized intersection at Lancaster and Woodland, and the concentration of major commercial uses, existing medium and high density residential areas, schools, recreation facilities, major open space areas, a park and ride facility, and a transit node linking to all of HRM which are all within walking distance. With the development of the Church, this neighbourhood will also have a major community facility. It will serve as a destination within the neighbourhood encouraging community use of the Church facility and the open space areas.

The proposed higher order residential site is adjacent to an existing R-3 development parcel off Viridian Drive (currently approved for medium density development of 44 units and 50 feet, by development agreement), is across from a 9 storey residential building (Avonhurst), and close to the 19 and 16 storey apartment towers of Horizon Court. In order to respect the existing lower density areas of Lancaster Ridge and Willow Ridge, the proposed higher order residential site will be separated from all existing single family and townhouse dwellings on Cannon Terrace and Viridian Drive by the 5.5 acre Church campus with its landscaped buffers and retained natural open space areas. Additionally, access to the site has been designed to ensure all vehicular traffic would be from Lancaster Drive.

Planning for the development of this greenfield site for medium density residential uses is strategic and promotes smart growth. It will make use of the existing oversized piped and transportation services available for this area. It promotes the development of additional housing in the Centre in a manner which avoids the redevelopment and loss of existing building stock, and avoids the direct juxtaposition of low and medium density residential uses. It will build on the existing residential community to provide a variety and diversity of housing forms and tenure types, with the potential for limited retail and service uses to contribute to a complete community.

It is our opinion that the development of higher order residential uses in this location achieves Objective HR-1 of the Centre Plan- "To protect and increase access to housing choices through infill and redevelopment that is complementary to the surrounding neighbourhood".

As stated in vision Statement 2.4 *Strategic Growth*: "It is the intention of this Plan to distribute growth throughout the Regional Centre in context-specific forms". While a portion of the target residential growth in the Centre is to be located along main streets in a corridor form, it is our opinion that the type of residential intensification planned for the FBC site is an equally valid and appropriate model of residential development which is context specific to this site. It must be noted that there are other

vacant sites in Dartmouth which are proposed in Package “A” to be designated as Higher Order Residential and zoned HR-2 which when developed will be accessed by existing or future driveways as opposed to public streets.

Related to Vision statement 2.3 *Pedestrians First*, the concept plan for the large FBC site has been designed to provide and encourage linkages from the existing neighbourhoods of Lancaster Ridge and Willow Ridge with a pedestrian path through the Church campus linking to the future multi-unit residential site and beyond to recreation, commercial and transit services across Woodland Avenue. This link would allow this community to access any ground floor shops or services that may be provided in the proposed multi-unit dwellings.

Proposed Policy 24- Centre Plan:

It is our understanding that any development on a site over 1 hectare that is to be designated Higher Order Residential, would be required to proceed by development agreement under proposed Centre Plan Policy 24. One of the criteria of this policy is that any streets and pedestrian connections be consistent with the established street pattern in the Centre. Given the proposed uses of the site for the Church and for medium density residential uses, the addition of a new street is neither required nor viable. In addition, this policy as currently drafted does not include any ability to alter the zone requirements to be responsive to site and location conditions. The proposed development of the FBC site would be able to meet many of the major HR-2 zone requirements. However, some of the proposed provisions, including the limit of one building per lot, and restrictions on building size and shape may not be met but are appropriate given the context of this greenfield location within the Centre. It is our opinion that Policy 24 should be modified to allow flexibility for development agreements for larger development projects in the Centre such as the FBC site.

Religious Institutions in Centre Plan:

Related to the use of the majority of this 8 acre parcel for the Church, there are additional issues raised by the current draft of Centre Plan. Primarily it is not clear from Package “A” if religious institutions will remain as a use permitted in areas zoned for established residential uses, or will be designated institutional. We want to ensure that whichever method is chosen that the 5.5 acre future Church site is accommodated.

Secondly the proposed definition of religious institution is very narrow including only worship services and limited accessory office, educational, and residential uses. This definition does not incorporate all of the functions that religious institutions provide within their neighbourhood and the larger community which is a direct reflection of their mandate and mission. These include uses such as food banks, drop-in centres, counselling, health promotion programs, and meeting space. Other activities traditionally found in religious institutions include concerts, recreation programs, and summer camps. It is important that all of these uses be accommodated under the definition of religious institution.

Summary:

In summary we respectfully request the following considerations in future drafts of Centre Plan:

- The 2.75 acre portion of the 8.26 acre FBC site at Lancaster Drive and Woodland Avenue be designated and zoned for Higher Order Residential uses to reflect the policy direction and vision of both the existing Regional Plan and the proposed Centre Plan,
- The site be permitted to be developed to 20 metres with a GFAR of 3.5.
- Policy 24 be modified to allow flexibility for the development of this site in relation to the proposed HR-2 zoning provisions to be responsive to its site and situation,
- The planned development of the Church campus on the remaining 5.5 acre portion of the site be accommodated through appropriate designation and zoning in the proposed Centre Plan, and
- The definition of religious institution be broadened to reflect and allow for the valuable activities and uses that such institutions provide within a neighbourhood and community which reflect their mandate.

Regards,

Original Signed

Ken George, Chair

Trustees of First Baptist Church, Dartmouth

cc. Councillor Austin, District 5
Chairman and Members of the Community Design Advisory Committee

Original Signed

Susan Demmons, Trustee

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Color	Description
[Green]	Site Boundary
[Red]	Proposed Building Footprint
[Blue]	Proposed Parking
[Grey]	Proposed Driveway
[Black]	Proposed Roadway
[Light Green]	Proposed Landscaping
[Light Blue]	Proposed Water Features
[Light Yellow]	Proposed Utility



**The Trustees of the
 First Baptist Church,
 Durham, NC**
 0 Cannon Terrace
 Durham, NC
 PID 40873946

Conceptual Site Plan

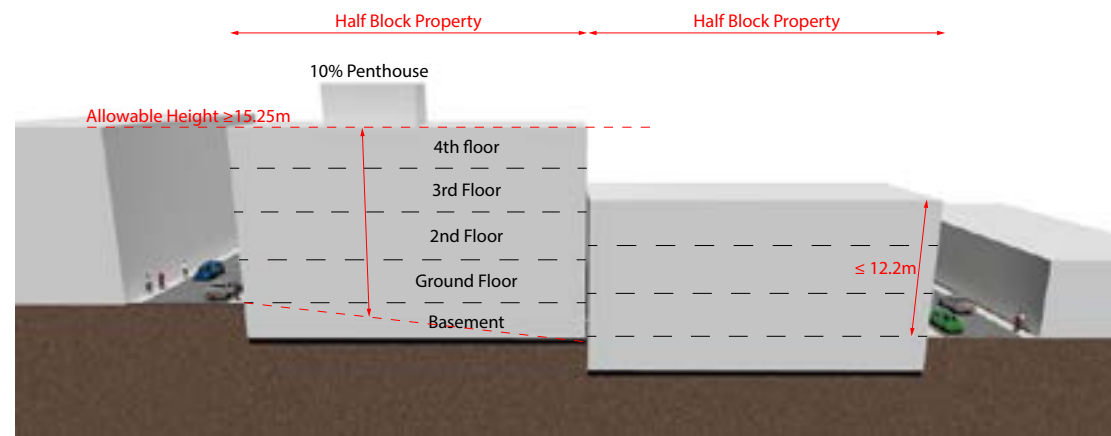
Client: The Trustees of the First Baptist Church, Durham, NC
Site: 0 Cannon Terrace, Durham, NC
Project: Conceptual Site Plan
Scale: 1/8" = 1'-0"
Drawn by: [Name]
Checked by: [Name]
Date: 10/10/11

100 - A



Gottingen St. ← → Maitland St.

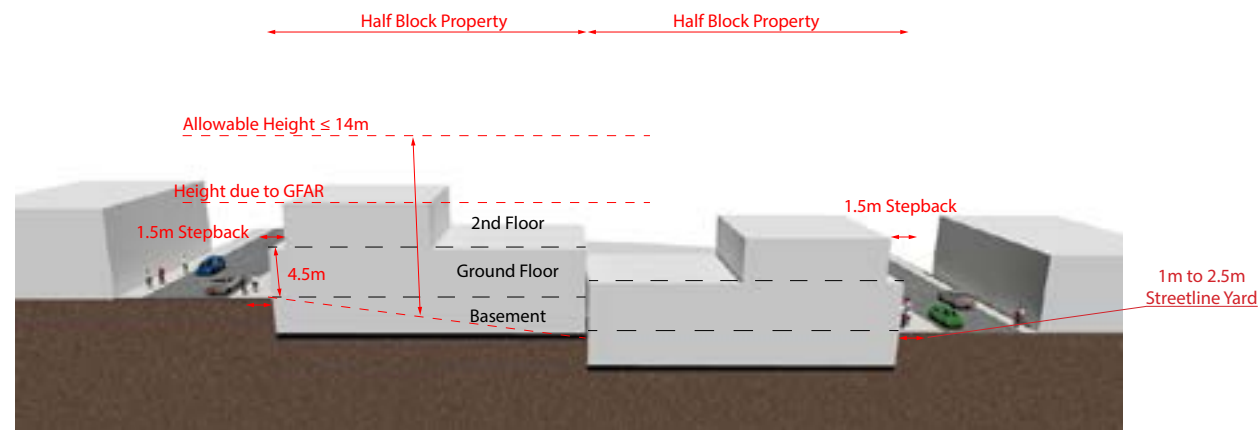
Current



Current Area of PEN North 8:

- 50 ft. (15.25m) height precinct along Gottingen St. and 40 ft. (12.2m) along Maitland St.
- No Streetline Setbacks required
- No Stideyard Setbacks required
- Gross Floor Area Ratio (GFAR) N/A

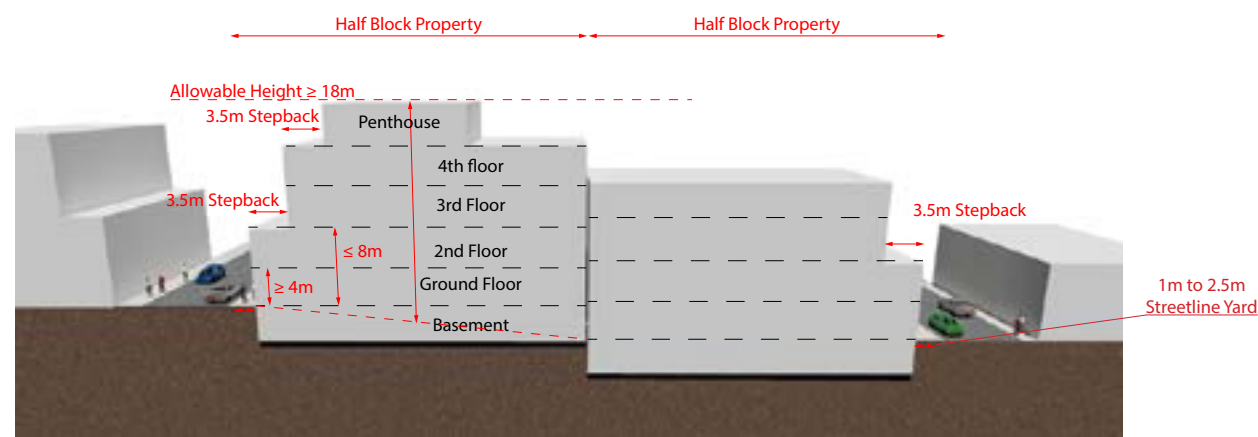
New Centre Plan



CEN 1/CEN 2 Based on Current Area of PEN North 8

- Maximum Height from mean grade of 14m
- 2.25 GFAR
- Streetline setback between 1m and 2.5m
- Streetwall height of no more than 8m
- Ground Floor height requirement of 4.5m
- Stepbacks of 1.5m (low rise) past streetwall height

Proposal



Our Proposed Changes Based on Current Area of PEN North 8

- Maximum Height from mean grade of 18m
- 5.0 GFAR
- Streetline setback between 1m and 2.5m
- Streetwall height of no more than 8m
- Ground Floor height requirement of 4.0m
- Stepbacks of 3.5m after every 8m of height along street facing facade

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Attachment 16: DEV070

December 8, 2016

Mr. Jacob Ritchie, MCIP, LLP
Urban Design Manager
Planning and Development
Halifax Regional Municipality
PO Box 1749
Halifax, Nova Scotia
B3J 3A5

jacob.ritchie@halifax.ca

Re: HRM Centre Plan changes for: 2756 to 2760 Gladstone Street, and 6158 to 6160 Almon Street
: 5269 to 5275 South Street

Dear Mr. Ritchie,

I would like to thank you very much for meeting with us yesterday. It was both pleasurable and informative meeting with you. We thank you for giving us a rundown on the Center Plan concept within HRM, and giving us your ideas about this process, and how it is hoped that it will enhance the future development of HRM. We are in full agreement with and support the concept of this plan.

However, as noted yesterday, my clients, George and Justin Ghosn, do have a few concerns as to the limitations of a few of their properties which fall within the boundaries encompassed by this plan. We feel that this plan will in fact limit their intended use for these properties in term of future development. At this time, we would like to bring to your attention two of these properties which are scheduled for replacement, and we would appreciate having their "classifications for use" amended.

2756 to 2760 Gladstone Street, and 6158 to 6160 Almon Street

The first of these properties takes in 2756 to 2760 Gladstone Street, and 6158 to 6160 Almon Street, on the Halifax peninsula. This property is presently zoned C2. We fully understand that with the enormous size of the area, and vast amount of properties you have to consider for your plan, that one such as this may not have been properly evaluated for future development. The intension from day one for this land was for the construction of a structure with height in the vicinity of 120 feet. What we learned from this meeting based on our preliminary conversation, was that a structure of this height is not within the limitations of the Centre Plan for this property.

However, as you know there are now properties, such as that on the adjacent corner which is an 8 story commercial and residential development, which are quite high and the intensions based on this plan is for many other properties within the proximity of this piece, to be permitted to go to the same elevation. The property we are concerned with is on the corner of Gladstone street, and Almon Street. It is noted that the cut-off line for the higher height structures is in fact the opposite side of Gladstone, and the opposite side of Almon. This C-2 piece of corner property is in fact grouped with a collection of low level residential housing, and thus not even within the limitations of its present C-2 zoning.

To make this site viable for re-development, we must have the potential at the very least, to construct a structure on this land which has similar restriction as the property on the adjacent corner. This is an eight story commercial and residential development.

Currently the permitted use for this land allows for and eighty foot commercial building under the existing rules and regulations. We purpose and envision an eighty foot residential building with ground floors commercial on this site. Parking will naturally be below the building. We feel that this proposal falls within the same framework as many other developments in the area. What we envision would be far superior in overall appeal to the neighborhood, then that of the existing commercial businesses on this property.

5269 to 5275 South Street

The second property we would like for you to consider is 5269 to 5275 South Street. This is a rather unique piece of land which again may have been overlooked. It is in the south end of the Halifax peninsula, is one of the largest square foot parcel of land in the area. This however, is presently vastly underutilized. Most of the land is used for surface parking and the footprint of its aged building takes up a very small percentage of the lot coverage.

The present building is now old, and not of the quality we would like to have. As you know, the cost of construction is very high. We are asking for the proper designation to construct a structure similar in height as that of the structure 5251 South Street. The building there, which does look appealing to the eye, is two door away from this property. We would like a designation with restrictions which would allow us to replace the existing building in a feasible manner. To do this we are looking to construct to a height of 5 of 6 floors. This would both enhance this property and others in the area, if for no other reason, then the quality and visual appearance of the new structure compared to the old.

I, along with George and Justin Ghosn would like to thank you very much for allowing us to put in this request, even at this late hour. We would have liked to have been involved in this process from an earlier date. Please let us know of future meeting etc. which we may attend.

Yours truly,
Quadra Engineering Limited, per

Original Signed

John M. Salah P.Eng.

WM FARES ARCHITECTS

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CENTRE PLAN NOTES

GENERAL

- Process relative to AOR outside of Centre Plan Zone
 - How to incentivise development in core vs boundary areas.
 - Developers shouldn't be 'taxed extra' for investing in core.
 - Concern about bottleneck to Design Review Committee
- Realistic Growth Target over time.
 - Should existing infrastructure limit density in areas? or should desired density inform infrastructure upgrades?
 - What happens after 10year target?
- Zoning /Boundaries:
 - spot zoning,
 - one sided streets,
 - fragmented corridors, complete communities
 - fragmented heights and FARs within one block
- Two storey streetwalls
 - No not relate to street widths and not context sensitive
 - Not architecturally balanced for buildings above 4 storeys (squat base, tall midrise)
- 50% lot coverage on HR Zones
 - Build-out do not align with higher FAR
- GFAR exclusions (below)
- Ground floor heights
- Height parameter vs GFAR parameter. Why both? Let GFAR dictate.

PART I

- More clarity on public involvement in appeal process.
- There should be incentives for land-owners to renovate/reinvest into non conforming structures by allowing increased FAR/footprint that enhance existing streetscapes. i.e establishing articulated streetwalls and landscaping.

PART II ZONES

- Zone boundaries in many areas should be reconsidered with appropriate lot depths. Careful consideration needed along R boundaries – where to draw the line? BE BOLD
- Fragmented Corridors contradict complete communities narrative.
- Generic Two storey streetwall designations don't reflect relation to varies streetwidths.
- Two -storey street walls in combination with shallow depth lots and low FARs are resulting in unfeasible developments for many areas (mainly CORs and HRs)
- One sided corridors/zones don't make sense. i.e zone split down centreline of street
- Density Cap and therefore density allocation is limiting the BOLDNESS of this plan. Why is there a cap? It is driving all the major issues mentioned above relative to feasible FARs

PART III - IX

- Colour temperature for all exterior lighting should be regulated to 2800-3000K range.
- Viewing Triangles should be removed altogether.
- Vinyl siding should be prohibited throughout peninsula
- Why limit of 25% cantilevered portions of streetwalls above grade?
- Remove parapets from max 30% area calculation of height exempted volumes
- 50% max lot coverage on HR zones is prohibiting considering zone boundaries and lot depth
- Pedestrian oriented buildings should have min 70% of ground floor glazing vs 60%
- Why have a maximum streetline setback? Shouldn't there be a consistent built street edge?
- 8m (26.25ft) streetwall heights don't work. Map doesn't consider future built contexts. Min 3 storeys should be standard.
- Streetwall widths should be able to extend 100% of frontage even when abutting ER Zones (i.e required sideyard setback RE transitioning)

- Building setback parameters above streetwall should be carefully reviewed. Midrise setback should be reduced to 2m and high-rise to 3m
- High-rise tower separation from interior lot lines should be relaxed to 20m
- 2,3, and 4-unit dwellings in COR and HR zones should have no parking requirements.
- Off street loading should be reviewed.

PART XI INCENTIVE OR BONUS ZONING

- Min 75% of value to affordable housing seems too high and will be less of an incentive for developers. What are the precedents in other Canadian Cities?
- 1% value should be mandatory for public art

PART XIII DEFINITIONS

- *G FAR* should consider the following exclusions in area calcs:
 - a. Building assembly thickness to incentivise energy efficiencies in buildings
 - b. Indoor amenity space
 - c. Vertical circulation (stairs/elevators)
 - d. Mechanical rooms, uninhabitable rooms
- Consider simplifying *lot coverage* to area of the ground floor footprint, regardless of any building overhangs
- Lot width /depth definition needs clarity for corner lots. What governs? Lot depth should read: the *longest* distance from any streetline to a rear lot line....

User Guide: DRAFT Regional Centre Land Use By-law for Public Consultation (Package A)

NOTE: The following User Guide (pages i to iii) is not an official part of the draft By-law. The draft By-law begins on page 1.

The **Draft Regional Centre Land Use By-law (Package A)** has been prepared for the purpose of public consultation and does not represent the complete set of proposed land use regulations. It applies to all properties in the Regional Centre of the Halifax Regional Municipality within the Centre, Corridor, Higher-Order Residential, and Future Growth Node designations. (For the boundaries of these areas, see Schedule 1.) After revisions based on public feedback, adoption by Council following a public hearing, and approval by the Minister, it will become the rulebook that controls how land and buildings are used, where buildings may be located on a lot, and the form, height, and design of those buildings. This draft By-law also contains other regulations necessary to implement the policies of the Regional Centre Secondary Municipal Planning Strategy (Package A).

How to Use this By-Law

Follow the steps below to find out how this By-law governs your property.

Step 1: Determine Your Zone

Find your property on the zone map (Schedule 3). The code on your property (e.g., “ER-3”) is your zone.

Step 2: Identify Permitted Uses

Table 1 indicates which activities are permitted in each zone. Find the column corresponding to your zone and note which activities, or “uses,” are permitted (indicated with a black dot: ●). Be sure to consult the Definitions (Part XIII) to make sure you understand what each use includes.

Step 3: Identify Other Applicable Regulations

In addition to Table 1, your property is governed by regulations for building shape and size, parking, landscaping, signage, and more. These are contained in Parts III to XI. All regulations apply in every zone unless otherwise indicated. The following list summarizes what the regulations of each Part do.

DRAFT Regional Centre LUB — February 2018

- **Land Use** (Part III): How land may be used, specific rules for individual activities, urban agriculture, development near water
- **Lot Requirements** (Part IV): Creation of new lots as part of a subdivision process
- **Built Form** (Part V): Where buildings may be located on a lot, and maximum building dimensions
- **View Planes and Waterfront View Corridors** (Part VI): Tools for preserving key views
- **Wind Energy Facilities** (Part VII): Where wind turbines may be located
- **Landscaping** (Part VIII): Vegetation, fencing, and groundcover
- **Parking and Off-Street Loading** (Part IX): What uses require parking for motor vehicles and bicycles, and how this parking must be provided
- **Signs** (Part X): Permitted types of signs, maximum dimensions, and illumination
- **Incentive or Bonus Zoning** (Part XI): Requirements for buildings that exceed a pre-bonus height or floor area threshold

Step 4: Identify Your Approval Process

Unless exempted in Section 9, all development requires a permit. (For the definition of “development”, see Subsection 207(63).) Even if you are exempt from requiring a development permit, you may still require another permit from the Municipality (e.g. a building permit) and must ensure you meet the requirements of this By-law.

If you have any questions, please contact the planning office for more information before starting work.

If your project requires a permit, you can apply for one at _____. When you apply, you must provide enough information for HRM to determine that you are meeting the requirements of this By-law. See Section 10 for the information you must provide.

Developments in the area shown on Schedule 2 are subject to “site plan approval,” which allows HRM to review a project’s architectural and urban design features. The Design Manual, contained in Appendix 1, explains what is expected when a project undergoes site plan approval. An application for site plan approval must contain detailed architectural drawings and _____.

Step 5: Review All Relevant Definitions

You should review the definitions in Part XIII to make sure you have correctly interpreted the requirements of this By-law. If a word is not defined in Part XIII, its typical dictionary definition applies.

How this By-law is Structured

This By-law is organized in a six-level hierarchy that makes information easy to find and use. Each section of this By-law has been numbered using the following system:

- **PART II** Main topic areas (uppercase Roman numeral)
- **Chapter 1** Sub-topics (Arabic numeral)
- **Section 235** Main headings (Arabic numeral)
- **Subsection 235(5)** Individual paragraphs and sentences (Arabic numeral in parentheses)
- **Clause 235(5)(a)** List items (lowercase letter in parentheses)
- **Subclause 235(5)(a)(ii)** List sub-items (lowercase Roman numeral in parentheses)

Sections are numbered continuously starting at 1 through to the end of the document. Chapters, Subsections, Clauses, and Subclauses restart numbering/lettering with each new parent part.

A Note to Staff: How to Amend this By-law

When amending this By-law, a new document section may be inserted at any level of the hierarchy by using a decimal point. For example, a new Section may be inserted between existing Sections 25 and 26 by numbering it “Section 25.5”. The use of a decimal point is mathematical, not hierarchical — Section 25 and Section 25.5 are equivalent in the hierarchy outlined above. This system eliminates the need to renumber existing sections when amending this By-law.

If additional Sections are required between Section 25 and Section 25.5, they should be numbered 25.1, 25.2, 25.3, and 25.4. If yet more sections are required, an additional digit should be added: “Section 25.45”. Use as many digits as required to properly locate the new document section within the existing hierarchy.

Indentation, white space, and bullets improve the document’s usability but carry no legal effect. Each piece of the document must be clearly located and labeled within the established hierarchy, using the system outlined above.

Schedules, tables, diagrams, and appendices are numbered sequentially starting at 1. New schedules, tables, diagrams, and appendices are added using the decimal point system described above. For example, to insert a new schedule between Schedule 3 and Schedule 4, number it “Schedule 3.5”.

DRAFT REGIONAL CENTRE LAND USE BY-LAW (PACKAGE A)

The following version of the Draft Regional Centre Land Use By-law (Package A) has been prepared for public consultation purposes only. It does not contain comprehensive regulatory language, and is subject to change.

Enactment

Effective Date

Signatures

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PART I:
ADMINISTRATION

Chapter 1: General Administration

Title

- 1 This By-law is cited as the *Regional Centre Land Use By-law*.

Lands Governed by this By-law (Package A)

- 2 This By-law applies to the lands shown on Schedule 1.

Repeal of Former By-laws

- 3 This By-law repeals the following:
 - (a) the *Land Use By-law for Downtown Dartmouth*;
 - (b) the *Downtown Halifax Land Use By-law*;
 - (c) the *Land Use By-law for Halifax Peninsula*; and
 - (d) portions of the *Land Use By-law for Dartmouth*, for the areas shown on Schedule 1.

Compliance with this By-law

- 4 A person shall comply with this By-law when undertaking a development, including when:
 - (a) erecting, constructing, altering, or reconstructing any structure;
 - (b) locating or carrying on any industry, business, or trade; or
 - (c) changing the use of land.

Requirement for a Development Permit

- 5 (1) Subject to Section 9, no person shall undertake any development without first obtaining a development permit, including when:
 - (a) erecting, constructing, altering, or reconstructing any structure;
 - (b) locating or carrying on any industry, business, or trade; or
 - (c) changing the use of land.
- (2) All developments shall comply with the provisions of this By-law, including developments that do not require a development permit.

Compliance with Other Legislation and By-laws

- 6 (1) This By-law does not exempt any person from any other enactment of the Municipality, the Province of Nova Scotia, or the Government of Canada.
- (2) No development permit shall be issued for any development prohibited by an enactment of the Municipality, the Province of Nova Scotia, or the Government of Canada.

Severability

- 7 The provisions of this By-law are severable from each another, and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

Administration by the Development Officer

- 8 This By-law shall be administered by the Development Officer.

Chapter 2: Development Permit

Development Permit Exemptions

- 9 The following developments shall not require a development permit:
- (a) accessory structures with a footprint of less than 20.0 square metres, unless associated with an urban agriculture use;
 - (b) unenclosed structures less than 0.6 metres high, such as uncovered decks, patios, and planters;
 - (c) home offices;
 - (d) single-room occupancies;
 - (e) temporary uses;
 - (f) construction, replacement, or repair of infrastructure by utilities or municipal, provincial, or federal governments; and
 - (g) any signs listed under Section 174.

Development Applications

- 10 A development permit application shall include documents and plans, drawn to scale, that show the following, where applicable:
- (a) floor plans with rooms labelled, and elevation drawings for all sides of proposed structures;
 - (b) lot dimensions, lot lines, and the location of all proposed structures and uses, including setbacks;
 - (c) the location of all parking areas, the location and width of driveways, driving aisles, parking lot entrances and exits, solid waste management areas, off-street loading space, visitor parking areas, and snow storage areas;
 - (d) for a building or addition to a building higher than 22.0 metres, a wind impact assessment that uses the standards in Appendix 5;
 - (e) sites plans and elevation drawings certified by a surveyor licensed in the Province of Nova Scotia, confirming compliance with the view plane and waterfront view corridor requirements of Part VI; and
 - (f) any other information the Development Officer requires to determine if the development complies with this By-law.

Approval

- 11 The Development Officer must issue a development permit where the development meets the requirements of this By-law or the terms of an approved site plan.

Expiry

- 12 A development permit shall expire 24 months from the date issued.

Revocation

- 13 The Development Officer shall revoke a development permit if:
- (a) the requirements of the development permit are not met;
 - (b) the Development Officer issued the permit based on incorrect information provided by the applicant when applying for a development permit; or
 - (c) the Development Officer issued the permit in error.

Chapter 3: Site Plan Approval

Requirement for Site Plan Approval

- 14 Subject to Section 15, any development in those areas identified on Schedule 2 shall be subject to site plan approval.

Site Plan Approval Exemptions

- 15 The following developments are exempt from site plan approval:
- (a) any development that does not require a development permit in accordance with Section 9;
 - (b) low-density dwellings;
 - (c) a new building, or an addition to a building that existed on the coming into force date of this By-law, if the new building or addition has a total gross floor area of 1,000 square metres or less and do not increase the height of the building above 14.0 metres high;
 - (d) new window and door openings, or alterations and replacements in existing window and door openings;
 - (e) interior renovations;
 - (f) installation and replacement of minor building features;
 - (g) a change of use or tenancy in a building;
 - (h) commemorative signs and historic sites or monuments on municipally owned land;
 - (i) [\(see Package B\)](#);
 - (j) [\(see Package B\)](#);
 - (k) temporary construction uses;
 - (l) accessory structures;
 - (m) changes to the external cladding materials of a building wall that faces a street;
 - (n) repainting, including a change in paint colour;
 - (o) signs;
 - (p) steps, stairs, and other building entrances; and
 - (q) beekeeping equipment.

Site Plan Approval Applications

- 16 (1) A site plan approval application shall include documents and plans, drawn to scale, that show the information required in Section 10.
- (2) A site plan approval application shall also include plans that meet all applicable design requirements of the Design Manual (Appendix 1), and that show the following:
- (a) setbacks, streetwall heights, and streetwall stepbacks;
 - (b) streetwall material type and detail;
 - (c) the location of building utilities, vehicular access routes, parking areas, and lighting; and
 - (d) any other information the Development Officer requires to determine if the development meets the requirements of the Design Manual.
- (3) A site plan approval application that includes a registered heritage property or a building located in a heritage conservation district shall include information about any material that will be removed from the heritage property, and about the conservation treatment that will be employed.
- (4) A site plan approval application shall include a landscape plan that meets the requirements of Section 147.
- (5) Subject to Subsection 16(7), a site plan approval application that abuts a registered heritage property or a heritage conservation district shall include drawings, including elevations and perspectives, that accurately show the relative scale of the development to any buildings on the abutting registered heritage property or heritage conservation district.
- (6) Subject to Subsection 16(7), a site plan approval application that includes a request for relaxation of requirements in accordance with Section 26 shall include:
- (a) drawings, including elevations and perspectives, that accurately show the relative scale of the development to any buildings on lots that abut the development site; and
 - (b) a written statement explaining the nature and extent of the requested relaxation of requirements, as well as a rationale for the request based on criteria listed in the Design Manual.

- (7) In any required elevation and perspective drawings, the representation of buildings on abutting lots shall be included, and may be limited to the first 15.0 metres from any interior lot line.
- (8) Applications for substantive site plan approval (see Section 25) must include confirmation that the public information and consultation requirements of Sections 17 to 24 have been met.

where is this defined. is a public process required for all Site Plan Approval Applications for properties located in Schedule 2?

Methods of Public Consultation

- 17 Public information and consultation are required before submitting an application for substantive site plan approval. Public consultation shall be in the following form:
 - (a) a public meeting, which shall be advertised in accordance with Section 19 and which shall meet the requirements of Sections 20 and 21;
 - (b) public display panels, which shall meet the requirements of Section 22;
 - (c) a website, which shall meet the requirements of Section 23; and
 - (d) a weather-proof sign at the development site, which shall meet the requirements of Section 24.

i.e variations?
(keep language consistent for clarity)

Requirement of Public Consultation Process

- 18 Where required in Section 17, the applicant, the owner of the lot, or a person authorized on their behalf shall:
 - (a) identify how the development meets the requirements of this By-law;
 - (b) identify any relaxation of the requirements of this By-law that are being sought; and
 - (c) create a complete record of the public consultation process, including feedback received at the public meeting, from the website, and from any correspondence, and submit it with an application for substantive site plan approval.

Public Consultation: Public Meeting Newspaper Advertisement

- 19 The advertisement for the public meeting component specified in Clause 17(a) shall, at the expense of the applicant or lot owner, be published in a newspaper circulating in the entire Municipality and shall:
- (a) be advertised at least 10 clear calendar days before the meeting date;
 - (b) be in or adjacent to the Municipal Notices section of the newspaper;
 - (c) specify the internet address for the website specified in Section 23; and
 - (d) provide the date, time, and location of the public meeting.

Public Consultation: Public Meeting Days and Times

- 20 The public meeting specified in Clause 17(a) shall:
- (a) include at least one two-hour evening session that begins at 7:00 pm;
 - (b) be scheduled for a Monday, Wednesday, or Thursday, and not on a statutory holiday; and
 - (c) not be scheduled on the same day as a regularly scheduled meeting of the advisory committee, if one is established in accordance with Section 28, or of a Community Council that has jurisdiction over any portion of the Regional Centre.

Public Consultation: Public Meeting Facility Requirements

- 21 The facility used to host the public meeting specified in Clause 17(a) shall be:
- (a) located within the boundary of the Regional Centre;
 - (b) accessible to the mobility challenged; and
 - (c) suitable for public assembly.

Public Consultation: Display Panel Component

- 22 The public display panel component specified in Clause 17(b) must:
- (a) consist of three identical panels, each containing:
 - (i) information about the proposed project, including a description of any proposed relaxation of the requirements of this By-law,
 - (ii) a comment box, and
 - (iii) the website's internet address;
 - (b) be displayed at three public locations, as specified by the Development Officer, in which the Municipality will provide a suitable display area; and
 - (c) be displayed for a minimum of 10 clear calendar days before the public meeting and 10 clear calendar days after the public meeting.

Public Consultation: Website Component

- 23 The website component specified in Clause 17(c) must:
- (a) be operational 24 hours a day, 7 days a week, for a minimum of 10 clear calendar days before the public meeting and 10 clear calendar days after the public meeting;
 - (b) contain information about the proposed project, including a description of any proposed relaxation of the requirements of this By-law; and
 - (c) contain contact information for a representative of the applicant or lot owner, including a telephone number and email address.

Public Consultation: Weather-Proof Sign Component

- 24 The weather-proof sign specified in Clause 17(d) must:
- (a) be displayed on each street frontage of the development site;
 - (b) contain:
 - (i) a brief description of the project,
 - (ii) an architectural rendering of the project,
 - (iii) the website's internet address, and
 - (iv) contact information for a representative of the applicant or lot owner, including a telephone number and email address; and
 - (c) be displayed for a minimum of 10 clear calendar days before the public meeting and 10 clear calendar days after the public meeting.

Substantive Site Plan Approval

- 25 (1) Any development not listed under Section 15 is considered a substantive site plan approval application.
- (2) (see Package B)

This should come before section 17 ?

Relaxation of By-law Requirements

- 26 (1) The following items may be considered for a relaxation of the requirements of this By-law through site plan approval, if the relaxation meets the requirements of the Design Manual:
- (a) the following built form requirements on lots designated as prominent sites on Schedule 5, if no additional gross floor area is created beyond what is permitted in Part V of this By-law:
 - (i) streetwall heights,
 - (ii) streetwall setbacks, and
 - (iii) maximum building heights, by up to an additional 10%;
 - (b) roof edge setbacks of height-exempted rooftop features;
 - (c) minimum ground floor heights;
 - (d) minimum and maximum streetline yards;
 - (e) streetwall widths; and
 - (f) interior lot line setbacks for portions of a building above the streetwall.
- (2) For items listed in Subsection 26(1), the Development Officer must consider an application for a relaxation of the provisions of this By-law through site plan approval.

Notification

- 27 Where substantive site plan approval is granted, the Development Officer must notify, in writing, every assessed property owner within 100 metres of the applicant's lot.


Advisory Committee

- 28 An advisory committee may be established by Council to provide recommendations to the Development Officer respecting items listed in Subsection 26(1), and to perform other duties set by Council.

Appeal of Decision

- 29 A decision by the Development Officer to approve, approve with conditions, or refuse a substantive site plan approval application may be appealed to Council in accordance with the *Halifax Regional Municipality Charter*, as amended from time to time.

More clarity required regarding public appeal process



Chapter 4: Non-Conforming Structures and Uses

Non-Conforming Structures

- 30 (1) In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, the restrictions in the *Halifax Regional Municipality Charter* respecting non-conforming structures are relaxed by allowing them to be extended, enlarged, or altered if the non-conformance is not made worse.
- (2) Non-conforming structures in all other zones are regulated by the *Halifax Regional Municipality Charter*, as amended from time to time.

This language can be misinterpreted.
There should be an incentive for nonconforming buildings to be enlarged with increased density only if there are improvements to the existing conditions relative to centreplan principals (mainly improvements to streetscapes)- i.e allow provisions to extend streetwall footprint to align with neighbouring structures and address proper landscaping with multiple entries at grade.

Chapter 5: Interpretation of this By-law

Diagrams

- 31 (1) All diagrams in this By-law:
- (a) are for illustrative purposes only;
 - (b) are not to scale; and
 - (c) do not form part of this By-law.
- (2) If a conflict exists between a diagram and the text of this By-law, the text takes precedence.

Defined Terms

- 32 All terms not defined in Part XIII or by the Nova Scotia *Interpretation Act* have their ordinary meaning.

More Restrictive Requirement Applies

- 33 Where two or more requirements of this By-law conflict, the more restrictive requirement applies.

Chapter 6: Schedules and Appendices

List of Schedules and Appendices

34 The following schedules and appendices form part of this By-law:

Schedule 1: Regional Centre Land Use By-law Boundary

Schedule 2: Site Plan Approval Area

Schedule 3: Zone Boundaries

Schedule 4: Special Area Boundaries

Schedule 5: Prominent Sites

Schedule 6: Pedestrian-Oriented Commercial Streets

Schedule 7: Minimum Lot Area Requirements

Schedule 8: Minimum Lot Frontage Requirements

Schedule 9: Maximum Building Heights

Schedule 10: Maximum Pre-Bonus Building Heights

Schedule 11: Maximum Gross Floor Area Ratios

Schedule 12: Minimum Streetline Yards

Schedule 13: Maximum Streetline Yards

Schedule 14: Maximum Streetwall Heights

Schedule 15: Halifax Citadel View Planes

Schedule 16: Halifax Citadel Ramparts

Schedule 17: Dartmouth View Planes

Schedules 18–35: ([see Package B](#))

Schedule 36: Parker Street Waterfront View Corridor

Schedule 37: Bonus Rate Districts

Schedule 38: Wind Energy Overlay Zone Boundaries

Appendix 1: Design Manual

Appendix 2: Density Bonus Calculation and Public Benefits Proposal

Appendix 3: Report on Affordable Housing Units

Appendix 4: Report on Affordable Community or Cultural Indoor Space

Appendix 5: Wind Assessment Standards

DRAFT FOR PUBLIC CONSULTATION

PART II: ZONES

Chapter 1: Establishment of Zones and Special Areas

List of Zones and Special Areas

- 35 (1) This By-law establishes the following zones:
- (a) (see Package B);
 - (b) Centre 2 (CEN-2);
 - (c) Centre 1 (CEN-1);
 - (d) Corridor (COR);
 - (e) Higher-Order Residential 2 (HR-2);
 - (f) Higher-Order Residential 1 (HR-1);
 - (g)–(s) (see Package B)
 - (t) Comprehensive Development District (CDD); and
 - (u) Transportation Reserve (TR).
- (2) This By-law establishes the following special areas:
- (a)–(w) (see Package B).

Interpretation of Zone and Special Area Boundaries

- 36 The location of a zone or special area boundary shown on a schedule of this By-law is determined as follows:
- (a) Where a boundary is shown following a street (Diagram 1), the boundary is the streetline unless otherwise indicated;
 - (b) Where a boundary is shown approximately following lot lines (Diagram 2), the boundary follows lot lines, and if those lot lines are modified by subdivision approval after the coming into force date of this By-law, **the boundary remains as shown on the schedule;**
 - (c) Subject to Clause 36(d), where a boundary follows a shoreline (Diagram 3) and where infill occurs, the boundary is interpreted to follow the new ordinary high water mark;
 - (d) In a WA zone, where a boundary follows a shoreline (Diagram 3) and where infill occurs, the boundary shall remain as shown on the schedule;
 - (e) Subject to Clause 36(f), where a portion of a watercourse is filled in beyond the limits of a boundary, or where a building is constructed over water beyond the limits of a boundary, the in-filled land or buildings shall be included in the abutting zone or special area;

- (f) In a WA zone, where a portion of a watercourse is filled in beyond the limits of a boundary, or where a building is constructed over water beyond the limits of a boundary, the boundary shall remain as shown on the schedule;
- (g) Where any portion of a street is closed for public use, the former street lands are assigned a zone or special area as follows:
 - (i) where the abutting lands are part of a single zone or special area, the former street lands are assigned the same zone or special area as the abutting lands, or
 - (ii) where the abutting lands are part of more than one zone or special area, the centreline of the former street becomes a boundary, and the lands on each side of the boundary are assigned the same zone or special area as the adjacent lands; and
- (h) Where Clauses 36(a) to 36(g) do not apply, the boundary is as shown on Schedules 3 and 4, as applicable.



Diagrams 1, 2 and 3: Zone and special boundary interpretations, per Clauses 36(a), 36(b), and 36(c)

Chapter 2: Land Uses

Interpretation of Permitted Uses

- 37 Subject to Sections 38 to 42, and except for the CDD and TR zones, which are addressed in Subsections 39(1) and 39(2), uses of land are regulated as follows:
- (a) The first column of Table 1 lists each use;
 - (b) The remaining columns of Table 1 correspond to each zone;
 - (c) Header cells shaded black with white text (e.g., "RESIDENTIAL", "COMMERCIAL") are for organizational purposes only;
 - (d) A black dot (●) indicates that the use in that row is permitted in the zone of that column; and
 - (e) If a use is not listed in Table 1 as being permitted in a zone, the use is prohibited in that zone.

Additional Provisions Elsewhere in this By-law

- 38 No development permit shall be issued for a use permitted in Table 1 unless the use complies with all provisions of this By-law, including any additional restrictions or prohibitions.

Permitted Uses in the CDD and TR Zones

- 39 (1) The only use permitted in the CDD zone is the expansion of existing commercial uses by up to 1,000 square metres of gross floor area, from the coming into force date of this By-law.
- (2) All uses are prohibited in the TR zone.

Obnoxious Uses Prohibited

- 40 No owner or occupier of a lot shall undertake or conduct any obnoxious use.

Pedestrian-Oriented Commercial Streets

- 41 Along a streetline that abuts a pedestrian-oriented commercial street identified on Schedule 6, only the following uses may be located on the ground floor of a building:
- (a) retail uses;
 - (b) restaurants;
 - (c) drinking establishments;
 - (d) financial institutions;
 - (e) medical clinics;
 - (f) personal services;
 - (g) cinemas;
 - (h) fitness centres;
 - (i) grocery stores;
 - (j) local commercial uses;
 - (k) hotels;
 - (l) micro-breweries or micro-distilleries;
 - (m) cultural uses;
 - (n) university or college; and
 - (o) pedestrian entrances and lobbies for any other use permitted in the zone.

Halifax Waterfront View Corridors: Abutting Uses

- 42 [\(see Package B\)](#)

Development Consisting of More Than One Use

- 43 Where a development includes more than one use, the requirements for each use shall apply to the portion of the structure used for each respective use.

Table 1: Permitted uses by zone

Is there a dot missing here for Cen-1? 12 unit cap?

RESIDENTIAL	CEN-2	CEN-1	COR	HR-2	HR-1
Single-unit dwelling use	●	●	●		●
Semi-detached dwelling use		●	●		●
Townhouse dwelling use	●	●	●	●	●
Stacked townhouse use	●	●	●	●	●
Two-unit dwelling use	●	●	●		●
Three- and four- unit dwelling use	●	●	●	●	●
Multi-unit dwelling use (5 to 12 dwelling units)	●	●	●	●	●
Multi-unit dwelling use (more than 12 dwelling units)	●		●	●	
Secondary or backyard suite use	●	●	●	●	●
Mobile home use					
Supportive housing use	●	●	●	●	●
Bed and breakfast use	●	●	●	●	●
Single-room occupancy use	●	●	●	●	●
Halfway house use	●	●	●	●	●
Rooming house use	●	●	●	●	●
Home occupation use	●	●	●	●	●
Home office use	●	●	●	●	●
Work-live unit use	●	●	●	●	●
Grade-related unit use	●	●	●	●	●
Model suite use	●	●	●	●	
COMMERCIAL	CEN-2	CEN-1	COR	HR-2	HR-1
Broadcast use	●		●		
Crematorium use					
Day care use	●	●	●	●	●
Dealership use					
Drinking establishment use	●		●		
Local drinking establishment use (60 seats or fewer)	●	●	●	●	
Fabrication use	●	●	●	●	●
Financial institution use	●		●	●	
Fitness centre use	●		●	●	
Garden centre use	●				
Grocery store use	●		●	●	
Hotel use	●		●		
Kennel use					
Local commercial use	●	●	●	●	
Local commercial use on a corner lot	●	●	●	●	●
Micro-brewery or micro-distillery use	●		●	●	
Office use	●		●	●	
Pawn shop use			●		
Personal service use	●	●	●	●	●
Restaurant use	●	●	●	●	
Restaurant use on a corner lot	●	●	●	●	●
Retail use	●		●	●	
Self-storage facility use					
Service station use	●				
Service use	●	●	●	●	
Any other commercial use (if not prohibited above)	●				

The municipality should expropriate the existing dealership lots on robie street :)

URBAN AGRICULTURE	CEN-2	CEN-1	COR	HR-2	HR-1
Farmers' market use	●	●	●	●	●
Heritage farm use					
Keeping of bees as an accessory use	●	●	●	●	●
Keeping of chickens as an accessory use					
Urban farm use	●	●	●	●	●
INSTITUTIONAL	CEN-2	CEN-1	COR	HR-2	HR-1
Convention centre use	●				
Cultural use	●		●	●	●
Emergency services use	●	●	●	●	●
Emergency shelter use	●	●	●		
Hospital use					
Minor spectator venue use	●		●	●	
Major spectator venue use					
Medical clinic use	●	●	●	●	
Medical clinic use on a corner lot	●	●	●	●	●
Religious institution use	●	●	●	●	●
School use	●	●	●	●	●
University or college use	●		●	●	
INDUSTRIAL	CEN-2	CEN-1	COR	HR-2	HR-1
Assembly, construction, or light manufacturing use					
Cannabis production use					
Harbour-related industry use					
Harbour-related industry use existing on the coming into force date of this By-law					
Industrial training facility use					
Warehousing or storage yard use					
Wholesale and distribution use					
Wholesale food production use	●	●	●		
PARK, OPEN SPACE, AND RECREATION	CEN-2	CEN-1	COR	HR-2	HR-1
Cemetery use					
Club recreation use	●	●	●	●	●
Commercial recreation use					
Community recreation use	●	●	●	●	●
Conservation use					
WATER ACCESS	CEN-2	CEN-1	COR	HR-2	HR-1
Water access structure use					
MILITARY	CEN-2	CEN-1	COR	HR-2	HR-1
Military use					
OTHER	CEN-2	CEN-1	COR	HR-2	HR-1
Accessory structure or use	●	●	●	●	●
Utility use	●	●	●	●	●
Transportation use	●	●	●	●	●
Historic site or monument use	●	●	●	●	●
Temporary construction use	●	●	●	●	●
PROHIBITED IN ALL ZONES	CEN-2	CEN-1	COR	HR-2	HR-1
Adult entertainment use					
C&D transfer, processing, and disposal uses					
Salvage use					

PART III: LAND USE

Chapter 1: General Land Use Requirements

Limit colour temperatures of lighting. i.e no blue or white LED lighting. Stay within the 2800-3000K range. side note - the Nova Centre Blue has KILLED the streetscape.....

Exterior Lighting

- 44 (1) Exterior lighting shall not be directed towards abutting lots or streets.
- (2) All exterior lighting shall be equipped with full cut-off light fixtures.

Outdoor Storage and Dealerships

- 45 (1) Outdoor storage areas are prohibited within any required streetline yard, and shall meet the same minimum side and rear yard requirements as a main building on the lot.
- (2) Outdoor storage areas shall not exceed 30% of the lot area.
- (3) Dealership uses shall meet the same minimum yard requirements as a main building on the lot.

Recreational Vehicles

- 46 Recreational vehicles shall not be used for business purposes or human habitation.

Temporary Construction Uses Permitted

- 47 (1) Subject to Subsection 47(3), a development permit for a temporary construction use shall be valid for any specified period not longer than 60 days. The development permit may be renewed for a period of not longer than 30 days at a time, if the Development Officer determines that an extension is necessary.
- (2) A rock crusher shall only be used at:
- (a) the site of demolition of a structure or building;
 - (b) the site of construction of primary or secondary services pursuant to the HRM *Regional Subdivision By-Law*; or
 - (c) at the site of a development permitted by this By-law.
- (3) A development permit for the use of a rock crusher accessory to the construction of primary or secondary services pursuant to the HRM *Regional Subdivision By-Law* shall be valid for any period not exceeding the construction time schedule specified in the subdivision agreement.

- (4) A rock crusher shall not be located or used within 3.0 metres of any lot line.
- (5) A rock crusher shall not be located or used within 60 metres of any building used for residential or institutional purposes, except for fire stations, police stations, public infrastructure and utilities, cemeteries, historic sites or monuments, and recreational trails.
- (6) Subject to Subsection 47(7), a rock crusher shall not be used to process material for export to another site, or to process material imported to the site.
- (7) A rock crusher may be used to process demolished material for export to a disposal site, if the requirements of HRM By-law L-200, the *C&D Materials Recycling and Disposal License By-law*, are met.

Uses Near Railways

- 48
- (1) Subject to Subsection 48(2), there shall be a separation distance of at least 15.0 metres between the centreline of any railway track and:
 - (a) any new high-density dwelling; or
 - (b) any building located on any lot in a CDD zone, excluding parking areas, storage areas, and outdoor recreational areas.
 - (2) If the separation distance required by Subsection 48(1) cannot be provided, a report by a qualified Professional Engineer shall be submitted to the Development Officer identifying measures that will be used to mitigate the crash risk, noise, and vibration of trains before a development permit may be issued.
 - (3) A development permit issued in accordance with Subsection 48(2) shall require the development to include the mitigation measures identified in Subsection 48(2).

Solid Waste Management Areas

- 49 (1) For any building in a CEN-2, CEN-1, or COR zone higher than 11.0 metres, all solid waste management area shall be located entirely inside the building.
- (2) Where a building is located on a corner lot in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, and the lot fronts on a pedestrian-oriented commercial street shown on Schedule 6 and at least one non-pedestrian-oriented commercial street, all solid waste management areas shall be accessed from the non-pedestrian-oriented commercial street.

Chapter 2: Residential Requirements

Combination of Non-Residential Uses in Residential Zones

50 [\(see Package B\)](#)

Home Occupation and Home Office Uses

51 [\(see Package B\)](#)

Bed and Breakfast Uses

52 [\(see Package B\)](#)

Single-Room Occupancy Uses

53 [\(see Package B\)](#)

Day Cares in ER-3, ER-2, and ER-1 Zones

54 [\(see Package B\)](#)

Fabrication Uses

55 (1) [\(see Package B\)](#)

(2) Signage for a fabrication use shall meet the requirements of Section 187.

Secondary Suites and Backyard Suites

56 [\(see Package B\)](#)

Maximum Bedroom Counts in Low-Density Dwellings

57 [\(see Package B\)](#)

This is a healthy and realistic ratio mix

Dwelling Unit Mix

- 58 (1) (see Package B)
- (2) In all other zones:
- (a) 25% of all dwelling units in a multi-unit dwelling, rounded up to the nearest whole number of such units, shall contain at least two bedrooms;
 - and
 - (b) 5% of all dwelling units in a multi-unit dwelling, rounded up to the nearest whole number of such units, shall contain at least three bedrooms.

Amenity Space

- 59 (1) Any high-density dwelling shall provide amenity space, at a rate of 5.0 square metres per dwelling unit, for use by building residents.
- (2) A supportive housing use containing more than 12 bedrooms shall provide amenity space, at a rate of 2.5 square metres per bedroom, for building residents.
- (3) Except for amenity space attached to an individual dwelling unit, all amenity space required by Subsections 59(1) or 59(2) shall be:
- (a) provided in increments of at least 30 contiguous square metres; and
 - (b) fully accessible to all building residents.

Work-Live Units

- 60 (1) Only the following commercial uses are permitted in a work-live unit:
- (a) artists' studios;
 - (b) offices;
 - (c) medical clinics;
 - (d) personal services; and
 - (e) the retail of products produced on the premises, or associated with a service provided on the premises.
- (2) A maximum of 50% of the total floor area of a work-live unit may be used for commercial purposes, up to a maximum of 140.0 square metres.
- (3) The commercial portion of a work-live unit shall be located and accessible at the ground floor, and shall have a separate exterior entrance.
- (4) The principal operator of a business within a work-live unit shall reside in the unit, and may have up to three non-resident employees.
- (5) Signage for a work-live unit shall meet the requirements of Section 185.
- (6) Parking for a work-live unit shall meet the requirements of Section 152.

Mobile Homes

- 61 (see Package B)

Why separate? This may be limiting in dense areas and tight building lots. Imagine a two-level live/work with at grade commercial and a home above with access via an internal stairwell. Or a live work ground floor unit with commercial facing the street and residence facing the back yard with a diving screen. Lots of precedents like this in urban areas around the world.

Separate entrances may pose a programmatic / spacial problem. This may also pose a problem when renovating existing heritage homes to live/work.

Chapter 3: Urban Agriculture

Urban Agriculture Requirements

- 62
- (1) The processing of urban agricultural products, such as chopping, packaging, pickling, or preserving, is permitted as an accessory use to a main urban agriculture use.
 - (2) Except for heritage farm uses, the keeping of horses, cattle, swine, roosters, and ruminants is prohibited.
 - (3) A rooftop greenhouse may be used to contain all or part of an urban farm.
 - (4) Signage for urban agriculture uses shall meet the requirements of Sections 187 and 189.

Keeping of Bees as an Accessory Use

- 63
- (1) Where permitted in Table 1, the keeping of bees is limited to a maximum of:
 - (a) one hive on lots larger than 371.0 square metres; or
 - (b) two hives on lots larger than 2,000 square metres.
 - (2) Hives shall be located at least 7.5 metres from any lot line or dwelling, unless they are located on a rooftop, as shown in Diagram 5.
 - (3) A 1.8-metre-high barrier fence or a hedge shall be located within 1.5 metres of any hive entrance, unless the hive is located at least 2.5 metres above grade, as shown in Diagram 5.
 - (4) All hives shall be registered with the Nova Scotia Department of Agriculture or its designate.

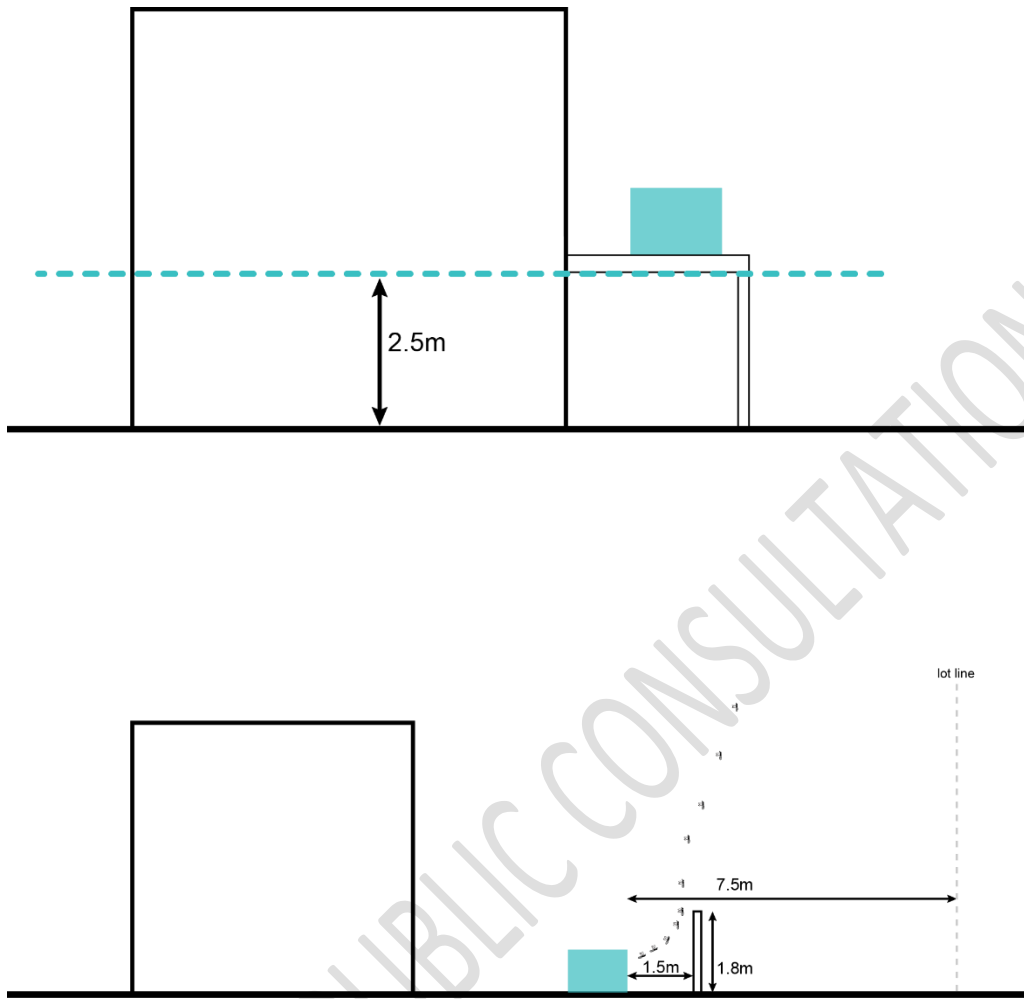


Diagram 5: Requirements for the keeping of bees as an accessory use, per Subsections 63(2) and 63(3)

Keeping of Chickens as an Accessory Use

64 [\(see Package B\)](#)

Sale of Urban Agricultural Products as an Accessory Use

65 The sale of urban agricultural products grown or produced on-site, including processed urban agricultural products, is permitted as an accessory use in conjunction with an urban farm.

Chapter 4: Environmental Requirements

Coastal Areas

- 66 (1) Subject to Subsections 66(2) and 66(3), where a lot abuts the coast of the Atlantic Ocean, including its inlets, bays, and harbours, a development permit shall not be issued for any portion of a dwelling, including a basement, that is proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 metres above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard (Diagram 7).

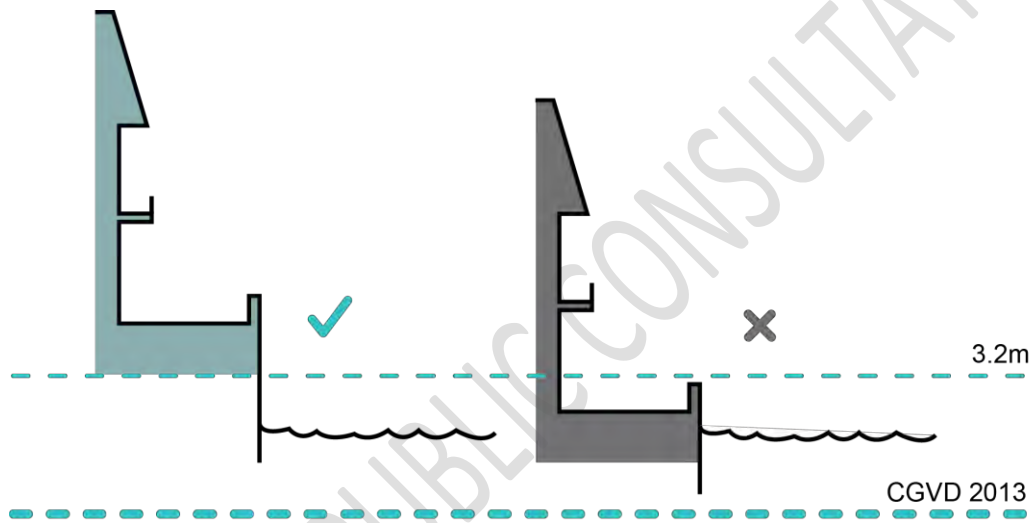


Diagram 7: Coastal area elevation requirements, per Subsection 66(1)

- (2) A development permit may be issued for a parking lot, parking structure, residential entrance or lobby in a mixed-use building, amenity space, storage space, or temporary use permitted in this By-law that is proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 metres above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.
- (3) Any portion of a dwelling, including a basement, located lower than the elevation required in Subsection 66(1) on the coming into force date of this By-law may be expanded if such expansion does not further reduce the dwelling's existing elevation.

- (4) Before issuing a development permit, to determine if a building proposed to be erected, constructed, altered, reconstructed, or located on a lot that abuts the coast of the Atlantic Ocean meets the requirements of this By-law, the Development Officer may require plans showing the following, drawn to scale:
 - (a) building elevations;
 - (b) the location of all proposed structures;
 - (c) land contours;
 - (d) lot grading information; and
 - (e) site plans and elevation drawings certified by a surveyor licensed in the Province of Nova Scotia.
- (5) In addition to items listed in Subsection 66(4), before issuing a development permit, the Development Officer may require any other information necessary to determine if the development meets the requirements of this By-law.

Watercourse Setbacks and Buffers

- 67 (1) This Section does not apply to any lands designated “Halifax Harbour” on Map 2 of the HRM *Regional Municipal Planning Strategy*, as amended from time to time.
- (2) A development permit shall not be issued for any development within 20 metres of the ordinary high water mark of any watercourse (Diagram 8).

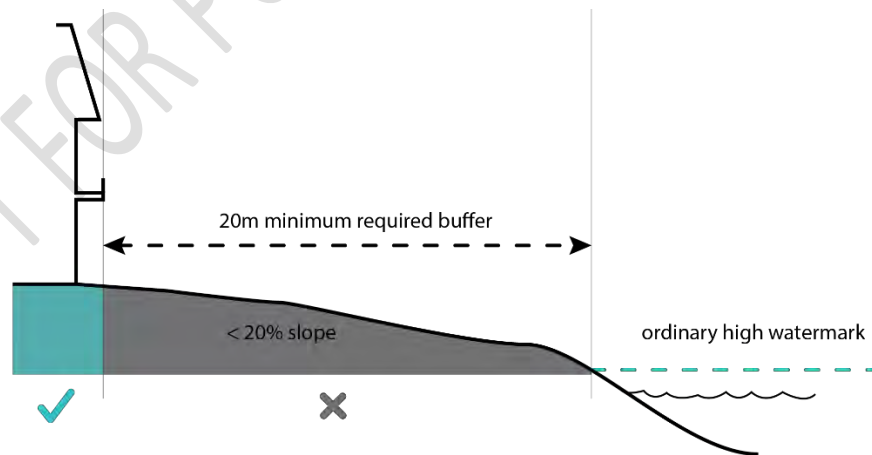


Diagram 8: Minimum watercourse setback buffer, per Subsection 67(2)

- (3) Where the average slope of land within the 20-metre buffer exceeds 20%, the buffer width shall be increased by 1.0 metre for each additional 2% of slope above 20%, to a maximum of 60 metres.

- (4) Where a wetland and a watercourse overlap, the buffer shall be applied from the edge of the wetland.
- (5) Subject to Subsections 67(6) and 67(10), within the buffer required in Subsections 67(2) and 67(3), no excavation, infilling, or the removal of any tree, stump, or other vegetation, or any other change of any kind, is permitted.
- (6) Within the buffer required in Subsections 67(2) and 67(3), permitted activity is limited to:
- (a) one accessory structure and one attached, uncovered deck, with a maximum combined footprint of 20.0 square metres;
 - (b) boardwalks, walkways, trails, and driveways providing they are no wider than 3.0 metres;
 - (c) fences;
 - (d) water access structures, boat ramps, marine-related uses, parks on public land, historic sites, and monuments;
 - (e) streets; and
 - (f) wastewater, stormwater, and water infrastructure and control structures.
- (7) Where a main building that existed on the coming into force date of this By-law is located within a required watercourse buffer, accessory structures permitted in Clause 67(6)(a) shall:
- (a) meet the accessory structure built form requirements of Section 126; and
 - (b) not be located any closer to the watercourse than any main building that existed on the coming into force date of this By-law.
- (8) Subject to Subsection 67(9), the buffer distance required in Subsections 67(2) and 67(3) may be reduced in a manner that would provide the greatest possible separation from a watercourse, if other yard and setback requirements are met, where the configuration of a lot is such that no main building can be located on the lot, for lots that:
- (a) existed before August 26, 2006; or
 - (b) were approved as a result of a tentative or final subdivision application on file before August 26, 2006.
- (9) [\(see Package B\)](#)

- (10) Within a required watercourse buffer, the Development Officer may authorize the removal of windblown, diseased, or dead trees that are deemed to be hazardous or unsafe, or the selective removal of vegetation to maintain the overall health of the buffer, if a management plan is submitted by a qualified arborist, landscape architect, forester, or forestry technician.
- (11) Before issuing a development permit, to determine if a structure proposed to be erected, constructed, altered, reconstructed, or located on a lot containing a required watercourse buffer meets the requirements of this By-law, the Development Officer may require plans showing the following, drawn to scale:
- (a) the required watercourse buffer;
 - (b) existing vegetation limits;
 - (c) the location of all proposed structures;
 - (d) land contours;
 - (e) lot grading information; and
 - (f) site plans and elevation drawings certified by a surveyor licensed in the Province of Nova Scotia.
- (12) In addition to items listed in Subsection 67(11), before issuing a development permit, the Development Officer may require any other information necessary to determine if the development meets the requirements of this By-law.

Northwest Arm (NWA) Special Area

68 [\(see Package B\)](#)

Lake Banook (LB) Special Area

69 [\(see Package B\)](#)

Wetlands

70 (1) A development permit application shall include plans, drawn to scale, showing the location of all wetlands within and adjacent to the lot where a development is being proposed.

(2) **All development is prohibited within any wetland.**

Chapter 5: Heritage Requirements

Registered Heritage Properties and Lots within Heritage Conservation Districts

- 71 Development on a registered heritage property, or within a heritage conservation district, shall meet the requirements of Part 4 of the Design Manual.

Development Abutting a Registered Heritage Property

- 72 Development on a lot abutting a registered heritage property shall meet the requirements of Part 4 of the Design Manual.

PART IV: LOT REQUIREMENTS

Chapter 1: Lot Requirements

Regional Subdivision By-law

73 In addition to the requirements of this Part, the subdivision of land is regulated by the HRM *Regional Subdivision By-Law*, as amended from time to time.

Access to a Street

- 74 (1) Every new lot shall abut and have direct access to a street.
- (2) A lot without direct access to a street may be developed if:
- (a) it existed on the coming into force date of this By-law; and
 - (b) it is accessible through a registered easement at least 2.5 metres wide.

Existing Undersized Lots

75 A lot with less than the minimum required area or frontage, as required in Sections 76 and 77, may be developed if:

- (a) it existed on the coming into force date of this By-law; and
- (b) all other applicable requirements of this By-law are met.

good!

Minimum Lot Area

76 Unless otherwise specified on Schedule 7, the minimum lot area is as set out in Table 2:

Table 2: Minimum lot area requirements

Zone	Minimum lot area
HR-2, HR-1	558 square metres
Townhouses in any zone — interior units	185 square metres
Townhouses in any zone — end units	277 square metres
Any other zone	371 square metres

Minimum Lot Frontage

- 77 (1) Unless otherwise specified on Schedule 8, and subject to Subsection 77(2), the minimum lot frontage is as set out in Table 3:

Table 3: Minimum lot frontage requirements

Zone	Minimum lot frontage
Townhouses in any zone — interior units	6.1 metres
Townhouses in any zone — end units	9.1 metres
Any other zone	12.2 metres

- (2) When a lot faces the outer side of a curve on a street, the minimum frontage requirements of Subsection 77(1) may be reduced by 30%.

**PART V:
BUILT FORM**

Chapter 1: General Built Form Requirements

Number of Buildings on a Lot

- 78 (1) Every building shall be located on a lot.
- (2) A building shall not be located on more than one lot, except in any CEN-2 and D zone for abutting lots under common ownership that are developed concurrently over a continuous foundation, footing, or underground parking structure.
- (3) A maximum of one main building is permitted on a lot, except:
- (a)–(b) (see Package B)
 - (c) on registered heritage properties.

Structures Located in Yards, Setbacks, Stepbacks, and Separation Distances

79 Yards, setbacks, stepbacks, and separation distances required in this Part shall be open and unobstructed except for the following:

- (a) Wheelchair ramps, **uncovered** decks and patios less than 0.6 metres high, walkways, lifting devices, steps, and clear glass guard and railing systems **are permitted in any required yard, setback, stepback, or separation distance;**
- (b) Sills, eaves, gutters, downspouts, cornices, chimneys, and other similar features may project into any required yard, setback, stepback, or separation distance by up to 0.6 metres from any building face;
- (c) **Window bays and solar collectors may project into any required yard, setback, stepback, or separation distance by up to 1.0 metre from any building face; and**
- (d) Subject to Subsection 84(3), balconies, **covered and enclosed porches**, verandas, canopies, and awnings may project into any required yard, setback, stepback, or separation distance by up to **1.5 metres from any building face at the first storey, or by up to 2.0 metres from any building face at the second storey or above.**

NICE

Encroachments into Streets

80 Encroachments into streets must meet the requirements of HRM By-law E-200, the *Encroachment By-law*.

so all corners will be truncated? This will prove to be very challenging architecturally, and all buildings will look generic at each corner. Needs review. What's the design logic here?

Viewing Triangles

- 81 A structure shall not obstruct any viewing triangle above a height of 1.0 metre.

Development Abutting a TR Zone

- 82 Development on a lot abutting any TR zone shall be set back by at least the minimum streetline yard required for the zone. vinyl should be prohibited on all residential and commercial zones on the peninsula.

Prohibited External Cladding Materials

- 83 (1) Excluding low-density dwellings, and subject to Subsection 83(2), the following external cladding materials are prohibited in any CEN-2, CEN-1, COR, HR-2, and HR-1 zone:

- (a) vinyl;
- (b) plastic;
- (c) plywood;
- (d) concrete block;
- (e) exterior insulation and finish systems where stucco is applied to rigid insulation;
- (f) darkly tinted or mirrored glass, excepting spandrel glass panels; and
- (g) vinyl windows registered heritage buildings or on lots within a heritage conservation district.

and balcony guards? coloured glass balcony guards can be a playful design feature that should be permitted

- (2) Prohibited external cladding materials that are present on a structure on the coming into force date of this By-law may be replaced with similar materials.

any exterior renovations to existing buildings should conform to 83(1)

Projections, Overhangs, and Cantilevers

- 84 (1) A new building or an addition to an existing building shall not cantilever over a registered heritage building located on the same lot.

- (2) Overhanging or cantilevered portions of any streetwall shall not exceed 25% of the width of the streetwall.

- (3) Above any streetwall setback, any portion of a building shall not project beyond the vertical plane of any building portions below the streetwall setback.

This is very limiting. What's the logic here? This is strongly opposed, architecturally speaking.

Pedways

85 (see Package B)

Drive-Throughs

86 (see Package B)

Buildings in WA Zones

87 (see Package B)

Streetwall Heights

88 A building shall have separate streetwall heights determined for each streetwall segment that is greater than 8.0 metres wide.

Chapter 2: Maximum Height and Gross Floor Area Ratio

Maximum Building Height

- 89 (1) Subject to Clause 26(1)(c) and Sections 90 and 92, a building's height shall not exceed the maximum building heights specified on Schedule 9. If a lot is marked with an asterisk (*) on Schedule 9, maximum building heights for that lot are specified on Schedule ___ instead.
- (2) Where a building complies with Subsection 89(1), a development permit shall not be issued unless all other requirements of this By-law are met, including maximum gross floor area ratios (GFARs) specified in Section 91.

Height Exemptions

- 90 (1) Excluding low-density dwellings which are addressed in Subsection 90(5), Table 4 lists the features that are exempted from the maximum height limits specified in Section 89. The requirements of Part VI still apply.
- (2) All features identified with a black dot (●) in the "30% restriction" column of Table 4 shall not, in total, occupy more than 30% of the rooftop area of a building on which they are located (Diagram 9).

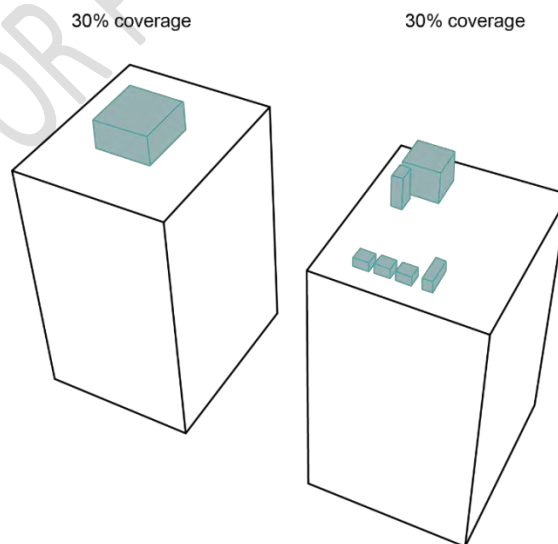


Diagram 9: Rooftop area coverage limits, per Subsection 90(2)

- (3) All features with a “maximum height above roof” indicated in Table 4 shall not exceed that height above the rooftop of a building on which they are located.
- (4) All features with a “minimum setback from roof edge” indicated in Table 4 shall be located at least as far as indicated from the outermost edge of the roof.

Table 4: Features exempt from maximum height requirements

Feature	30% restriction	Maximum height above roof	Minimum setback from roof edge
Antennas	●		3.0 metres
Chimneys	●		
Clear, uncoloured glass guard and railing systems	●	2.0 metres	
Clock tower or bell tower	●		
Communication towers required to support uses and activities in the building	●		3.0 metres
Cooling towers	●		3.0 metres
Elevator enclosures	●	4.5 metres	3.0 metres
Flag poles	●		
Heating, ventilation and air conditioning equipment and enclosures	●	4.5 metres	3.0 metres
High-plume laboratory exhaust fans	●		3.0 metres
Landscaping		4.5 metres	
Lightning rods	●		3.0 metres
Mechanical penthouses	●	4.5 metres	3.0 metres
Parapets	●	2.0 metres	
Rooftop cupolas	●	4.5 metres	3.0 metres
Rooftop greenhouses		7.5 metres	3.0 metres
Skylights		4.5 metres	
Solar collectors		4.5 metres	
Spires, steeples, minarets, and similar features	●		
Staircases and staircase enclosures	●	4.5 metres	3.0 metres
Windscreens	●	4.5 metres	3.0 metres

Parapets should not be included in the 30% restriction

2.5m may provide more flexibility on tight lots.

- (5) On any low-density dwelling, the following features are permitted to exceed the maximum height limits specified in Section 89 by up to 3.0 metres:
- (a) chimneys and stovepipes;
 - (b) antennas;
 - (c) flag poles;
 - (d) solar collectors;
 - (e) rooftop greenhouses; and
 - (f) vents.

Maximum Gross Floor Area Ratio (GFAR)

- 91 (1) Excluding low-density dwellings, a building shall not be erected, constructed, altered, reconstructed, or located in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone so that it exceeds the maximum GFARs specified on Schedule 11.
- (2) Where a building complies with Subsection 91(1), a development permit shall not be issued unless all other requirements of this By-law are met, including maximum heights specified in Section 89.

Height and GFAR Bonusing

- 92 (1) Height and GFAR bonusing thresholds and requirements are contained in Part XI.
- (2) A development shall not exceed any maximum pre-bonus height limit or maximum pre-bonus GFAR, as specified in Part XI, if it includes the removal of more than 40% of a registered heritage building's façade, including exterior walls, roof, dormers, chimneys, and other character-defining elements.

Chapter 3: Built Form Requirements for D Zones

Built Form Requirements for D Zones

93 [\(see Package B\)](#)

Maximum Lot Coverage (D)

94 [\(see Package B\)](#)

Ground Floor Requirements (D)

95 [\(see Package B\)](#)

Streetline Setbacks (D)

96 [\(see Package B\)](#)

Other Setbacks (D)

97 [\(see Package B\)](#)

Streetwall Height (D)

98 [\(see Package B\)](#)

Streetwall Width (D)

99 [\(see Package B\)](#)

Streetwall Stepbacks (D)

100 [\(see Package B\)](#)

Minimum Separation Distances (D)

101 [\(see Package B\)](#)

Maximum Building Dimensions (D)

102 [\(see Package B\)](#)

Balconies (D)

103 [\(see Package B\)](#)

Additional Special Area Requirements (D)

104 [\(see Package B\)](#)

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Chapter 4: Built Form Requirements in CEN-2, CEN-1, COR, HR-2, and HR-1

Built Form Requirements for CEN-2, CEN-1, COR, HR-2, and HR-1 Zones

- 105 (1) Subject to Subsection 105(2), excluding low-density dwellings, a main building erected, constructed, altered, reconstructed, or located in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone shall meet the built form requirements of Sections 106 to 117.
- (2) In Sections 106 to 117, a building's type is determined by its overall height, excluding features exempted in Section 90, as follows:
- (a) Any main building less than 11.0 metres high is a low-rise building;
 - (b) Any main building between 11.0 metres and 20.0 metres high is a mid-rise building; and
 - (c) Any main building higher than 20.0 metres is a high-rise building.

Maximum Lot Coverage (CEN-2, CEN-1, COR, HR-2, HR-1)

- 106 (1) Subject to Subsection 106(2) and any required setbacks, yards, and landscaping, the maximum permitted lot coverage is:
- (a) in CEN-2 and CEN-1 zones: no requirement;
 - (b) in COR zones: 80%;
 - (c) in HR-2 and HR-1 zones: 50%; and
 - (d) (see Package B).
- (2) Underground parking areas are permitted to cover up to 100% of a lot if they are entirely located below an elevation of 0.25 metres above the streetline grade.

50% is limiting and should be reviewed against proposed boundary designations and lot depths

Ground Floor Requirements (CEN-2, CEN-1, COR, HR-2, HR-1)

- 107 (1) Including a parking structure, a main building shall have a ground floor height of at least 4.5 metres from floor to floor, measured from the streetline grade, for any building that has access:
- (a) at the streetline;
 - (b) along a Transportation Reserve; or
 - (c) onto a waterfront view corridor.

4.5 may be too high for some streets with existing lower fabric (ie. agricola)

Increase to 70%

(2) Where a lot abuts a pedestrian-oriented commercial street identified on Schedule 6, at least 60% of the building's total ground floor frontage along all streetlines shall consist of clear glass glazing.

(3) In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, where a streetline does not abut a pedestrian-oriented commercial street identified on Schedule 6, the only ground floor residential uses that are permitted to occupy more than 50% of the streetwall are grade-related units or work-live units.

wording is confusing, requires clarity

(4) All grade-related units shall have:

(a) a separate exterior entrance;

(b) a porch or patio that connects to the sidewalk and is:

good design parameter

(i) at least 3.0 metres wide, and

(ii) at least 1.5 metres deep;

why not 1m?

(c) a ground floor set at least 0.25 metres above the streetline grade; and

(d) a barrier at least 1.0 metre high and 1.5 metres long, such as a planter, wall, fence, railing, or vegetation, between the street and unit entrance.

dimensions should be reviewed, may render too tall of a barrier lending itself to a walled obstruction along streetscapes..

(5) Any pedestrian entrance along a streetline shall be set back at least 1.2 metres from the streetline.

(6) Any vehicular entrance to the building along a streetline shall be set back at least 4.5 metres from the streetline.

this will be constricting for lots with shallow depth and should be carefully reviewed

Streetline Setbacks (CEN-2, CEN-1, COR, HR-2, HR-1)

108 (1) Subject to Subsections 108(2) and 108(3), a main building shall have:

(a) a minimum streetline yard as specified on Schedule 12; and


(b) a maximum streetline yard, where one is specified on Schedule 13.

(2) Up to 35% of any streetwall may exceed the maximum streetline yard requirement of Clause 108(1)(b).


(3) On a registered heritage property, any addition to a registered heritage building shall not be located within the existing streetline yard of the registered heritage building, and no maximum streetline yard requirement applies.

Ped. oriented streets should have 0m streetline setbacks


Side Yards (CEN-2, CEN-1, COR, HR-2, HR-1)

- 109 (1) Subject to Subsection 109(2), a main building in any CEN-2 or CEN-1 zone shall not exceed a maximum side yard of 2.5 metres. 
- (2) Where a lot abuts an ER-3, ER-2, ER-1, MH, P, or RPK zone, the lot shall provide a side yard of at least 3.0 metres along any abutting side lot line.

Rear Yard (CEN-2, CEN-1, COR, HR-2, HR-1)

- 110 (1) Subject to Subsection 110(2), a main building shall have a minimum rear yard of at least:
- (a) 4.5 metres; or 
- (b) in a CEN-2 or CEN-1 zone, 0.0 metres if the rear yard abuts another CEN-2- or CEN-1-zoned lot.
- (2) Where a lot abuts a controlled access highway or an ER-3, ER-2, ER-1, MH, P, or RPK zone, any main building shall be set back at least 6.0 metres from any abutting rear lot line.

Streetwall Height (CEN-2, CEN-1, COR, HR-2, HR-1)

- 111 (1) A main building's maximum streetwall height is specified on Schedule 14.
- (2) For all main buildings, the minimum streetwall height is 8.0 metres,  or in the case of an addition to a main building, the height of the existing building if its height is less than 8.0 metres.
- (3) On a registered heritage property, the maximum streetwall height is the existing streetwall height of the registered heritage building at the time of the coming into force of this By-law.

Streetwall Width (CEN-2, CEN-1, COR, HR-2, HR-1)

- 112 In any CEN-2 zone, excluding any permitted side yard, a building's streetwall shall extend the full width of any abutting streetline.

8m resulting in 2-storey SW... NOT REALISTIC nor does it relate to street widths and good urban form at the human scale. 3-storey streetwalls would be more feasible and help balance overall building height proportions. Especially for midrise building typologies.

Streetwall Stepbacks (CEN-2, CEN-1, COR, HR-2, HR-1)

113 (1) Subject to Subsection 113(2), a main building shall have a stepback above any streetwall by at least:

(a) 1.5 metres for low-rise buildings;

(b) 2.5 metres for mid-rise buildings; or

(c) 3.5 metres for high-rise buildings.

would recommend 2m for midrise typologies

why not 3m like existing DT halifax?

(2) No stepback is required for up to 20% of the width of a building along a streetline.

Side and Rear Setbacks and Stepbacks (CEN-2, CEN-1, COR, HR-2, HR-1)

114 (1) For low-rise buildings, no side or rear setbacks or stepbacks are required.

(2) Subject to Subsection 114(4), for mid-rise buildings, no side stepbacks are required, and any portion of a building above the height of the streetwall shall have a setback of at least 6.0 metres from the rear lot line.

(3) For high-rise buildings, any portion of a building above the height of the streetwall shall have a setback of at least 12.5 metres from any interior lot line.

(4) Where a lot abuts an ER-3, ER-2, ER-1, MH, P, or RPK zone, the lot shall provide side and rear stepbacks, above a height of 11.0 metres, of at least:

(a) 2.5 metres for mid-rise buildings; or

(b) 3.5 metres for high-rise buildings.

6m may pose a challenge for preexisting narrow lots that dominate COR and CEN zones





12.5m is too large and not in keeping with 10m standards set out in recent DAs etc. This should be tested and reviewed with existing CEN lots

Minimum Separation Distances (CEN-2, CEN-1, COR, HR-2, HR-1)

115 For high-rise buildings, above the streetwall height, any portions of the same or any other main building on the same lot shall be separated by at least 25.0 metres.

should be relaxed to 20m

Maximum Building Dimensions (CEN-2, CEN-1, COR, HR-2, HR-1)

- 116 (1) Below the streetwall height, any portion of a main building shall not exceed a building depth or building width of: 
- (a) in CEN-2, CEN-1, and COR zones: 64.0 metres; and
 - (b) in HR-2 and HR-1 zones: 40.0 metres. 
- (2) Above the streetwall height, the building depth of any contiguous portion of a high-rise building shall not exceed 35.0 metres. 
- (3) Above the streetwall height, any contiguous portion of a high-rise building shall not exceed an area of 750 square metres. 

Building Articulation (CEN-2, CEN-1, COR, HR-2, HR-1)

- 117 If a main building's streetwall width exceeds 6.0 metres, the streetwall shall meet the requirements of the Design Manual.

116 (1) to (3) : all more than reasonable, but FAR will dictate...

Chapter 5: Built Form Requirements for Other Zones and Buildings

Built Form Requirements for All Other Zones and Buildings

- 118 A low-density dwelling erected, constructed, altered, reconstructed, or located in any CEN-2, CEN-1, COR, HR-2, HR-1, or CDD zone, and any main building erected, constructed, altered, reconstructed, or located in any CDD zone, shall meet the built form requirements of Sections 119 to 125.

Maximum Lot Coverage (Other Zones)

- 119 (1) Subject to any required setbacks, yards, and landscaping, the maximum lot coverage is:
- (a) for low-density dwellings in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone: 40%;
 - (b) (see Package B);
 - (c) in any CDD zone: 20%; and
 - (d) (see Package B).
- (2) In any H zone, underground parking areas are permitted to cover up to 100% of a lot if they are entirely located below an elevation of 0.25 metres above the streetline grade.

Minimum Streetline Setback (Other Zones)

- 120 (1) A main building shall have a minimum streetline yard:
- (a) for low-density dwellings in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, as specified on Schedule 12; or
 - (b) (see Package B).
- (2) On a registered heritage property, any addition to a registered heritage building is prohibited within the existing streetline yard of the registered heritage building.

Minimum Side Yard (Other Zones)

121 A main building shall have a minimum side yard:

- (a) for low-density dwellings in any CEN-2, CEN-1, COR, HR-2, HR-1, or CDD zone, of:
 - (i) 1.25 metres,
 - (ii) 6.0 metres if the side yard abuts a controlled access highway or arterial street, or
 - (iii) 3.0 metres at each end of a townhouse block;
- (b) [\(see Package B\)](#); and
- (c) [\(see Package B\)](#).

Minimum Rear Yard (Other Zones)

122 A main building shall have a minimum rear yard:

- (a) for low-density dwellings in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, of:
 - (i) 6.0 metres, or
 - (ii) 9.0 metres if the rear yard abuts a controlled access highway or arterial street;
- (b) [\(see Package B\)](#).

Minimum Separation Distances (Other Zones)

- 123 (1) At least 6.0 metres of separation is required between any two main buildings located on the same lot, where permitted.
- (2) [\(see Package B\)](#)

Attached Garages (Other Zones)

124 [\(see Package B\)](#)

Townhouses (Other Zones)

125 A maximum of eight townhouse dwellings are permitted per townhouse block.

Chapter 6: Accessory Structures and Shipping Containers

Built Form Requirements for Accessory Structures

- 126 (1) Any accessory structure shall be:
- (a) located in the same zone as the main structure or use that it is intended to serve, or in an abutting zone in which the main structure or use is permitted;
 - (b) located on the same lot as the main structure or use, or on a lot that directly abuts or is directly across a street from the lot that contains the main structure or use; and
 - (c) under common ownership with the main structure or use that it is intended to serve.
- (2) Except in LI and HRI zones, Quonset huts are not permitted as accessory structures.
- (3) An accessory structure's height shall not exceed:
- (a) 5.0 metres; or
 - (b) [\(see Package B\)](#).
- (4) An accessory structure's footprint shall not exceed:
- (a) 23.5 square metres in CEN-2, CEN-1, and COR zones;
 - (b) 60.0 square metres in HR-2 and HR-1 zones;
 - (c) [\(see Package B\)](#); or
 - (d) unlimited, in other zones.
- (5) Subject to Subsection 121(6), accessory structures shall meet the minimum and maximum streetline yard requirements for a main building in the same zone.
- (6) [\(see Package B\)](#).
- (7) Subject to Subsection 126(8), accessory structures shall be located at least 0.65 metres from any side or rear lot line.

- (8) In any zone other than HR-2 or HR-1 zone, an accessory structure shall be located at least 3.1 metres from any side or rear lot line that abuts an HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone.
- (9) [\(see Package B\)](#).

Shipping Containers

- 127
- (1) Subject to Subsections 127(2), 127(3) and 127(4), a shipping container shall not be used as an office or dwelling unit.
 - (2) [\(see Package B\)](#)
 - (3) [\(see Package B\)](#)
 - (4) A shipping container shall not:
 - (a) be located within any required streetline yard, and shall not be located between any main building and any street; and
 - (b) if used for a non-recreational purpose, be located on a lot abutting an ER-3, ER-2, ER-1, MH, HR-2, HR-1, P, RPK, INS, UC, or H zone.

**PART VI:
VIEW PLANES AND
WATERFRONT VIEW
CORRIDORS**

Chapter 1: General View Plane and Waterfront View Corridor Requirements

General View Plane and View Corridor Requirements

- 128 (1) A development permit application for a development that, in the opinion of the Development Officer, will protrude into, abut, or be subject to a view plane, shall include plans, and any other information the Development Officer requires, to demonstrate that the development will not protrude into a view plane.
- (2) A development permit application for a development that, in the opinion of the Development Officer, will protrude into, abut, or be subject to a waterfront view corridor, shall include plans, and any other information the Development Officer requires, to demonstrate that the development will not protrude into the waterfront view corridor.
- (3) A development permit issued by the Development Officer may be revoked if, in the opinion of the Development Officer, the permit allows a development to protrude into a view plane or waterfront view corridor.

Chapter 2: Halifax Citadel View Planes and Rampart View Planes

Halifax Citadel View Planes

- 129 (1) The Halifax Citadel view planes are as defined and shown on Schedule 15.
- (2) Subject to Subsection 129(3), a structure shall not be erected, constructed, altered, reconstructed, or located so that it protrudes into a Halifax Citadel view plane.
- (3) Where a structure that existed on the coming into force date of this By-law protrudes into a view plane, a new structure may be erected, constructed, altered, reconstructed, or located so that it protrudes into the view plane if the new structure does not enlarge upon the existing protrusion through the view plane when viewed as follows:
- (a) view planes 1, 3, and 5 from viewing position A;
 - (b) view plane 6 from viewing position B;
 - (c) view planes 2, 4, 7, 8, and 10 from viewing position C; and
 - (d) view plane 9 from viewing position D.

Halifax Citadel Rampart View Planes

- 130 (1) The Halifax Citadel rampart view planes, originating in the Parade Square of the Halifax Citadel, are as defined and shown on Schedule 16.
- (2) A structure shall not be erected, constructed, altered, reconstructed, or located so that it protrudes into any Halifax Citadel Rampart view plane, as seen from any of the 10 viewing positions in the Parade Square of the Halifax Citadel.

Chapter 3: Dartmouth View Planes

Dartmouth View Planes

131 [\(see Package B\)](#)

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Chapter 4: Halifax Waterfront View Corridors

Halifax Waterfront View Corridors

132 [\(see Package B\)](#)

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Chapter 5: Dartmouth Waterfront View Corridors

Dartmouth Waterfront View Corridors

- 133 (1) The Dartmouth waterfront view corridors are as defined and shown on the following schedules:
- (a)–(l) [\(see Package B\)](#); and
 - (m) Schedule 36: Parker Street Waterfront View Corridor.
- (2) A structure shall not be erected, constructed, altered, reconstructed, or located so that it protrudes into a Dartmouth waterfront view corridor, except:
- (a) public art;
 - (b) fountains and other landscaping elements; and
 - (c) sidewalk cafes
- (3) Vehicular access is permitted within a Dartmouth waterfront view corridor.

PART VII: WIND ENERGY FACILITIES

Chapter 1: Wind Energy Facility Requirements

General Wind Energy Facility Requirements

- 134 (1) Wind energy facilities are not permitted in any RPK zone.
- (2) Wind energy facilities shall meet the watercourse setback and buffer requirements of Section 67.

Wind Energy Overlay Zones

135 For the purposes of this Part, this By-law establishes the following wind energy overlay zones, with boundaries as shown on Schedule 38:

- (a) Urban Wind (UW-1) Zone; and
- (b) Restricted (R) Zone.

Urban Wind Zone (UW-1)

- 136 (1) All wind energy facilities, except large wind energy facilities, are permitted in the UW-1 zone.
- (2) All wind turbine towers in the UW-1 zone shall be separated from each other by a minimum distance equal to the tallest tower height.
- (3) All wind turbine towers in the UW-1 zone shall have a minimum setback from any adjacent lot line of 1.0 times the tower height.
- (4) Micro wind energy facility towers in the UW-1 zone shall be separated from any habitable building on an adjacent lot by at least 3.0 times the tower height.
- (5) Micro wind energy facility towers are permitted on buildings.
- (6) Small wind energy facility towers in the UW-1 zone shall be separated from any habitable building on an adjacent lot by at least 180 metres.
- (7) Medium wind energy facility towers in the UW-1 zone shall be separated from any habitable building on an adjacent lot by at least 250 metres.

Restricted Zone (R)

137 Wind energy facilities are not permitted in the R zone.

Setback Exceptions

- 138 A wind energy facility's required setback from any lot line is reduced to 0.0 metres where the abutting lot is part of the same wind energy facility.

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Chapter 2: Wind Energy Facility Permits

Permit Application Requirements

- 139 A wind energy facility development permit application shall include the following:
- (a) a description of the proposed wind energy facility, including an overview of the project and the total rated capacity of the proposed wind energy facility;
 - (b) the proposed number, representative types, and height or range of heights of wind turbine towers to be constructed, including their generating capacity, dimensions, manufacturers, and a description of accessory facilities;
 - (c) identification and location of the lots on which the proposed wind energy facility will be located;
 - (d) if required by the Development Officer, a survey prepared by a surveyor licensed in the Province of Nova Scotia, a surveyor's certificate, or a site plan showing the planned location of all wind turbine towers, lot lines, required setbacks and separation distances, existing and proposed structures, access roads, turn-around locations, substations, electrical cabling from the wind energy facility to substations, ancillary equipment, and transmission and distribution lines;
 - (e) if required by the Development Officer, proof that the following agencies have been notified of potential radio, telecommunications, radar, and seismoacoustic interference, as required by Transport Canada and the *Aeronautics Act*:
 - (i) Department of National Defense,
 - (ii) Nav Canada,
 - (iii) Natural Resources Canada, and
 - (iv) other applicable agencies; and
 - (f) any other information the Development Officer requires to determine if the wind energy facility complies with this By-law.

Additional Permit Requirements

- 140 (1) A wind energy facility development permit application shall be reviewed to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy-wired anchors required to maintain the structural stability of a wind turbine tower are sufficient for a wind turbine that is:
- (a) not attached to a building and not connected to the power grid; or
 - (b) attached to an accessory structure larger than 20.0 square metres and not connected to the power grid.
- (2) At least 60 calendar days before submitting a development permit application, an applicant shall notify all assessed property owners within a corresponding distance from the lot on which any micro, small, medium, or large wind energy facility is proposed:

Table 5: Wind energy facility notification requirements

Wind energy facility size	Must notify all assessed property owners within:
Micro	140 metres
Small	360 metres
Medium	500 metres
Large	2,000 metres

- (3) The notice required in Subsection 140(2) shall include the following information:
- (a) a site plan that includes lot lines and the location of the proposed wind energy facility;
 - (b) a description of the type of wind energy facility being proposed; and
 - (c) the applicant's contact information, including postal and email addresses.
- (4) A wind energy development permit application shall include confirmation that the requirements of Subsection 140(2) have been met.

Installation and Design

- 141 (1) All electrical wires associated with a wind energy facility shall, to the maximum extent possible, be located underground.
- (2) The wind energy facility shall, at minimum:
- (a) be of a visually non-obtrusive colour, such as white, off-white, or gray;
 - (b) not be artificially lit, except to the extent required by the *Aeronautics Act* or by any other applicable authority that regulates air safety; and
 - (c) not display advertising, including flags, streamers, or decorative items, except to identify the wind turbine manufacturer, facility owner, and operator.

PART VIII: LANDSCAPING

Chapter 1: General Landscaping Requirements

General Landscaping Requirements

- 142 (1) Existing landscaping, such as trees and shrubs, may be counted toward the calculation of any landscaping requirements in this Part. To be counted, existing landscaping must:
- (a) be **adequately protected** from damage during development; and
 - (b) remain intact following the completion of a development project.
- (2) All required soft landscaping must be maintained in healthy condition. Any required soft landscaping that dies must be replaced within one year or at the beginning of the next growing season, whichever is sooner.
- (3) A minimum number of unique plant species is required, as follows:
- (a) If this Part requires the planting of at least 10 trees or shrubs, at least three different tree or shrub species are required; and
 - (b) If this Part requires the planting of at least 20 trees or shrubs, at least four different tree or shrub species are required.
- (4) All required landscaped areas, including buffers and the landscaped portions of any yard, must not be used for storage, loading, unloading, or the movement or parking of motor vehicles.
- (5) Landscaping, including any required fence or wall, must not obstruct any **viewing triangle above a height of 1.0 metre.**
- (6) Where a surface parking lot abuts a lot line, the following must be provided:
- (a) a 2.5-metre-wide strip of soft landscaping that includes at least 50% salt-tolerant groundcover plants;
 - (b) at least one shrub (at least 1.0 metre high) for every 2.0 linear metres of parking lot edge, or at least one tree (with a minimum base caliper of 50 millimetres) for every 4.5 linear metres of parking lot edge, or a combination thereof, which may be grouped;
 - (c) a decorative fence or wall, at least 0.5 metres high, along each parking lot edge that does not abut an HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone;

provisions should be provided at building permit stage by urban forestry

GOOD

viewing triangle is just silly.....

- (d) evergreen shrubs that form a continuous visual barrier or an opaque wood fence or masonry wall, at least 1.8 metres high, along each parking lot edge that abuts any HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone; and
- (e) openings in any required fence or wall as required to allow access to the parking lot.

(7) Any area of a surface parking lot not used for parking or maneuvering must be landscaped. Within a surface parking lot, each row of at least 10 parking spaces must be capped with a raised, landscaped island at each end. Each island must be delineated with curbs and must contain at least two salt-tolerant trees (with a minimum base caliper of 50 millimetres). At least 50% of each island's ground area must be covered with soft landscaping consisting of salt-tolerant groundcover plants.

50% could be limiting for CEN lots with 0% coverage?

(8) Excluding any hard-landscaped areas required in Section 143, at least 50% of the remaining required landscaping on a lot, including landscaping on building rooftops, must be soft landscaping. Soft-landscaped amenity areas may be counted toward this requirement.

time window? regulations?

(9) Where a main building is removed, except to create a parking lot or to erect a new main building, the resulting vacant lot must be maintained with soft landscaping until the lot is redeveloped.

(10) Where an outdoor storage area or dealership abuts a lot in an HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone, a 1.8-metre-high opaque barrier, consisting either of continuous evergreen shrubs, wood fencing, or a masonry wall, must be provided between the storage or display area and the abutting HR-2, HR-1, ER-3, ER-2, ER-1, or MH lot.

(11) (see Package B)

(12) Excluding low-density dwellings, any outdoor solid waste management areas must be located in a side or rear yard and must be fully enclosed by an opaque fence or wall at least 2.0 metres high, except for an opening or gate required for access. Any such area must not be located within 3.5 metres of any lot line abutting a residential use (Diagram 12).

is the 3.5m necessary even with screening? suggest relaxing this parameter to 1m

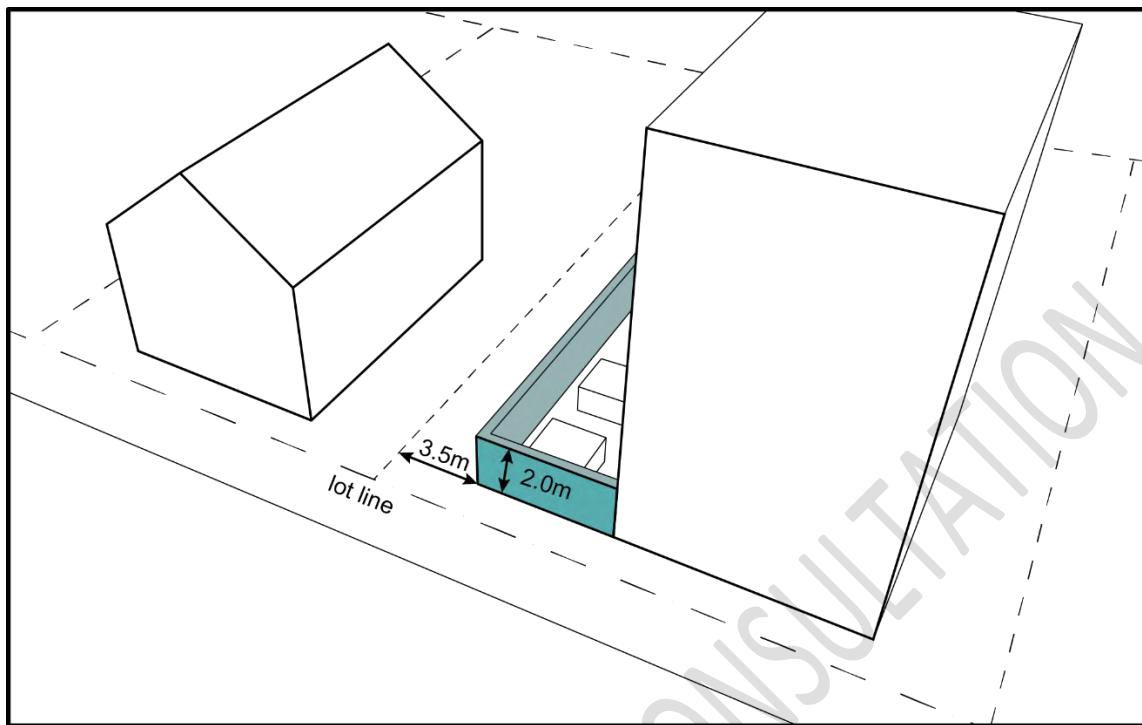


Diagram 12: Screening requirements for solid waste management areas, per Subsection 142(12).

- (13) Where a yard containing off-street loading space abuts an **HR-2, HR-1**, ER-3, ER-2, ER-1, MH, INS, UC, H, P, or RPK zone, a 1.8-metre-high opaque barrier, consisting either of continuous evergreen shrubs, wood fencing, or a masonry wall, must be provided between the off-street loading space and the abutting HR-2-, HR-1-, ER-3-, ER-2-, ER-1-, MH-, INS-, UC-, H-, P-, or RPK-zoned lot.

Chapter 2: Specific Landscaping Requirements

why not increase this percentage? or require min softscaping to limit rainwater run-off into sewage system.

Specific Landscaping Requirements

143 (1) In any COR, HR-2, or HR-1 zone, landscaping must be provided as follows:

wording requires some clarity here

- (a) At least 60% of any streetline yard must be soft-landscaped;
- (b) Side yards must be hard- or soft-landscaped, except for permitted driveways, parking and loading areas, walkways, wheelchair ramps, stairs, or accessory structures; and
- (c) At least 50% of any rear yards, except for permitted accessory structures, must be hard- or soft-landscaped.

(2) In any CEN-2 or CEN-1 zone, the following areas must be hard- or soft-landscaped:


Can we be bold enough to exclude concrete sidewalks for pedestrian orientated streets?

- (a) 100% of any streetline yard, excluding permitted driveways, parking, walkways, wheelchair ramps, stairs, or accessory structures;
- (b) Any side yards, except for permitted driveways, parking and loading areas, walkways, wheelchair ramps, stairs, or accessory structures; and
- (c) At least 50% of any rear yards, except for permitted accessory structures.

(3) In any CEN-2 or CEN-1 zone, streetline yards along any pedestrian-oriented commercial street must be hard-landscaped in the same style, and with similar or higher-quality materials, as the adjacent street.

(4) Excluding low-density dwellings, a new building with a flat roof, or a flat-roofed addition to an existing building, must provide soft landscaping on 100% of any area of the flat roof that:

VERY BOLD! GOOD!!

- (a) exceeds 40.0 contiguous square metres; 
- (b) has at least one linear dimension exceeding 3.0 metres; and
- (c) is not required or used for amenity space, architectural features, mechanical equipment, or solar collectors.

(5) Excluding low-density dwellings, rooftop landscaping does not need to be accessible to building occupants unless it is being provided to meet the requirements of Section 59.

- (6) In any CEN-2, CEN-1, or COR zone, fences and masonry walls are prohibited along any streetline, excluding low-density dwellings, surface parking lots, grade-related units, and any registered heritage property.

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Chapter 3: Landscaped Buffers

General Landscaped Buffer Requirements

- 144 (1) A landscaped buffer, where required in Table 6, must be provided when a development lot abuts a different zone. A buffer of the type indicated in Table 6 (“L1” or “L2”) must be provided along each lot line that separates the development lot from a different zone.

Table 6: Landscape buffer requirement

		Abutting zone			
		COR	HR-2, HR-1	ER-3, ER-2, ER-1, MH	P, RPK
Zone of development lot	D	L1	L1	L2	L1
	CEN-2	L1	L1	L2	L1
	CEN-1	L1	L1	L2	L1
	COR			L2	L1
	HR-2			L1	
	HR-1			L1	

- (2) No structures or parking areas are permitted within any required landscaped buffer.

L1 General Landscaped Buffer

- 145 (1) Any L1 landscaped buffer must contain:
- (a) at least one shrub (at least 1.0 metre high) for every 2.0 linear metres of buffer;
 - (b) at least one tree (with a minimum base caliper of 50 millimetres) for every 4.5 linear metres of buffer; or
 - (c) a combination of trees and shrubs, if the minimum requirements of either 145(1)(a) or 145(1)(b) are met.
- (2) Trees and shrubs in an L1 landscaped buffer may be grouped.
- (3) At least 50% of the L1 buffer ground area must be covered with salt-tolerant groundcover plants.

buffer width? or is this required within established rear/sideyard setbacks?

L2 Screen Landscaped Buffer

- 146 (1) Any L2 landscaped buffer must contain:
- (a) evergreen shrubs (at least 1.0 metre high) that form an opaque and continuous visual barrier; and
 - (b) at least one tree (with a minimum base caliper of 50 millimetres) for every 4.5 linear metres of buffer.
- (2) Where an L2 landscaped buffer abuts an HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone, an opaque wood fence or masonry wall at least 1.8 metres high must also be provided.
- (3) Trees in an L2 landscaped buffer may be grouped.
- (4) An L2 buffer's remaining ground area must be covered with salt-tolerant groundcover plants.

Chapter 4: Landscaping Plan Requirements

Requirement to Submit a Landscape Plan

- 147 (1) When required in Section 16 or Appendix 5 (Wind Assessment Standards), a development permit application shall include a landscape plan prepared by a registered landscape architect.
- (2) The landscape plan must depict the design of all hard and soft landscaping in the development, and must contain:
- (a) the current and proposed site topography, including the location of any significant gradients;
 - (b) planting areas and details for all new vegetation and groundcover, including location, quantity, size, and names (common and botanical, including species and variety if known);
 - (c) the location and identification of existing vegetation that will be used to meet the requirements of Subsection 119(1);
 - (d) protection measures, such as hoardings, for any existing landscaping that is to be maintained;
 - (e) construction details for all hard-landscaped areas, including design specifications, dimensions, paving materials, and locations;
 - (f) manufacturers' specifications (such as model and colour) for all seating, light standards and fixtures, waste receptacles, bicycle racks, tree grates/guards, bollards, planter seating walls, wood arbours, outdoor furniture, solid waste management area enclosures, railings, and fencing; and
 - (g) boundaries and access points for all publicly accessible space.
- (3) All soft landscaping specified in a landscape plan must comply with the latest edition of the *Canadian Landscape Standard*.

Landscaping Required Before Occupancy

- 148 (1) Subject to Subsection 148(2), before being issued an occupancy permit, the applicant must submit to the Development Officer a letter from a landscape architect certifying that all landscaping has been completed according to the approved landscape plan.

- (2) If landscaping has not been completed, an occupancy permit may be issued if the applicant provides the Municipality with a security deposit in the amount of 110% of the estimated cost of completing the landscaping. This deposit must be in the form of a certified cheque or an automatically renewing, irrevocable letter of credit issued by a chartered bank.
- (3) If the applicant does not complete the landscaping and landscape architect certification within one year of an occupancy permit being issued, the Municipality may use the security deposit to complete the landscaping according to the approved landscape plan. The applicant is responsible for all landscaping costs exceeding the value of the deposit. Upon completing the landscaping work and having it certified by a landscape architect, the Municipality will return any unused portion of the landscaping security deposit to the applicant.

**PART IX:
PARKING AND
OFF-STREET LOADING**

Chapter 1: Motor Vehicle Parking

General Motor Vehicle Parking Requirements

- 149 (1) Except where associated with a low-density dwelling or home occupation, all parking lots must be:
- (a) surfaced with a hard material such as asphalt, concrete, or pavers; and
 - (b) delineated by concrete curbs, with all parking spaces and driving aisles delineated by painted lines.
- (2) Subject to Section 164, driveways and driving aisles between rows of parking spaces must be 6.0 metres wide for two-way traffic, and 3.0 metres wide for one-way traffic.
- (3) The landscaping and screening requirements for all parking areas are provided in Part VIII.
- (4) Except where associated with a low-density dwelling or home occupation, the parking or storage of motor vehicles is prohibited in any driveway.
- (5) The parking or storage of motor vehicles is prohibited in driving aisles.
- (6) **Parking spaces must not be located directly in front of any building entrance.**
- (7) Pedestrian routes through a parking area must be delineated with concrete walkways and painted crosswalks across every driveway and driving aisle. Pedestrian routes must provide as direct a connection as possible between parking areas, building entrances, and the nearest street. Where a pedestrian route changes elevation, a curb cut or ramp must be provided.
- (8) All unroofed parking areas must provide areas for snow storage.
- (9) The design of parking lots must meet the requirements of the Design Manual.

needs clarification



Parking Space Dimensions

150 Subject to Section 164, for any lot containing more than four parking spaces:

- (a) any required or provided parking space must be at least 2.4 metres wide and 6.1 metres long (Diagram 13); and
- (b) in the case of parking parallel to an internal driveway in a parking lot, any required or provided parking space must be at least 6.7 metres long (Diagram 13).

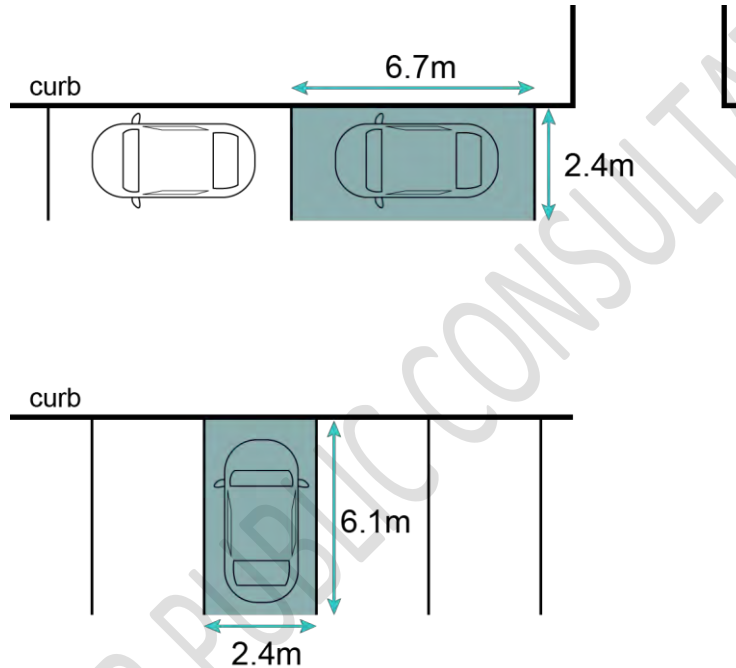


Diagram 13: Parking space dimensions, per Clauses 150(a) and 150(b)

Rounding Regulation

151 Where the calculation of any motor vehicle parking requirement results in a portion of a parking space, the fraction must be rounded down to the nearest whole number.

Required Number of Motor Vehicle Parking Spaces

- 152 (1) A minimum number of parking spaces is required for each use listed in Table 7. Where a use is not listed in Table 7, no minimum parking requirement applies.
- (2) [\(see Package B\)](#)

- (3) In any CEN-2 or CEN-1 zone, any required or provided parking spaces must be located internal to a building and/or underground, except for accessory surface parking lots as permitted in Section 160.
- (4) Excluding low-density and medium-density dwellings, 4 bicycle parking spaces (Class A and/or Class B), where provided in addition to the number of bicycle parking spaces required in Section 168, may be substituted for one required motor vehicle parking space, up to a maximum of three required motor vehicle parking spaces.
- (5) Excluding low-density and medium-density dwellings, enhanced bicycle parking may be substituted for one required motor vehicle parking space.

Table 7: Required number of motor vehicle parking spaces, by zone and use

two units plus should be consistent with multi unit below

Use	CEN-2, CEN-1	COR	HR-2, HR-1	
Single-unit dwelling; Semi-detached dwelling; Townhouse; Mobile home	Not req'd.	1 space	1 space	1 space
Two-unit dwelling; Three-unit dwelling	Not req'd.	2 spaces	2 spaces	2 spaces
Four-unit dwelling	Not req'd.	3 spaces	3 spaces	3 spaces
Multi-unit dwelling; Stacked townhouse; Grade-related unit	Not req'd.	Not req'd.	1 space for every 3 units	1 space for every 3 units
Secondary or backyard suite	Not req'd.	Not req'd.	Not req'd.	Not req'd.
Rooming house	Not req'd.	1 space	1 space	1 space
Supportive housing	Not req'd.	1 to 6 bdrms.: 1 space; 7 to 11 bdrms.: 2 spaces; More than 11 bdrms.: 1 space for every 2 bdrms.	1 to 6 bdrms.: 1 space; 7 to 11 bdrms.: 2 spaces; More than 11 bdrms.: 1 space for every 2 bdrms.	N/A
Emergency shelter	Not req'd.	1 space	1 space	1 space
Day care	Not req'd.	1 space	1 space	Not req'd.
Bed and breakfast	Not req'd.	1 space for the first two guestrooms, 1 space for the third guestroom	1 space for the first two guestrooms, 1 space for the third guestroom	1 space for the first two guestrooms, 1 space for the third guestroom

Use	CEN-2, CEN-1	COR	HR-2, HR-1	CDD
Home office	Not req'd.	Not req'd.	Not req'd.	Not req'd.
Home occupation	Not req'd.	Not req'd.	1 space	Not req'd.
Work-live unit	Not req'd.	Not req'd.	2 spaces for each work-live unit	2 spaces for each work-live unit
Drinking establishment	Not req'd.	Not req'd.	1 space for every 35 sq. m GFA	1 space for every 35 sq. m GFA
Fitness centre	Not req'd.	Not req'd.	1 space for every 15 sq. m GFA	1 space for every 15 sq. m GFA
Hotel	Not req'd.	1 space for every 3 guestrooms	N/A	N/A
Local commercial uses	Not req'd.	Not req'd.	Not req'd.	Not req'd.
Office; Financial institution	Not req'd.	Not req'd.	1 space for every 75 sq. m GFA	1 space for every 75 sq. m GFA
Restaurant	Not req'd.	Not req'd.	1 space for every 35 sq. m GFA	1 space for every 35 sq. m GFA
All other commercial uses	Not req'd.	Not req'd.	1 space for every 35 sq. m GFA	1 space for every 35 sq. m GFA
Minor spectator venue; Cultural uses	Not req'd.	1 space for every 10 seats or 1 space for every 100 sq. m GFA, whichever is less	1 space for every 10 seats or 1 space for every 100 sq. m GFA, whichever is less	1 space for every 10 seats or 1 space for every 100 sq. m GFA, whichever is less
Hospital; Medical clinic	Not req'd.	Not req'd.	1 space for every 100 sq. m GFA	1 space for every 100 sq. m GFA
Religious institution	Not req'd.	1 space for every 100 sq. m GFA	1 space for every 100 sq. m GFA	1 space for every 100 sq. m GFA
School	Not req'd.	1 space for every classroom	1 space for every classroom	1 space for every classroom
Stadium	Not req'd.	1 space for every 10 seats	N/A	1 space for every 10 seats
University or college	Not req'd.	3 spaces for every classroom	3 spaces for every classroom	3 spaces for every classroom
Industrial uses	N/A	N/A	N/A	N/A
Community recreation	Not req'd.	Not req'd.	Not req'd.	Not req'd.
All other recreation uses	Not req'd.	1 space for every 400 sq. m lot area	1 space for every 400 sq. m lot area	1 space for every 400 sq. m lot area

Required Parking to be Provided On-Site

153 Required parking must be located on the same lot as the use it is intended to serve.

Parking in Streetline Setbacks

154 For low-density dwellings, a maximum of 40% of the width of any streetline yard may be used for the parking and maneuvering of motor vehicles.

Large Commercial Vehicles

155 [\(see Package B\)](#)

Car Sharing

156 Any required or provided parking space may be used as a car sharing space.

Parking Structures

- 157
- (1) As an accessory use or main use, parking structures are permitted in all zones.
 - (2) All parking spaces associated with a parking structure must be located inside or on the roof of the parking structure.
 - (3) Except where associated with a hotel use, the provision of a parking structure and an accessory surface parking lot on the same lot is prohibited.
 - (4) Any mechanical equipment, meters, and similar utilities associated with a parking structure must be located within the parking structure.
 - (5) Parking structure exhaust vents must be directed away from streets and any adjacent residential and restaurant uses.
 - (6) Where any portion of a parking structure roof is not used for parking, it must be landscaped if required in Section 143.

Standalone Surface Parking Lots

158 Standalone surface parking lots are prohibited in all zones.

YAY!

Commercial Surface Parking Lots

159 Commercial surface parking lots are prohibited in all zones.

Accessory Surface Parking Lots: D Zones

160 (see Package B)

Accessory Surface Parking Lots: CEN-2 and CEN-1 Zones

- 161 (1) Accessory surface parking lots are permitted in any CEN-2 or CEN-1 zone.
- (2) In addition to any area required for driveways and driving aisles, accessory surface parking lots in any CEN-2 or CEN-1 zone must not exceed:
 - (a) 80 parking spaces for a grocery store; or
 - (b) 8 parking spaces for all other uses.
- (3) Accessory surface parking lots in any CEN-2 or CEN-1 zone must not be located within any streetline yard, and must not be located closer to any streetline than 33% of the lot depth (Diagram 14), unless located in an internal courtyard.

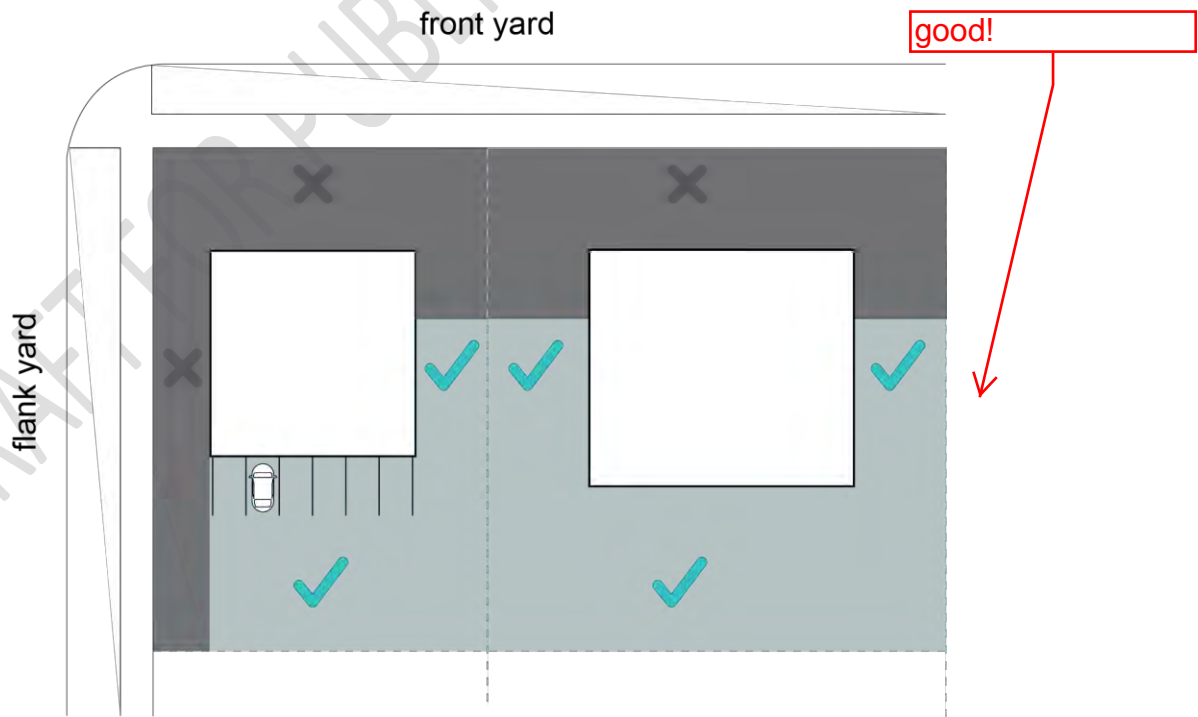


Diagram 14: Location for an accessory surface parking lot in any CEN-2 or CEN-1 zone, per Subsection 161(3)

Accessory Surface Parking Lots: All Other Zones

- 162 (1) Accessory surface parking lots are permitted in any COR, HR-2, HR-1, and CDD zone, within side and rear yards and internal courtyards only.
- (2) [\(see Package B\)](#)

Electric Vehicle Charging Stations

- 163 (1) Electric vehicle charging stations are permitted in all parking areas.
- (2) Where more than 25 parking spaces are provided in association with any parking structure, multi-unit dwelling, office, hotel, or mixed-use building, all parking areas must include wiring conduits to allow the future installation of electric vehicle charging infrastructure.
- (3) Where more than 100 parking spaces are provided on a lot, at least 2 electric vehicle charging stations must be provided.

Automated and Autonomous Vehicle Parking

- 164 (1) Parking space, driveway, and driving aisle dimension requirements do not apply where an automated vehicle parking system is used, or in any parking area reserved for use by autonomous vehicles.
- (2) An automated vehicle parking system must be located internal to a building or in a parking structure.

Chapter 2: Bicycle Parking

Bicycle Parking Exemptions

165 Bicycle parking is not required for any of the following uses:

- (a) low-density dwelling;
- (b)–(f) (see Package B);
- (g) work-live unit;
- (h) car wash;
- (i) (see Package B);
- (j) urban agriculture use;
- (k)–(l) (see Package B); and
- (m) accessory structure or accessory use.

General Bicycle Parking Requirements

- 166
- (1) If required bicycle parking is not visible from the street, wayfinding signage must be posted, in a location visible from the building's front entrance, to indicate where the bicycle parking is located.
 - (2) Where a lot abuts a designated cycling thoroughfare such as a bicycle lane, bicycle route, or bikeway, access to all required bicycle parking must be provided from a streetline that abuts the cycling thoroughfare.
 - (3) All required or provided bicycle parking must be designed to be tamper-resistant. All bicycle racks and bicycle lockers must be firmly secured to the ground, floor, or wall with security nuts, or embedded in concrete.
 - (4) All required or provided bicycle parking must be located on a hard surface and in a well-lit area.
 - (5) All required or provided bicycle parking must be:
 - (a) located at ground level;
 - (b) accessible from ground level with ramps, at least 2.5 metres wide, that do not exceed a slope of 7%; or
 - (c) accessible by elevator.

- (6) All required or provided bicycle parking must provide two points of contact between each bicycle and rack, and be designed so that each bicycle is individually supported and lockable.

Rounding Regulation

- 167 Where the calculation of any bicycle parking requirement results in a portion of a bicycle parking space, the fraction must be rounded down to the nearest whole number.

Required Number of Bicycle Parking Spaces

- 168 Bicycle parking spaces are required for each use listed in Table 8. The “Type” column specifies which types of bicycle parking must be provided, as described in Sections 169 and 170. Where a conflict exists, any minimum or maximum requirement takes precedence over a general requirement.

Table 8: Required number of bicycle parking spaces, by zone and use

Use	General Requirement	Type	Minimum requirement	Maximum requirement
Multi-unit dwelling; Stacked townhouse; Grade-related unit	1 space for every 2 units	80% Class A 20% Class B	4 spaces (Class B)	N/A
Hotel	1 space for every 20 guestrooms	80% Class A 20% Class B	2 spaces (Class B)	N/A
Retail uses; Service uses; Grocery store; Restaurant	1 space for every 300 sq. m GFA	20% Class A 80% Class B	2 spaces (Class B)	N/A
Financial institution; Office; Hospital; Medical clinic; Religious institution	1 space for every 500 sq. m GFA	50% Class A 50% Class B	2 spaces (Class B)	N/A
Cultural use; Minor spectator venue; Stadium	1 space for every 20 seats or 1 space for every 250 sq. m GFA, whichever is less	20% Class A 80% Class B	2 spaces (Class B)	50 spaces
School; University or college	1 space for every 150 sq. m GFA	20% Class A 80% Class B	10 spaces (Class B)	N/A
Club recreation; Community recreation (indoor facilities)	10 spaces if less than 500 sq. m GFA; 20 spaces for larger facilities	20% Class A 80% Class B	N/A	N/A
Community recreation (outdoor facilities)	1 space for every 1,250 sq. m lot area	100% Class B	10 spaces (Class B)	N/A
Commercial parking structure	1 space for every 20 motor vehicle parking spaces	100% Class B	2 spaces (Class B)	50 spaces
Any other use not specified above or exempted in Section 165	1 space for every 500 sq. m GFA	50% Class A 50% Class B	2 spaces (Class B)	N/A

Class A Bicycle Parking Requirements

- 169 (1) Permitted Class A bicycle parking types are:
- (a) within a bicycle room, a roofed bicycle cage, or a covered parking structure area reserved for bicycles:
 - (i) inverted U (at least 0.90 m high),
 - (ii) post-and-ring,
 - (iii) vertical (wall-mounted), and
 - (iv) two-tier (with lift-assist); and
 - (b) standalone: bicycle lockers.
- (2) Any bicycle room, bicycle cage, or parking structure area reserved for bicycles must be access-controlled.
- (3) The walking distance from a primary building entrance to any Class A bicycle parking must not exceed 200 metres.
- (4) Where more than 20 Class A bicycle parking spaces are required for an office, financial institution, medical clinic, or hospital, the following must be provided:
- (a) shower facilities, at the rate of one shower for every ten Class A bicycle spaces;
 - (b) clothes lockers, at the rate of one locker per Class A bicycle space; and
 - (c) one bicycle repair stand with tire pump and tools.

Class B Bicycle Parking Requirements

- 170 (1) Permitted Class B bicycle parking types are:
- (a) inverted U (at least 0.90 m high); and
 - (b) post-and-ring.
- (2) Class B bicycle parking must be accessible to building visitors and the public, and visible from the street.

- (3) The walking distance from a primary building entrance to any Class B bicycle parking must not exceed:
 - (a) 15 metres for unsheltered bicycle parking; and
 - (b) 30 metres for sheltered bicycle parking.

- (4) Subject to Subsection 170(5), on lots where lot coverage exceeds 90%, or where it is otherwise impractical to provide Class B bicycle parking spaces on-site, bicycle parking may be installed within the street right-of-way in accordance with the regulations of HRM By-law S-300, the *Streets By-law*. If provided, right-of-way bicycle parking must be located within 50 metres of the building that the parking is intended to serve, and on the same side of the street.

- (5) Where Subsection 170(4) applies and the Municipality has refused to approve the installation of Class B bicycle parking in the street right-of-way, a cash-in-lieu contribution equivalent to the value of the required Class B bicycle parking is required, per the *Halifax Regional Municipality Charter*, as amended from time to time.

Bicycle Parking Geometric Requirements

- 171 (1) Subsections 171(2) to 171(5) describe the minimum geometric requirements for all bicycle parking spaces.

- (2) On-site bicycle parking is prohibited within 2.5 metres of any building entrance or loading area (Diagram 15).

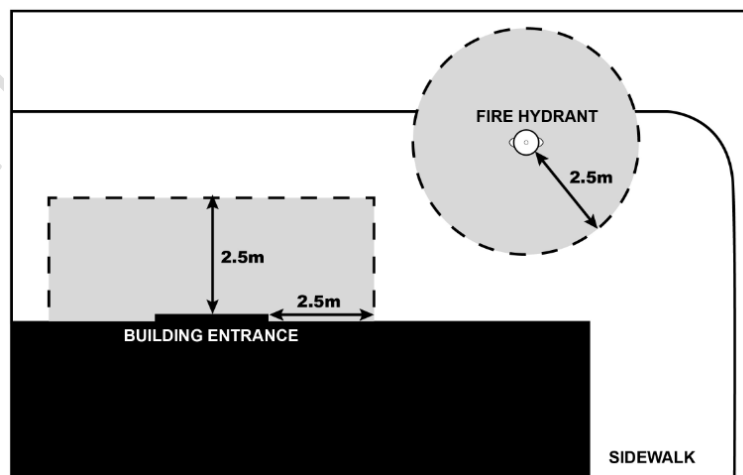


Diagram 15: Relationship of on-site bicycle parking to any building entrance or loading area, per Subsection 171(2)

- (3) Racks that accommodate more than two bicycles must be designed with 0.6-metre spacing between rack elements. Where bicycles are parked horizontally, a 1.8-metre-wide aisle must be provided between rows of bicycles, based on a typical bicycle length of 1.8 metres. Where bicycles are parked vertically, a 1.2-metre-wide aisle must be provided between rows of bicycles (Diagram 16).

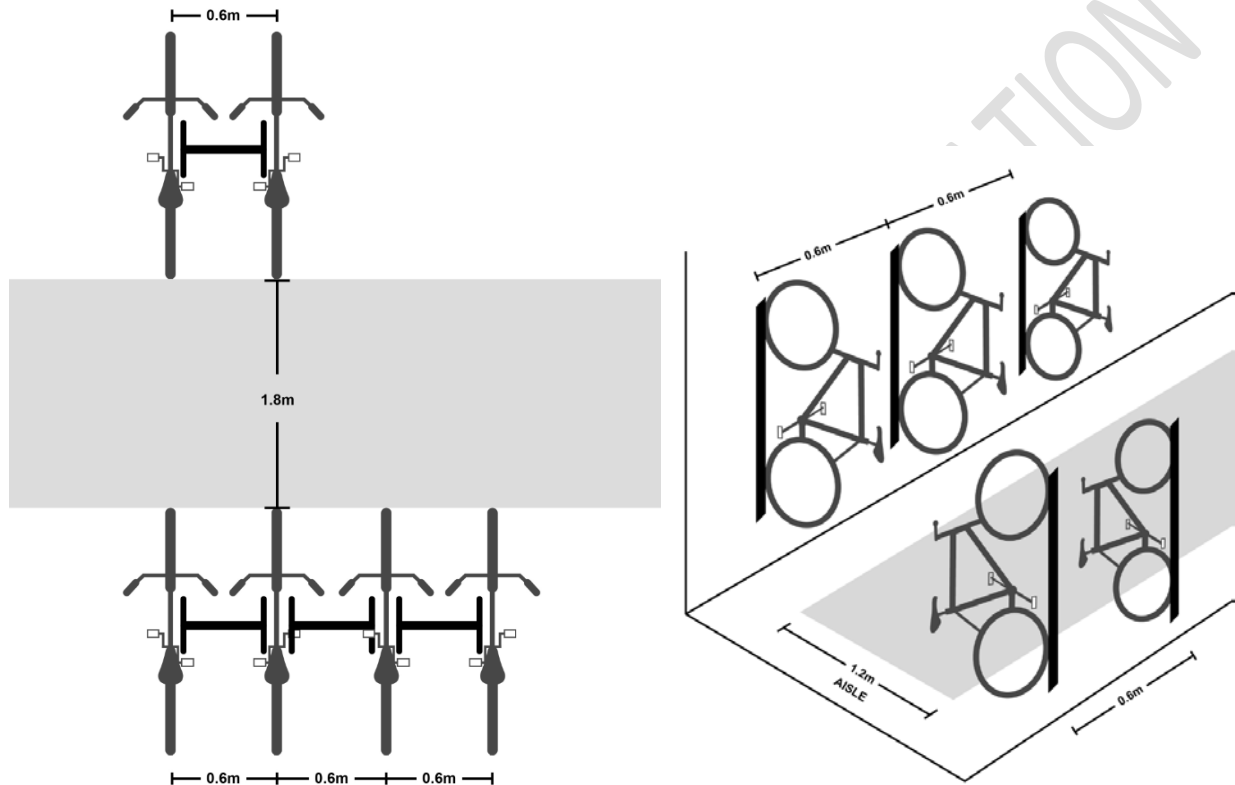


Diagram 16: Bicycle parking space dimensions and rack spacing (1 of 3), per Subsection 171(3)

- (4) Racks that accommodate more than two bicycles must be spaced at least 0.9 metres between rack-ends and at least 4.2 metres between each row of bicycles, based on a typical bicycle length of 1.8 metres. A space of 0.45 metres must be provided between each rack-end and any obstruction. Where one-sided access is provided, the rack must be located at least 0.6 metres from any obstruction. Where two-sided access is provided, the rack must be located at least 2.5 metres from any obstruction (Diagram 17).

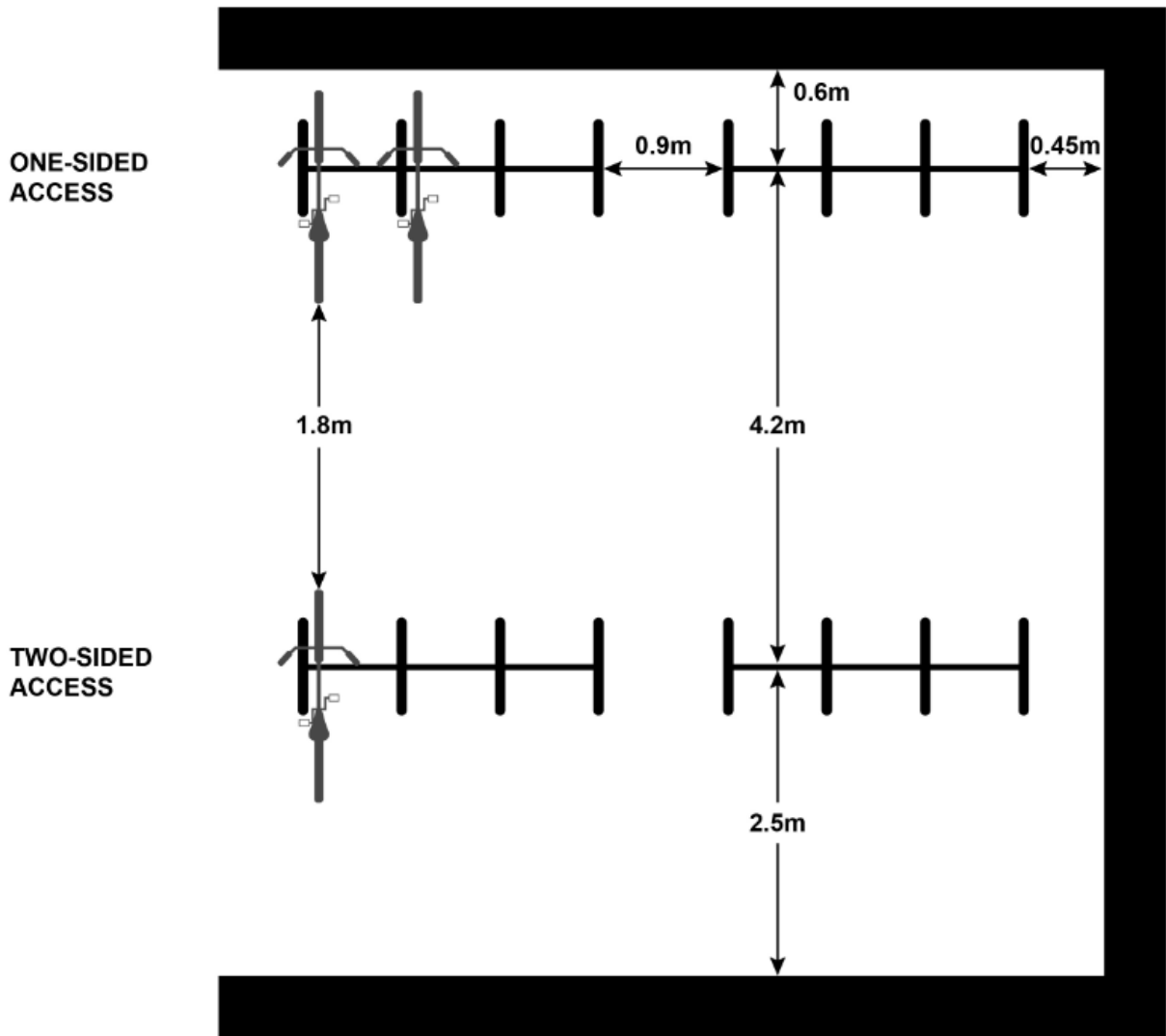
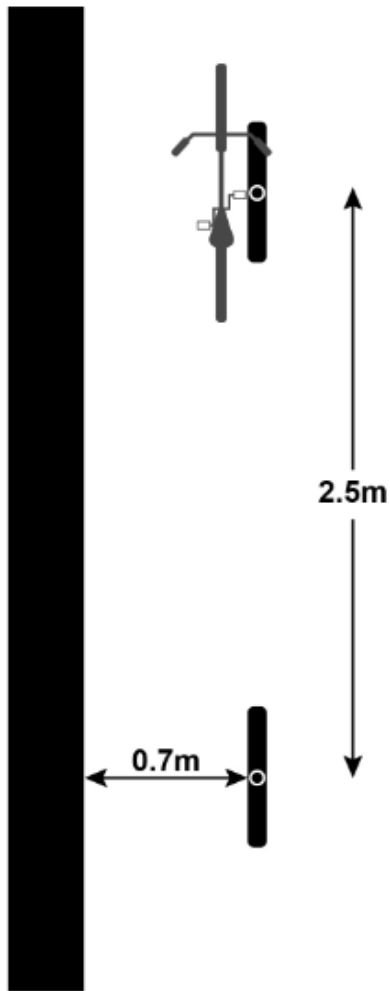
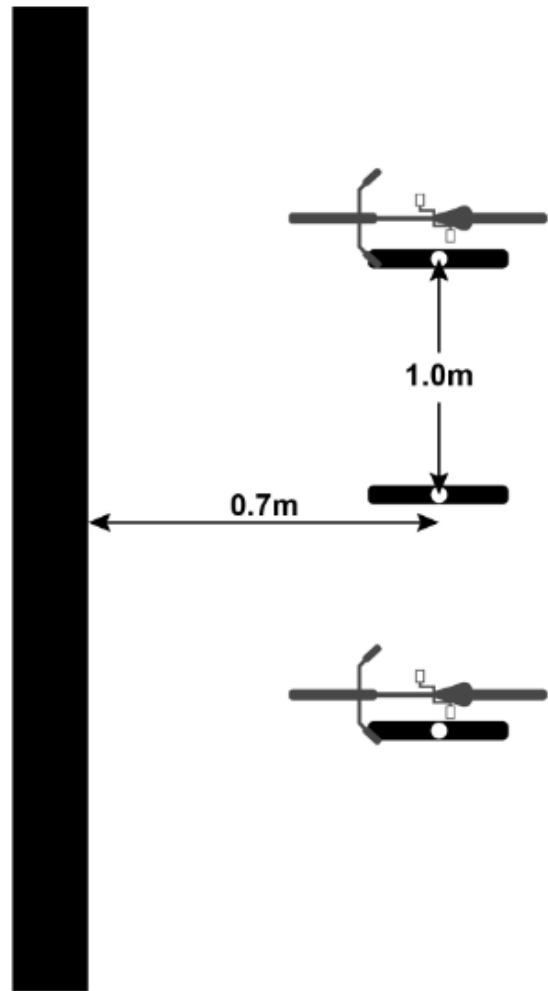


Diagram 17: Bicycle parking space dimensions and rack spacing (2 of 3), per Subsection 171(4)

- (5) Where individual two-space bicycle racks are located parallel to an obstruction or curb, they must be spaced at least 2.5 metres apart (centre-to-centre) and located at least 0.7 metres from the obstruction or curb. Where individual two-space bicycle racks are located perpendicular to an obstruction or curb, they must be spaced at least 1.0 metres apart and located at least 1.5 metres (centre-to-centre) from the obstruction or curb (Diagram 18).



PARALLEL



PERPENDICULAR

Diagram 18: Bicycle parking space dimensions and rack spacing (3 of 3), per Subsection 171(5)

Chapter 3: Off-Street Loading

On Street loading may be required for smaller infill lots on major corridors.

Off-Street Loading Space

- 172 (1) In any CEN-2, CEN-1, or COR zone, an off-street loading space is required for specific uses as follows, in addition to any required parking spaces:

Table 9: Off-street loading space requirements

Use	Minimum area for off-street loading space
Residential, more than 40 units	30 sq. m
Commercial, 1,000 to 2,500 sq. m GFA	30 sq. m
Commercial, more than 2,500 sq. m GFA	60 sq. m

I don't see why time sharing couldn't work. Also Can Driveway act as off street loading space?

- (2) Any required or provided off-street loading space must be located on the same lot as the use it is intended to serve.
- (3) Any required off-street loading space must not be shared between uses.
- (4) Any required or provided off-street loading space must be surfaced with a hard material such as asphalt, concrete, or pavers, and delineated by concrete curbs and/or painted lines.
- (5) Any required or provided off-street loading space must be located:
- (a) internal to a building;
 - (a) in a parking structure; or
 - (b) in any area of a lot where an accessory surface parking lot is permitted (see Sections 160 to 162).
- (6) Where required or provided off-street loading space is located internal to a building, a maximum of one primary access is permitted.
- (7) The landscaping and screening requirements for required and provided off-street loading spaces are provided in Part VIII.

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PART X: SIGNS

Chapter 1: General Signage Requirements

Requirement for a Sign Permit

- 173 (1) Subject to Section 174, a person must not erect any sign without first obtaining a development permit.
- (2) Except for signs exempted in Section 174, a sign owner must have a valid development permit for every sign.

Sign Permit Exemptions

- 174 The following signs are permitted and do not require a development permit, but must still meet the requirements of this By-law:
- (a) signs giving the name and civic address of a building;
 - (b) signs regulating the use of a lot, such as “No Trespassing” signs, not exceeding 0.2 square metres in area;
 - (c) signs that pertain to the sale, rental, or lease of a lot on which the sign is displayed, and which:
 - (i) are non-illuminated,
 - (ii) do not exceed 2.0 square metres in area,
 - (iii) must be removed within 14 days following the advertised sale, rental, or lease, and
 - (iv) are limited to a maximum of one sign per street frontage;
 - (d) signs regulating traffic on a lot, not exceeding 0.5 square metres in area;
 - (e) directional and wayfinding signage, not exceeding 0.5 square metres in area;
 - (f) signs identifying the function of any portion of a building, not exceeding 0.5 square metres in area;
 - (g) signs erected by a governmental body or public authority;
 - (h) interior signage;
 - (i) commemorative signs;
 - (j) drive-through signage;

- (k) signs that are incidental to a construction in progress, and which:
 - (i) are non-illuminated,
 - (ii) are located on the same lot as the construction in progress,
 - (iii) do not exceed 5.0 square metres in area, and
 - (iv) must be removed within 14 days following the conclusion of construction;

- (l) one internally illuminated menu-box sign per restaurant, if the sign:
 - (i) is located within 2 metres of the entrance of the restaurant,
 - (ii) does not exceed 0.4 square metres in area (measured from the outside of the box), and
 - (iii) does not project more than 0.1 metre from the wall on which it is affixed.

- (m) signs for any of the following uses:
 - (i) home occupations,
 - (ii) [\(see Package B\)](#),
 - (iii) sale of urban agricultural products as an accessory use,
 - (iv) fabrication uses, and
 - (v) urban farms;

- (n) temporary signs associated with an election, referendum, or census;
- (o) the replacement of a sign face in the exact same size and location; and
- (p) the repainting or refinishing of a sign using the same colour and finish.

Temporary Sign By-law

175 This By-law does not apply to any sign regulated by HRM By-law S-801, *A By-law Respecting Licensing Temporary Signs*.

Prohibited Signs

176 The following signs are prohibited in all zones:

- (a) signs that create a hazard to public safety;
- (b) signs located within a viewing triangle;
- (c) signs that obstruct or interfere with the vision of road users because of their location, appearance, or illumination;
- (d) signs that obscure or interfere with any traffic control sign or device;
- (e) signs that obscure or interfere with any warning or instructional sign;
- (f) signs that obstruct or interfere with any ventilation device, emergency exit, required exit, window, door opening, or any wall opening intended as a means of ingress or egress;
- (g) signs that obstruct access to any fire hydrant or firefighting hose connection;
- (h) signs that resemble the traffic control signs of any public authority, in shape, colour, message, symbol, or location;
- (i) signs that advertise a product or service that is no longer available on the premises, or a business that is no longer in operation, except for signs deemed to have heritage value;
- (j) “third party” signs unrelated to a product, service, or business available or operating on the same lot;
- (k) signs on public property, unless erected by a public authority or specifically permitted by the Municipality;
- (l) signs located on the roof of any structure;
- (m) signs that project above a roof edge or streetwall setback;
- (n) billboards;
- (o) signs affixed to or painted on natural objects such as trees or boulders;
- (p) signs that use fluorescent colours, except for neon gas tubing;
- (q) internally-illuminated fascia signs, except for:
 - (i) neon gas tubing,
 - (ii) open or exposed neon gas tubing channel letters and characters,
 - (iii) back-lit, individually raised profile letters and characters with LED illumination,
 - (iv) back-lit, standard channel letters and characters with LED illumination, or
 - (v) reverse channel (halo-lit) letters and characters with either neon gas tubing or LED illumination;
- (r) internally-illuminated awning signs;

- (s) signs that incorporate a strobe light or flashing light;
- (t) signs that interfere with any utility, conduit, or line used for water, sewage, gas, electricity, or communication;
- (u) canopy or awning signs made of stretch skin plastics; and
- (v) banner signs, with or without frames.

Encroachment License

- 177 If a sign will project over any portion of a street, a development permit for the sign must not be issued until the applicant obtains approval to encroach on the street under HRM By-law E-200, the *Encroachment By-law*.

Illuminated Signs

- 178 Illuminated signs must not shine on adjoining lots or adjacent streets, or cause a glare or hazard to road users.

Signs on Registered Heritage Properties and Lots in a Heritage Conservation District

- 179 Signs on a registered heritage property, or on a lot in a heritage conservation district, must meet the requirements of the Design Manual.

Chapter 2: Signage Requirements for CEN-2, CEN-1, COR, HR-2, and HR-1 zones

Fascia Signs

- 180 (1) In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, a fascia sign must not extend beyond the edges of any wall to which it is affixed.
- (2) The combined area of all fascia signs on a building wall must not exceed 10% of the total wall area.

Window and Door Signs

- 181 In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, the combined area of all window or door signs must not exceed 25% of the total glass area of any window or door to which they are affixed.

Ground Signs

- 182 In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, the maximum height of a ground sign, from the streetline grade to the highest part of the sign structure, is 4.6 metres.

Projecting Signs

- 183 (1) In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, projecting signs must:
- (a) be separated from other projecting signs on the same lot by at least 2.5 metres;
 - (b) be set back at least 1.25 metres from any interior lot line; and
 - (c) not exceed 2.0 square metres in area, per sign.
- (2) Subject to Subsection 183(3), only one projecting sign is permitted per business.
- (3) Where a business has frontage on more than one street, one additional projecting sign is permitted per additional business frontage that has access to a streetline. Each projecting sign must be located on a separate street frontage.

Abutting Zone Requirements

184 Where a lot zoned CEN-2, CEN-1, COR, HR-2, or HR-1 abuts a lot zoned ER-3, ER-2, ER-1, MH, P, or RPK, the following requirements apply:

- (a) subject to Clause 184(b), all signs must be set back at least 3.0 metres from the abutting lot line; and
- (b) all illuminated signs must be set back at least 10.0 metres from the abutting lot line.

Signs for Work-Live Units

185 In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, one non-illuminated fascia sign, not exceeding 3.0 square metres in area, is permitted in association with the commercial component of a work-live unit.

Chapter 3: Signage Requirements for ER-3, ER-2, ER-1, and MH zones

Signs for Bed and Breakfasts

186 [\(see Package B\)](#)

Signs for Home Occupations, Day Cares, Sale of Urban Agricultural Products as an Accessory Use, and Fabrication Uses

187 [\(see Package B\)](#)

Signs for Local Commercial Uses and Medical Clinics

188 [\(see Package B\)](#)

Signs for Urban Farm Uses

189 [\(see Package B\)](#)

Signs for Cultural, School, and Community Recreation Uses

190 [\(see Package B\)](#)

**PART XI:
INCENTIVE OR
BONUS ZONING**

Chapter 1: Incentive or Bonus Zoning Regulations

Requirement to Provide a Public Benefit

- 191 (1) The applicant must provide a public benefit if, where permitted by Subsection 92(2):
- (a) (see Package B); or
 - (b) a development in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, excluding a low-density dwelling, exceeds a pre-bonus GFAR of 3.5.
- (2) Where required in Subsection 191(1) to provide a public benefit, the applicant must enter into an incentive or bonus zoning agreement before the Development Officer may issue a development permit.

Requirements for a Development Exceeding a Pre-Bonus Height Limit or GFAR

- 192 (1) Where required in Section 191, the applicant must provide a public benefit worth at least the product of Factor #1 and Factor #2, where:
- (a) Factor #1 is:
 - (i) (see Package B), or
 - (ii) for a development in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, the gross floor area (in square metres) that exceeds the maximum pre-bonus GFAR, excluding unoccupied architectural features and any feature listed in Table 4; and
 - (b) Factor #2 is a density bonus rate, in dollars per square metre, as specified in Section 193.
- (2) Any required public benefit must be confirmed to be complete, by the applicant, by the earlier of:
- (a) the date an occupancy permit is issued; or
 - (b) the deadline specified under the incentive or bonus zoning agreement.

Density Bonus Rates

- 193 (1) Subject to Subsections 193(2) and 193(3), before being used to calculate a required public benefit, the density bonus rates specified in Table 10 must be adjusted proportional to changes in the *Halifax All-Items Consumer Price Index* (Statistics Canada CANSIM Table 326-0021). Rates must be adjusted using the methodology specified in Statistics Canada publication no. 62-557-XPB, *Your Guide to the Consumer Price Index*, under “Using the CPI to Adjust Payments”.
- (2) Density bonus rates must be adjusted to the latest year available.
- (3) If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there must be no change or increase in the density bonus rates for that year.
- (4) Table 10 contains density bonus rates, as of October 2015, for each bonus rate district identified on Schedule 37.

Table 10: Density bonus rates and districts

Bonus rate district #	Name of bonus rate district	Average market land value, 2015 (\$/square metre)	Density bonus rate, 2015 (\$/square metre)
1	South End Halifax (including Downtown Halifax)	\$400	\$268
2	Cogswell Redevelopment Lands	\$400	\$268
3	North End Halifax	\$260	\$174
4	Shannon Park	\$220	\$147
5	North Dartmouth	\$80	\$54
6	Downtown Dartmouth + Mic Mac/Penhorn	\$240	\$161
7	Woodside	\$80	\$54

Review of Density Bonus Rates

- 194 (1) The density bonus rates in Table 10, and/or the boundaries of bonus rate districts identified on Schedule 37, may be reviewed and updated periodically, such as when market conditions have changed significantly.
- (2) A review of the density bonus rates in Table 10 must include a report from a professional accredited by the Appraisal Institute of Canada. The report must evaluate the average market land values, for the previous year, in each bonus rate district identified on Schedule 37. The density bonus rates in Table 10 are then calculated by multiplying the average market land values by a factor of 0.67.

Proposal and Calculation of Required Public Benefits

- 195 (1) An applicant who is required to provide a public benefit must submit a Density Bonus Calculation and Public Benefits Proposal, included Appendix 2, to the Development Officer.
- (2) The Development Officer may accept or reject the applicant's proposal for any required public benefit.
- (3) For all public benefits except affordable housing units and affordable community or cultural indoor space, a maximum of 20% of the public benefit value may be spent on design costs.

Minimum Affordability Period

- 196 Where provided as a public benefit, affordable housing units and leased affordable community or cultural indoor space must meet the requirements of this Part for an affordability period of at least 180 months, beginning on the later of:
- (a) the date an affordable housing unit or an affordable community or cultural indoor space is available for occupancy; or
- (b) the initial occupancy date indicated in a signed lease for an affordable housing unit or an affordable community or cultural indoor space.

Public Benefit Categories

197 Subject to Subsection 198(1), an applicant who is required to provide a public benefit must provide one or a combination of the following:

- (a) affordable housing units;
- (b) conservation of a registered heritage building;
- (c) publicly accessible space;
- (d) affordable community or cultural indoor space;
- (e) public art; or
- (f) cash-in-lieu, where:
 - (i) permitted in Clause 198(2), or the Development Officer is satisfied that a public benefit identified in Clauses 197(1)(a) to 197(1)(e) would be inappropriate, unacceptable, or impossible to provide, and
 - (ii) the Municipality allocates the cash-in-lieu to one or more public benefits identified in Clauses 197(1)(a) to 197(1)(e) within the lands shown on Schedule 1.

75% seems too high and may be less of an incentive for developers

Public Benefit Requirements: Affordable Housing Units

- 198 (1) **At least 75% of the total value of a required public benefit must be allocated to affordable housing units in the development.** Cash-in-lieu will be accepted if:
- (a) the development does not include a residential component; or
 - (b) the value of the contribution required in Subsection 198(1) is less than one affordable housing unit for duration of the affordability period required in Section 196.
- (2) Cash-in-lieu for affordable housing units, where permitted in Subsection 198(1), must be allocated within the lands shown on Schedule 1, and must be allocated:
- (a) to the rehabilitation of existing affordable housing units provided by a not-for-profit organization, or to the construction of new affordable housing units; or
 - (b) in accordance with a housing agreement permitted in Section 73(b) of the *Halifax Regional Municipality Charter*.

- (3) Where required or provided as a public benefit, affordable housing units must:
- (a) be located on the site of the development;
 - (b) be dispersed throughout the development;
 - (c) be similar in design, size, and appearance to other units within the development;
 - (d) contain one or more bedrooms; and
 - (e) be provided by an entity acceptable to the Municipality that is either:
 - (i) the applicant, or
 - (ii) in a condominium corporation development, a not-for-profit organization.
- (4) The number of affordable housing units to be provided, for each unit type, is calculated by:
- (a) Dividing the public benefit value allocated to each type of affordable housing unit by the minimum affordability period (in months) specified in Section 196;
 - (b) Dividing the result of Clause 198(4)(a) by the average market monthly rent for that unit type; and
 - (c) Dividing the result of Clause 198(4)(b) by 0.40.
- (5) Where affordable housing units are provided as a public benefit, a Report on Affordable Housing Units, included in Appendix 3, must be submitted to the Development Officer within 180 days of an occupancy permit being issued, and then annually on October 1 until the incentive or bonus zoning agreement expires.
- (6) The applicant must:
- (a) only lease affordable housing units to tenants whose household income is less than the initial household income limit when a lease is signed;
 - (b) inform affordable housing unit tenants of any requirements relating to income;
 - (c) not impose on affordable housing unit tenants any mandatory fees other than rent; and
 - (d) not increase affordable housing unit rent by more than the change in the *Halifax All-Items Consumer Price Index* each year.

- (7) An affordable housing unit tenant who no longer meets the requirements of the initial household income limit must be permitted to remain in the unit until their lease expires.

Public Benefit Requirements: Conservation of a Registered Heritage Building

- 199 (1) Where provided as a public benefit, conservation of a registered heritage building must occur on the site of the development.
- (2) Conservation of a registered heritage building must be completed in accordance with the Parks Canada *Standards and Guidelines for the Conservation of Historic Places in Canada*.

Public Benefit Requirements: Publicly Accessible Space

- 200 Where provided as a public benefit, publicly accessible space must:
- (a) be located on the site of the development;
 - (b) be provided in response to a demonstrated deficiency in such spaces;
 - (c) be provided in addition to any amenity space or landscaping required in this By-law; and
 - (d) include one or more ungated through-block pedestrian connections.

Public Benefit Requirements: Affordable Community or Cultural Indoor Space

- 201 (1) Where provided as a public benefit, affordable community or cultural indoor space must be located on the site of the development.
- (2) If affordable community or cultural indoor space will be leased to tenants, the amount of affordable community or cultural indoor space to be provided is calculated by:
- (a) Dividing the public benefit value allocated to affordable community or cultural indoor space by the minimum affordability period (in months) specified in Section 196;
 - (b) Dividing the result of Clause 198(4)(a) by the average monthly rent per square metre for equivalent commercial space; and
 - (c) Dividing the result of Clause 198(4)(b) by 0.40.

- (3) If, at the Municipality's sole discretion, affordable community or cultural indoor space will be sold to the Municipality, the market value sale price must be discounted by the public benefit value allocated to affordable community or cultural indoor space. The market value sale price must be determined by a professional accredited by the Appraisal Institute of Canada.
- (4) Where affordable community or cultural indoor space is leased to tenants, a Report on Affordable Community or Cultural Indoor Space, included in Appendix 4, must be submitted to the Development Officer within 180 days of an occupancy permit being issued, and then annually on October 1 until the incentive or bonus zoning agreement expires.
- (5) The applicant must:
 - (a) only lease affordable community or cultural indoor space to eligible tenants;
 - (b) inform tenants of any requirements relating to rent levels;
 - (c) not impose on tenants any mandatory fees other than rent; and
 - (d) not increase rent by more than the change in the *Halifax All-Items Consumer Price Index* each year.

Public Benefit Requirements: Public Art

- 202 Where provided as a public benefit, public art must:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
 - (b) meet the requirements of HRM's *Public Art Policy* and an approved public art plan; and
 - (c) have a minimum value of \$50,000, subject to Subsection 195(2).

Incentive or Bonus Zoning Agreement

- 203 (1) An incentive or bonus zoning agreement must contain:
- (a) identification of the development site;
 - (b) design drawings, provided by the applicant, for any required or provided public benefit;
 - (c) where necessary, detailed construction drawings, site plans, specifications, and cost estimates for any required or provided public benefit;

- (d) identification of any required process or conditions for the supervision and acceptance of any required or proposed public benefit, before it is accepted by the Municipality;
 - (e) where appropriate or required, provisions for the auditing and annual reporting of public benefits;
 - (f) where permitted, provisions for the acceptance of cash-in-lieu; and
 - (g) any other terms or conditions the Municipality requires.
- (2) Subject to Subsections 203(3) and 203(4), the Development Officer is authorized to enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of Council.
- (3) Where an incentive or bonus zoning agreement signed by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.
- (4) An incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, entered into by the Development Officer must be signed by the Mayor and the Municipal Clerk, on behalf of the Municipality.

PART XII:
DEVELOPMENT AGREEMENTS

Uses Permitted by Development Agreement on a Registered Heritage Property

204 Uses other than those permitted in Table 1 may be permitted on registered heritage properties by development agreement only.

Development in the TR Zone

205 (see [Package B](#))

Development on Lots Larger than One Hectare in CEN-2

206 Development on lots larger than 1.0 hectare in a CEN-2, CEN-1, HR-2, or HR-1 zone shall be considered by development agreement only.

PART XIII: DEFINITIONS

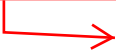
Chapter 1: Definitions

207 This By-law uses the following definitions:

- (1) **Accessory Structure** means a structure that is:
 - (a) subordinate, incidental, and devoted to a main use or structure;
 - (b) not attached to any main structure; and
 - (c) not used for human habitation, except if used as a backyard suite.
- (2) **Accessory Surface Parking Lot** means a parking lot, not contained within a structure, that supports the main use of a lot.
- (3) **Accessory Use** means a use that is subordinate, incidental, and devoted to a main use on a lot. For example, coffee roasting is an accessory use to the permitted retail sale of coffee beans.
- (4) **Adult Cabaret** means premises where a person feels, handles, touches, paints, dances, is in the presence of, or is entertained by another person's nude body, or observes, views, or photographs any such activity. This definition excludes plays, dramas, ballets, and classes in any theatre, concert hall, fine arts academy, school, institution of higher education, or other similar establishment, where nudity is used as a form of expression of opinion or in the communication of ideas or information.
- (5) **Adult Entertainment** means premises providing services or entertainment primarily intended to appeal to sexual appetites, such as adult cabarets, adult theatres, and massage parlours.
- (6) **Adult Theatre** means premises where the main activity is the showing of motion pictures depicting explicit sexual activity, graphic nudity, or graphic violence, which are either unrated or have been classified as A (Adult) by the provincial film rating agency or its designate.
- (7) **Affordable Community or Cultural Indoor Space** means premises provided for registered not-for-profit cultural organizations and services, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural presentation spaces, day cares, and other social services. Where leased to tenants, monthly occupancy costs (defined to include rent, heat, and hot water) must be at or below 60% of average market rents for equivalent commercial space.

- (8) **Affordable Housing** means rental housing where housing costs (defined to include rent, heat, and hot water) are at or below 60% of average market rents for similar units, and are leased to low- and moderate-income households that meet the initial household income limit.
- (9) **Affordability Period** means the minimum period for which affordable housing or affordable community or cultural indoor space will have a rent reduction as required by Part XI.
- (10) **Alter** means to make any change in the shape or materials of a structure, or the size of any use or structure.
- (11) **Amenity Space** means indoor or outdoor space designed for private or shared use by a building's occupants, such as private balconies, private grade-related unit patios, private courtyards, planters and plots for gardening, barbeque areas, swimming pools, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, workshops, greenhouses, saunas, meeting rooms, and outdoor landscaped areas for use by building occupants.
- (12) **Animal Hospital** means any premises designed or used for the care, observation, treatment, or shelter of ill, injured, stray, or abandoned animals.
- (13) **Applicant** means any person or entity applying for a permit, variance, or site plan approval.
- (14) **Archives** means premises where historical documents, records, and artifacts are stored.
- (15) **Assembly** means, as an industrial use, the fitting or joining together of parts of an item by means of fasteners, nuts, bolts, screws, glue, welding, or other similar techniques.
- (16) **Attached Building** means a building, otherwise self-contained, that depends for structural support or complete enclosure upon one or more division walls shared with an adjacent building. ← i.e building addition?
- (17) **Automated Vehicle Parking System** means a mechanical parking system that transports motor vehicles to and from parking spaces, either automatically or semi-automatically.

If this is referring to wall/roof assemblies, then re-word.



i.e building addition?



- (18) **Average Commercial Market Rent** means the average monthly rent, per square metre, for comparable Class A, B, or C commercial space as determined in an annual HRM-wide survey of commercial rents in the previous calendar year.
- (19) **Average Residential Market Rent** means the average monthly rent, per square metre, for the most recently constructed residential units, by unit type, as determined in an annual HRM-wide fall survey of residential rents in the previous calendar year, as published by the Canadian Mortgage and Housing Corporation (CMHC) or as determined by the Municipality.
- (20) **Awning** means a textile hood or cover that projects from the wall of a building.
- (21) **Awning Sign** means a sign incorporated into an awning (Diagram 28).
- (22) [\(see Package B\)](#)
- (23) **Banner Sign** means a non-rigid sign made of cloth, canvas, plastic, or other lightweight, non-rigid material.
- (24) **Bed and Breakfast** means temporary overnight accommodations provided by a dwelling owner to the traveling public, and which includes the provision of meals.
- (25) **Bicycle Parking, Class A** means bicycle parking that secures the entire bicycle and protects it from inclement weather.
- (26) **Bicycle Parking, Class B** means bicycle parking that permits the locking of a bicycle by its frame and front wheel, and which supports the bicycle in a stable position with at least two points of contact.
- (27) **Bicycle Parking, Enhanced** means the provision of bicycle parking that accommodates bike trailers and cargo bikes.
- (28) **Billboard** means any freestanding sign and supporting structure, maintained or used for the display of advertising. A billboard does not relate to the lot or use of the lot on which the billboard is located.

- (29) **Boathouse** means a structure that:
- (a) is roofed;
 - (b) does not contain a toilet, bathroom, kitchen, or sleeping facilities; and
 - (c) is used for the shelter or storage of boats, watercraft, or marine accessories and equipment, but not for the shelter, storage, or accommodation of persons, animals, or motor vehicles.
- (30) **Broadcast Use** means commercial and public communication uses such as radio and television broadcasting, receiving stations, and recording and production studios.
- (31) **Building Depth** means _____.
- (32) **Building Face** means any portion of a structure's façade that is separated from other portions of the same façade by recesses or offsets at least 0.5 metres deep.
- (33) **Building Height** means the vertical distance between the average finished grade around the perimeter of a structure, and the structure's highest point (Diagram 19).

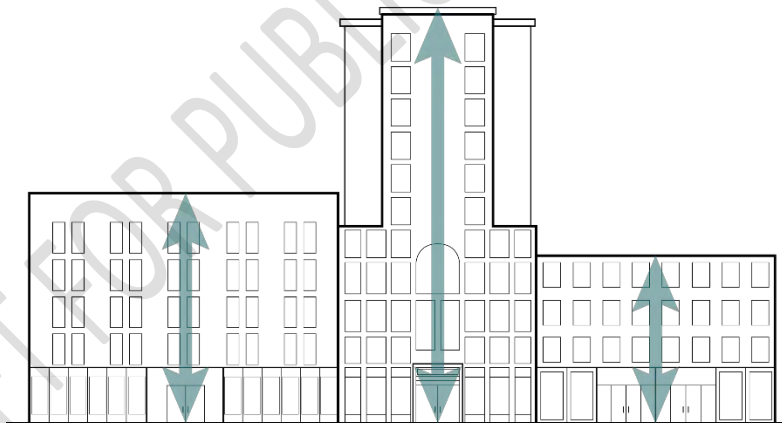


Diagram 19: Building height, per Subsection (33)

- (34) **Building Width** means the total horizontal distance between the outermost edges of a building's walls that face a street (Diagram 20).



Diagram 20: Building width, per Subsection (34)

- (35) **Butcher Shop** means retail premises that sell meat and poultry products, where the processing of meat is limited to making cuts from pre-processed carcasses.
- (36) **C&D Materials Disposal Site** means premises where C&D materials, or residue from C&D processing facilities, are disposed of by land application or burying, excluding the use of inert C&D materials, where approved by Provincial Department of the Environment and Labour, for site rehabilitation within gravel pits and quarry operations licensed by the Province of Nova Scotia.
- (37) **C&D Materials Processing Facility** means premises used to sort, alter, grind, or otherwise process C&D materials for reuse or recycling into new products, excluding:
- (a) the retail of used building materials;
 - (b) the processing of inert C&D materials on the site of generation, where the processed material does not leave the site except for inert C&D materials described in subsection 9(3) of HRM *C&D License By-law* (L-200 and L-201);
 - (c) the de-construction of a building on site;
 - (d) a municipal processing facility for used asphalt and concrete;
 - (e) facilities associated with the reclamation of a gravel pit or quarry operations licensed by the Province of Nova Scotia; or
 - (f) forestry manufacturing processes.

- (38) **C&D Materials Transfer Station** means premises at which C&D materials are received and sorted for subsequent transport to a C&D disposal site or a C&D processing facility.
- (39) **Canadian Geodetic Vertical Datum 2013 (CGVD2013)** means the vertical datum for Canada officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$, representing by convention the coastal mean sea level for North America.
- (40) **Cannabis Production Use** means premises where cannabis, or any of its derivatives, is grown, processed, packaged, labelled, tested, destroyed, stored, or shipped.
- (41) **Canopy** means a rigid roofed structure supported by a building, or by a support that extends to the ground, that projects outward from the building to provide a protective shield for doors, windows, and other openings.
- (42) **Canopy Sign** means a sign incorporated into a canopy (Diagram 28).
- (43) **Car Sharing Space** means a parking space for motor vehicles that is marked and registered for use by a car sharing company.
- (44) **Car Wash** means premises where motor vehicles are washed within a permanent structure.
- (45) **Cemetery** means land used for the burial of the dead and related purposes, such as columbaria, crematoriums, mausoleums, and funeral establishments operated in conjunction with a cemetery on the same lot.
- (46) **Change of Use** means a change in the use of any land, building, or structure, or any combination thereof, to a different use permitted in the zone where the land, building, or structure is located.
- (47) **Club Recreation** means golf courses, country clubs, curling clubs, tennis clubs, swimming clubs, lawn bowling clubs, yacht or boating clubs, marinas, and equine facilities.
- (48) **Commemorative Sign** means a sign, tablet, or plaque commemorating or memorializing a person, event, structure, or site.
- (49) **Commercial Parking Structure** means a parking structure used by the general public for a fee.

- (50) **Commercial Recreation** means a recreational facility operated for commercial purposes, such as go-kart tracks, paintball facilities, shooting ranges, racetracks, and miniature golf courses, excluding club recreation and community recreation uses.
- (51) **Commercial Surface Parking Lot** means a parking lot used by the general public for a fee.
- (52) **Commercial Use** means the use of a building for office uses, retail uses, or service uses.
- (53) **Common Wall** means a wall along a lot line that provides common support to structures on both sides of the lot line (Diagram 21).

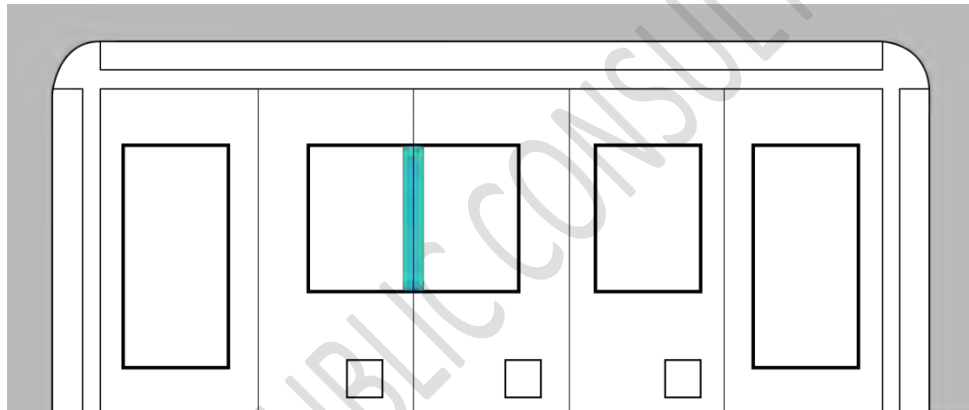


Diagram 21: Common wall, per Subsection (53)

- (54) **Community Recreation Use** means a publicly owned or operated recreation facility, such as a recreation centre, pool, skating rink, park, picnic area, dog park, playground, splash pad, skateboard park, boating facility and ramps, sports court, field, and trail, excluding a convention centre use, cultural use, minor spectator venue use, and major spectator venue use.
- (55) **Conservation Use** means an activity carried out for the purposes of conserving soils, water, flora, or fauna, such as a wildlife sanctuary.
- (56) **Construction and Demolition (C&D) Materials** means materials that are normally used in the construction of structures, roadways, walls, and landscaping features, such as soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles, and metals.

- (57) **Convention Centre Use** means indoor premises that are used for hosting conventions, exhibitions, and other events, including banquet facilities.
- (58) **Corner Lot** means a lot with frontage on two or more streets, with all frontages contiguous (Diagram 22).

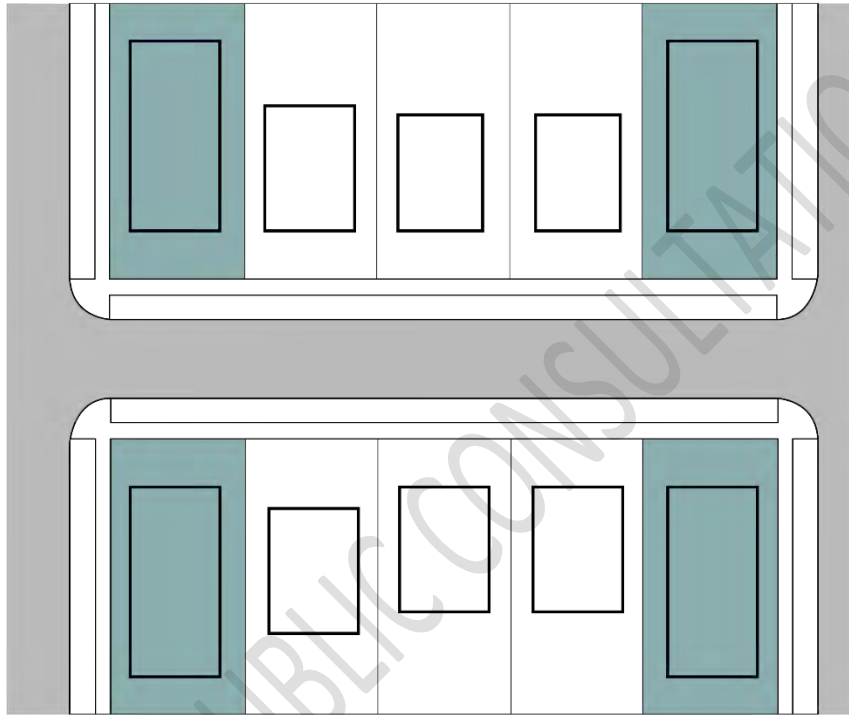


Diagram 22: Corner lot, per Subsection (58)

- (59) **Council** means the Council of the Municipality, including Regional Council and any Community Council.
- (60) **Cultural Use** means premises used for the collection and presentation of art, films, musical and artistic performances, lectures, materials, and exhibits, including libraries, archives, museums, art galleries, cultural centres, and small performance venues containing 500 seats or fewer, excluding minor spectator venue uses, major spectator venue uses, convention centre uses, and recreation uses.
- (61) **Day Care** means premises in which supervision is provided for individuals during the day. This definition excludes schools, hospitals, supportive housing, and recreational facilities.

- (62) **Dealership** means premises used for the display and sale of products on an outdoor lot, and may include the servicing and repair of the products sold or displayed, such as motor vehicles, recreational vehicles, marine craft, trailers, snowmobiles, snowblowers, all-terrain vehicles, heavy equipment, swimming pools, headstones, decorative fountains, and prefabricated cottages and homes, but excluding a garden centre use.
- (63) **Development** means as defined in the *Halifax Regional Municipality Charter*.
- (64) **Development Officer** means a person appointed by Council to administer a land-use or subdivision by-law.
- (65) **Drinking Establishment** means premises whose primary purpose is serving liquor to the public, and which is licensed under the *Liquor Control Act, S.N.S., 1989, c. 260*, as amended.
- (66) **Drive-Through** means premises that include a designated stacking aisle for motor vehicles, which provide or dispense products or services using an attendant, window, or automated machine, to customers in motor vehicles.
- (67) **Dwelling Unit** means living quarters that:
- (a) are accessible from a private entrance, either outside the building or in a common area inside the building;
 - (b) are occupied or, if unoccupied, are reasonably fit for occupancy;
 - (c) contain kitchen facilities within the unit; and
 - (d) have toilet facilities that are not shared with occupants of other dwellings.
- (68) **Electric Vehicle Charging Station** means infrastructure that supplies energy for the charging of electric vehicles such as plug-in electric, neighbourhood electric, and hybrid vehicles.
- (69) **Emergency Services** means fire stations, police stations, and emergency medical and ambulance stations.
- (70) **Emergency Shelter** means premises providing a person with short-term overnight sleeping accommodations, free of charge.
- (71) **Erect** means to assemble, build, construct, or relocate a building or structure, including any associated activity.

- (72) **Fabrication Uses** means workspaces where equipment may be used or borrowed by artists or hobbyists for the purposes of designing, repairing, prototyping, and constructing objects and products, such as artists' studios, makerspaces, tool libraries, and neighbourhood-scale manufacturing uses.
- (73) **Façade** means any building wall facing a street.
- (74) **Farmers' Market** means an indoor or outdoor market where individual sellers offer for sale to the public items such as fresh produce, seasonal fruits, fresh flowers, arts and craft items, and food and beverages, from booths or tables. Farmers' markets exclude the sale of second-hand goods.
- (75) **Fascia Sign** means a sign attached directly to or painted on a building wall, and which does not extend beyond the edges of the wall or above the roof edge (Diagram 28).
- (76) **Financial Institution** means premises providing financial and banking services to customers and clients, including banks, trust companies, savings banks, credit unions, and lending establishments.
- (77) **Fitness Centre** means indoor premises where people use equipment or space for the purposes of physical exercise, such as health clubs and yoga studios.
- (78) **Flat Roof** means a roof with a slope of 1:10 (rise to run) or less.
- (79) **Footprint** means _____.
- (80) **Four-Unit Dwelling** means a building containing four dwelling units on the same lot.
- (81) **Full Cut-Off Light Fixture** means a luminaire that does not emit any light above the horizontal plane.
- (82) **Garden Centre** means premises where retail and wholesale gardening products are sold, which may include a nursery and greenhouses.
- (83) **Gazebo** means a freestanding, roofed accessory structure, which is not enclosed, and which does not contain toilet, bathroom, kitchen, or sleeping facilities.
- (84) **Grade-Related Unit** means a dwelling unit that is part of a multi-unit dwelling, is accessible from a private entrance, and fronts and faces a streetline.

- (85) **Greenhouse** means a permanent structure constructed primarily of transparent materials, which is devoted to the protection and cultivation of food-producing plants (e.g., vegetables, fruits, herbs and sprouts) or ornamental plants (e.g., flowers).
- (86) **Grocery Store** means a retail establishment with at least 200 square metres of gross floor area that primarily sells food, including food prepared on-site and food intended for take-out, and that may also sell other convenience and household goods.
- (87) **Gross Floor Area (GFA)** means the gross horizontal area of all floors in all buildings (including accessory structures) on a lot, measured from the exterior faces of the exterior walls, or from the centreline of a common wall separating two buildings, but excluding unenclosed balconies and any floor area below the ground floor that is not used for residential purposes.
- (88) **Gross Floor Area Ratio (GFAR)** means the gross floor area divided by the area of the lot.
- (89) **Ground Floor** means the first floor, or floor level, of any structure that begins at or above the same plane as the surface of the sidewalk.
- (90) **Ground Sign** means a sign permanently attached to the ground and supported by one or more posts or other similar means (Diagram 28).
- (91) **Habitable Building** means a dwelling, hospital, hotel, nursing home, or other similar building where a person lives or may be accommodated overnight.
- (92) **Halfway House** means _____.
- (93) **Harbour Edge** means the seaward edge of any wharf, pier, or seawall that abuts the Halifax Harbour or, in the absence of any such structure, the ordinary high water mark.
- (94) **Harbour-Related Industry Use** means a business or activity that depends on access to or use of the Halifax Harbour, such as manufacturing, fabrication, assembly, research and development, processing, warehousing, or storage.
- (95) **Heavy Equipment Sales** means the selling of movable or transportable vehicles or other apparatus that are used in commercial, industrial, or construction enterprises, such as trucks, trailers, bulldozers, cranes, backhoes, rollers, loaders, and lifts.

What about excluding exterior wall thickness to promote higher energy standards (Rvalues)?

- (96) **Heritage Farm** means a working farm that is used as an educational facility for preserving and interpreting the agricultural past, and which may include the keeping of livestock, but which excludes the slaughtering of animals.
- (97) **High-Density Dwelling** means a building containing 13 or more independent dwelling units.
- (98) **Historic Site or Monument** means a place or structure that commemorates an event, individual, or group.
- (100) **Home Occupation** means the use of a portion of a dwelling unit for gainful employment, excluding a bed and breakfast use or day care use.
- (101) **Home Office** means an office-related activity operated within a dwelling that does not regularly require direct contact with clients on the premises.
- (102) **Hospital** means an institution providing human inpatient health services, including related facilities such as laboratories, outpatient departments, training facilities, and staff offices.
- (103) **Hotel** means premises licensed as a roofed accommodation in accordance with the *Tourist Accommodation Act*, S.N.S., 1994–1995, c.9, as amended, and may include a motel use or banquet facility use.
- (104) **Household Income** means the gross annual income from all persons who reside or will reside in a dwelling unit, over 18 years old, excluding full-time students at a secondary or post-secondary educational institution, as reported on the Canada Revenue Agency Proof of Income Statement for the previous calendar year, including:
- (a) investment income;
 - (b) government transfer payments;
 - (c) retirement pensions, superannuation, and annuities; and
 - (d) other money income.
- (105) **Household Income Limit** means the maximum gross household income that is at or below four times the set annual rent for an affordable housing unit.
- (106) **Incentive or Bonus Zoning** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements or undertakes other action, in the public interest, as specified in the requirements.

- (107) **Incentive or Bonus Zoning Agreement** means a contract between an applicant and the Municipality that describes the benefit to be provided by the applicant in exchange for bonus density.
- (108) **Industrial Training Facility Use** means a commercial facility that provides educational instruction and safety certification relating to industrial activities.
- (109) **Institutional Use** means any minor spectator venue, cultural use, emergency services, hospital, medical clinic, religious institution, school, stadium, university, or college.
- (110) **Interior Lot** means a lot with frontage on one street only (Diagram 23).
- (111) **Interior Lot Line** means any lot line that is not a streetline (Diagram 23).

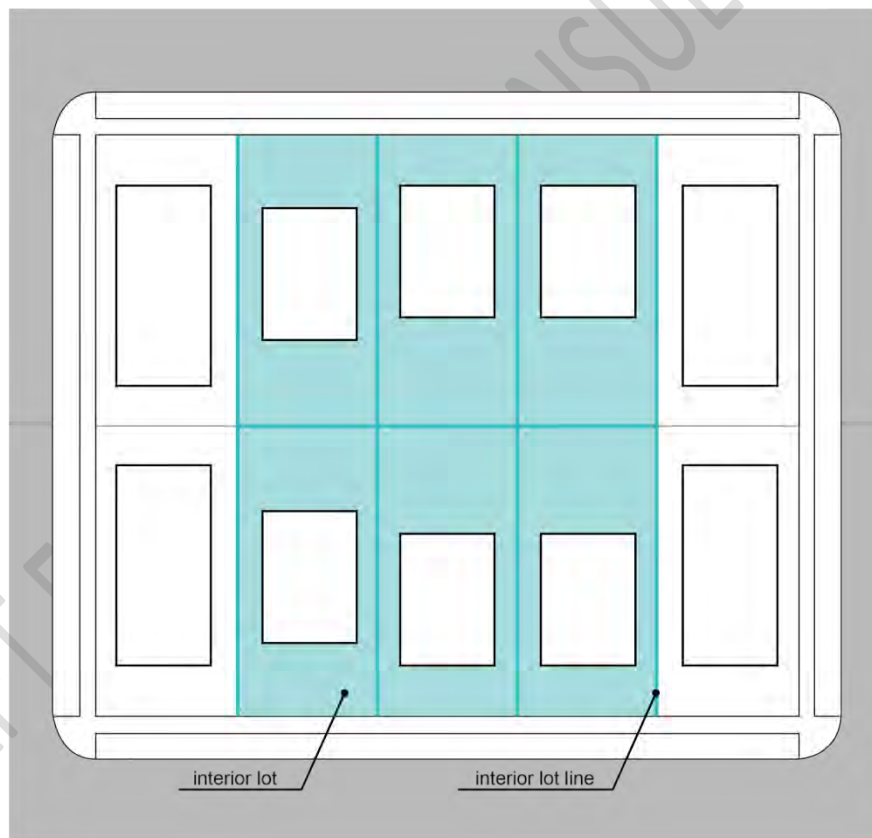


Diagram 23: Interior lot and interior lot line, per Subsections (110) and (111)

- (112) **Kennel** means premises used for:
- (a) the keeping of more than two dogs for the purposes of commercial breeding;
 - (b) the keeping of one or more dogs that are not owned by the occupant, for the purposes of training or caring, such as a doggy day care; or
 - (c) the commercial boarding overnight of more than 12 dogs, with or without veterinary care.
- (113) **Kitchen Facilities** means a room or part of a room used for food storage, food preparation, and the cooking of food, and may include but is not limited to a fridge, stove, microwave oven, sink, and other food cooking or food preparation appliances and devices.
- (114) **Landscape Architect** means a professional and full member in good standing with the Atlantic Provinces Association of Landscape Architects.
- (115) **Landscaping** means covered by soft (i.e., water-permeable) material and vegetation such as trees, hedges, shrubs, flowers, grass, fruit and vegetable plants, sod, or other vegetative ground cover, and/or hard (i.e., impermeable) material such as outdoor furniture, planters, decorative concrete, stonework, bricks, tiles, pavers, boardwalks, or wood decking.
- (116) **Large Wind Energy Facility** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand-alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres high.
- (117) **Library** means a facility for the use of literary, musical, artistic, or reference materials, but are not for sale.
- (118) **Light Manufacturing Use** means the processing, fabrication, assembly, treatment, and packaging of products from previously prepared materials, finished products or parts, excluding animal processing, that is confined entirely within a building. Research and development, incidental storage, sales, and wholesale and distribution of manufactured products are considered light manufacturing uses.

- (119) **Local Commercial Use** means commercial premises occupying less than 200 total square metres of gross floor area per lot that:
- (a) offer goods or products for sale, including the sale of meat and fish, baked goods, dry goods, household articles, and other groceries;
 - (b) offer equipment or merchandise for rent; or
 - (c) offer personal services.
- (120) **Local Drinking Establishment** means a drinking establishment with a capacity of 60 seats or fewer, and which is licensed under the *Nova Scotia Liquor Control Act*.
- (121) **Local Street** means as defined in Table 4.1 of the HRM *Municipal Design Guidelines 2013*, as amended from time to time.
- (122) **Lot** means any area of land described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the 15th day of April 1987, or is described in a plan and deed pursuant to the *Land Titles Clarification Act* or is approved on a plan of subdivision endorsed and filed in the Provincial Land Registration Office, or a lot created pursuant to Section 278 (2) of the *Halifax Regional Municipality Charter*.
- (123) **Lot Coverage** means the percentage of an area of a lot that is covered by a roofed structure, including any area over which a roofed structure projects, but excluding the area below any eaves of a roof which project by no more than 0.65 metres.

Should be simplified to just ground floor footprint excluding any type of overhang whether it be roof or upper level cantilevers

(124) **Lot Depth** means the distance from the streetline to the rear lot line, or between both streetlines on a through lot (Diagram 24).

What governs as lot depth vs lot width for corner sites?

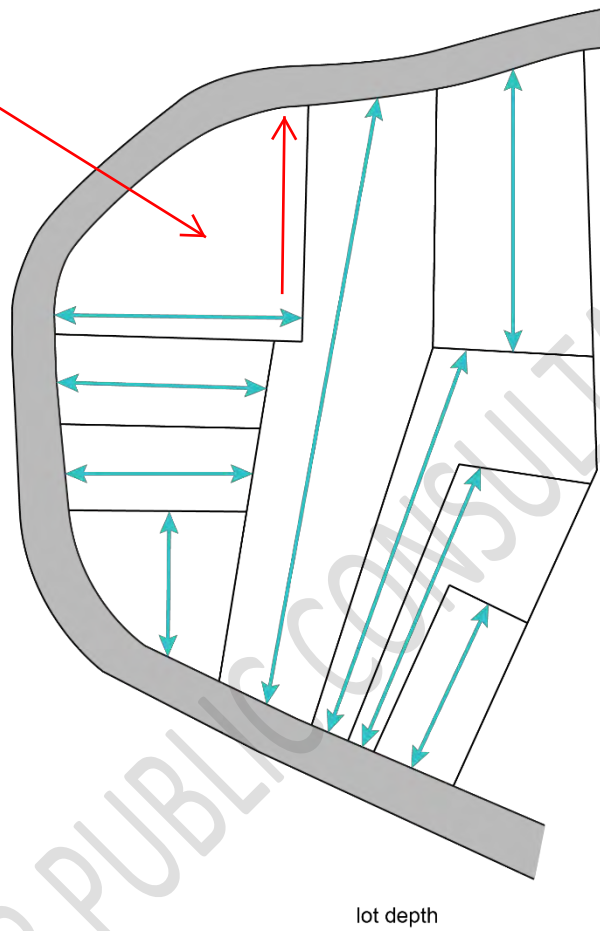


Diagram 24: Lot depth, per Subsection (124)

- (125) **Lot Width** means the horizontal distance between the side lot lines, or side lot line and the streetline most parallel to the side lot line, measured at right angles to the lot depth between the streetline and rear lot line (Diagram 25).

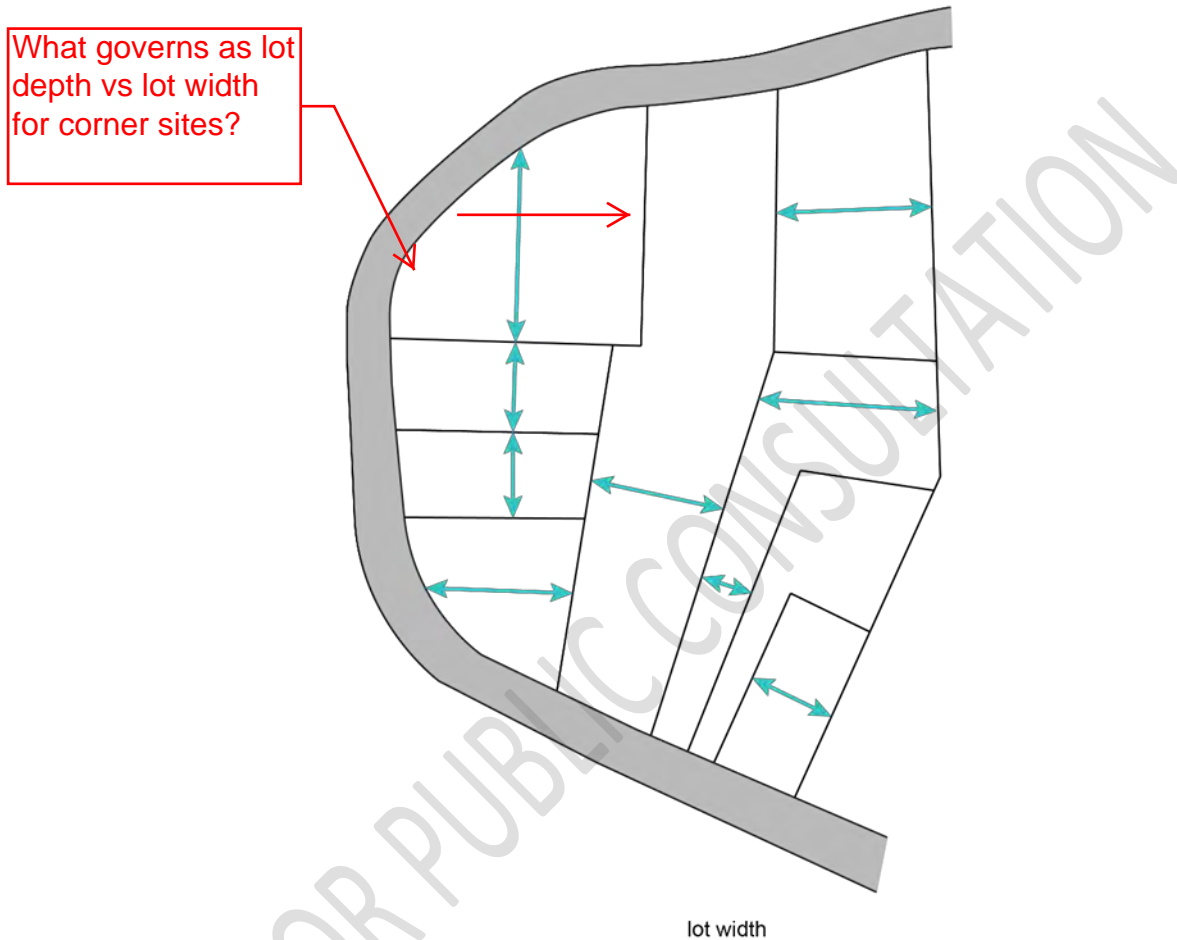


Diagram 25: Lot width, per Subsection (125)

- (126) **Low-Density Dwelling** means a building containing 1 to 4 independent dwelling units, including semi-detached and townhouse dwellings.
- (127) **Main Structure** means a structure containing the primary use of a lot.
- (128) **Major Spectator Venue Use** means premises, with 3,000 or more seats, where people gather for sports and other major events.
- (129) **Marine-Related Use** means a use that is dependent upon access to the Atlantic Ocean, such as marinas, tugboat facilities, boatbuilding and boat repair facilities, and other activities where the primary purpose is to facilitate maritime trade.

- (130) **Massage Parlour** includes premises where a massage, body rub, alcohol rub, or similar activity is performed, offered, advertised, or solicited. This definition excludes premises where medical or therapeutic treatment is routinely offered or performed by a registered physician, licensed naturopath, chiropractor, osteopath, massage therapist, physiotherapist, or nurse.
- (131) **Medical Clinics** means premises used for the medical examination and treatment of patients on an outpatient basis, for purposes such as family medicine, primary health care, walk-in clinics, dentistry, optometry, nutritional counselling, psychiatry, psychological counselling, crisis intervention, physiotherapy, chiropractic, osteopathy, harm reduction, massage therapy, and other similar uses.
- (132) **Medium-Density Dwelling** means a building containing 5 to 12 independent dwelling units.
- (133) **Medium Wind Energy Facility** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand-alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres high.
- (134) **Menu-Box Sign** means a sign or sign box that displays or contains a restaurant menu.
- (135) **Mezzanine Space** means an intermediate floor between the floor and ceiling of any room or storey and includes an interior balcony.
- (136) **Micro-Brewery** means a craft brewery primarily engaged in the production and packaging of less than 15,000 hectolitres per year of specialty or craft beer, ale, or other malt beverages. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room, where beverages produced at the facility can be sampled.
- (137) **Micro-Distillery** means a craft distillery primarily engaged in the production and packaging of less than 75,000 litres per year of liquor and spirits, other than wine and beer. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room, where beverages produced at the facility can be sampled.

- (138) **Micro Wind Energy Facility** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres high.
- (139) **Minor Building Features** means _____.
- (140) **Minor Spectator Venue Use** means indoor premises where people gather, with a capacity of more than 500 seats and fewer than 3,000 seats, such as cinemas, theatres, auditoriums, and social and cultural gathering places, but excluding convention centre uses, cultural uses, major spectator venue uses, and recreation uses.
- (141) **Mobile Home** means a dwelling unit designed to be transportable, whether or not it is equipped with wheels, but excluding a travel trailer, bus, or recreational vehicle.
- (142) **Model Suite** means premises used to display a sample dwelling unit that is available for sale or rental in a residential development approved by the Municipality. Model suites may incorporate sales or rental offices.
- (143) **Multi-Unit Dwelling** means a building containing five or more dwelling units.
- (144) **Municipal Heritage Property** means a building, public building interior, streetscape, cultural landscape or area registered in the Registry of Heritage Property for the Halifax Regional Municipality.
- (145) **Nacelle** means the frame and housing at the top of the wind turbine tower that encloses the gearbox and generator.
- (146) **Neighbourhood Identification Sign** means a ground sign that identifies a residential neighbourhood or subdivision.
- (147) **Neighbourhood-Scale Manufacturing** means indoor premises that accommodate five or fewer employees who work in light manufacturing, and which may include an accessory retail component, but which excludes a service station use.
- (148) **Neighbourhood Sign** means a sign that identifies a neighbourhood and is intended to reinforce that neighbourhood's sense of identity.

- (151) **Not-for-Profit Organization** includes:
- (a) a society incorporated pursuant to the *Societies Act, R.S.N.S.1989 c.435*, as amended;
 - (b) a non-profit association incorporated pursuant to the *Co-operative Associations Act, R.S.N.S.1989 c. 98*, as amended;
 - (c) a non-profit association to which the *Co-operative Associations Act* applies;
 - (d) a not-for-profit corporation incorporated pursuant to the *Canada Not-for-profit Corporations Act, S.C. 2009, c. 23*; and
 - (e) a non-profit organization otherwise incorporated pursuant to an Act of the Nova Scotia Legislature.
- (152) **Nude** means the showing of human genitals, pubic areas, or buttocks with less than a full opaque covering.
- (153) **Obnoxious Use** includes any use that creates a nuisance or is offensive through the creation of noise, vibration, glare, electrical interference, fire, or explosion hazard, or the emission of gas, fumes, dust, smoke, oil, runoff, or objectionable smell, or the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste, or other material.
- (154) **Office** means premises in which a person transacts the affairs of a business, profession, service, industry, or government, excluding a home office or a home occupation. Business incubators are considered an office use.
- (155) **Off-Street Loading Space** means an area, located outside the public right-of-way, that is designed for loading and unloading goods from motor vehicles.
- (156) **Open Space Use** means the use of open space for public and private parks and playgrounds, athletic fields, tennis courts, lawn bowling greens, outdoor skating rinks, picnic areas, cemeteries, day camps, historic sites or monuments, and similar uses to the foregoing, together with the necessary accessory structures. This definition excludes commercial camping grounds, golf courses, and tracks for the racing of animals or motor vehicles.
- (157) **Ordinary High Water Mark** means as defined in the Nova Scotia *Land Surveyors Act*.
- (158) **Outdoor Storage** means the storage of merchandise, inventory, materials, or equipment outside a main building on a lot, for longer than 24 hours.

- (159) **Outer Built Limit** means the most easterly edge of any permanent built structure, wharf or land extending into the Halifax Harbour.
- (160) **Owner** means the owner of lot, which may include:
- (a) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building;
 - (b) in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building;
 - (c) a person who occupies shores, beaches or shoals; and
 - (d) in the absence of proof to the contrary, the person assessed for the lot.
- (161) **Parking Lot** means a surface parking area for five or more motor vehicles.
- (162) **Parking Structure** means an aboveground, underground, or attached structure that encloses motor vehicle parking spaces on one or more levels. This definition excludes any garage associated with a low-density dwelling.
- (163) **Pawn Shop** means premises where a person may give, pledge, or deposit goods as security for the payment of a debt or return of a loan, excluding financial institution uses.
- (164) **Pedway** means a walkway in an elevated structure used exclusively for pedestrian traffic that passes over a street or private land.
- (165) **Personal Service** means services for the needs of individuals or pets, such as grooming and haircutting, tailoring and shoe repair, tattooing, depots for collecting dry cleaning and laundry, laundromats, warming and cooling centres, food banks, soup kitchens, drop-in centres, and the retail sale of products accessory to any service provided. Animal hospitals and funeral homes, excluding crematoriums, are considered personal service uses.
- (166) **Playground** means an area landscaped with hard and soft materials that includes dedicated play equipment such as swings, slides, sandboxes, and jungle gyms.
- (167) **Premises** means a specific property, and may include all buildings and necessary structures thereon, separate businesses, or an individual business, within a multi-tenant building or business site.

- (168) **Projecting Sign** means a sign that (Diagram 28):
- (a) projects from a supporting wall;
 - (b) extends beyond a wall of a building; or
 - (c) is attached to the underside of the building or canopy.
- (169) **Provincial Heritage Property** means a municipal heritage property or a provincial heritage property pursuant to the *Heritage Property Act of Nova Scotia*.
- (170) **Public Art** means a permanent work of art created or managed by a professional artist in any medium, material, media, or combination thereof, but excluding any corporate insignia.
- (171) **Quonset Hut** means a building with a wall that is not vertical, where the roof meets the foundation (Diagram 26).

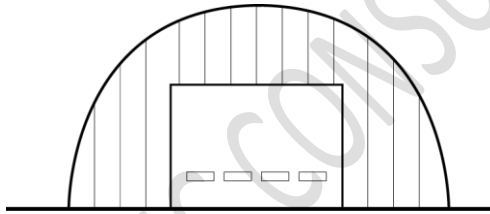


Diagram 26: Quonset Hut, per Subsection (171)

- (172) **Ramparts** means the Citadel Ramparts pursuant to Sections 134 and 135 as depicted on Schedule 16 and 17 of this By-law.
- (173) **Rear Lot Line** means a lot line that is furthest from and opposite a front yard.
- (174) **Rear Yard** means a yard extending across the full width of the lot between the rear wall of a building and the rear lot line. Its depth is the distance or the mean of the distance between the rear wall of the building and the rear lot line (Diagram 35). In the Westmount Subdivision (WS) Special Area, the rear yard is the yard farthest from the streetline.
- (175) **Recreational Vehicle** means a motor vehicle or travel trailer designed, constructed or reconstructed, equipped and used or intended to be used primarily for sleeping, eating and living quarters, such as a motorized home or a bus converted for such purposes.
- (176) **Registered Canadian Charitable Organization** means a charitable organization registered pursuant to the *Income Tax Act (Canada)* and the regulations made pursuant to that Act.

- (177) **Registered Heritage Building** means a building on a registered heritage property pursuant to the *Heritage Property Act of Nova Scotia*.
- (178) **Relaxation of Requirements** means an acceptable range in a specified criterion of the Design Manual, as approved the Development Officer.
- (179) **Religious Institution** means a place of worship or of religious assembly, including accessory uses that are on-site or on an abutting lot, such as a rectory, convent, private school, meeting hall, offices for administration of the institution, an accessory day care, playground, or cemetery.
- (180) **Required Front Yard** means the minimum depth required by this By-law of a front yard on a lot between the front lot line and the nearest main wall of any building or structure on the lot (Diagram 35)
- (181) **Residential Use** means the use of a building or a portion of a building for human habitation.
- (182) **Restaurant** means premises whose primary purpose is to prepare, serve, and sell food, non-alcoholic beverages, or both, for consumption on or off the premises. Restaurants may be licensed to serve alcoholic beverages, but this must be incidental to the primary business. Restaurants may include cafes, table service, dine-in, take-out, and home delivery services, excluding a standalone catering use.
- (183) **Retail Use** means premises used for the selling or renting of merchandise, including second-hand goods, directly to the walk-in public. Retail uses may also include the servicing and repair of items like those being sold. Shopping centres, post offices, and car or truck rental offices are considered retail uses.
- (184) **Roof Edge** means the lowest point along the outer edge of a roof.
- (185) **Rooftop Greenhouse** means a permanent structure located on a roof and constructed primarily of transparent materials, which is devoted to the protection and cultivation of medicinal, food producing, and ornamental plants such as vegetables, fruits, herbs, sprouts, and flowers.
- (186) **Rooming House** means a residential use in which four or more rooms that provide occupancy are rented for remuneration as separate or independent accommodations. This definition excludes multi-unit dwellings, hotels, and supportive housing uses.

- (187) **Salvage** means the collection, storage, and sale of waste materials or for the collecting, dismantling, storage, salvaging, or sale of parts associated with motor vehicles not in running condition.
- (188) **School** means a public or private institution of learning for grades primary to twelve.
- (189) **Secondary Business Frontage** means frontage other than the frontage on which the main or only entrance to the business premise is located.
- (190) (see [Package B](#))
- (191) **Self-Storage Facility** means a building or group of buildings containing individual storage units that are rented for the storage of property.
- (192) **Semi-Detached Dwelling** means two dwelling units where each is located on ~~and~~ individual lot but joined along a single lot line. Each unit is totally separated from the other by an unpierced wall extending from ground to roof.
- (193) **Service Station** means premises used for:
- (a) the retailing of motor vehicle fuels, lubricants, and accessories;
 - (b) the repair and servicing of motor vehicles indoors;
 - (c) motor vehicle inspections; or
 - (d) car wash facilities.
- (194) **Service Use** means a business whose primary work is call-out or dispatch, such as exterminators, plumbers, carpet cleaners, locksmiths, electricians, tow trucks, taxis, and standalone catering.

- (195) **Setback** means the distance that any structure or use must be separated from a street, lot line, or watercourse (Diagram 27).

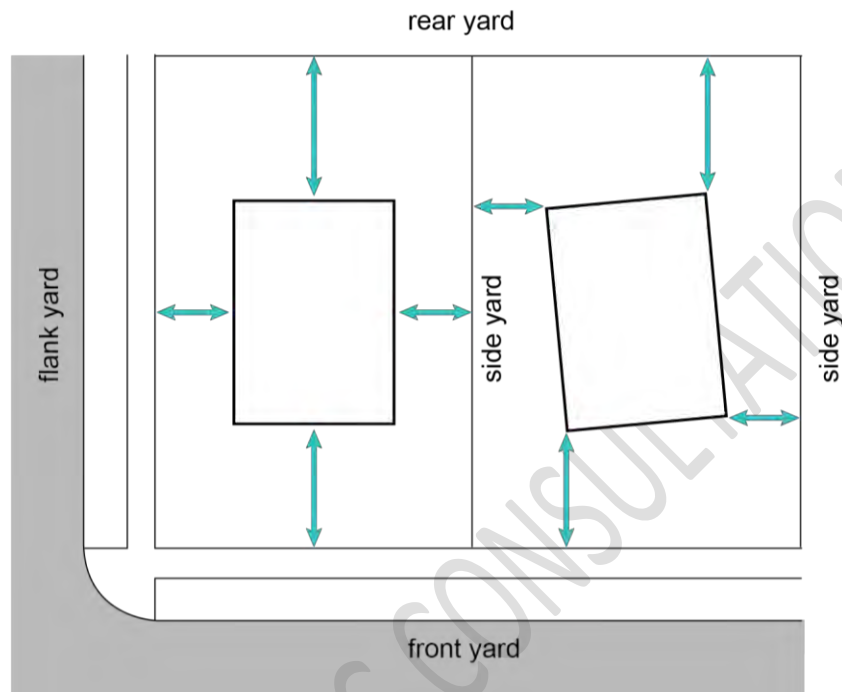


Diagram 27: Setbacks, per Subsection (195)

- (196) **Shipping Container** means a container originally designed for the use of storing and transporting cargo via ship, rail, air, or truck. A shipping container includes unlicensed or unregistered truck trailers.
- (197) **Side Yard** means a yard extending from the front yard to the rear yard of a lot between the side lot line and the nearest wall of any building (Diagram 35).

- (198) **Sign** means any structure, medium, or device designed or intended to convey information using words, images, symbols, pictures, logos or any combination thereof for the purpose of providing direction, information, identification, advertisement, business promotion, or the promotion of a product, activity, service, or idea, excluding any sign regulated under HRM By-law S-801 for Temporary Signs.

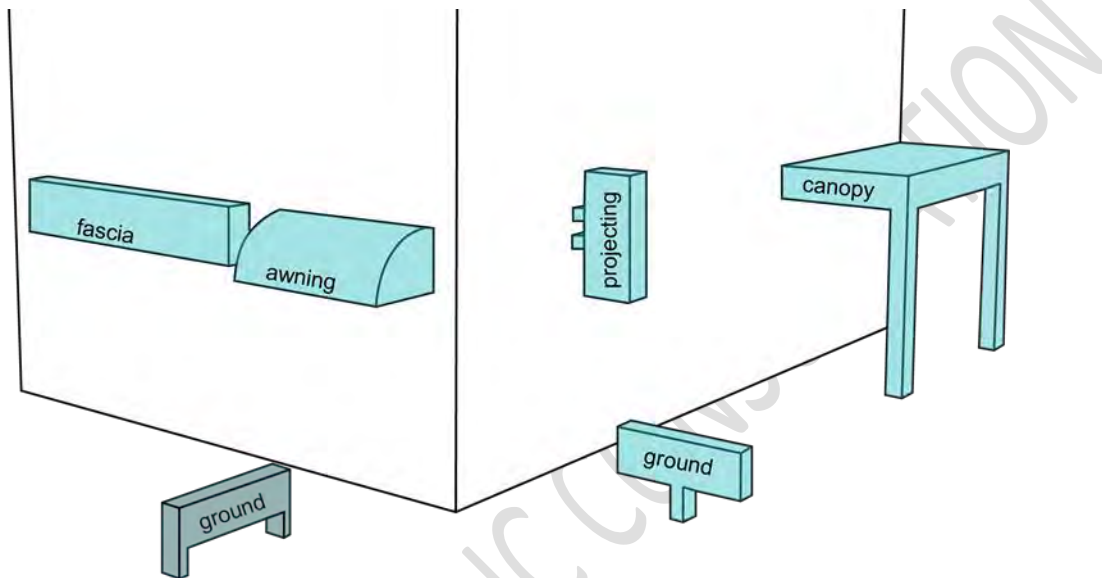


Diagram 28: Sign types, per Subsections (21), (42), (75), (90), and (168)

- (199) **Sign Area** means the area of the smallest rectangle, triangle, or circle that can totally circumscribe the entire face of the sign, including the sign surface and any framing, trim, or molding, but excluding the supporting structure.
- (200) **Sign Height** means the vertical distance of a sign between the lowest point of grade adjacent or below the sign and the highest point of the sign.
- (201) **Sign Owner** means any person:
- (a) who placed or installed a sign;
 - (b) who is in lawful control of the sign;
 - (c) who is described in the sign;
 - (d) whose name or telephone number appears on the sign;
 - (e) who is the subject of or otherwise benefits from the message on a sign;
 - or
 - (f) who owns the lot on which the sign is located;

and for the purpose of this By-law, there may be more than one owner of a sign.

- (202) **Single-Room Occupancy** means premises where sleeping accommodations are provided in exchange for remuneration, but excluding a bed and breakfast, hotel, or an institution licensed under the *Homes for Special Care Act*.
- (203) **Single-Unit Dwelling** means a detached building containing one dwelling unit.
- (204) **Small Wind Energy Facility** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a standalone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres high.
- (205) **Solar Collector** means a system designed to collect solar radiation and convert it to useable forms of energy, such as photovoltaic and solar thermal systems. This definition excludes windows unless the windows are treated with a photovoltaic film.
- (206) **Solid Waste Management Area** means an area of a building or a lot used for the separation and storage of waste streams.
- (207) **Stacked Townhouse** means a building containing three or more dwelling units on a lot attached side by side, where each unit has an independent entrance to the unit from the outside.
- (208) **Standalone Surface Parking Lot** means any parking lot that is neither an accessory surface parking lot nor a commercial surface parking lot.
- (209) **Storage Yard** means the storage and maintenance of equipment, products, and materials outside an enclosed building, excluding dealership uses and salvage uses.
- (210) **Storey** means a portion of building between any floor and floor, or any floor and ceiling. Any portion of a building partly below the streetline grade will not be deemed to be a storey unless its ceiling is at least 2.0 metres above the streetline grade.
- (211) **Street** means any public right-of-way, highway, road, laneway, bridge, square, and associated curbs, sidewalks, gutters, culverts, and retaining walls.
- (212) **Streetline** means the lot line between the street and an abutting lot.

- (213) **Streetline Grade** means the elevation of a streetline at a midpoint of a streetwall. Separate streetline grades are determined for each streetwall segment that is greater than 8.0 metres wide, or a part thereof (Diagram 29).

Shouldn't this diagram show 3 separate streetline grades based on 8m segments?

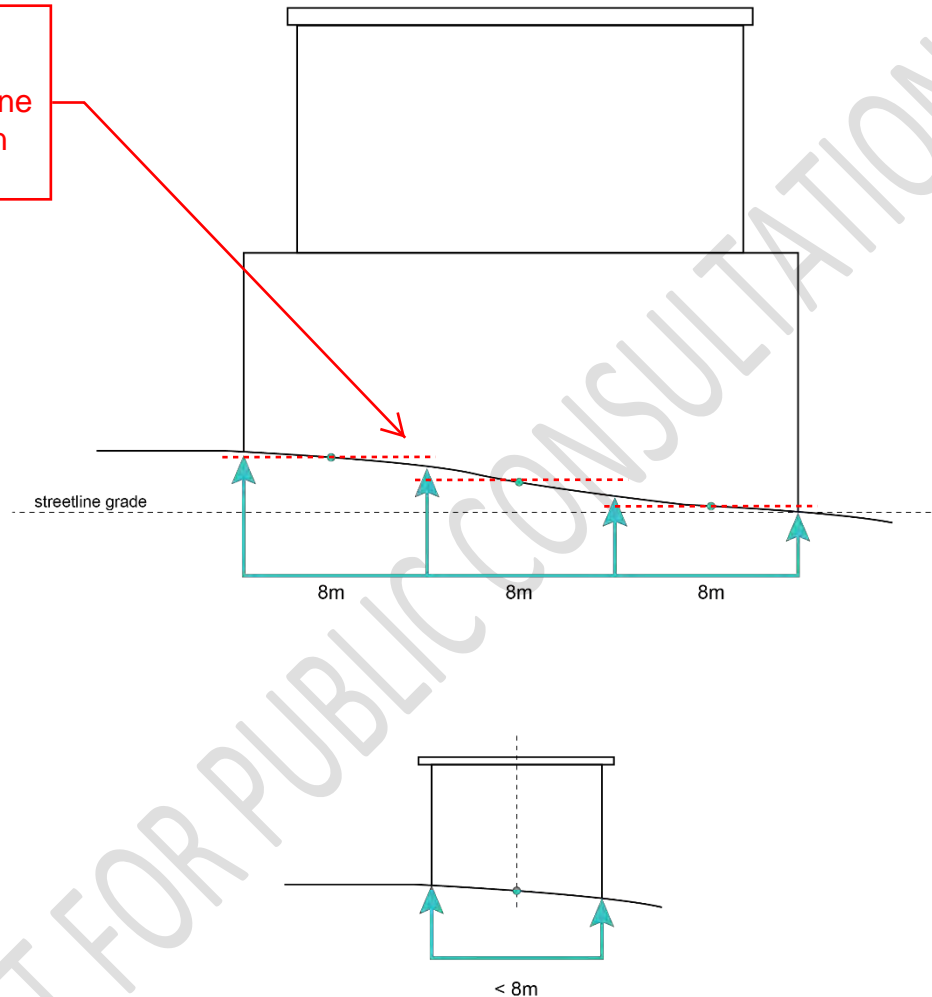


Diagram 29: Streetline grade, per Subsection (213)

- (214) **Streetline Yard** means a yard extending across the full width of a lot between the streetline and the nearest wall of any main building on the lot (Diagram 35).
- (215) **Streetwall** means the wall of a building or portion of a wall of a building facing a streetline below the height of a specified setback.
- (216) **Streetwall Height** means the vertical distance between the streetline grade and the top of the streetwall, extending across the width of the streetwall (Diagram 30).

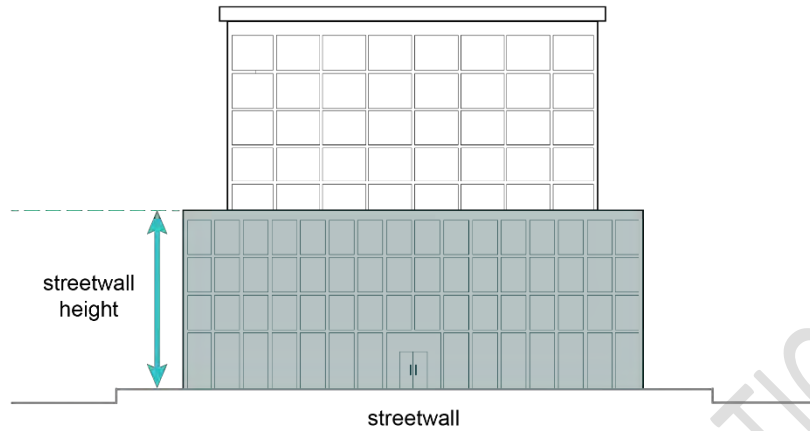


Diagram 30: Streetwall height, per Subsection (216)

(217) **Streetwall Stepback** means the required setback of a building above a streetwall, measured from the face of the streetwall (Diagram 31).

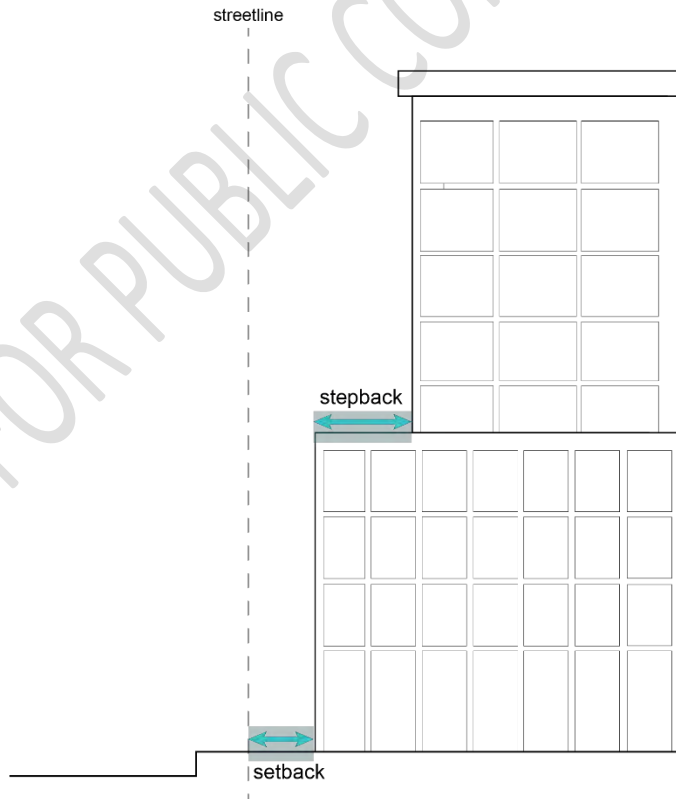


Diagram 31: Streetwall stepback, per Subsection (217)

- (218) **Structure** means anything erected, constructed, altered, reconstructed, or located that requires location on the ground, or that is attached to something having location on the ground, and includes a building.
- (219) **Supportive Housing** means a building that has a permitted residential use and is licensed by the Province of Nova Scotia in accordance with the *Homes for Special Care Act*, and which provides care in accordance with the license.
- (220) **Temporary Construction Use** means a use, in the opinion of the Development Officer, which is of limited duration to facilitate the construction of a future permanent land use or building permitted under this By-law, such as:
- (a) work camps;
 - (b) construction camps;
 - (c) rock crusher;
 - (d) mobile homes;
 - (e) sales or rental offices;
 - (f) tool or maintenance sheds; or
 - (g) a shipping container that serves as one of the foregoing.
- (221) **Temporary Use** means a use:
- (a) that is:
 - (i) associated with a holiday or special event, or
 - (ii) accessory to a permitted main use, excluding the construction or alteration of any permanent structure;
 - (b) and is:
 - (i) 180 cumulative days or less in duration within any one calendar year for those lands within the Halifax Waterfront (HW) and Dartmouth Waterfront (DW) Special Areas, or
 - (ii) in all other cases, is 90 cumulative days or less within any one calendar year.
- (222) **Third-Party Sign** means a sign that directs attention to a business, profession, activity, commodity, service, or entertainment that is conducted, sold, promoted, or offered elsewhere than on the premises where the sign is located or within the building to which the sign is affixed, but excluding sign manufacturer identification plates.

- (223) **Three-Unit Dwelling** means a building containing three dwelling units on the same lot.
- (224) **Through Lot** means a lot with frontage on two or more streets, with not all frontages contiguous (Diagram 32).

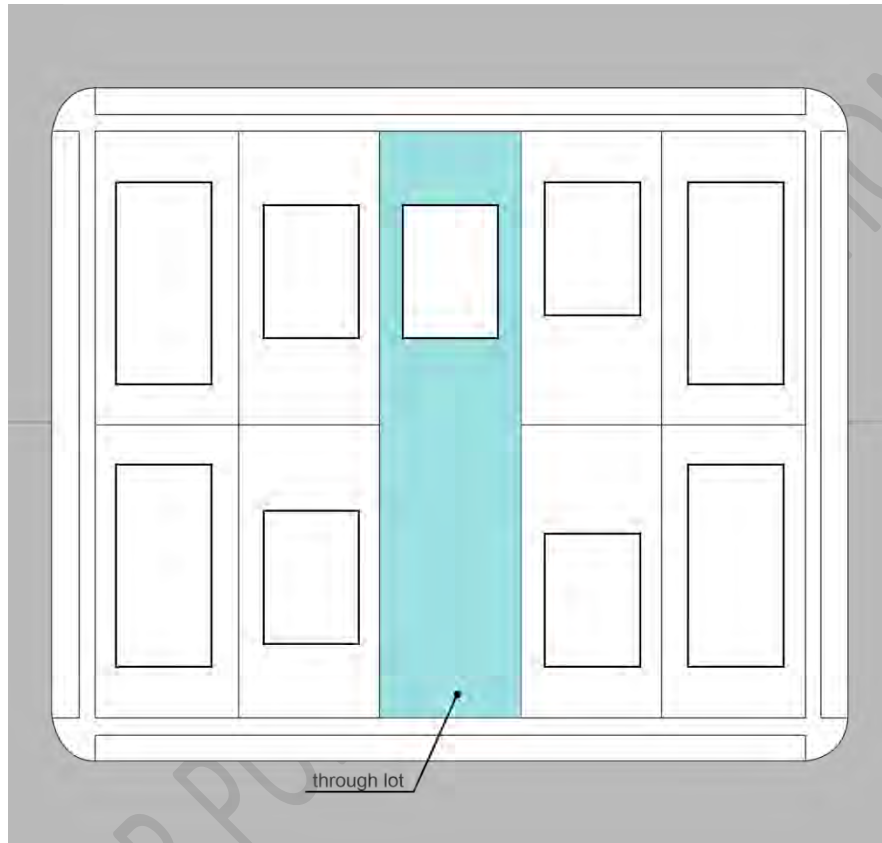


Diagram 32: Through lot, per Subsection (224)

- (225) **Total Rated Capacity** means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility.
- (226) **Tower Height** means the distance measured from grade at the established grade of a wind turbine tower to the highest point of the wind turbine rotor or tip of the wind turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building's foundation to the highest point of the wind turbine rotor or tip of the wind turbine blade when it reaches its highest elevation (Diagram 33).

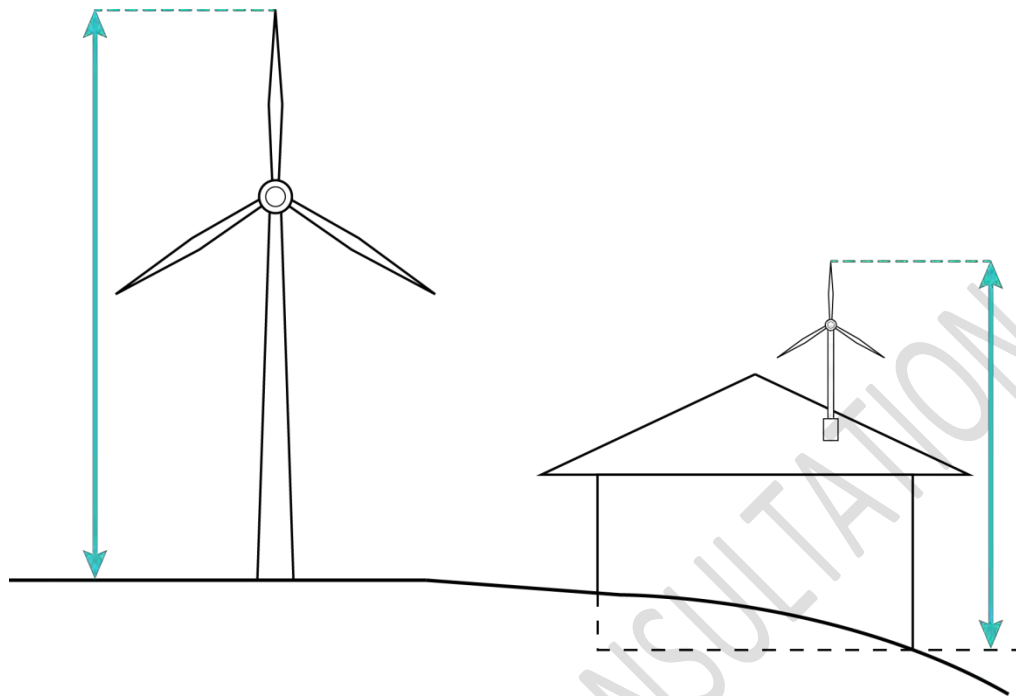


Diagram 33: Tower height, per Subsection (226)

- (227) **Townhouse Dwelling** means a building that is divided vertically into three or more dwelling units, where each unit is located on a separate lot, and each unit has independent entrances from the front and rear walls of the unit.
- (228) **Transportation Facility Use** means public or private transit facilities and train stations, excluding storage yards and maintenance facilities.
- (229) **Truck Trailer** means a vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle and includes self-contained commercial units, such as compressors, generators, welders or other equipment or farm machinery, designed to be pulled by a motor vehicle.
- (230) **Two-Unit Dwelling** means a building containing two dwelling units on the same lot.
- (231) **University or College** means a post-secondary institution that awards individuals with academic degrees, diplomas, or certificates in various disciplines, such as community colleges, trade schools, career colleges, language schools, and cooking schools, along with accessory uses such as athletic facilities, dormitories, dining halls, research facilities, fraternities, sororities and school uses.

- (232) **Urban Agriculture** means the use of a structure or land for the breeding, planting, cultivation, or harvesting of plants, excluding cannabis, such as vegetables, fruits, herbs, sprouts, and ornamental plants and flowers.
- (233) **Urban Farm** means an urban agriculture use undertaken by members of the public or a commercial operator, including a community garden.
- (234) **Use** means the conduct of an activity, or the performance of a function or operation, on a site or in a building or facility. "Used" includes "arranged to be used", "designed to be used", and "intended to be used".
- (235) **Used Building Material Retail Outlet** means a building or part of a building where C&D materials are sorted and available for resale inside the building, with incidental and minimal alteration of the materials.
- (236) **Utility** means structures, equipment, and materials used by a corporation, municipality, or other entity authorized to install and maintain energy, gas, water, or communication systems for public use. District energy systems, whether standalone or integrated into another building, are also considered a utility use.
- (237) **Variance** means as regulated via Sections 250 to 252 of the *Halifax Regional Municipality Charter*.
- (238) **Veterinary Clinic** means any premises designed or used for the care, observation, or treatment of domestic animals.

- (239) **Viewing Triangle** means the triangular area on a corner lot which is formed by two streetlines and a straight line that intersects with each streetline 6.0 metres from the corner where they meet (Diagram 34).

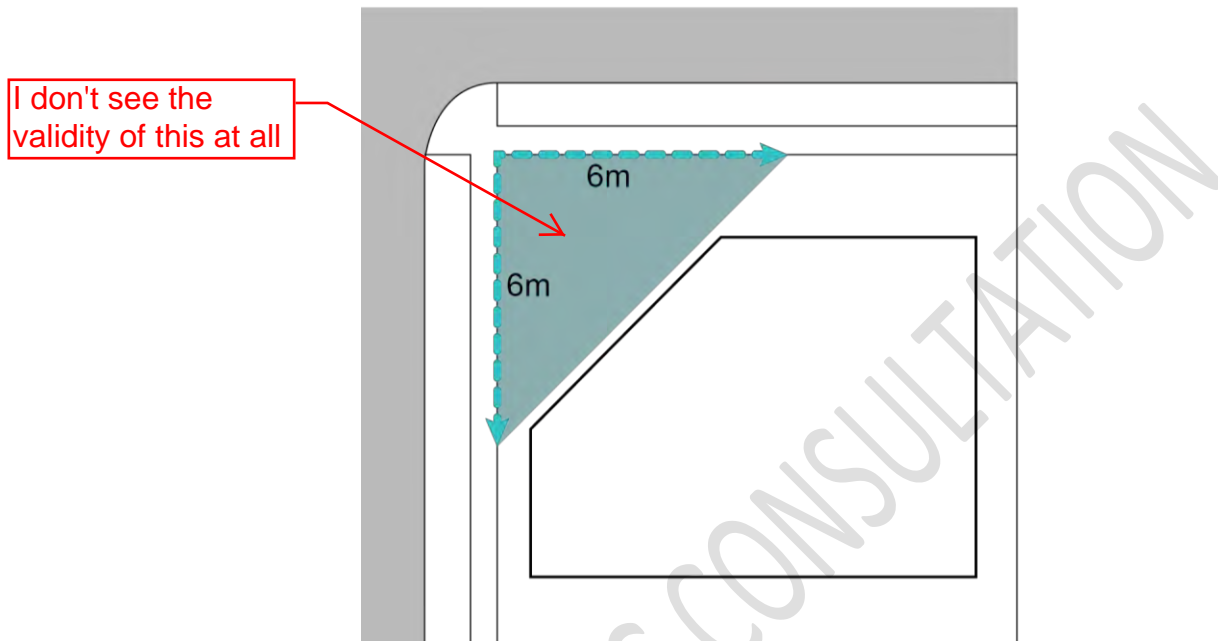


Diagram 34: Viewing triangle, per Subsection (239)

- (240) **Volume** means the space enclosed by the exterior dimensions of a structure. For the purposes of this By-law, volume excludes bay windows, porches or stairways enclosed or otherwise.
- (241) **Warehousing Use** means a building or part of a building for storage, the wholesale and distribution of manufactured products, supplies, and equipment, excluding a wholesale food production use, and the storage of materials that are flammable, explosive, or that present hazards.
- (242) **Water Access Structure** means any structure connected with the shore that provides berthing for water-based vessels, including a boathouse, dock, and wharf.
- (243) **Water Control Structure** means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

- (244) **Water Lot** means any lot or portion of a lot located on the water side of a shoreline.
- (245) **Watercourse** means a lake, river, stream, ocean or other natural body of water.
- (246) **Wholesale and Distribution** means premises where merchandise is sold or distributed to retailers, industrial, commercial, institutional, or professional users, or other wholesalers.
- (247) **Wholesale Food Production Use** means a facility where baking, preparation, distribution, and wholesaling of food products is permitted, but where over-the-counter or other retail dispensing of food products is limited to an accessory retail outlet, but excludes the processing of animals or a butcher shop.
- (248) **Wind Energy Facility** means a wind energy conversion system, to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure, and transmission lines.
- (249) **Wind Turbine** means a wind energy conversion system that produces electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- (250) **Work-Live Unit** means a residential use where a commercial use is permitted in the same dwelling unit, up to a maximum proportion of gross floor area.

(251) **Yard** means an open area, at ground level, that is uncovered by any main building, except for permitted encroachments.

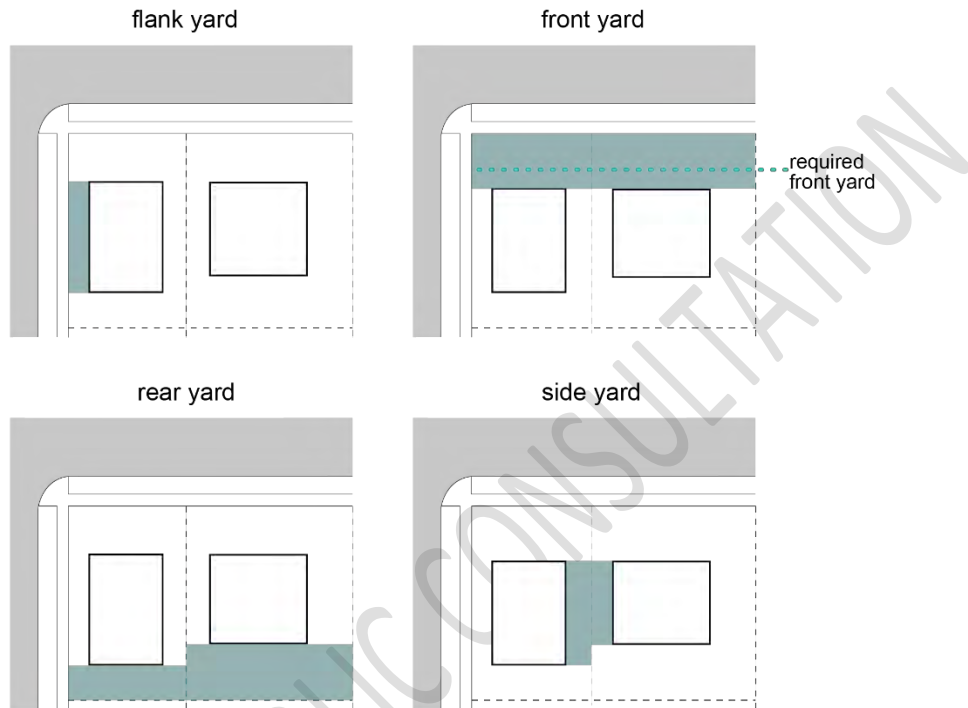


Diagram 35: Flanking, front, required front, rear, and side yards, per Subsections (174), (180), (197), and (214).

(252) **Zone** means a specifically delineated area or district within which uniform development standards govern the use, placement, spacing, and size of land and structures.

SCHEDULES

DRAFT FOR PUBLIC CONSULTATION

APPENDICES

Appendix 1: Design Manual

DRAFT FOR PUBLIC CONSULTATION

Proposed public benefits	
<input type="checkbox"/> Affordable housing units ⁴ <input type="checkbox"/> Conservation of a registered heritage building <input type="checkbox"/> Publicly accessible space <input type="checkbox"/> Affordable community or cultural indoor space <input type="checkbox"/> Public art <input type="checkbox"/> Cash-in-lieu ⁵	
⁴ Must account for 75% of total required public benefit value ⁵ Where permitted in Clause 192(1)(f) of this By-law	
Attach a public benefits proposal letter outlining the following: <ul style="list-style-type: none"> • Size, cost, and description of each proposed public benefit • Potential sites or locations within the development for each proposed public benefit • Detailed construction costs for each proposed public benefit • Objectives for each proposed public benefit, and any other considerations 	
Calculation: number of affordable housing units	
A = Portion of total required public benefit dedicated to affordable housing units	\$
B = Minimum affordability period, as specified in Section 191 of this By-law	months
C = A ÷ B	
D = Average market monthly rent	\$/month
E = C ÷ D	
F = E ÷ 0.40 = total number of affordable housing units to be provided ⁶	
⁶ "0.40" derived from definition of Affordable Housing in Part XIII	
Number of two-bedroom units to be provided ⁷ :	
Number of larger units to be provided ⁷ :	
⁷ Total must equal F.	

Calculation: initial household income limit			
Initial household income limit ⁸ = $D \times 0.60 \times 12 \times 4$	Initial household income limit for two-bedroom units	\$	
⁸ Shelter costs are limited to 25% of gross annual income.	Initial household income limit for larger units	\$	
Calculation: affordable community or cultural indoor space (leased)			
G = Portion of total required public benefit dedicated to affordable community or cultural indoor space	\$		
H = Minimum affordability period, as specified in Section 191 of this By-law	months		
I = $G \div H$			
J = Average monthly rent per square metre for equivalent commercial space	\$ /month		
K = $I \div J$			
L = $K \div 0.40$ = total amount of affordable community or cultural indoor space to be provided ⁶ ⁶ "0.40" derived from definition of Affordable Community or Cultural Indoor Space in Part XIII	sq. m		
Calculation: other public benefits			
Public benefit type	Design costs	+ Construction and installation costs	= Total cost
Conservation of a registered heritage building	\$	\$	\$
Publicly accessible space	\$	\$	\$
Public art	\$	\$	\$
Cash-in-lieu			\$

Applicant

Consulting Architect

Approved by the Development Officer

Date

DRAFT FOR PUBLIC CONSULTATION

Appendix 4: Report on Affordable Community or Cultural Indoor Space

Incentive or Bonus Zoning Agreement number:				
Date of Incentive or Bonus Zoning Agreement:				
Date of report:				
<u>Development address:</u>				
<u>Property Identification Number (P.I.D. no.):</u>				
<u>Type of development:</u>				
<input type="checkbox"/> Residential <input type="checkbox"/> Non-residential <input type="checkbox"/> Mixed, including: _____				
Lot owner name:				
Address:				
Phone:				
Email:				
Part 1: Designated Affordable Community or Cultural Indoor Space				
Location of space	Initial rent (\$/month)	Current rent (\$/month)	Unit occupied? (Y/N)	Name of registered not-for-profit tenant

¹ Attach a copy of the lease for each affordable community or cultural indoor space.

Applicant

Consulting Certified Accountant

Approved by the Development Officer

Date

Appendix 5: Wind Assessment Standards

General Wind Assessment Standards

- 1 (1) Any required wind impact assessment must be prepared and sealed by a qualified Professional Engineer.
- (2) Any required wind impact assessment must address:
 - (a) existing wind conditions, including the effects of buildings and physical features on the lot and surrounding lots;
 - (b) the impact of the development on wind conditions in the following areas:
 - (i) the public realm, including parks, plazas, other open spaces, sidewalks, other pedestrian areas, and building entrances,
 - (ii) outdoor amenity space, and
 - (iii) surrounding properties;
 - (c) the expected level of comfort for activities such as sitting, standing, strolling, and walking;
 - (d) pedestrian safety, where wind gusts might adversely affect a pedestrian's balance; and
 - (e) the methodology and standards used in the assessment.
- (3) Any wind impacts identified by the wind impact assessment must be mitigated through building and site design.
- (4) If the wind impact assessment determines that adverse wind conditions are expected on the development site, the applicant must submit a landscape plan that meets the requirements of Section 147 to demonstrate how anticipated wind conditions will be mitigated using landscaping.

Qualitative Assessment

- 2 (1) For development that is minor in scope, such as a penthouse addition or a development where wind impacts are not expected to be harmful or may be improved upon in the opinion of the qualified professional, a required wind impact assessment may consist of a qualitative assessment only.

- (2) A qualitative wind impact assessment must include an analysis and description of expected wind impacts, but is not required to include quantitative scale-model simulations or analyses.
- (3) A qualitative wind impact assessment must be in the form of a report acceptable to the Development Officer.

Quantitative Assessment

- 3
 - (1) For any building or addition between 22.0 and 33.5 metres high, the Development Officer may require a wind impact assessment to include a quantitative assessment.
 - (2) For any building or addition higher than 33.5 metres high, a required wind impact assessment must include a quantitative assessment.
 - (3) A quantitative wind impact assessment must include quantitative scale-model simulations or analyses.

Requirement to Mitigate Wind Impacts

- 4 The Development Officer may approve a site plan, where the impacts identified in the wind impact assessment can be mitigated and such mitigations comply with the requirements of the Design Manual (Appendix 1).



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2111 Maitland Street, Suite 300
Halifax, NS B3K 2Z8

April 5, 2018

Centre Plan Team
Halifax Regional Municipality
Via Email: planHRM@halifax.ca

Re: Centre Plan / 1256 Barrington Street

Dear Centre Plan Team:

Please accept this letter as a formal request regarding the proposed Centre Plan land-use designation and zoning for 1256 Barrington Street (formerly the Sir John Thompson Building).

Summary of Issue

This property sits in two plan areas - the building itself is contained in the Downtown Halifax Plan Area, while the accessory surface parking area sits within the Halifax Plan Area (see **Fig. 1**). As a result, redevelopment of this single parcel is governed by two very different sets of rules. The property owner, Universal Realty, has been working in good faith for many years to resolve this issue. In discussions with both Staff and the area Councillor, it was agreed that given the nature of the issue, a plan review process was the preferred process in which to find a solution. In response, Universal has actively participated and identified this issue in the Centre Plan process and Old South Suburb Heritage Conservation District Process. On behalf of the property owner, EDM has met with Staff and has made formal submissions. Based on the feedback received from 2016 through to the most recent discussion with Staff in March 2018, we understand that there is agreement and internal Staff support to bring both halves of the property into alignment (through complementary zones/regulations), even if they continue to exist in separate Plan areas.

The property, however, appears to be still stuck between processes. The Old South Suburb process is temporarily on hold, and the most recent draft Centre Plan seems to overlook this long-standing issue by not including it as Higher Order Residential in Package "A". A Higher Order Residential Designation on this property would allow the entire parcel to be redeveloped as a single project, or allow the redevelopment of the vacant portion in a coherent manner, tying in with the existing building and transitions to the high-rise buildings to the north and the low-rise buildings to the west.

Remedy Sought

We request that the portion of the property outside of the Downtown Halifax Secondary Plan Area be designated as Higher Order Residential (HR) in the proposed Centre Plan and zoned as HR-2 in the Land Use Bylaw. This designation and zone will better reflect and respond to the existing use of the property, the plan boundary issue and the adjacent uses and proposed GFAR and maximum heights (see **Fig. 2**). We submit that the maximum height and GFAR for the lands should reflect the building heights and GFARs proposed for adjacent properties and, most importantly, should generally align with those in place for the

portion of the property located within the Downtown Halifax Plan Area (21.336m and 3.5 GFAR). The adjacency to a low-rise, “Established Residential” area to the west of the subject lands is not unlike the many “Higher Order”, “Corridor” or “Centre” areas proposed and will be properly addressed through the detailed transition requirements proposed as part of the draft Centre Plan.

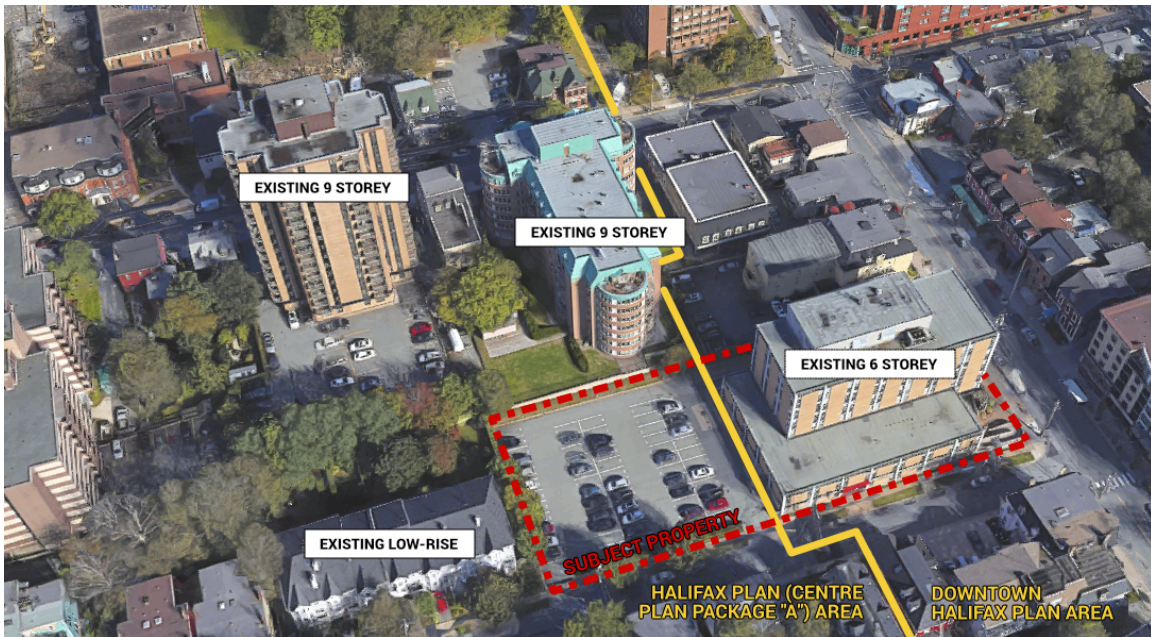


Fig. 1: Context of subject property, showing Plan Area Boundaries and adjacent uses and building forms.



Fig. 2: Existing adjacent maximum height allowance (Downtown Halifax Plan area) and proposed maximum heights and GFARs, as per the draft Centre Plan documents. Subject property highlighted in yellow.

Rationale for Request

On behalf of the property owner, and at the request of HRM Staff, EDM provided rationale and a conceptual redevelopment plan that was jointly submitted to the Centre Plan and Old South Suburb Heritage Conservation Teams in July 2016 (see **Attachment 1**). The concept provided aligned with the overall objectives and preliminary built form and heights framework that was available at that time. This submission included careful consideration of maximum streetwall height, streetwall setbacks and stepbacks, transitions to abutting heritage buildings, and at-grade uses both on Barrington Street (retail) and Harvey Street (Townhouse-style articulation). We understand that this concept was shown to the Old South Suburb Conservation District Stakeholder Committee and was well received. The property owner continues to support the establishment of a Heritage Conservation District for the area and has previously expressed this support in a letter to HRM Staff and Council. However, without a Higher Order Residential designation on the property in the Centre Plan, the property and surface parking lot will remain difficult if not impossible to redevelop due to conflicting rules, regulations, and the inability to make undergrounding of the parking viable.

The plan boundary problem is one that the property owner has attempted to fix for many years, in consultation with HRM Staff and the area Councillor. They engaged early and participated in municipal-led Planning processes to address the issue, rather than site-specific plan amendment processes that were not favoured by Staff or the area Councillor. The placement of the “Higher Order Residential” designation and zone (HR-2) on a portion of the property will help address this issue. At the same time, transition requirements that will be adopted as part of the Centre Plan will minimize the impacts of the redevelopment on the low-rise properties to the west. As preliminary concepts have shown, the property can be redeveloped in a manner that addresses the built form, height, and heritage objectives.

In the most recent draft of the Centre Plan, additional requirements for transition to “Established Residential” uses have been proposed. In fact, the draft documents have placed considerable emphasis on transitions in all areas. In this regard, our request for the subject property is to enable suitable transition to take place—between Plan areas, building types, height precincts, and a future Heritage Conservation District. It is about allowing the property to be redeveloped in a manner that responds to the surrounding context, and supports the objectives of both the proposed Centre Plan and proposed Heritage Conservation District.

Sincerely,
EDM Planning Services Ltd.

Original Signed

Matt Neville, MaHS, MCIP, LPP

cc: Jacob Ritchie, Urban Design Program Manager (ritchij@halifax.ca)
Aaron Murnaghan, Principal Planner, Heritage (murnaga@halifax.ca)
Fred Morley, Chair, Community Design Advisory Committee (clerks@halifax.ca)

ATTACHMENT 1



ENVIRONMENTAL DESIGN AND MANAGEMENT LIMITED
PLANNING • ECONOMICS • ECOLOGY • ENGINEERING • GEOMATICS

July 27, 2016

Seamus McGreal, Heritage Planner
Brandon Silver, Urban Designer
Planning and Development
Halifax Regional Municipality
Via email: mcgreals@halifax.ca
silverb@halifax.ca

Re: 1256 Barrington Street - Sir John Thompson Building

Dear Mr. McGreal and Mr. Silver:

Please accept this letter in followup to our recent meetings regarding redevelopment options for the Thompson Building and adjacent surface parking lot.

As you are aware, the subject property spans two Plan areas; the main building is situated with the Downtown Halifax Plan Area, while the accessory surface parking lot is within the Halifax Plan Area. This has made redevelopment of the lands difficult, applications for policy amendments overly complex, and guidelines on appropriate and acceptable building form unclear.

In response to the concurrent municipal-led Centre Plan process and Old South Suburb Heritage Conservation District process, we are pleased to provide revised building elevations and this letter outlining our request for the subject lands regarding use, height and form (**Attachment 1**). These have been prepared following input from both of you, considering the context of both planning processes.

We wish to address three main areas of discussion as they relate to potential policy governing the subject property: (1) Redeveloping Underutilized Properties (2) Heritage Conservation District (HCD) as Mechanism for Redevelopment; (3) Design Guidelines, and; (4) Parking as Public Benefit in exchange for Post-Bonus Height.

1. Redevelopment of Underutilized Properties

The Downtown Halifax MPS, proposed Centre Plan and proposed HCD share a common approach to the accommodation of growth - the redevelopment of vacant and underutilized sites. The proposed HCD, for example, intends to “introduce guidelines for appropriate new development to ‘fill in the gaps’ in the district. At the same time, this section of Barrington is envisioned to serve “as a renewed community focus for the surrounding neighbourhood, while providing for a transition in scale and intensity between the downtown and the established low-rise residential areas to the south and west” (HDMPS).

We recognize, however, that the preferred location for additional height and bulk on such underutilized sites may differ between Plans - with the Centre Plan approach focusing on “building up” on main corridors and protecting established residential neighbourhoods, while the HCD aiming to maintain more traditional scale and streetscape on the Barrington Street corridor.

As illustrated in the attached elevations, we believe we have distributed the height and massing in a manner that respects the objectives of both and is consistent with the proposed “heights framework” that we understand was presented and accepted by the Stakeholder Steering Committee at their July 6, 2016 meeting. The impact of height on the HCD is mitigated through stepbacks on Barrington, while a larger stepback above the podium level on Harvey Street provides for a better transition to the townhouses. The townhouse articulation and streetwall scale already established for the residential neighbourhood is continued along Harvey Street. Additional design details are discussed in item #3.

2. Heritage Conservation District as Mechanism for Redevelopment

The revised elevations assume that the site can be redeveloped under one policy set to ensure redevelopment happens in a coherent and respectful manner. This, however, is not currently possible.

In order to deal with this disconnect between plan areas, and simplify a future development application, Staff have suggested the use of the HCD as a secondary zoning overlay. We are supportive of this approach, as it offers the potential to establish design guidelines that will enable and support redevelopment of the subject lands within the context of a HCD, while also aligning with proposed form-based guidelines adopted as part of the Centre Plan.

We understand that the proposed HCD boundary has been drawn to encompass properties that (1) contribute to the historic and architectural significance of the area, and; (2) in locations where new construction can have a visual impact on the character of the Old South Suburb. The redevelopment of the Thompson Building and adjacent parking lot will visually impact the character of the proposed HCD; its redevelopment presents an opportunity for

new and integrated redevelopment that will help to “fill in the gaps” of the District as intended.

Our support for this zoning overlay, however, is conditional on the zone providing the development potential for 22m pre-bonus and 28m post-bonus height and subject to appropriate setbacks, stepbacks and streetwall height as described in the next section and illustrated on the elevations.

3. Design Guidelines

The existing guidelines for downtown Halifax discourage new development from trying to recreate the old. At the same time, new construction can include design elements (materials, scale, proportion, massing, etc.) that make it compatible and complementary to heritage buildings so that the integrity of the streetscape is maintained or enhanced.

We understand that in exchange for 22m/28m height maximum on the site, redevelopment must give careful attention to key design elements, such as the use of stone and masonry materials at the base on the building, specifically on the Barrington Street frontage; townhouse-style articulation on Harvey Street so as to extend the existing scale and style of the streetscape, and; the inclusion of small storefronts on Barrington that respect the scale and rhythm of the adjacent heritage properties and traditional form of the street. In addition to these key elements, the revised building adheres to form-based design guidelines used in the Downtown Halifax Plan area and, based on our discussions with Staff, will be proposed for the HCD and Centre Plan area:

- 22-metre maximum building height and 28-metre post-bonus height;
- 11-metre street wall;
- 3-metre stepback above the streetwall;
- An additional 3-metre stepback above 22 metres on Barrington Street;
- 0-4-metre setback from the property line;
- Stepbacks adhere to an approximate 45-degree angle plane from exiting registered heritage building (Gerrard Lodge) and potential heritage building (Waverley Inn);
- Interactive ground level condition achieved through provision of multiple entrances, building articulation and glazing;
- Ground-level commercial space on Barrington articulated through form, division of space, entrances, and building materials;
- As a corner site, glazing for ground-level commercial uses wraps the corner of Harvey Street.
- Given the size of the site and existing uses, it should be assumed that the proposed building will be developed in two phases.

4. Parking as Public Benefit in exchange for Post-Bonus Height

We understand that the undergrounding of overhead wires is being considered as a main public benefit to improve the proposed HCD under any density-bonusing scheme. Given the central location, size of the lot, and existing use as an accessory parking lot for business in the adjacent building, we feel that provision of public parking spaces as public benefit in exchange for post-bonus height is more appropriate for the subject property.

Subject to further discussion with Staff, as well as an estimate of value for the proposed public benefit and detailed architectural design, we see potential for up to 30 parking spaces reserved exclusively for public use. Access to these spaces may be able to be provided by a separate entrance near to Barrington Street in order to maximize visibility and minimize the impact on Harvey Street in regard to traffic volume.

We understand that business and property owners repeated their concerns over public parking in the HCD workshops held last year. We agree that as a potential destination HCD and main commercial corridor, the area will require some additional dedicated parking spaces in order to attract and retain certain commercial uses (professional services, banks, upscale restaurants, etc.).

Summary of Request

Subject to acceptance and recommendation by Staff on the proposed height and form guidelines for the subject lands, we request that (a) the proposed Old South Suburb HCD boundary be revised to include the Thompson's building accessory parking lot; (b) the proposed height and form guidelines be applied to the subject property, and; (c) Staff provide comment on the provision of public parking spaces as public benefit in exchange for post-bonus height.

We trust that the information provided is sufficient for further review of potential policies to govern the subject site. However, please don't hesitate to contact me if you have any questions or require anything else at this time.

Sincerely,

EDM - Environmental Design and Management Limited

Original Signed



ATTACHMENT 1

Kassner Goodspeed Architects Ltd.
5663 Cornwallis Street, Suite 200 Halifax, NS B3K 1B6
tel 902 422 1557 | fax 902 422 8685 | www.kgarch.ns.ca

1256 Barrington Street

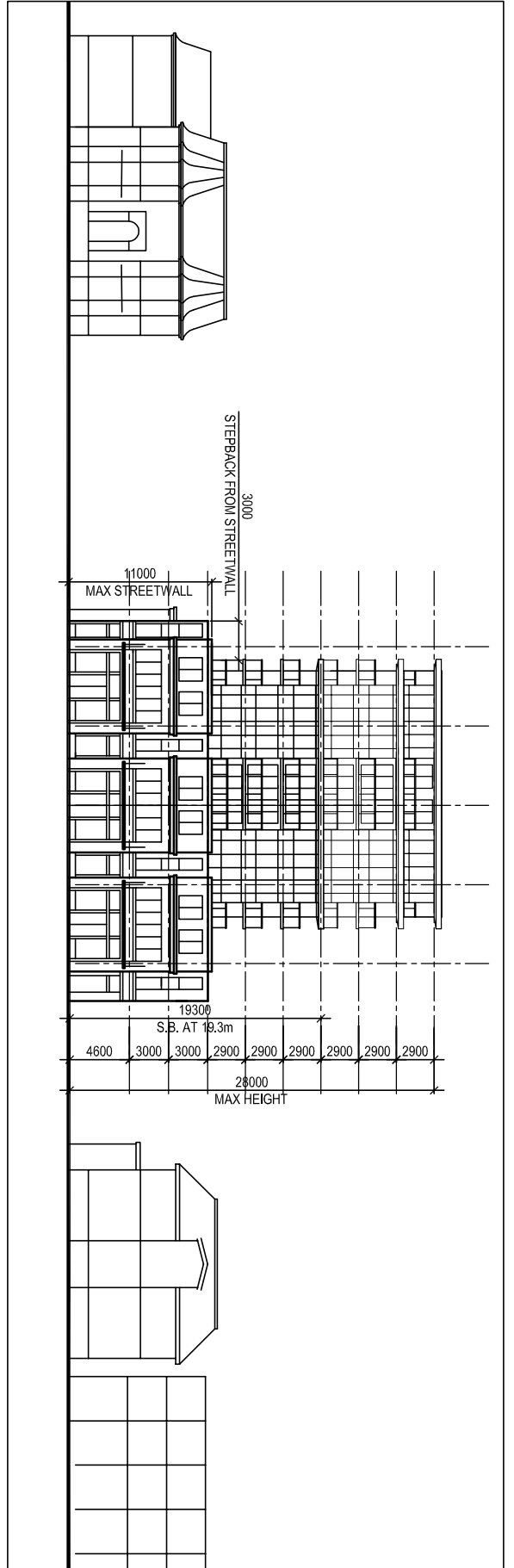
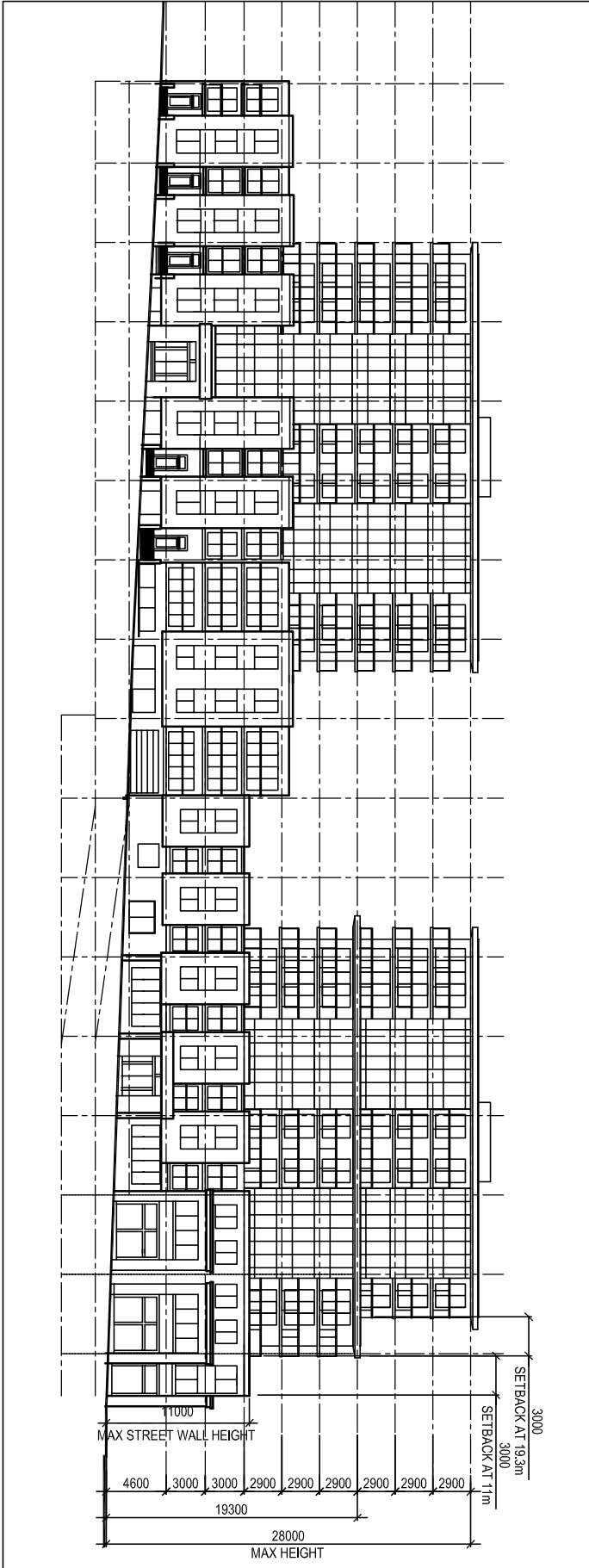
UNIVERSAL PROPERTIES

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1422

SCALE 1:500

Jul 27, 2016





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2111 Maitland Street, Suite 300
Halifax, NS B3K 2Z8

April 23, 2018

Centre Plan Team
Halifax Regional Municipality
Via Email: planhrm@halifax.ca

Re: Draft Centre Plan - 25 Brookdale Court, Lake Banook

Dear Centre Plan Team:

We are pleased to provide comment on the draft Centre Plan polices and regulations, specific to the property at 25 Brookdale Court. This property is often referred to as the former YMCA site at Lake Banook. EDM met with Staff and made a previous submission on behalf of the property owner in the early stages of the Centre Plan process, which we have attached here for reference (see **Attachment 1**).

Site-specific policy has existed for the subject property since 2002 in the Dartmouth MPS. This policy (H-16) recognizes the potential of the site for high-intensity development. This policy puts the onus on the developer to show how a proposed site massing/configuration minimizes negative wind impacts. It refers specifically to how “*higher intensity development utilizing a smaller building footprint will enable the potential for shoreline protection*”; wind studies suggest that shoreline protection has the greatest potential impact on mitigating wind on the canoe course. This policy, which still applies to the site today, focuses on finding the best technical solution for the property.

In 2005, a blanket policy set (Policy IP-9 and IP-10) was adopted, which placed a 35-foot maximum height precinct over lands around Lake Banook. We understand that this was largely done to address issues on the other side of the lake and to restrict by-right development, where no input from the public and Council was possible. At the same time, this adversely affected the redevelopment potential of subject property, as it placed an arbitrary height limit on the lands that conflicted with the sound, technical focus of the site-specific and discretionary policy already in place for the YMCA lands. This height cap made small building footprints unviable and, in turn, made it impossible to achieve other policy objective specific to this site, including shoreline protection and waterfront access.

The draft Centre Plan seems to continue this well intentioned, but misguided policy approach to development of the subject property by bringing forward the Lake Banook height precinct, as well as introducing other, presently unknown regulations. On behalf of the property owner, we wish to express two concerns regarding the most current draft Centre Plan (SPMS):

Issue 1: Policy 60 prevents approval of the best technical solutions/site design for minimizing wind impact on the Lake Banook course. The preamble to Policy 60 in the draft SMPS refers to a wind impact study that is not identified. This unidentified study is used as rationale for Policy 60, which creates a

blanket height limit of 11 metres on areas identified on Map 3. Our previous submission (**Attachment 1**) contains the most recent and detailed wind study that we are aware of for the subject property, testing the impact of building design and height on course conditions. This study was carried out in 2008 by experts RWDI.

As part of the 2008 study, RWDI consulted directly with Atlantic Division Canoe Kayak Canada (CKC) to refine the evaluation criteria to ensure that the findings addressed potential impacts on the paddling course as best as possible. Its findings were accepted by CKC, as stated in their letter attached to the study in Attachment 1. In their acceptance letter, CKC noted that “there will be no substantial effect on the sprint racing course” due to the construction of two 17-storey towers proposed at that time, and “with less than worst case conditions, effects will decrease to insignificant.” CKC also expressed concern over a 35-foot high (approximately 11 metres) by-right scenario that covered more area, as the RWDI study showed this to result in “noticeable variability in side wind effect relative to the direction of racing.”

This blanket height precinct approach proposed in the draft SMPS seems to ignore the importance of design on a site such as this, situated between a 100-series highway and the lake edge. It fails to consider findings of a detailed wind study and the conclusions drawn by CKC at that time. Like the existing height precinct, it will prevent the owner from bringing forward a proposal that aligns with the intent of the long-standing site specific policy (H-16) for the former YMCA site (pre-dating Policies IP-9 and IP-10). It places too much importance on untested height thresholds that are detached from design and not enough importance on the real mitigation of negative wind impacts that is only achievable through a thoughtful design process.

If the objective for the Lake Banook course area is the mitigation of negative wind impacts, the development agreement process is the most thorough and complete process available to Council and the public. However a 35’ height precinct (11m) prevents the property owner from seeking out the best technical solution and bring forward a redevelopment plan that achieves these objectives.

Requested Action: We request that proposals beyond the 11m height limit be permitted to be considered through the development agreement process when backed-up by a detailed wind study. This is not unlike the approach to development adjacent to rail lines in the draft SMPS (Policy 95), where if the setback cannot be met, other options may be considered when supported with a sound engineering report. Further, it is more in alignment with the original intent of the Former YMCA site-specific policy currently contained in the Dartmouth MPS (H-16). This new Centre Plan policy may be specific to the subject property, as it already has site specific policies in place that support this approach, or otherwise could be available to sites greater than 1 ha in size within the Lake Banook boundary (as this would (as proposed) automatically trigger the development agreement process).

Issue 2: Package “A” contains a “Lake Banook Special Area” designation and schedule, but withholds the actual regulations that it is meant to enable. The draft Regional Centre Land Use Bylaw (LUB) contains a schedule titled “Special Area Boundaries” (Schedule 4). The LUB contains two corresponding “Special Area” regulation sections, one for the Northwest Arm (68) and one for Lake Banook (69). There are no policies contained under either Section 68 or 69, with both noting that the regulations will be brought forward with Package “B”. Schedule 4, however, clearly designates specific properties as within the Lake Banook Special Area, including the subject property and eight additional properties. To our knowledge, this Special Area designation has not been discussed with the property owner(s), despite it affecting only a few select properties.

This is concerning as the public and affected property owners are being asked to comment on a plan that establishes a designation on a select number of properties while withholding the regulations that Staff intend to recommend at a later date. The property owner is left to speculate as to what the intent of this designation may be. We must assume this is an oversight, as this is asking a few select property owners to comment on a special designation, the implications of which are not known.

Requested Action: As it is assumed that Staff have discussed these potential special regulations internally, it is necessary that Staff arrange to meet with the property owner and area Councillor to discuss the intent of the Special Area designation. Without understanding the implications of Schedule 4, we must request that it be removed from Package “A” for reasons of perceived transparency and fairness in the planning process.

Thank you for your consideration. Please do not hesitate to contact me to discuss this matter further or to arrange a meeting with the property owner.

Sincerely,
EDM Planning Services Ltd.

Original Signed

Matthew Neville, MaHS, MCIP, LPP

cc: Jacob Ritchie, Urban Design Program Manager (jacob.ritchie@halifax.ca)
Fred Morley, Chair, Community Design Advisory Committee (clerks@halifax.ca)
Councillor Austin, Councillor for District 5 (austins@halifax.ca)

ATTACHMENT 1



ENVIRONMENTAL DESIGN AND MANAGEMENT LIMITED
PLANNING • ECONOMICS • ECOLOGY • ENGINEERING • GEOMATICS

August 11, 2016

Brandon Silver, Urban Designer
Planning and Development
Halifax Regional Municipality
Via email: silverb@halifax.ca

Re: Centre Plan - Former YMCA Site, Lake Banook, Dartmouth

Dear Mr. Silver,

Please accept this letter as a followup to our meeting on July 21st regarding the Centre Plan and the vacant lands known as the former YMCA site on Lake Banook.

We understand that as part of the Centre Plan process, consideration will be given to the purpose and effectiveness of the Lake Banook Canoe Club Area, as per Map 9s of the existing Dartmouth Municipal Planning Strategy (MPS). Given the previous findings of a sophisticated wind study and the opinion of Canoe Kayak Canada regarding the impact of development on the paddling course, we request that the subject lands be removed from 35-foot height restricted area. This will allow redevelopment of the site in a manner that meets the intent of the site-specific policy regarding the mitigation of negative impacts on the paddling course.

The following documents are attached for reference:

- Attachment 1 - Map of the Subject Parcel with the Lake Banook Canoe Course Area boundary (Map 9s in the Dartmouth MPS);
- Attachment 2 - Attachments from the August 25, 2011 Staff Report to Regional Council including the Wind Study (RWDI, 2008), and 2 letters from the Atlantic Division of Canoe Kayak Canada (CKC).

Detailed rationale for this request is provided in the sections below.

Background

This site has been the subject of site specific amendment applications for additional height and residential density in the past that haven't been successful. The Dartmouth Municipal Planning Strategy (DMPS), however, recognizes the potential of the site in regard to higher intensity of use and public park and recreation uses.

The former Dartmouth YMCA property at the foot of Brookdale Crescent presents an opportunity for a higher intensity or cluster form of residential development, in addition to an opportunity for the dedication of recreational lands, including lakeshore and linkage for the developing Trans Canada Trail. Higher intensity development utilizing a smaller building footprint will enable the potential for shoreline protection, passive recreation and waterfront access opportunities to be maximized.

As part of the criteria for Council's consideration when approving a development agreement on the subject lands is assessment and mitigation of negative impacts on the Lake Banook:

The height, mass and orientation of any buildings(s) on the site shall be designed such that any negative impacts of altered wind and air current patterns on the recreational use of Lake Banook are minimized. The developer shall provide a report, prepared by a qualified person, to detail and analyze the expected effects of the alteration of wind patterns resulting from the redevelopment of this site;

In 2005, subsequent to the adoption of the site-specific policy supporting more intensive use on the subject lands, an amendment to the MPS placed a new 35-foot height limit over an area surrounding Lake Banook (Map 9s). The site-specific policy supporting more intensive use of the site, however, remained in place. As a result, a conflict between MPS site-specific policies and other general policies for lands around Lake Banook was created.

Wind Assessment - Towers vs. 35-foot as-of-right scenario

In 2011, the property owner requested an amendment to construct two 17-storey buildings on the site. As required by MPS policy for the site, the developer submitted a wind study completed by RWDI (2008). Through the modeling and testing of the development scenario, RWDI consulted with CKC to refine the evaluative criteria to ensure the report addressed potential impacts on the Lake Banook paddling course. Both RWDI and CKC advised HRM that impacts of the two tower concept on the lake would not be substantial.

CKC also expressed their concern around the as-of-right alternative to the two-tower scenario, as the RWDI wind study showed potential for a 35-foot high, large area building to have "noticeable variability in side wind effect relative to the direction of racing, when compared to other tested structures [including the two-tower scenario]".

Meeting the Objectives of the Plan

The subject lands are zoned R-3, which permits apartment buildings by DA. There are a number of taller buildings along the lake shore adjacent to the subject lands. The subject lands must also adhere to additional DA criteria unique to this site. These policies (H-16) are intended to encourage higher intensity development utilizing a smaller building footprint. However, as demonstrated by the wind study (completed in collaboration with CKC), this 35-foot height restriction actually prevents multiunit development on the site from meeting the objectives set out in the site-specific policy due to the predicted impact of an as-of-right or a discretionary multiunit building of 35 feet in height.

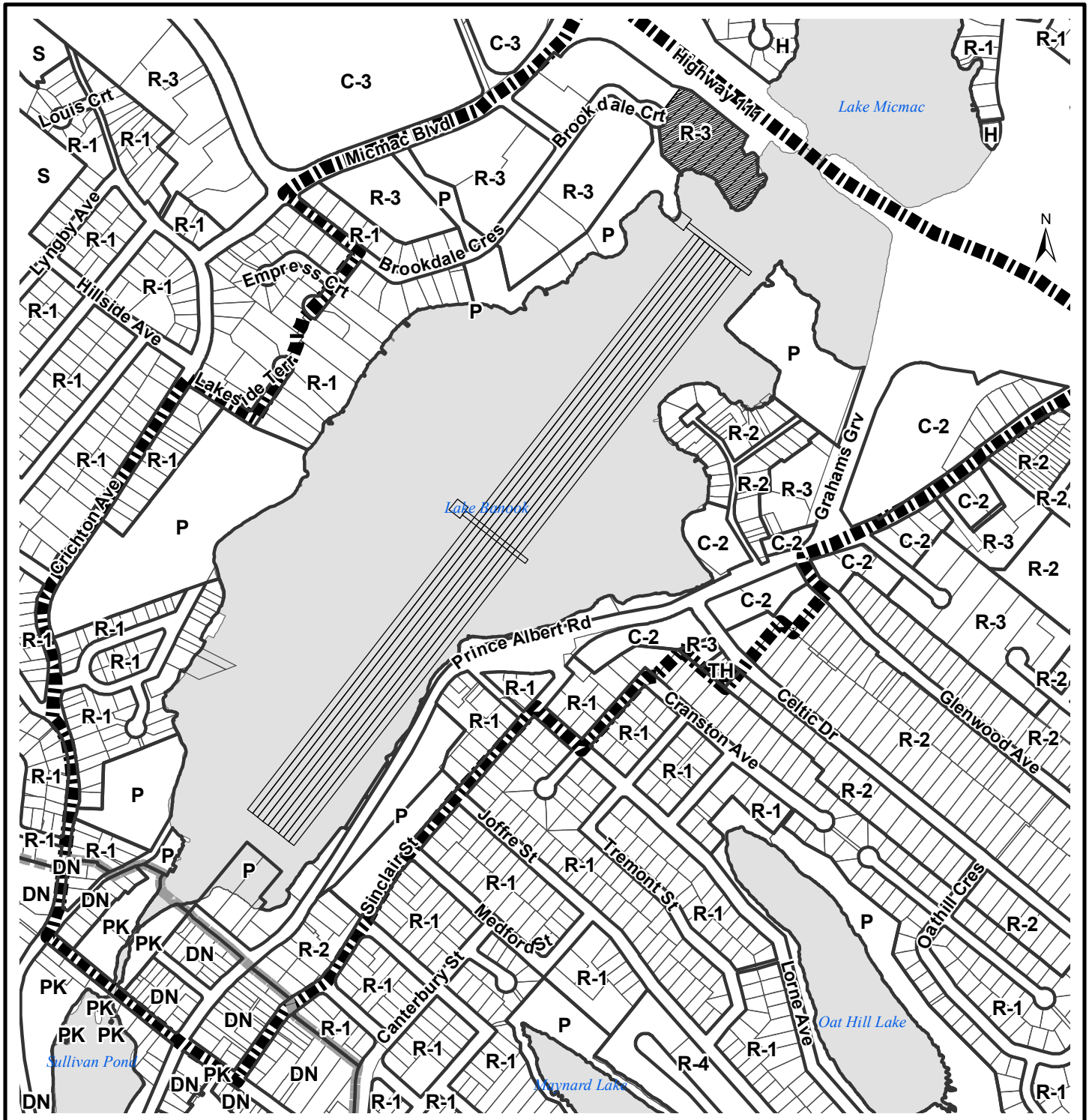
The MPS policy and the findings of RWDI and CKC agree that higher intensity development needs to utilize a smaller building footprint in order to protect the integrity of the canoe course and to retain the shoreline for recreation (trail) uses and water access. This site has tremendous potential for multiple-unit redevelopment close to major employment areas within the Centre Plan area. There are also opportunities to complete the trail system, provide public lake access, and maximize the treed buffer along the shoreline. To meet these objectives, the height restriction - which currently prohibits implementing the best design options for the site - must be removed. We ask that this issue be considered during the review of the Lake Banook Canoe Course area boundary that is to occur as part of the Centre Plan process.

Please contact me at your convenience to discuss further or if we can provide any additional material at this time.





Sincerely,
EDM · Environmental Design and Management Limited

Original Signed

Matthew Neville, MCIP

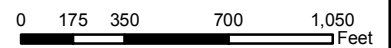


Map 2 - Zoning and Location

-  Subject Property
-  Lake Banook Canoe Course Area
-  Canoe Course
-  Plan Area Boundary

Zone	R-1	Single Family Residential
	R-2	Two Family Residential
	R-3	Multiple Family Residential
	TH	Town Housing
	C-2	General Business
	C-3	General Business
	P	Park
	S	Institutional
	H	Holding
Dartmouth	DN	Downtown Neighbourhood
	PK	Park and Open Space

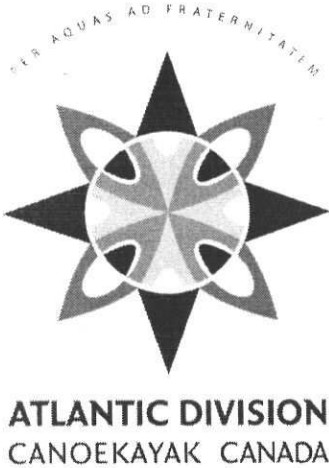
HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES



This map is an unofficial reproduction of a portion of the Zoning Map for the Dartmouth Plan Area.

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

ATTACHMENT 2



May 6, 2010

United Gulf Developments Limited

380 Bedford Highway
Halifax, Nova Scotia
Canada
B3M 2L3

Attention Mr. Patrick LeRoy

References: -RWDI Final Report 03-1451 - Wind Impact Study, Lake Banook, February 13, 2004
-RWDI Definition letter reference # 0940855 - Development of Guidelines & Criteria for the Assessment of Wind Tunnel Study Results, Lake Banook Canoe Course, July 29, 2009
-2807 A1 site plan-A1.pdf
-RWDI Spreadsheet with additions - Lanes_2009_Ralphs additions V2_HW.xls received February 11, 2010

Dear Mr. LeRoy,

This letter is to report the analysis and findings determined by the Atlantic Division CanoeKayak Canada on the wind studies undertaken by RWDI for the proposed United Gulf building to be located at the head of Lake Banook on what is locally known as the YMCA property.

I would like to thank you for your assistance in providing answers to all our questions and accepting our input into the analysis spreadsheet.

During the course of our involvement it has become apparent that the exact modeling parameters and criteria to apply in the study are complex and so reasonable "worst case" conditions were used. The results were compiled using the following parameters:

- Sustained wind speed of 7 m/s (25.2 km/h), a speed which would be a reasonable upper limit for normal racing conditions. Winds of this speed or above occur on average 16.4% of the time between July 15 and September 15 during the racing day of 8AM to 6PM for the angles stated in point 2.
- Wind direction from 320 to 60 degrees relative north, this encompassing tail wind and side winds from both sides of the course.

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The Bell Aliant Racing Centre
34 Boathouse Lane Dartmouth, NS

Mailing Address
Po Box 295
Main Postal Office
Dartmouth, NS B2Y 3Y3

P: (902) 466-9925

www.adckc.ca

- Weighting of the effects of side wind vectors of 1, 2 and 3 times that of a tail wind vector to determine sensitivity of canoe transition time differences across all lanes for the first 150 meters of the course.
- Effects with and without buildings and trees (proposed 2003 design and 2008 design).
- Using an ICF race (Szeged 2006, mens 1000M) as an evaluative baseline where wind caused unexpected lane 9 wins due to wind conditions, an average 6 second advantage was calculated. This equates to 1 second over 150 meters. For the Lake Banook analysis, a 2 second value was used.

The criteria agreed upon was one of fairness across all lanes of the course. This was based on the premise that, when averaged, with the presence of the 2008 building design there will be no significant change of advantage or disadvantage across all lanes over the first 150 meters of the course under the worst case conditions defined above.

During the course of the evaluation of the data, several points of note became apparent.

The effect of a very large footprint building of 35 foot height, defined as an “As of Right” development by HRM, causes undesirable time variation with cross winds weighting. See Attachment 1. The “flatness” of the graphs for the 2003 and 2008 building designs indicate less sensitivity to wind weighting changes.

Trees, but no building, along the shoreline have a significant effect with wind angles from 320 to 10 degrees. See Attachment 2. The 2004 analysis modeled a large gap along the whole beach area whereas the 2009 analysis modeled a fully treed shoreline yielding a more uniform time difference result. The changes made in the actual tree plantation (removal then replanting) by HRM in order to accommodate sewerage conduit realignment as of summer 2009 tend towards the 2009 analysis.

Generally accepted practice for anemometry indicates that the downwind disturbance effect from an obstruction will rapidly decrease to zero over a distance equivalent to 10 diameters of the obstruction from the center of the obstruction. The proposed 2008 building design, twin 16 storey towers on a one storey podium shown in Attachment 2, has an approximately 25 meter diameter for each tower, therefore will have no wind effect 250 meters downwind from each tower center point. This corresponds to less than 150 meters of the course.

In conclusion, after presentation to the Division Executive and Division Membership it is the determination of the Atlantic Division CanoeKayak Canada that, using the United Gulf 2008 building design as presented, the 2009 RWDI wind study data and methodology, the references listed and the estimated worst case conditions stated in this letter, there will be no substantial effect on the sprint racing course, and with less than worst case conditions, effects will decrease to insignificant.

The data analysis has been carried out, and recommendations presented by Mr. Steve Giles, P. Eng., an Olympic paddling champion and professional engineer, and Mr. Ralph Orton, BSc Electronics Engineering who works in the environmental and climatologically engineering field. Mr. Orton has served in several capacities within the canoeing community, and for the last 3 years has been Flag Officer for the Atlantic Division CanoeKayak Canada.

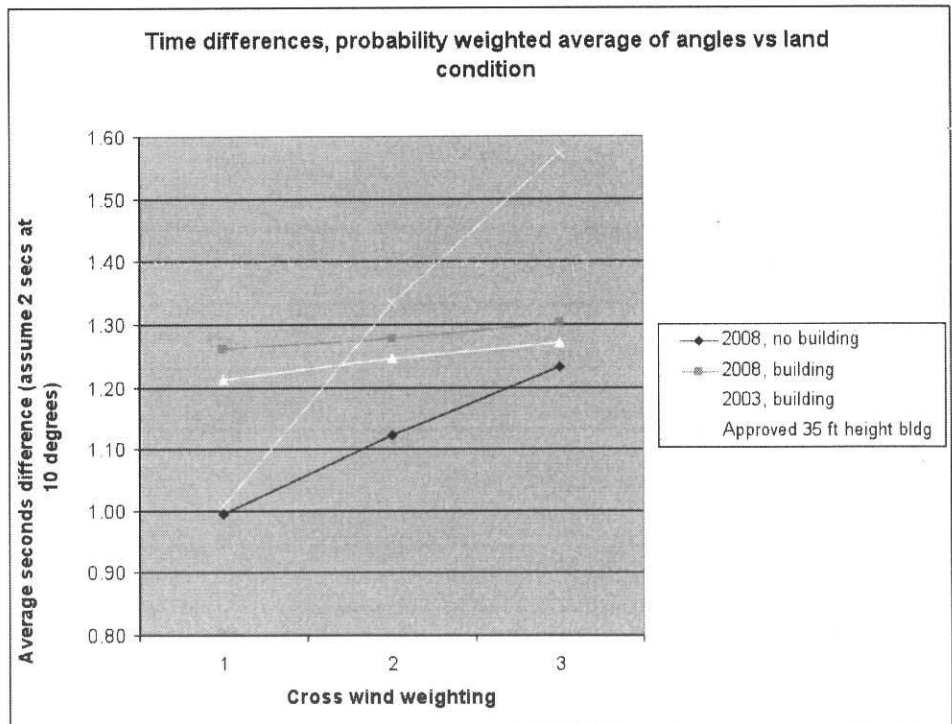
Sincerely,

Original Signed

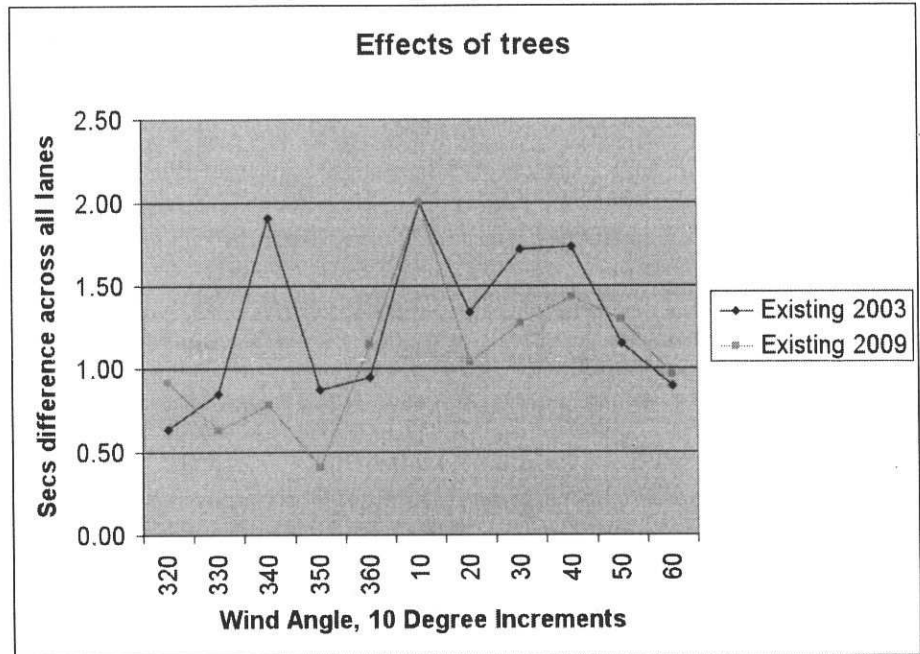
For the Atlantic Division, CanoeKayak Canada

- Attachments: 1. As of right 35 foot building (approved massing)
2. Trees only 2003 and 2009, Proposed building 2008

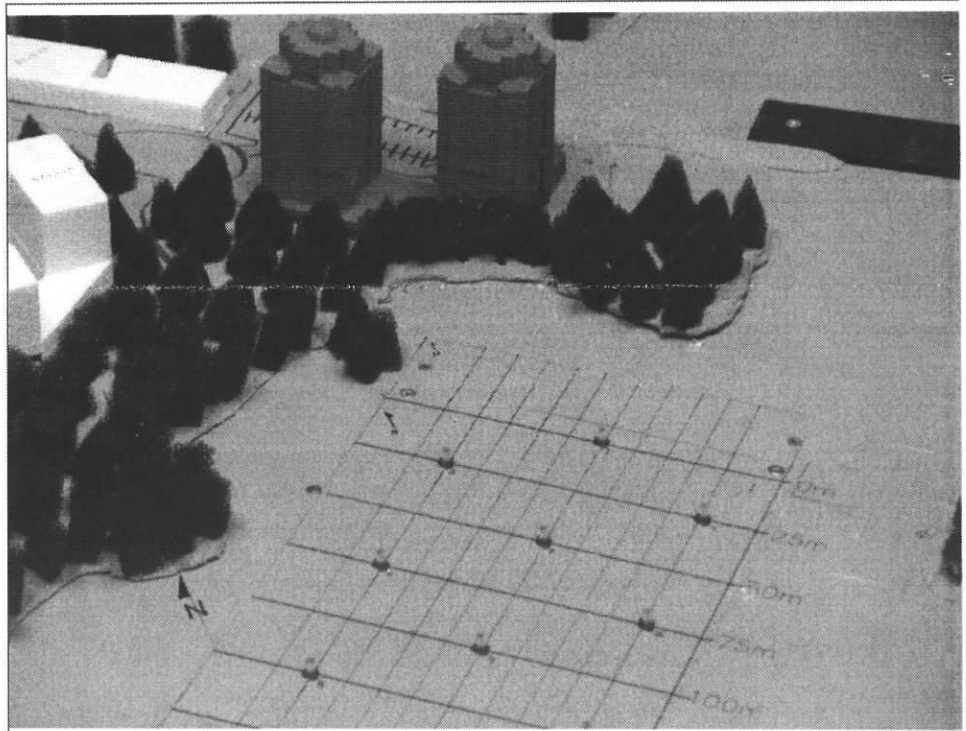
Attachment 1 – As of right 35 foot building (approved massing)



Attachment 2 – Trees only 2003 and 2009



Proposed building 2008



Attachment D2: Correspondence from the Atlantic Division of Canoe/Kayak Canada



ATLANTIC DIVISION
CANOEKAYAK CANADA

14 January 2011

For the attention of Mr. M. Dickey, Planner, Halifax Regional
Municipality

Reference: HRM staff clarification questions of November 29th meeting
between HRM staff Kurt Pyle, Mitch Dickey, United Gulf representative
Patrick LeRoy, ADCKC representative Ralph Orton and RWDI
representatives Hanqing Wu, Edyta Chruscinski.

Dear Mr. Dickey,

Please find below, on behalf of the ADCKC, the information needed to
answer your questions of our meeting of November 29th 2010.

This meeting was called by HRM staff to assist with their understanding
of the analysis, criteria and results of the 2007 wind testing. The Atlantic
Division Canoe Kayak Canada (ADCKC) had provided a letter on May 6,
2010 to United Gulf stating that the Division's analysis of the data showed
that the effect of the tested building would not substantively affect the
racing course.

Background:

The proposal from United Gulf in 2003 to place a multi-storey
development at the head of Lake Banook on what is locally known as the
YMCA property led to a wind study being undertaken to evaluate the
effects on the racing course. The outcome indicated that there were
several points on the first 150 meters of the course where the result fell
outside of the criteria set by ADCKC at that time. The 2003 building
design was subsequently determined not to meet density MPS and by law
requirements (Originally proposed 168 units including town houses vs.
current proposal for 128 units –two towers, no townhouses), and therefore
was redesigned by United Gulf. Due to this, another wind study was
deemed to be required, however HRM stated that they would not be
involved in this, but that United Gulf and ADCKC must negotiate any
follow on analysis, determination of the results and provide a document
defining the acceptability or otherwise of the results. The additional wind
model testing was conducted in 2007 and discussions between United Gulf
and ADCKC started in April 2009 with data analysis following. The
outcome was the previously mentioned ADCKC letter which is the
primary and definitive document stating the ADCKC decision. HRM has

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subsequently requested clarification prior to presentation of their staff report to Council, and this follows.

Sincerely,

Ralph Orton,
Past Flag Officer, Atlantic Division CanoeKayak Canada

cc. P. LeRoy, S. Giles, R. Fair

HRM Questions and ADCKC response:

The following are the questions posed by HRM and the responses provided by Mr. Steve Giles, P. Eng., an Olympic paddling champion and professional engineer, and Mr. Ralph Orton, BSc Electronics Engineering who has worked in the environmental and climatologically engineering field. Mr. Orton has served in several capacities within the canoeing community, and between 2006 - 2009 (the period during which the analysis was performed) was Flag Officer for the Atlantic Division CanoeKayak Canada:

1. Why were the testing criteria from 2004 changed?

The criteria from 2004 addressed point by point absolute wind speeds and directions of the wind only, and did not calculate the quantitative wind force effects on the canoe and paddler such as tail versus side wind effects. The cross wind effect on a canoe is substantial because of the large side area of the boat versus the tail wind effect on the relatively small area of the boat from this direction. The aim of the criteria used in the 2009 analysis was that of fairness across all lanes of the course. This meant that if wind induced effects occurred between the test with a building and without building, the effects should not unduly provide advantage or disadvantage across the lane(s). The 2004 study stated that the wind angle change must not cross a set of sector angles determined by the ADCKC, however this did not take into account that the original wind direction may already be close to the sector boundary limit and a change of a few degrees would cross the sector boundary, where in practical racing terms the net effect would be unnoticeable. See Appendix A for an example.

2. What are the new criteria & how were they arrived at? What were the criteria changes 2004-09?

There were no changes in the recording of raw wind tunnel data output between the two studies and the 7 m/s (25 kph) threshold was used as in 2004. The wind angles were limited to angles 320 to 60 degrees relative North, as outside these angles there is no building induced effect. Wind data were gathered using sensors in lanes 1, 5 and 9. There were changes in the manner of analysis of the raw data for the 2009 study in that the wind speeds were converted to wind force indices on the canoe. The data was gathered for a tree line topology as in 2004, a continuous tree line as expected when the new trees planted after the sewer line construction become mature, then with the proposed building, and further with a block structure of 35 feet height.

-Wind speed and direction variances provided for?

The wind speed and angle for lanes was resolved into an along course vector and cross course vector and these were used to compute the wind force index on a canoe. See vector diagram in Appendix B. This was used with the Cumulative time change assumption below to calculate the variance of difference across all lanes for each wind angle.

-Cumulative time change assumption?

A practical example of the real effect of wind on a race was needed to provide a base time number to work with. The world championship 1000m races held at Szeged, Hungary 2006 were used. The racing was affected by winds from sectors to the rear and side of the racing boats causing boats in lane 9 to win by approximately 6 seconds. This is unusual as normal racing advancement would place the fastest racers in the center lanes. Using this fact, there would be approximately a 1 second advantage over 150m (the distance at the start of the Lake Banook racing course over which the proposed development would have an effect.) For the purposes of the wind study analysis we doubled the advantage to 2 seconds to make a worst possible case over the 150M distance, and assigned this time value to the angle that had the largest wind force index. (The worst case occurred at 10 degrees for the existing conditions in the 2007 test). Also, as side wind weighting has more effect than along the course, analysis was repeated with side wind weightings of 1, 2 and 3 times that of the along course. This provides worst case results and illustrates the progressive effects.

-What is the breaking point from acceptable to excessive?

It is unlikely that an expert canoe racer will be able to produce successive race times under similar conditions that would be closer than 0.5% repeatable at best. This represents 1.2 seconds on a typically 240 second (4 minute) 1000m canoe race. This is considered to be a reasonable breakpoint from acceptable to excessive. The time difference between the results for a model without a building and that with a building (worst 1.19 secs), and the model with trees and without trees (worst 1.12 secs), at any wind angle, are below this time.

2a. A question posed by HRM staff on December 17th subsequent to November 29th meeting.

-Were the newly planted lakefront trees presumed at full growth in the 2008 model? What are the results without the trees? Given the period of time to get to full growth, that could be seen to be misleading. Also, we're seeing more often that trees are a temporary feature.

The tree lines that were used are shown in photographs of the wind tunnel models in Appendix C. Note that the models were produced and tested prior to the sewer trunk installation and the associated tree line changes of 2008/9 and so were based on the best information at that time. At the request of Mr. Patrick LeRoy of United Gulf, Mr. Hanqing Wu of RWDI provided a response to this question on December 21st as follows:

A detailed discussion was provided in our report (2004) regarding the impact of the trees. Our comparisons of wind conditions on the lake focused on different building configurations, not on tree conditions. Table 1 in our report presents the results for 2003 testing under the same tree conditions (i.e., with a large "opening" in trees along the shore line), and Table 2 is for the 2008 testing with a continuous tree line. It is our opinion that trees in the summer have a significant effect on wind conditions and they should be modeled in wind studies. For the current project, our conclusion that the proposed development has an insignificant impact on wind conditions would unlikely be any different, with or without the trees being modeled.

3. What were the modeling results on the course? Is pass/fail easily determined?

The modeling results are best viewed as graphs with descriptions as shown in Appendix C. Pass/fail is based on the difference between the two graphed lines on each graph not exceeding the breaking point described above in Question 2 bullet 3. The results show that the time difference is less than the limit stated as the breaking point and therefore passes.

4. Is the current proposal (Building) shown to HRM identical to the one tested in 2007?

United Gulf was asked to provide this answer as ADCKC could not. Their reply, “Yes, excluding cladding materials.”

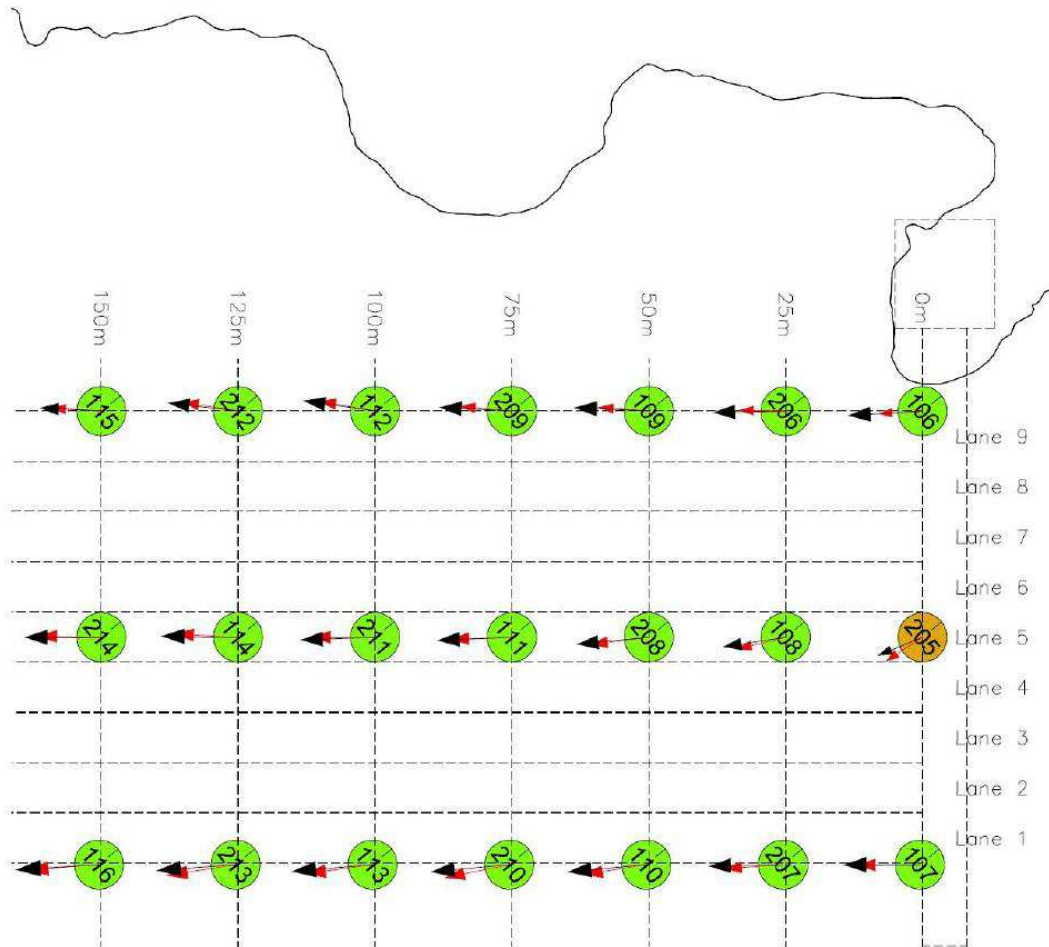
5. Does Canoe/Kayak Canada (ADCKC) agree with both the methodology & findings? How were the criteria approved, and who will speak to this publicly on behalf of CKC (ADCKC)?

ADCKC was closely involved in the determination of the criteria, the analysis and results for the data in that Steve Giles, Olympic paddler, an ADCKC representative on the wind studies since 2004, and Ralph Orton, Past Flag Officer for ADCKC, were the individuals performing this work. With the ADCKC Executive’s permission, these individuals will speak on this matter. The wind study results were presented to the ADCKC Executive who voted to recommend to the Division membership that the formal letter referenced above be released to United Gulf. The membership passed this at a vote taken at the April 2010 Semi-Annual General Meeting.

6. Are these criteria appropriate to use all around the lake?

While the wind study principles may be applicable, the criteria was tailored for the specific circumstances that apply to the area near to the proposed building and locale, including tree cover, and the fact that the racing boats are stationary (starting line) within the affected area. Therefore ADCKC does not feel that the specific criteria are appropriate for use all around the lake.

Appendix A



Local Wind Direction - Wind from 20° Lake Banook Canoe Course - Dartmouth, Nova Scotia	True North 	Drawn by: DIM Approx. Scale: 1:1000	Figure: 2a Date Revised: Feb. 3, 2004	
	Project #03-1451			

2004 criteria; Sector change due to small change in wind angle in sensor 205

Appendix B

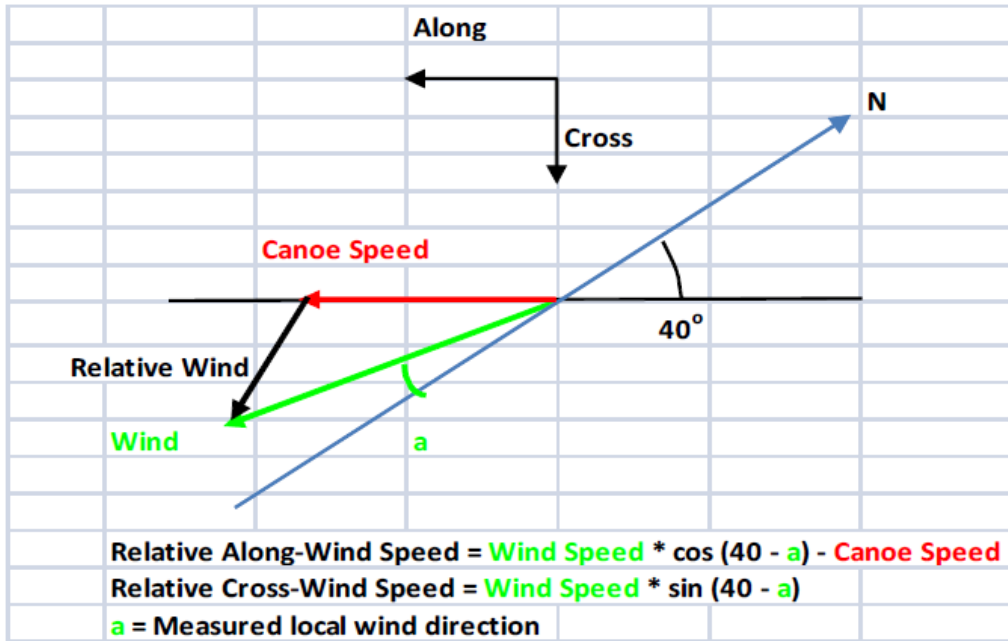


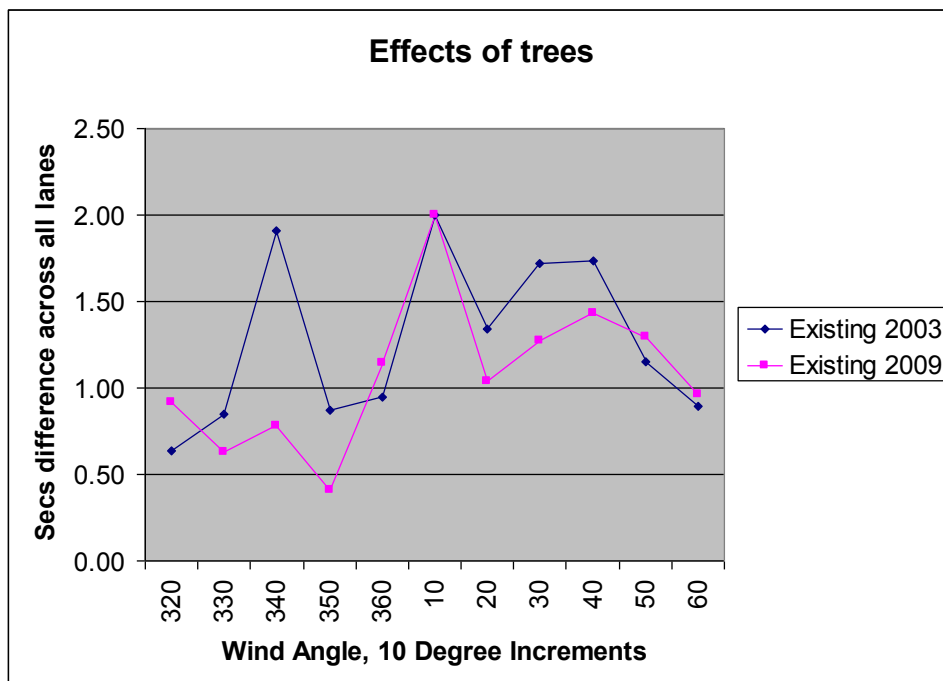
Figure 4: Relative speeds along and cross the course

Appendix C

The calculation of the induced time differences for the wind study is an intensive mathematical procedure. The data has been reduced to graphs for ease of understanding, however they contain significant information which needs explanation.

Each data point is the induced time difference (Y axis) across all lanes when the wind is at the respective angle (X axis). The induced time difference number is calculated from a peak 2 second time difference at a wind angle of 10 degrees (The peak wind force index from all results occurs at this angle hence we set the worst case 2 second criteria here). The difference in time at any one angle between the blue and pink lines of the first graph is the effect of the change in tree cover between 2003 (open beach area) and 2009 (full tree cover, see proposed building picture).

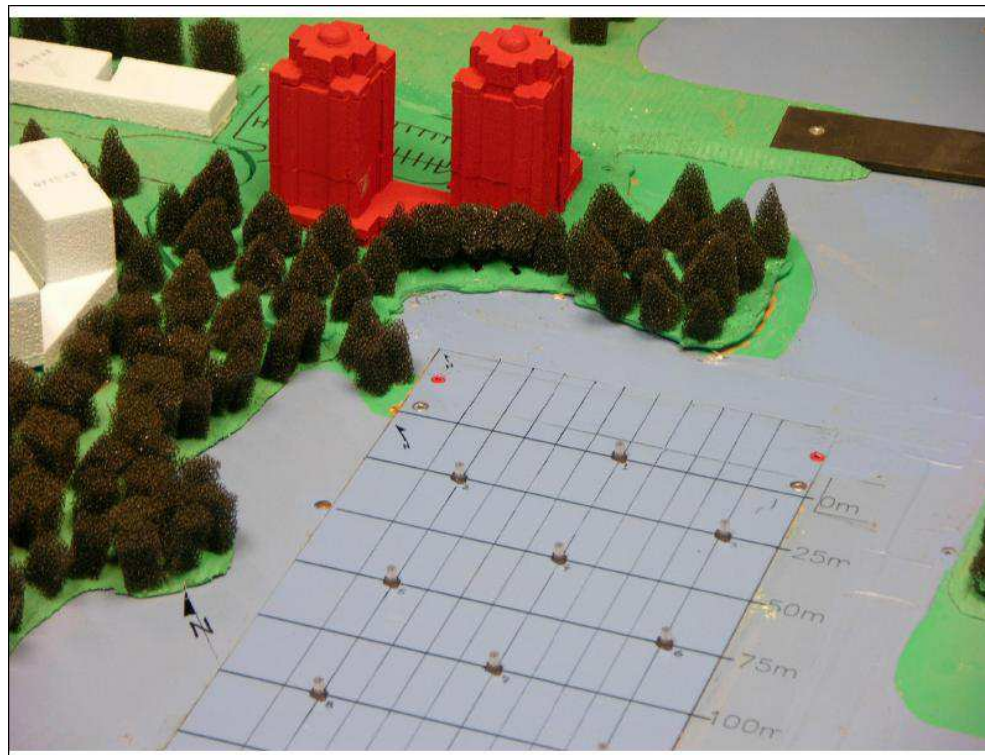
The difference in time at any one angle between the blue and pink lines of the second graph is the effect of the proposed building and surrounding trees. This graph also has the number of racing days (X axis) in a racing season that the wind is blowing at this angle at up to 7m/sec. (criteria limit). A racing season is defined as July 15th to September 15th (63 days) and a racing day is between 8:00 AM and 6:00 PM.



Trees only 2003 (open beach area) and 2009 (full tree line along beach)

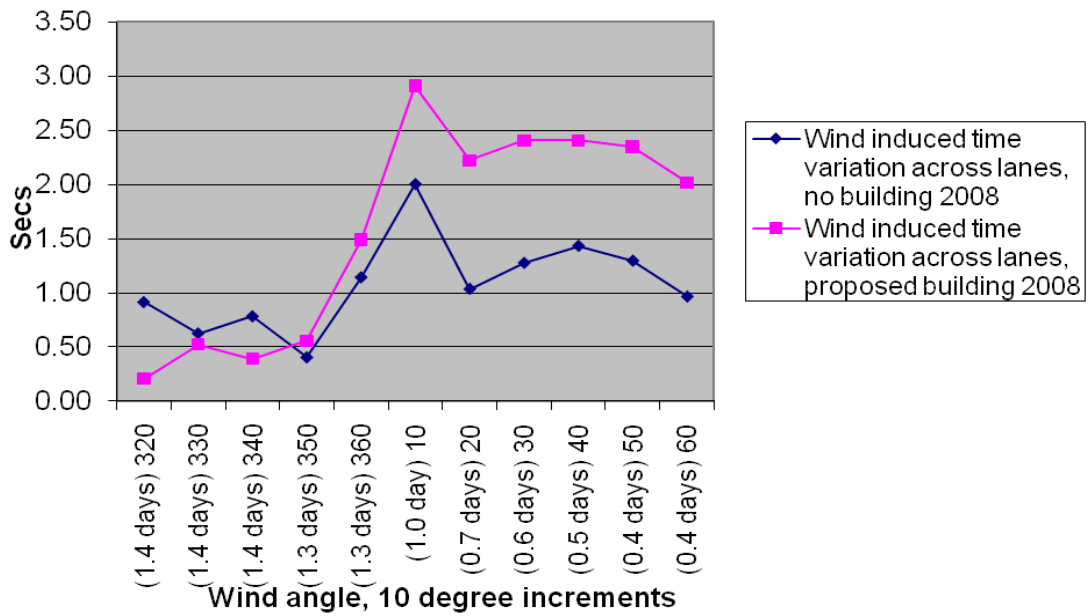


Tree line 2003



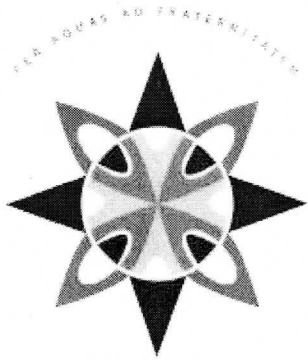
Proposed building 2007 and tree line

Time variation across all lanes vs wind angle 2008 for single weight cross wind



Induced time differences for proposed site, no building and building

Attachment D3: Correspondence from the Atlantic Division
of Canoe/Kayak Canada



ATLANTIC DIVISION
CANOEKAYAK CANADA

Joseph Driscoll
Senior Planner
Planning Applications
Community Development
Halifax Regional Municipality

8 June 2011

References:

- 1) May 6 2010 ADCKC Letter to United Gulf – Opinion on wind study
- 2) Wind Study analysis spreadsheet – Lanes_2009_Ralphs additions V2_HW.xls

Dear Mr. Driscoll

It has recently been brought to my attention by Mr. Patrick LeRoy of United Gulf that their application for the proposed twin tower building on the former YMCA property at the head of Lake Banook will not receive planning department recommendation to proceed. As I understand the situation, this leaves them with the ability to proceed only with a building of 35 foot maximum height and that this as of right building would be designed to maximize the number of living units allowable in the footprint.

In recent discussions between yourself and Atlantic Division Canoe Kayak Canada (ADCKC) representatives Ralph Orton and Steve Giles, the effect of a 35 foot height, large area building, as tested in the 2007-2008 RWDI wind study and included in the subsequent analysis by RWDI and the ADCKC, showed the potential to have noticeable variability in side wind effect relative to the direction of racing, when compared to the other tested structures. As a side wind effect is most disruptive at the starting line where the paddlers are stationary or moving at low speeds, this is the area of most concern to us.

As shown in the wind study analysis, there is an overall wind moderating effect by a well developed tree line between the building structures and the lake side. In any future development of the site, I would request that a screen of trees be considered to help mitigate the wind effects of any building structure at this site.

Thank you for your consideration of this matter.

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34 Boathouse Lane,
Dartmouth, NS

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PO Box 295
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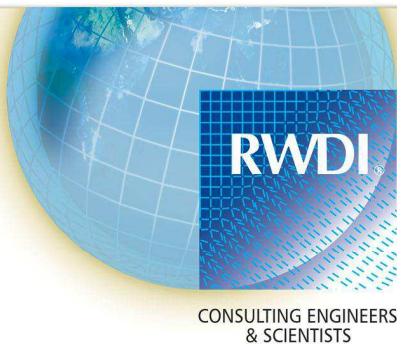
"Per Aquas Ad Fraternitatem"

Sincerely,

Original Signed

Rick Fair,
Flag Officer, Atlantic Division CanoeKayak Canada

cc. Patrick LeRoy, United Gulf



Rowan Williams Davies & Irwin Inc.
 650 Woodlawn Road West, Guelph, Ontario, Canada N1K 1B8
 Tel: (519) 823-1311 E-mail: info@rwdi.com
 Fax: (519) 823-1316 Web: www.rwdi.com

Date: November 13, 2009 RWDI Reference #:0940855 Pages (Including Cover): 12

To: Patrick Leroy – United Gulf Developments Limited E-Mail: patrick@unitedgulf.ca

From: Hanqing Wu – RWDI E-Mail: Hanqing.wu@rwdi.com
 Edyta Chruscinski – RWDI Edyta.chruscinski@rwdi.com

RE: **Draft Final Report - Lake Banook Canoe Course - Dartmouth, Nova Scotia**

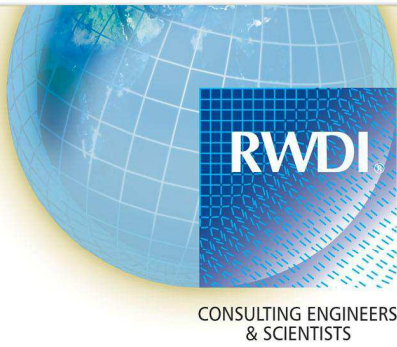
1. INTRODUCTION

Rowan Williams Davies & Irwin Inc. (RWDI) was retained by United Gulf Developments Limited (UG) to undertake a wind study to determine the effects that the proposed condominium project on the north shore of Lake Banook may have on the Lake Banook Canoe Course in Dartmouth, Nova Scotia. This objective was achieved through wind tunnel testing of the existing, proposed and other building configurations and analysis of local wind climate on summer days to determine the potential variations of wind speeds and directions on the Canoe Course.

Since there are no established criteria available for assessing the wind effects on canoe/kayak competitions, considerable efforts have been made since 2003 by RWDI, UG, the Canadian Canoe Association (CCA) and Halifax Regional Municipality (HRM) to develop guidelines and criteria acceptable to all the parties involved. A report was issue by RWDI to HRM on February 13, 2004¹ based on the wind tunnel results for the existing and then-proposed building configurations. Another round of testing was conducted in 2008 for a revised building design as well as existing, approved and previously proposed configurations, due to changes in the building design and tree conditions along the shore line.

The current report summarizes the results of the wind study, with the focus on the establishment of wind criteria, the comparison of wind conditions for various building configurations and the potential wind impact of tree conditions in the area. Based on the results from the current study, it is our opinion that the wind effects that may be caused by the proposed condominium development on the canoe course are localized and their overall impact is likely to be insignificant.

¹ RWDI Final Report – Wind Impact Study – Lake Banook Canoe Course, Dartmouth, Nova Scotia, by Hanqing Wu, Dan Bacon and Harry A. Baker, submitted to Halifax Regional Municipality, February 13, 2004, RWDI project Number: 03-1451.

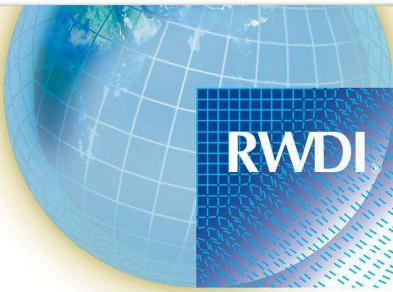


2. WIND STUDY CONDUCTED IN 2003/2004

2.1 General Findings

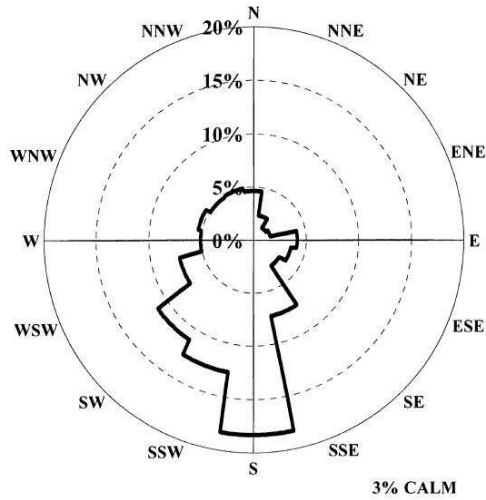
Based on the wind-tunnel results obtained in August 2003 and January 2004, it was generally agreed that:

- (1) Lake Banook is a natural racing course, and variations in wind speed and direction would be expected throughout the course and during the year, due to the nature of local weather, topography and surroundings.
- (2) The potential influence of the proposed development on the wind conditions on the lake is limited to an area from the start line to the 150 m point of the 1000 m course for winds from 320° to 60° only.
- (3) Winds from the 320° to 60° directions occur approximately 16.4% of the time on summer days from July 15 to September 15 for the hours of 8:00a.m. to 6:00p.m., based on the long-term data recorded at the Shearwater Airport. The prevailing winds are from the south through southwest directions, as indicated by the upper wind rose in Figure E on the next page. (Figure E was extracted from the 2004 report).
- (4) A mean speed of 7 m/s or 25 km/h can be used as a reference in this analysis. For some past Olympic Games and other international competitions races are postponed when wind speed is greater than 7 m/s. The speed is exceeded for approximately 10% of the time based on the local airport data for all directions, as indicated in the lower wind rose in Figure E. Lower wind speeds can be expected 90% of the time.
- (5) Wind sensors, developed by RWDI for use on scale models, are capable of measuring both the mean wind speed and direction at 1.5 m above the water surface. Figure 2a on Page 4 was extracted from the 2004 report as an example. These sensors were installed at every 25m along Lanes 1, 5 and 9 to measure the wind flow patterns on the course.

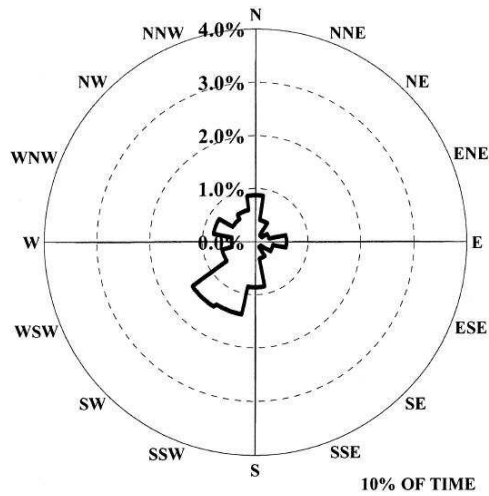


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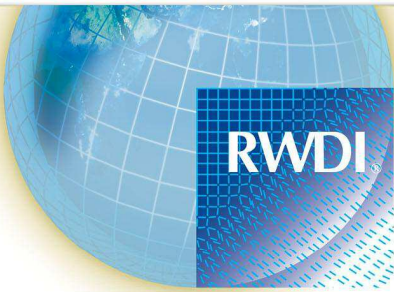


All Winds



Winds > 25 kph

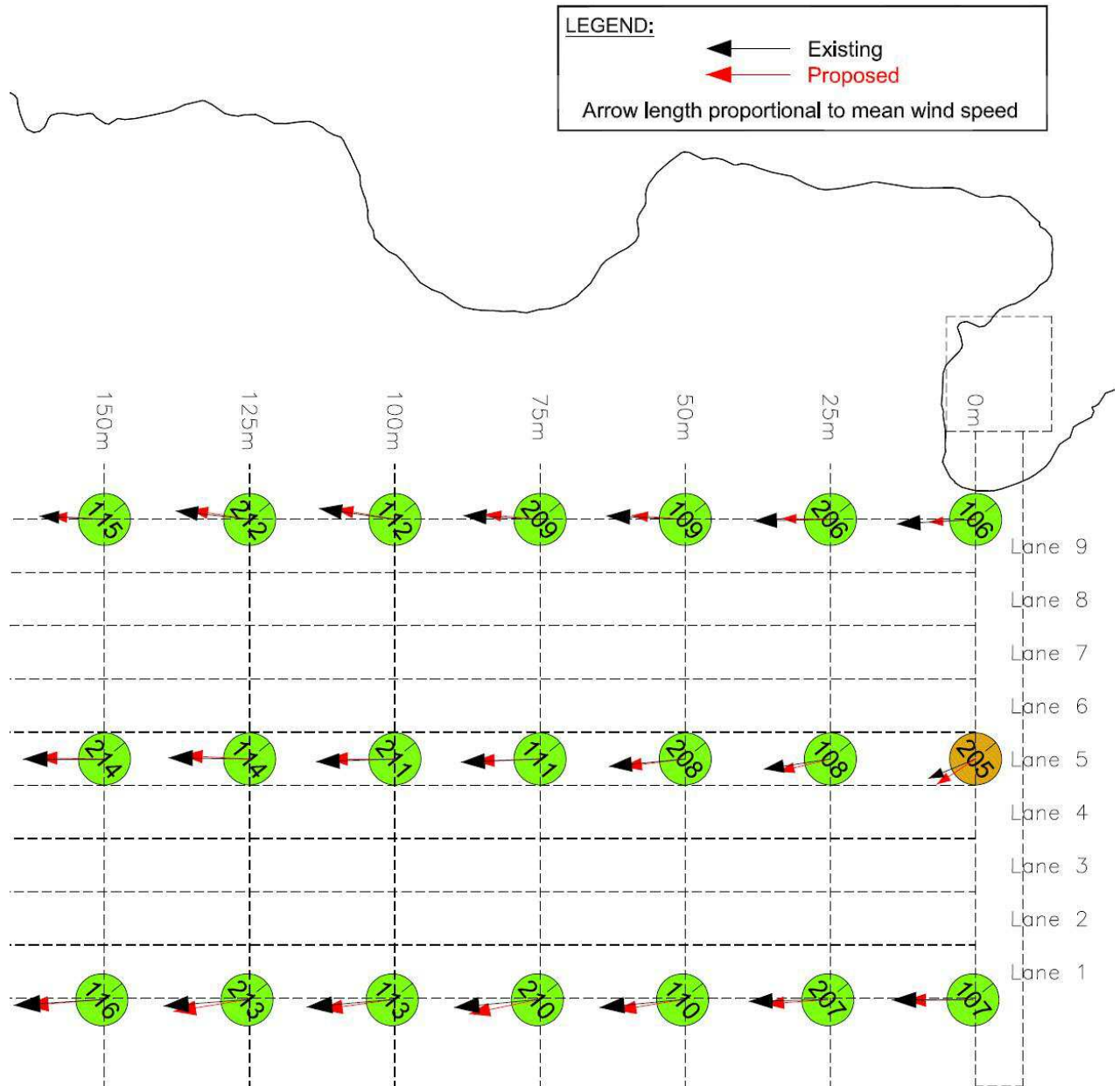
Directional Distribution (%) of Winds (Blowing From) Station: Shearwater AP, NS (July 15 - Sept 15, 8:00am - 6:00pm, 1953 - 2002)	Figure No. E	
	Date: Oct. 29, 2003	
Lake Banook Canoe Course - Dartmouth, NS	Project #: 03-1451	



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Example of Sensor Layout



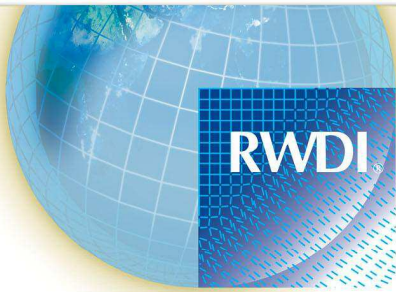
Local Wind Direction - Wind from 20°

Lake Banook Canoe Course - Dartmouth, Nova Scotia



Drawn by: DJM Figure: **2a**
 Approx. Scale: 1:1000
 Date Revised: Feb. 3, 2004





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2.2 Development of Guidelines and Criteria

Without any established wind criteria available for the analysis, direct comparisons of wind speeds and directions have been made between the Existing and the 2003 Proposed wind conditions. These comparisons were made for the average speeds and directions along the measured lanes first through the entire course and then within the first 150 m. More detailed comparisons were also conducted for each measurement point within the first 150 m for both wind speed and direction. The results were presented in RWDI's final report to HRM, dated on February 13, 2004.

Discussions in 2004 between the CCA and RWDI led to a plot of six directional sectors for a typical canoe (Figure 3). It was determined that as long as the existing and proposed wind directions remained in the same sector at any given point on the course, the wind conditions would be considered acceptable. Also, the probability of the existing and proposed wind directions falling into different sectors was calculated. If the probability for a directional switch was high (exceeding 66% or 2 out of 3), it would mean a "failure" in the point-by-point assessment, as suggested by the CCA.

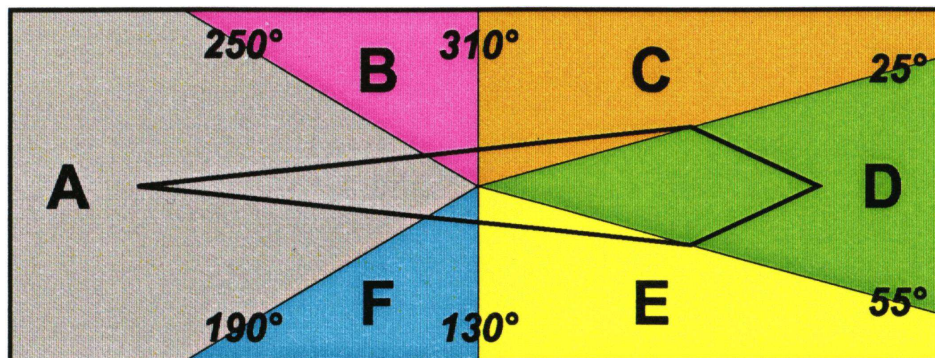
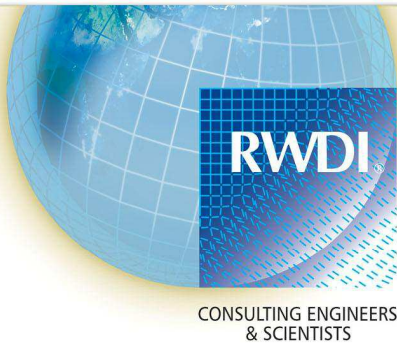


Figure 3: Six wind sectors for a typical canoe.

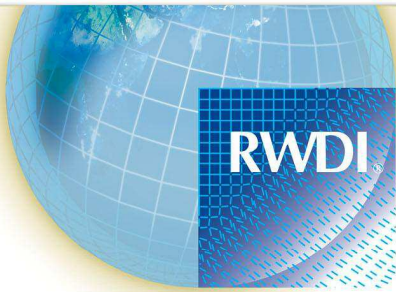


3. ESTABLISHMENT OF NEW CRITERIA

3.1 Further Thoughts

Discussions continued after the submission of RWDI's final report in 2004. Additional thoughts came out of the subsequent conference calls between RWDI, UG, CCA and HRM. Further analyses were carried out by RWDI with an intention to develop a simple wind criterion to ensure uniform wind and fair racing conditions on the lake.

- (1) One immediate question on the point-to-point comparison is how many points with a high probability of directional switch are allowed for each wind direction. Zero, one or two points (out of 21 measured points within the first 150 m) per wind direction? More importantly, it is our opinion that, if a directional switch at a point makes the proposed wind conditions more uniform between the lanes than those that currently exist, then the proposed wind conditions (or the directional switch) should not be considered a "failure".
- (2) When canoeists paddle along the course, they are affected by the relative wind speed (i.e., wind velocity minus the canoe speed). For instance, if the canoe speed is 15 km/h and winds of 18 km/h are from 40° (parallel to the course), the actual tail winds are only 3 km/h on the back of canoeists. If winds are from the opposite direction (220°), then the relative head winds on the face of canoeists would be 33 km/h.
- (3) The relative wind speeds can be divided into along- and cross-course components (Figure 4). Tail winds along the course would be advantageous to canoeists, while head winds and cross winds (in either direction) are considered disadvantageous.
- (4) Wind effects on canoes and paddlers are not directly proportional to the relative wind speed, but to the wind force or the relative wind speed squared. While the total wind effects may be complicated by numerous factors (e.g. aerodynamics of canoes and paddlers, wind directions, wind-induced waves, paddlers' capability of dealing with different wind/wave situations, etc.), the relative wind speeds squared will be a key indicator (Wind Force Index) and should be used in future analysis of wind effects.



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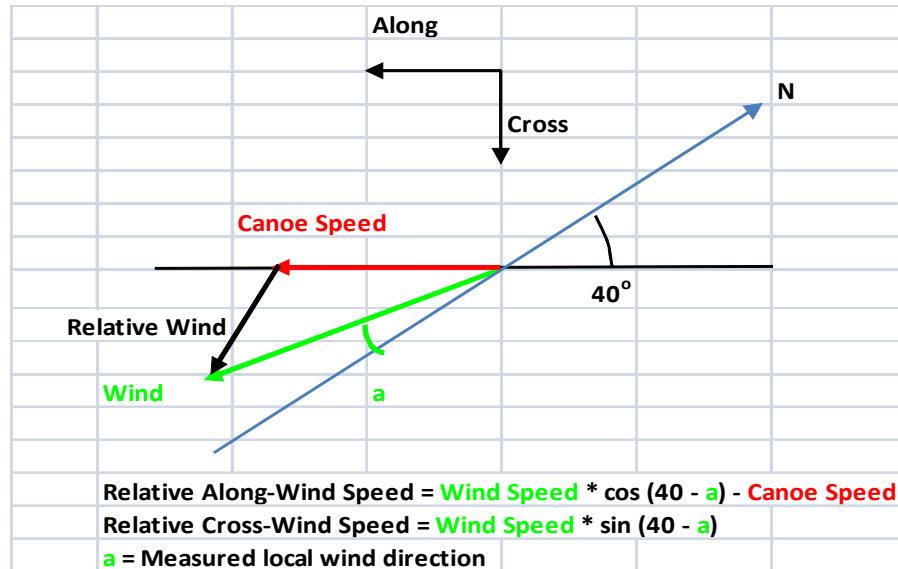


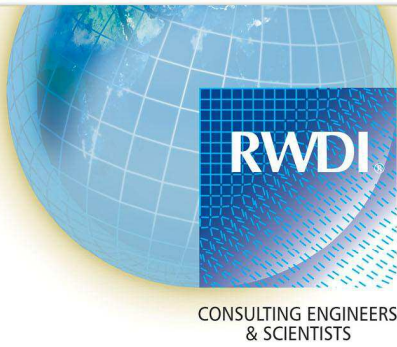
Figure 4: Relative speeds along and cross the course

3.2 A Spreadsheet for Wind Assessment

Following the above thoughts, a spreadsheet was developed to assess the potential wind impact on the canoe course. All the predicted wind speeds were first projected to the along- and cross-course directions (see Figure 4). A single canoe speed of 15 km/h was used in the calculation for all points, except for the points on the start line where the canoe speed is set to be zero. These relative speeds were then squared in order to obtain values proportional to wind forces. Tail winds were defined to be positive, or advantageous, since they help canoeists in competitions, while both head winds and cross winds (in either direction) were negative, or disadvantageous.

In a canoe/kayak race, cross winds may cause more difficulties than head winds, depending upon a peddler's skills. However, it is difficult to quantify the relative importance of along- and cross-winds. In the spreadsheet, when the along- and cross-wind components are combined, their weights (W_a and W_c , respectively) can be adjusted. For instance, an equal weight can be assumed ($W_a=W_c=1$), or cross-winds can be twice as important as along-winds ($W_a=1$ and $W_c=2$). The spreadsheet analysis was conducted for both conditions for all test configurations.

For each test wind direction, a sum of relative wind speeds squared was calculated along Lanes 1, 5 and 9 to generate the overall Wind Force Index. The difference of these values along different lanes measures the non-uniformity of winds on the racing course and was used as an indicator of wind conditions on the lake (Range or Difference = Maximum - Minimum). For a given wind direction, if the three Wind Force Indices for Lanes 1, 5 and 9 were within a smaller



range for the proposed configuration than that for the existing condition, then the potential wind effects on canoe racing are more uniform cross the lanes and, therefore, are considered satisfactory.

To help illustrate the potential impact on canoe/kayak competitions, these Indices were converted into an Equivalent Time Difference (ETD) in seconds, based on an analysis of time records from a recent international competition under calm and windy conditions (see details in the spreadsheet). The directional time differences between the lanes were then summed up, weighted by the wind probability from each direction to generate a single average ETD between lanes for the existing and proposed building configurations.

3.3 Wind-Tunnel Results

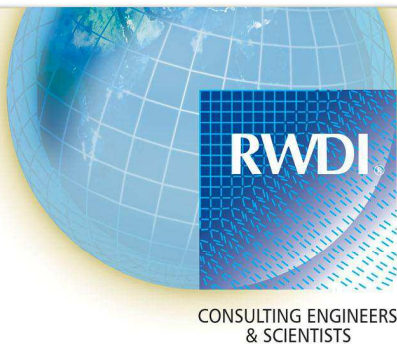
In 2003/2004, two building configurations were tested:

- **Existing:** the existing Lake Banook area and canoe course, without the proposed development; and
- **Proposed:** same as existing, with the proposed United Gulf development in place.

Table 1 below summarizes the directional and average Equivalent Time Differences for these two configurations.

TABLE 1: Equivalent Time Difference Based on 2003/2004 Measurements

Wind Direction	10	20	30	40	50	60	320	330	340	350	360	Total
Probability (%)	1.61	1.16	0.91	0.71	0.64	0.68	2.17	2.19	2.18	2.12	2.05	16.42
<i>Equal weight on along- and cross-winds (Wa=Wc=1)</i>												Average
	Directional <u>Equivalent Time Difference</u> in seconds (Line 32)											(Line 37)
Existing	2.00	1.34	1.72	1.73	1.15	0.89	0.63	0.85	1.91	0.87	0.95	1.22
Proposed	0.81	1.48	2.46	1.85	1.35	1.25	0.42	0.47	0.27	0.88	0.46	0.83
<i>Cross-wind twice as important as along-wind (Wa=1 & Wc=2)</i>												Average
	Directional <u>Equivalent Time Difference</u> in seconds (Line 32)											(Line 37)
Existing	0.84	0.70	1.04	1.04	0.77	0.95	0.84	1.31	2.00	0.82	0.41	1.01
Proposed	0.23	0.91	1.66	1.03	0.85	1.34	0.74	0.60	0.66	1.07	0.78	0.81



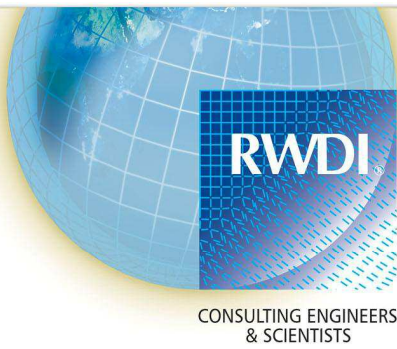
Locations of these data in the spreadsheet (Lines 32 and 37) are provided in the table for reference purposes. The table lists the wind probability for each test wind direction between 320° and 60°, for a total of 16.42%. As stated previously, the prevailing winds on summer days are from the south and southwest directions. The ETD values were calculated between Lanes 1, 5 and 9 with the maximum value for the Existing Condition being set at 2.00 seconds. These directional ETD's were then averaged, using the directional probability as weights, to generate the average ETD for each configuration. For the Existing and Proposed Conditions, the ETD values were 1.22 and 0.83 seconds, respectively, when an equal weight was assigned to the along- and cross-winds, and 1.01 and 0.81, respectively, when the cross-wind was assumed to be two times as important as the along-wind. In both cases, the ETD for the Proposed Configuration was lower than that for the Existing Configuration.

In 2008, four test configurations were tested due to changes in building design and tree conditions along the shore line:

- **Existing:** the current Lake Banook area and canoe course, without the proposed development;
- **Currently Proposed:** same as existing, with the 2008 proposed United Gulf development in place;
- **Previously Proposed:** including the existing surroundings as well as the version of the United Gulf development tested in 2003/2004; and
- **Approved Massing:** the building massing that would be allowed under the current zoning (35 ft. massing).

TABLE 2: Equivalent Time Difference Based on 2008 Measurements

Wind Direction	10	20	30	40	50	60	320	330	340	350	360	Total
Probability (%)	1.61	1.16	0.91	0.71	0.64	0.68	2.17	2.19	2.18	2.12	2.05	16.42
<i>Equal weight on along wind and cross wind (Wa=Wc=1)</i>												Average
	Directional Equivalent Time Difference in seconds (Line 32)											(Line 37)
Existing Condition	2.00	1.04	1.28	1.43	1.30	0.97	0.91	0.63	0.78	0.41	1.14	1.00
Currently Proposed	2.91	2.22	2.41	2.41	2.35	2.02	0.21	0.52	0.39	0.56	1.49	1.26
Previously Proposed	1.02	0.93	1.24	1.54	1.90	1.79	0.45	1.38	1.74	1.13	1.13	1.21
Approved Massing	0.73	0.68	1.33	1.52	1.34	0.98	0.83	0.79	1.09	1.32	0.92	1.00



<i>Cross-wind twice as important as along-wind (Wa=1 & Wc=2)</i>												Average
	Directional Equivalent Time Difference in seconds (Line 32)											(Line 37)
Existing Condition	2.00	1.07	1.31	1.40	1.18	0.74	1.04	1.08	1.22	0.50	1.06	1.12
Currently Proposed	2.77	2.15	2.31	2.39	2.62	2.45	0.59	0.60	0.42	0.43	1.18	1.28
Previously Proposed	1.32	0.87	1.09	1.34	1.78	1.89	0.45	1.20	1.74	1.21	1.47	1.25
Approved Massing	0.86	0.72	1.33	1.46	1.11	0.64	0.99	1.45	1.87	2.08	1.28	1.34

As shown in Table 2, the average ETD value for the Currently Proposed Configuration was higher than those for the other configurations, if an equal weight was assumed. When the cross-wind was set to be twice as important as the along-wind, the value for Currently Proposed Configuration was still higher than that for Existing, but lower than that for the Approved Massing.

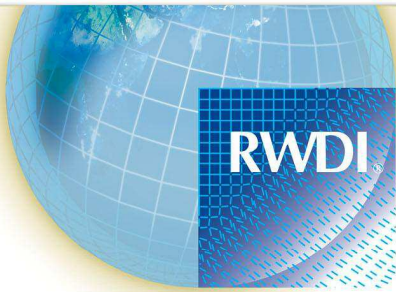
3.4 Wind Criterion

The following criterion is adopted, based on consultations between all the parties involved:

- (1) If the Equivalent Time Difference between lanes is lower for the Proposed Configuration than that for the Existing Configuration, then the proposed wind conditions are considered satisfactory. This can be evaluated direction by direction, but the average ETD should be used as the final indicator; and
- (2) If a higher Equivalent Time Difference is detected for the Proposed Configuration, another comparison can be made with the results for the Approved Massing or As-of-Right (35') Configuration, since this is an approved building massing that does not require any wind assessment.

Based on the 2003/2004 test data, Table 1 shows the Equivalent Time Difference for the Proposed Configuration was lower than that for the Existing Configuration. Therefore the wind conditions for the Proposed Configuration are considered satisfactory.

When the 2008 test data were compared (Table 2), however, the Equivalent Time Difference for the Currently Proposed Configuration was higher than that for the Existing Configuration, for both weighting combinations. If the cross-wind was assumed to be twice as important as the along-wind, the Equivalent Time Difference for the Currently Proposed Configuration became lower than that for the Approved Massing.



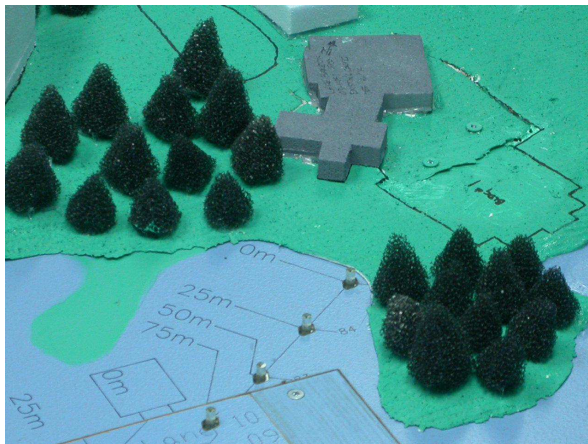
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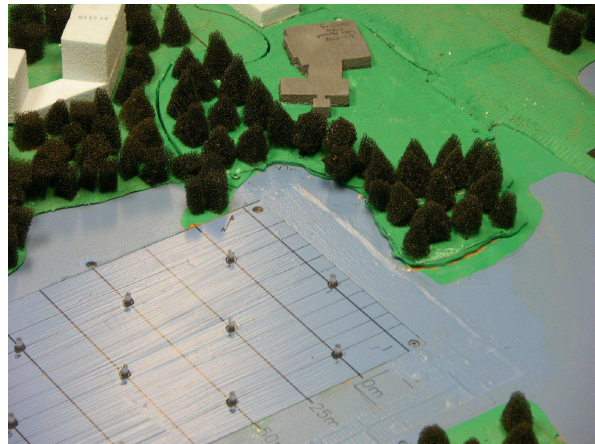
These comparisons based on the 2003/2004 and 2008 wind tunnel data are somewhat contradictory and they are primarily caused by the difference in simulations of trees along the shore line between the development site and the canoe course. This is examined in detail in the next section.

4. IMPACT OF TREES

A further examination of the site conditions revealed that the 2008 testing assumed a continuous, dense tree coverage along the shore line, while the 2003 testing had a large "opening" between the lake and the existing building. Unfortunately, neither setting is accurate when compared to the information we received after these tests. The actual tree conditions are "somewhere in between" (see photos in Figure 5).



Wind-tunnel model with a large "opening" in 2003/2004



Continuous tree line in the 2008 wind-tunnel model

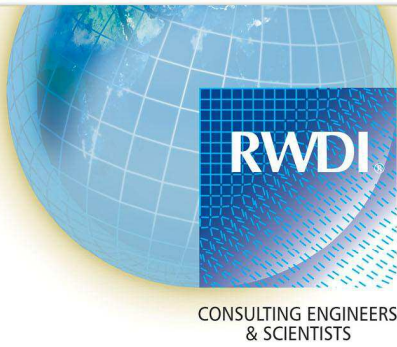


Site photo in 2009



Site photo in 2009

Figure 5: Tree conditions along the shore line



The actual wind results therefore should also be "somewhere in between".

Table 3 is obtained when the average ETD's in Tables 1 and 2 are averaged for the Existing and Proposed Configurations. As shown by the data in Table 3, the "somewhere in between" results are similar for all configurations. In fact, the proposed conditions are slightly more uniform (or better) than the existing conditions. Based on these results, it is reasonable to conclude that the proposed building has no adverse wind impact on the lake.

Trees along the shore line have a significant impact on the wind conditions in the start line area. When there is a large opening in trees along the shore line (see Figure 5a for the wind tunnel model in 2003/2004), the northerly winds would rush through the opening into the start area of the canoe course, causing non-uniform wind conditions under the existing (baseline) configurations. On the other hand, continuous trees in this area, as modeled in 2008, would significantly reduce such a wind impact and, therefore, improve the existing (baseline) conditions. Changes in the baseline conditions will then affect the evaluation of wind conditions for other building configurations.

TABLE 3: Average Equivalent Time Difference (in sec.) of 2003/2004 and 2008 Wind Data

Equal weight on along wind and cross wind (Wa=Wc=1)

- 1.11 (2003/2004 Existing and 2008 Existing)
- 1.05 (2003/2004 Proposed and 2008 Currently Proposed)
- 1.02 (2003/2004 Proposed and 2008 Previously Proposed)

Cross-wind twice as important as along-wind (Wa=1 & Wc=2)

- 1.07 (2003/2004 Existing and 2008 Existing)
 - 1.04 (2003/2004 Proposed and 2008 Currently Proposed)
 - 1.03 (2003/2004 Proposed and 2008 Previously Proposed)
-

5. CONCLUDING REMAKS

Based on the wind tunnel measurements for various building configurations and local wind climate, the equivalent time differences between Lanes 1, 5 and 9 were calculated using the new wind criteria and a spreadsheet developed for the project. Both building design and tree conditions will affect the wind conditions on the canoe course. it is our opinion that the wind effects that may be caused by the proposed condominium development on the canoe course are localized and their overall impact is likely to be insignificant.

April 27, 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
40 Alderney Drive
P.O. Box 1749
Dartmouth, NS
B3J 3A5

Dear Jacob:

WSP Canada Inc. (WSP) is pleased to submit this letter on behalf of Killam Apartment REIT (Killam) as a response to the Draft Centre Plan Package A released in February of 2018. This letter is specifically regarding Killam's property located at 5880 Spring Garden Road (PID: 00125492).

To support this letter, the following materials are included as attachments:

- Attachment A – Preliminary Massing Study
- Attachment B – Gross Floor Area Summary

INTRODUCTION

Following the release of the Draft Centre Plan Package A documents, which included the Regional Centre Secondary Municipal Planning Strategy (SMPS), Land Use By-law (LUB) and Design Manual, WSP completed a preliminary massing study for Killam's property at 5880 Spring Garden Road (PID: 00125492). The subject property is designated 'Centre' and zoned CEN-2. A maximum Gross Floor Area Ratio (GFAR) of 8.0 and maximum height of 62m has been applied to the property.

The purpose of the massing study was to illustrate and determine the built form and buildable area that would be enabled on the site in accordance with the draft regulations.

Please refer to Attachments A & B for the results of our preliminary massing study.

FEEDBACK

The results of the preliminary massing study highlighted that some of the draft regulations present significant challenges for Killam's future development of the subject site.

GFAR AND MAXIMUM HEIGHT

The maximum GFAR cannot be achieved because the built form requirements combined with the maximum height limitation are too restrictive. Killam recognizes that the built form requirements are embedded within the plan to ensure there is an appropriate transition in building form towards adjacent properties and streets - and Killam supports this general intent of the plan. That being said, they are concerned that a specific density (8.0 GFAR) has been allocated to the site, which is unachievable due to other regulations that are embedded within the plan. Our preliminary massing

analysis has determined that a maximum GFAR of only 6.6 can be achieved. The primary limitation to achieving an 8.0 GFAR is the maximum height restriction of 62m. Therefore, Killam requests that the height limitation be removed from the subject property.

INTERIOR LOT LINE SETBACK

The impact of the interior lot line setback requirement (minimum 12.5m) for high rise buildings (section 114 (3) of the draft LUB) creates an equally significant challenge. Killam's property at 5880 Spring Garden Road is approximately 40m wide and is located in the interior portion of a city block, therefore all lot lines other than the front lot line that abuts Spring Garden Road are considered interior lot lines. This scenario, combined with the 12.5m interior lot line setback requirement, results in an approximately 15m wide floorplate for the portion of a building located above the streetwall height. This is not a constructible tower floor plate as it cannot accommodate a double loaded corridor for residential units, making a future project of this scale unfeasible.

It is our understanding that the 12.5m setback requirement helps ensure high rise buildings are at least 25m apart from one another. We recognize that this goal of creating separation distances between taller buildings is good for the overall built form of our city. However, the subject site is a good example of how this requirement is restricting the plans goal of adding density within the Regional Centre, particularly within Centres where significant density is encouraged. We suggest the following methods to allow more flexibility with regards to the interior lot line setback requirements for high rise buildings:

1. Revise Section 114(3) of the draft LUB to the following: *'For high-rise buildings, any portion of the building above the height of the streetwall shall have a setback of at least 12.5m from any interior lot line that abuts a CEN-2 zone.'*
2. Revise Section 5.8 of the Draft Design Manual by adding an additional criteria that states *'can reasonably demonstrate a 25m separation distance can be achieved from any high rise building (existing or future) on an adjoining property'*

Both these suggestions still achieve the plans intent of ensuring high rise buildings are at least 25m apart. For suggestion 1, the interior lot line setback requirement for high rise buildings is only applied to the CEN-2 zone because it is the only zone within the plan that allows for high rise buildings. Suggestion 2 gives the applicant a tool to demonstrate through a site plan approval application that local site conditions require a variation to the interior lot line setback requirement, however the variation would not prevent a 25m separation distance from any high-rise building on an adjoining property.

PRE AND POST BONUS GFAR

It is our understanding that the subject property has a pre-bonus GFAR of 3.5 and a post-bonus GFAR of 8.0. In order to achieve 8.0 FAR, 9,746sm of post density floor area would be required. The current valuation of the post density equals \$2,611,955. The additional cost would considerably impact the viability of any future development. We do not believe 3.5 GFAR pre bonus density in the Centres, where density is both encouraged – and appropriate – will allow the city to meet its objectives with the Centre Plan, nor does it reflect the initial policy direction of the plan issued in 2017 and endorsed by council. We suggest that the pre-bonus GFAR be changed to 7.0 in order to enable a viable future development on the site.



CLOSING

We would like to thank you for taking the time to review this letter. We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff in an effort to align future planning documents with Killam's vision for the future development of their property.

If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact the undersigned.

Yours sincerely,

Original Signed

Connor Wallace
Urban Planner – Planning,
Landscape Architecture and
Urban Design

Original Signed

Andrew Kent
Associate Director, Developments

ATTACHMENT

A

PRELIMINARY
MASSING STUDY





- LEGEND:**
- SITE BOUNDARY
 - TOWER
FOOTPRINT : 547.2 sm
 - PODIUM
FOOTPRINT : 2,021.3 sm

PROPOSED LOT AREA: 2,344.8 sm.

- NOTES:**
- Subject to detailed building design.

PLAN VIEW

Designer: KWATTERS
Planner: CWALLACE

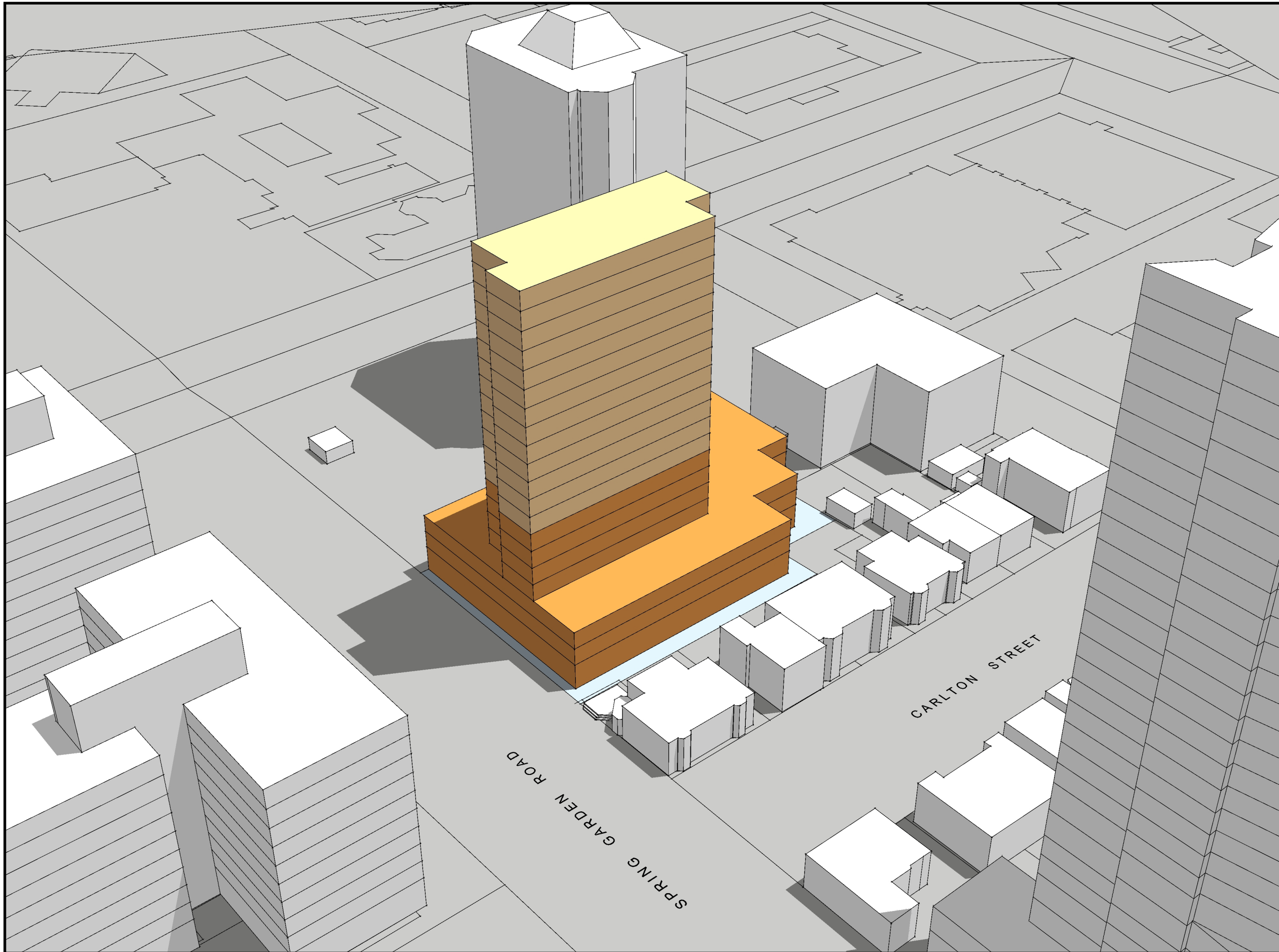
**CONCEPT MASSING
MEDICAL ARTS
HALIFAX, NOVA SCOTIA**

KILLAM APARTMENT REIT
APRIL 09, 2018 121-19267-MASSING_v12

SCALE: 1 : 500



1 SPECTACLE LAKE DRIVE, DARTMOUTH, NS, CANADA B3B 1X7
PHONE: 902 835-9955 - FAX: 902 835-1645 - WSP.COM



NOTES:
• Subject to detailed building design.

NORTHEAST FACING VIEW

Designer: KWATTERS

Planner: CWALLACE

**CONCEPT MASSING
MEDICAL ARTS
HALIFAX, NOVA SCOTIA**

KILLAM APARTMENT REIT

APRIL 09, 2018

121-19267-MASSING_v12

SCALE: 1 : 500



1 SPECTACLE LAKE DRIVE, DARTMOUTH, NS, CANADA B3B 1X7
PHONE: 902 835-9955 - FAX: 902 835-1645 - WSP.COM

ATTACHMENT

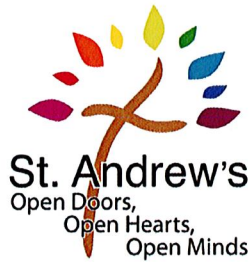
B

GROSS FLOOR AREA
SUMMARY



	AREA (m ²)	HEIGHT (m)		
Floor 20	547.2	3.0		
Floor 19	547.2	3.0		
Floor 18	547.2	3.0		
Floor 17	547.2	3.0		
Floor 16	547.2	3.0		
Floor 15	547.2	3.0		
Floor 14	547.2	3.0		
Floor 13	547.2	3.0		
Floor 12	547.2	3.0		
Floor 11	547.2	3.0		
Floor 10	547.2	3.0		
Floor 9	547.2	3.0		
Floor 8	547.2	3.0		
Floor 7	547.2	3.0		
Floor 6	547.2	3.0		
Floor 5	547.2	3.0	Tower Height (m)	PreB Tower Height (m)
Floor 4	547.2	3.0	51.0	12.0
Podium Floor 3	2,021.3	3.0		
Podium Floor 2	2,021.3	3.0	Podium Height (m)	
Podium Floor 1	2,021.3	4.5	10.5	
GROSS FLOOR AREA				GROSS FLOOR AREA
(Floor 1 - 20)	15,366.3	61.5	8,252.7	PREBONUS (Floor 1 - 7)
LAND AREA	2,344.8			
GFAR	6.6	PRE-BONUS GFAR	3.5	

	AREA (ft ²)	HEIGHT (ft)		
Floor 20	5,890.0	9.8		
Floor 19	5,890.0	9.8		
Floor 18	5,890.0	9.8		
Floor 17	5,890.0	9.8		
Floor 16	5,890.0	9.8		
Floor 15	5,890.0	9.8		
Floor 14	5,890.0	9.8		
Floor 13	5,890.0	9.8		
Floor 12	5,890.0	9.8		
Floor 11	5,890.0	9.8		
Floor 10	5,890.0	9.8		
Floor 9	5,890.0	9.8		
Floor 8	5,890.0	9.8		
Floor 7	5,890.0	9.8		
Floor 6	5,890.0	9.8		
Floor 5	5,890.0	9.8	Tower Height (ft)	PreB Tower Height (ft)
Floor 4	5,890.0	9.8	167.3	39.4
Podium Floor 3	21,757.1	9.8		
Podium Floor 2	21,757.1	9.8	Podium Height (ft)	
Podium Floor 1	21,757.1	14.8	34.5	
GROSS FLOOR AREA				GROSS FLOOR AREA
(Floor 1 - 20)	165,401.4	201.8	88,831.3	PREBONUS (Floor 1 - 7)
LAND AREA	25,239.2			
GFAR	6.6	PRE-BONUS GFAR	3.5	



St. Andrew's United Church

6036 Coburg Road, Halifax, NS B3H 1Y9

Phone 902-422-3157 Fax 902-446-3098 www.standrewsfhx.ca

April 30, 2018

Carl Purvis
Planning Applications Program Manager
Planning and Development
Halifax Regional Municipality
PO Box 1749
Halifax, NS B3J 3A5

Dear Mr. Purvis:

We are writing this letter to follow up on the various meetings and phone discussions that we have had regarding the St. Andrews United Church property located at 6036 Coburg Road, Halifax. As you are aware, we have been reviewing our Mission at our Church and the services that we offer to our congregants and the local community. It has become clear to us that new, modern space as well as an infusion of funds is required for us to continue our Mission. We do not want to demolish the beautiful existing Church Sanctuary, so we have been working with a Developer, who specializes in student housing projects across North America, to develop a plan that re-develops the Church Hall on the West side of our property. Under this development proposal, St. Andrew's would get a new, modern community space as well as an income stream to further our Mission and to help maintain the Church Sanctuary.

We understand that Halifax Regional Municipality is currently in the process of a complete Planning policy overhaul called Centre Plan and at this time you are soliciting feedback via Public Consultation. Through our discussions and feedback provided to date, and in looking at what will best serve the Church going forward in the short and long term, we request the following provisions are included to enable the redevelopment on the west side of our property.

- Maximum allowable height to be 7 storeys and/or 23m high from existing grade excluding any mechanical rooms on the roof.
- Setbacks along Robie, Coburg and Edward to be 1.5m.
- Setback to residential properties to be 3m (We think it is reasonable to consider a property that is bounded by public Right of Ways on three sides to have only side yard setbacks and not rear yard setbacks.)
- No stepback on any elevation.

- Any unit configuration is considered a rooming house as long as the building occupied only by students.

We recognize that the proposed provisions deviate from the Draft Centre Plan Policy that has been issued for public review. However, we feel there are extenuating circumstances when it comes to the redevelopment of a parcel of land to provide funds for Community services and benefits while maintaining an existing Church that is almost 100 years old. We do recognize that site specific zoning guidelines are not advisable in an urban environment for a multitude of reasons. Therefore, we recommend that the following general guidelines be incorporated into the new Planning Policy/Centre Plan documents.

- A property that has existing structures that are of significant cultural or heritage importance (the “Important Structures”), including but not limited to, a place of Worship that provides services and benefits to the local community shall not be restricted to the setback and stepback requirements of the Centre Plan Policy provided that:
 - The Important Structures are protected.
 - The design, materials and massing of the new structures are sensitive to the context and fabric of the surrounding area and neighbourhood.
- Any residential building within 750 metres of a University campus that houses only students (shall be deemed a Rooming House for zoning purposes **and/or** shall not require parking spaces to be provided).

We are not proposing any other changes to the design guidelines or zoning provisions.

We thank you for your consideration to this matter and if you have any questions, please contact the undersigned.

Yours truly

Original Signed

Eric R. Roe
Chair of Council

cc: Councillor Waye Mason
Barry Hauer, Reichmann International Development Corporation

Dynamic Properties
8 Basinview Drive
Dartmouth, NS
B3B 1G4

April 30, 2018

Submission Regarding Lands of Dynamic Properties Company Limited, Halifax

Draft Centre Plan 2018

To the Centre Plan Team:

I am writing to you regarding the implications of the draft Centre Plan 2018 for various properties owned by Dynamic Properties Company Limited located in Halifax.

Introduction:

Dynamic Properties has significant land holdings on the Halifax Peninsula which will be impacted by the proposed Centre Plan. The lands at Robie/North/McCully Streets are included within Package "A" while those at Lady Hammond Road /Kempt Road /Massachusetts Avenue are located in Package "B". Attached are maps showing the extent of these land holdings.

Robie Street/North Street/McCully Street- Package "A"

The properties in this area are all currently part of the Colonial Honda complex which includes auto sales, service and repair, and the outdoor display of vehicles. It is our intent to retain this use into the future. Currently these lands are all within the Peninsula North Secondary Planning Strategy and are designated Major Commercial and zoned C-2 (General Business). This designation and zoning currently allows a wide range of commercial, light industrial, and high density residential uses with generous height limits. These lands are also eligible to be considered under Schedule "Q" which would allow the consideration of a development agreement process which would permit mid to large scale high density residential development with no stated height limits.

Centre Plan Proposal:

Centre Plan, as currently proposed, would drastically reduce our current development rights for these properties.

- The draft Centre Plan 2018 proposes a Centre Designation, more specifically, the "Robie Street/Young Street Centre".
- The majority of properties on the site are proposed to be zoned Centre 2, with the exception of those fronting on Fern Lane which are proposed to be zoned Centre-1.

- Proposed height and GFAR limits range from 11 metres (GFAR- 1.75) on Fern Lane, 14 metres (GFAR of 2.25) for properties fronting on McCully Street, and 20 metres (GFAR- 3.5) for the remainder of the site fronting on North Street and Robie Street.
- The current use of the site would fall within the proposed definition of dealership as “premises used for the display and sale of products on an outdoor lot and may include the servicing and repair of the products sold or displayed such as motor vehicles...” Dealership is not listed as a permitted use in either the CEN 1 or the CEN 2 zone which would render the existing use non-conforming, and remove the ability and incentive for expansion and further investment in our existing dealership.

Looking forward to the future we intend to invest in this neighbourhood and redevelop this site in a comprehensive manner for mixed commercial and higher order residential uses. We believe our vision for the site is fully in line with the goals and objectives of Centre Plan for the Robie Street/Young Street Centre.

However, the Centre Plan, as it is currently proposed, imposes several major barriers to this vision as follows:

- The Centre 1 zone to be placed on the properties fronting on Fern lane would discourage these properties from being incorporated into a comprehensive development of the site given that this zone is proposed to have a very limited range of uses. Uses such as retail, offices, banks, and grocery stores, and any residential building over 12 units will not be permitted on this part of the site. It must be noted that incongruously the range of uses permitted in the CEN-1 zone is less than uses to be permitted in the Higher Order Residential 2 and the Corridor zones which are to be a secondary focus to the Centres in terms of residential and commercial intensification.
- There are varied height and GFAR limits over this site which would make it difficult to plan a comprehensive development.
- The overall maximum height limit of 20 metres on the site is too restrictive if our significant land holdings in this area are to respond to the residential intensification objectives of Centre Plan in any meaningful way.

Centre Plan request and justification:

It is requested that changes be made to the proposed Centre Plan to zone the entire extent of our land holdings as Centre 2 and to place a minimum of a 26 metre height limit on the extent of the property. In addition there should be the ability to develop to at least 38 meters in the interior of the block bounded by May, Agricola, McCully and Robie Streets. This request is based on the following principles:

- It is clearly the intention of draft Centre Plan to discourage the continued use and investment in this site for an automobile dealership. However, there must also be provisions in the Centre Plan to *encourage* the development of economically viable alternatives to the current automobile dealership that meet the objectives of the Centre Plan to create dense, mixed-use, and walkable neighbourhoods.
- The proposed limitations of height, massing and use being proposed will ensure that the existing use of these properties for an automobile dealership with associated outdoor display remains the highest and best use for the site when compared to a mixed use redevelopment of the site.
- The greatest proposed height limit of 20 metres for an area of the Peninsula that is bordered by the two main roads of Robie and North Streets, and already contains significant pedestrian and transit infrastructure, does not reflect the significance of this area to redevelop as a lively and dense pedestrian-oriented node. A 20 metre height limit on a property of this size in the Robie Street/Young Street Centre is a lost opportunity.
- Our site is large enough to accommodate the development of a point tower of 38 metres in the interior portion of the site as part of a comprehensive site redevelopment which includes quality streetscapes on the edges of the site, with no impact on surrounding sites or uses.
- Fern Lane southeast of May Street is no longer a residential street as it has been developed with commercial uses on its entire extent. This lane, due to its restricted width, does not function properly as a city street and cannot be adequately serviced by emergency vehicles or snow clearing equipment. The imposition of an 11 metre height limit will not result in the reinstatement of this obsolete street. The most efficient use for Fern Lane is to be incorporated into the redevelopment of the remainder of the site. This cannot be realistically accomplished with a height limit of 11 metres and a Centre -1 zone with its limited allowable uses.
- The transition regulations in Centre Plan which require greater setbacks and a stepping down of height where properties designated Centre abut established residential areas, is a sound method of promoting compatibility from an area to be redeveloped and intensified to existing lower rise residential areas to be retained and protected. However the carving out of properties on both Fern Lane and those fronting on McCully Street with a restricting 11 and 14 metre height limit respectively, cannot be justified

based on this principal of transition. There are no proposed established residential areas abutting these properties to be protected. The entirety of our land holdings in this area are surrounded not by areas to be designated as established residential, but by other Centre and Corridor designations.

Overall, we find it very difficult to understand how the Centre designations are being promoted as the focus of commercial and residential intensification in Centre Plan on one hand, while the permitted building heights, massing and uses are being overly restricted to strongly discourage redevelopment on the other.

Lady Hammond Road /Kempe Road /Massachusetts Avenue – Package “B”

It is understood that the exact nature of the proposed policies and regulations related to these properties will not be known until Package “B” is released. However, we would like to take the opportunity to provide preliminary comments based on the initial proposal under Centre Plan 2107.

Our properties in this area as shown on the attached map are currently used for various commercial uses, primarily retail and service automotive uses. Overall this area has developed as a major commercial area with many automotive uses, fast food restaurants with drive-thru facilities, and some scattered industrial uses.

Our properties, for the majority, are currently designated Industrial under the Halifax Municipal Planning Strategy and zoned as C-3 (Industrial). Some of our properties are zoned C-2 (General Business). Both of these current zones allow a full range of high density residential, commercial, and industrial uses. Despite this longstanding Industrial designation and zoning, the predominate land use is major commercial with an automobile sales and service focus.

Similar to our land holdings at Robie and North Streets we envisage the redevelopment of our properties in this area to provide a significant intensity of residential and mixed use development given its relative location on the Peninsula.

Centre Plan Proposal:

It is our understanding that these properties, with the exception of 6050 Livingstone Street (which is proposed to be in the Robie Street/Young Street Centre), will fall within the Industrial designation of Centre Plan. As such, residential uses would not be permitted and there would also be a restriction on certain commercial uses in favour of preserving the area for industrial development and redevelopment. It appears that commercial uses will be restricted to those which serve the employees and clients of this “industrial” area and that larger scale commercial uses would not be permitted. It is noted however, that automotive dealerships would continue to be permitted in this area.

The intended prohibition of any residential development in this area moving forward is of significant concern.

Centre Plan request and justification:

It is requested that in this proposed industrial area, both residential and mixed use development be permitted and encouraged by Centre Plan through the designation of this area as Centre as opposed to Industrial. In order to ensure the successful transition of properties in this area to a residential and mixed use focus with respect to the remaining large scale major commercial and industrial uses, it would be appropriate if a development agreement mechanism was available to promote a successful transition in the area.

- It is unlikely that this area of the Regional Centre through redevelopment, would change its focus to a more industrial area with limited commercial uses to serve these industries. This area has been zoned industrial under the current Land Use Bylaw for several decades and has not developed as a primarily industrial area but as a major commercial area. The redevelopment of these large commercial properties to industrial uses is highly unlikely when alternatives for industrial uses exist in various industrial and business parks outside of the Regional Centre.
- This area is a very favourable location, in the medium to long term, to promote the redevelopment of major commercial uses such as auto dealerships to significant residential and mixed residential commercial uses given their distance and separation from established residential areas, and the fact that there are no limitations of height related to viewplanes or the Citadel Ramparts.
- The transition of our properties in this area and in the entire corridor to a mixed residential/commercial neighbourhood within the Regional Centre would promote the residential intensification goals of Centre Plan in a manner which avoids the redevelopment and loss of existing residential stock and eliminate the direct juxtaposition of large scale redevelopment and established residential areas.

Summary:

It has been the stated future intention of Dynamic Properties is to eventually redevelop our major land holdings on the Peninsula from quality automobile dealerships to superior residential and mixed use developments. These plans for our land are fully in line with the vision, goals and policies of Centre Plan. However, the development regulations being proposed in Centre Plan to realize these goals and objectives are so overly restrictive that redevelopment of these lands will not be economically viable when compared to retaining the automobile dealership uses. Unless the proposed regulations for Centre Plan regarding height, massing, and uses are reasonably expanded, future investment in these areas will not occur.

In summary we respectfully request the following consideration in future drafts of Centre Plan:

Robie Street/North Street/McCully Street- Package "A":

- The placement of a CEN-2 zone on all of our properties in this area.
- A height limit minimum of 26 metres over the entire area.

- A height limit of 38 metres for the interior portion of the site.
- A proportionate increase in GFAR to reflect this additional height

Lady Hammond Road /Kempt Road /Massachusetts Avenue – Package “B”:

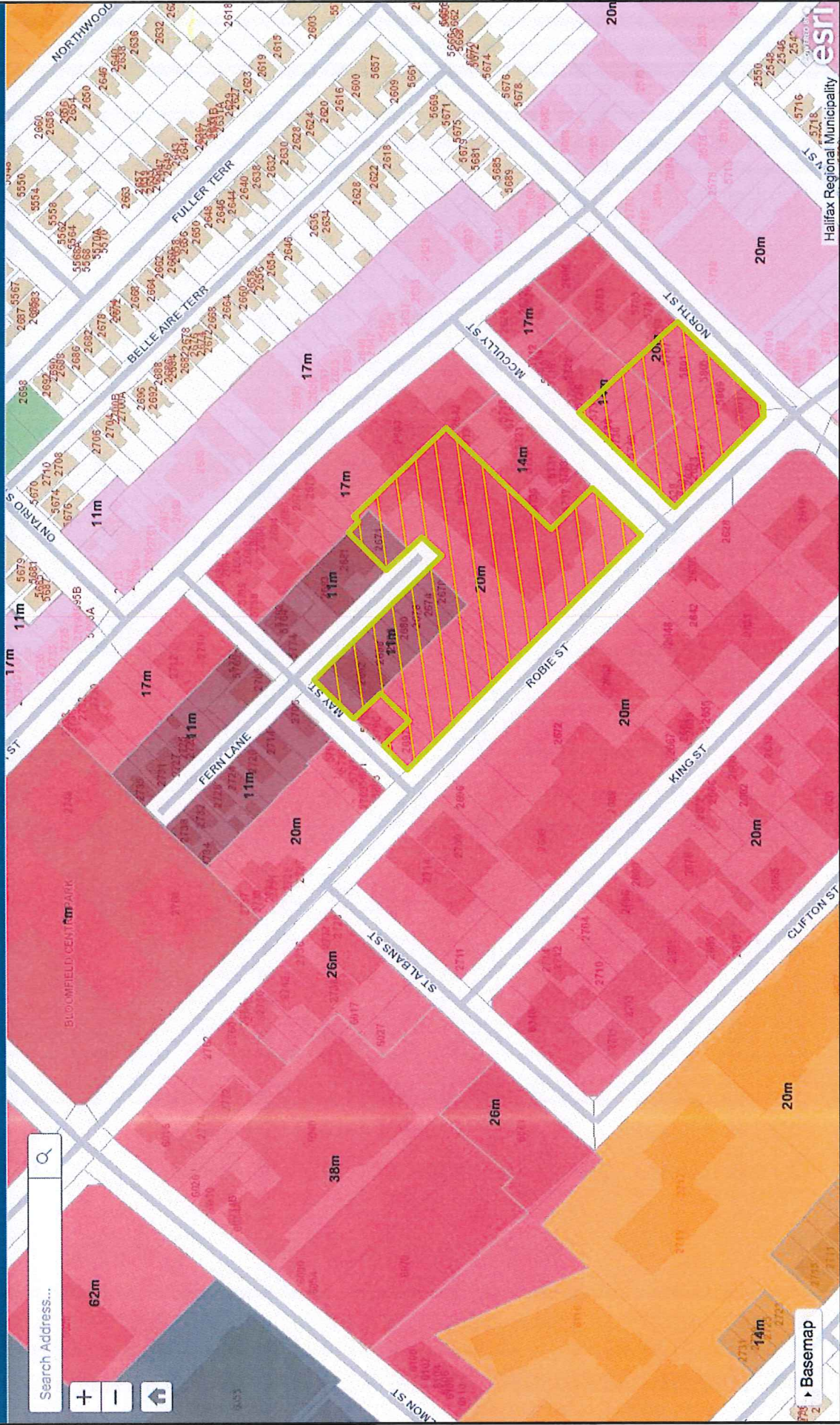
- The ability to develop higher order residential uses and mixed uses in this corridor through its designation as an additional Centre on the Halifax Peninsula.
- The ability to develop sites within this area by development agreement to ensure a successful land use transition.

We thank you for your consideration of these requests and would ask that as you revise the draft Centre Plan for Package “A” based on feedback through consultation, and roll out the draft plan for Package “B, that these revisions include the requested changes to allow our properties to fully contribute to the intensification of the Regional Centre in a meaningful way.

Original Signed

Kim Day
President, COO
Dynamic Properties Company Limited

cc. Councillor Mason, District 7
Councillor Smith, District 8
Chairman and members of the Community Design Advisory Committee



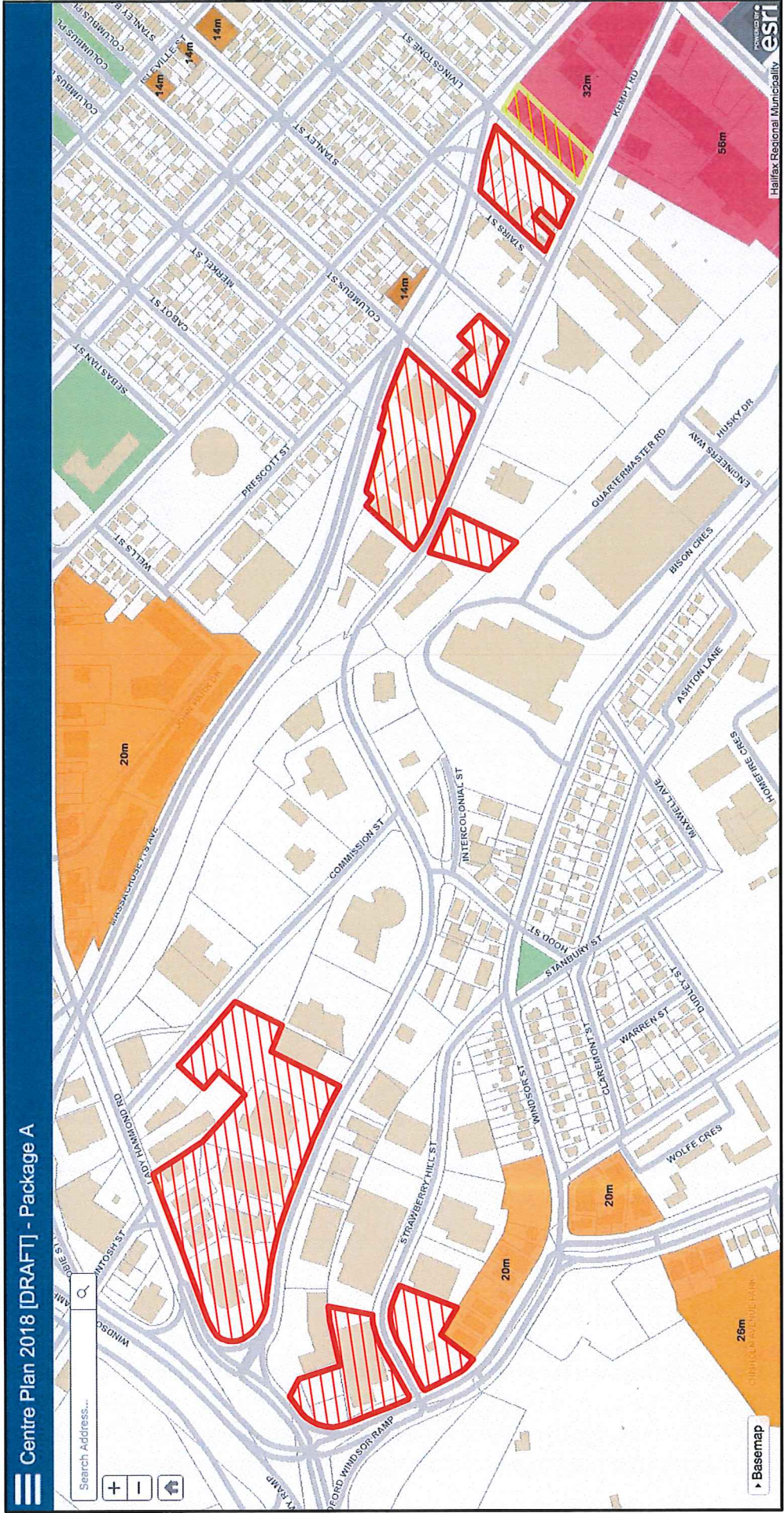
MAP 1
APRIL 27, 2018

**LANDS OF
DYNAMIC PROPERTIES COMPANY LIMITED**

ROBIE STREET / NORTH STREET / McCULLY STREET



Shelley Dickey Land Use Planning



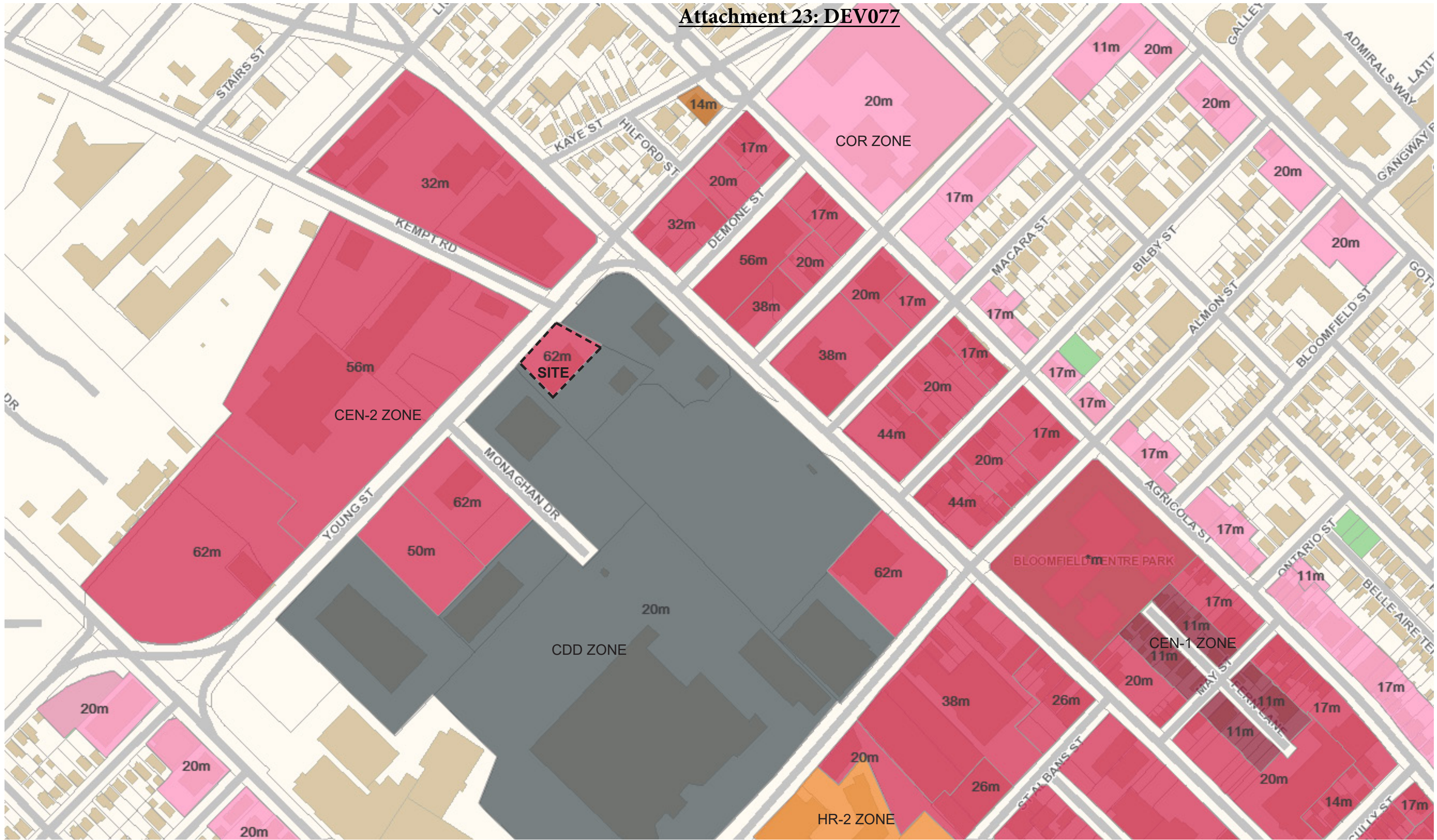
MAP 2
APRIL 27, 2018

**LANDS OF
 DYNAMIC PROPERTIES COMPANY LIMITED**

LADY HAMMOND ROAD / KEMPT ROAD / MASSACHUSETTS AVENUE



Shelley Dickey Land Use Planning



6050 YOUNG STREET
 HALIFAX, NS

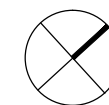
CONTEXT MAP

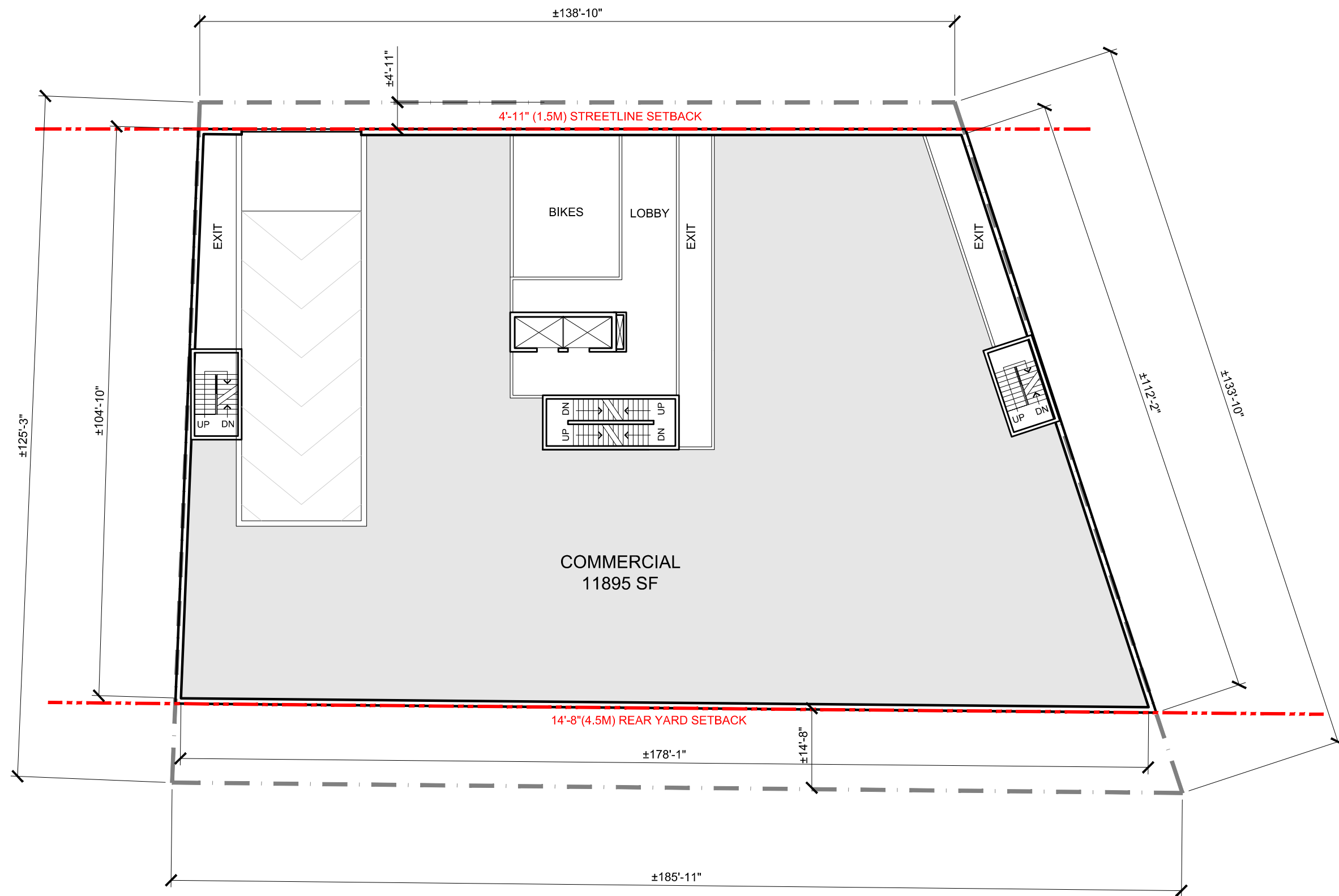
Project No.: 2017.16
 Scale: NTS
 Date: 30 Apr 2018

WM FARES
 ARCHITECTS

A01

6050 YOUNG					
DENSITY					
LEVEL	1BR	1BR + DEN	2BR	3BR	TOTAL
100	-	-	-	-	-
200-300	4	4	14	4	26
400-2000	-	51	17	-	68
TOTALS:	4 (4%)	55 (59%)	31 (33%)	4 (4%)	94
1 BR UNITS	59 X 2 ppl				118
2 BR+	50 X 2.25 ppl				79
TOTAL					197
SITE DATA					
PROPERTY AREA					±20,461 SF
LOT COVERAGE					±17,119 SF (84%)
TOTAL BUILDING GROSS FLOOR AREA:					± 137,088 SF
FLOOR-AREA RATIO:					± 6.7
COMMERCIAL SPACE AT GRADE:					± 11,895 SF
AMENITY SPACE					
INDOOR AMENITY SPACE AREA (LEVEL):					± SF
OUTDOOR AMENITY SPACE AREA (LEVEL):					± SF
PARKING					
UNDERGROUND PARKING:					±
TOTAL PARKING:					±



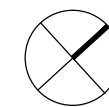


GFA: 17,119

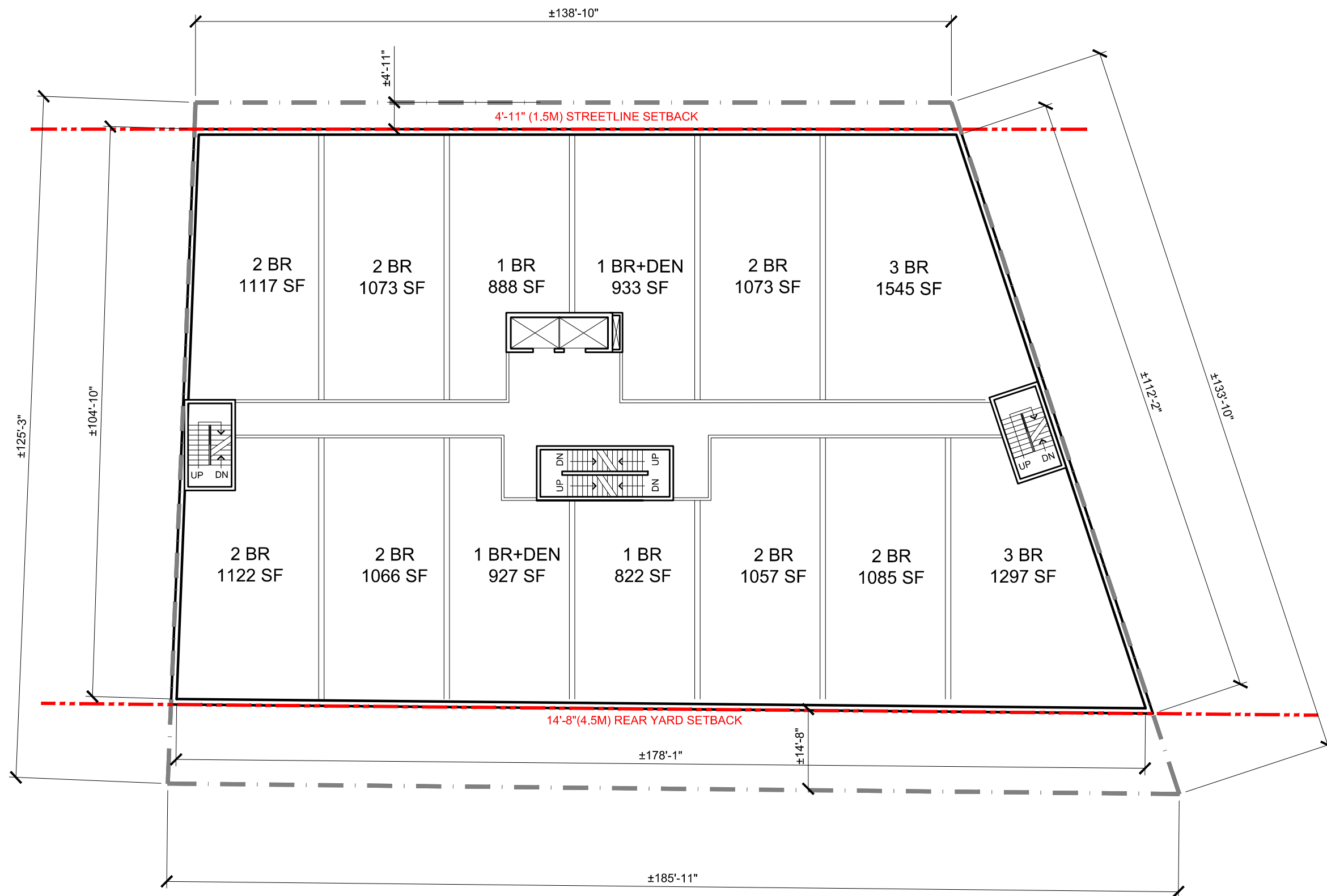
6050 Y █ █ █ █ S █ █ █ █
HALIFA █ █ NS

LEVEL 100
FLOOR PLAN

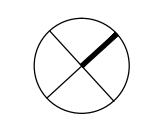
Pr █ █ █ █ N █ █ █ █ 2017 █ 16
S █ █ █ █ █ 1" █ 20'-0"
D █ █ █ █ █ 30 A █ 2018

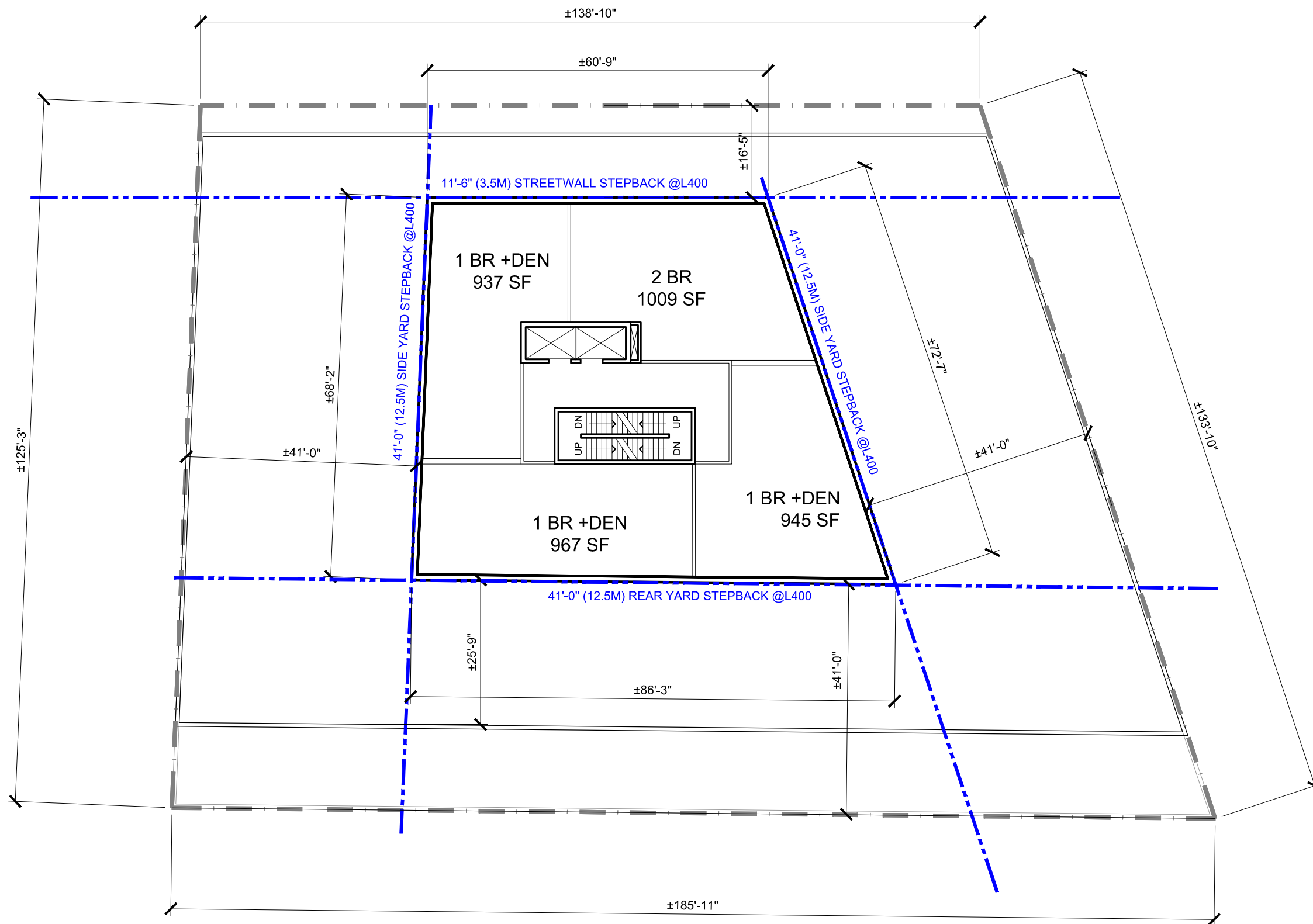


A01

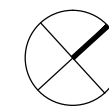


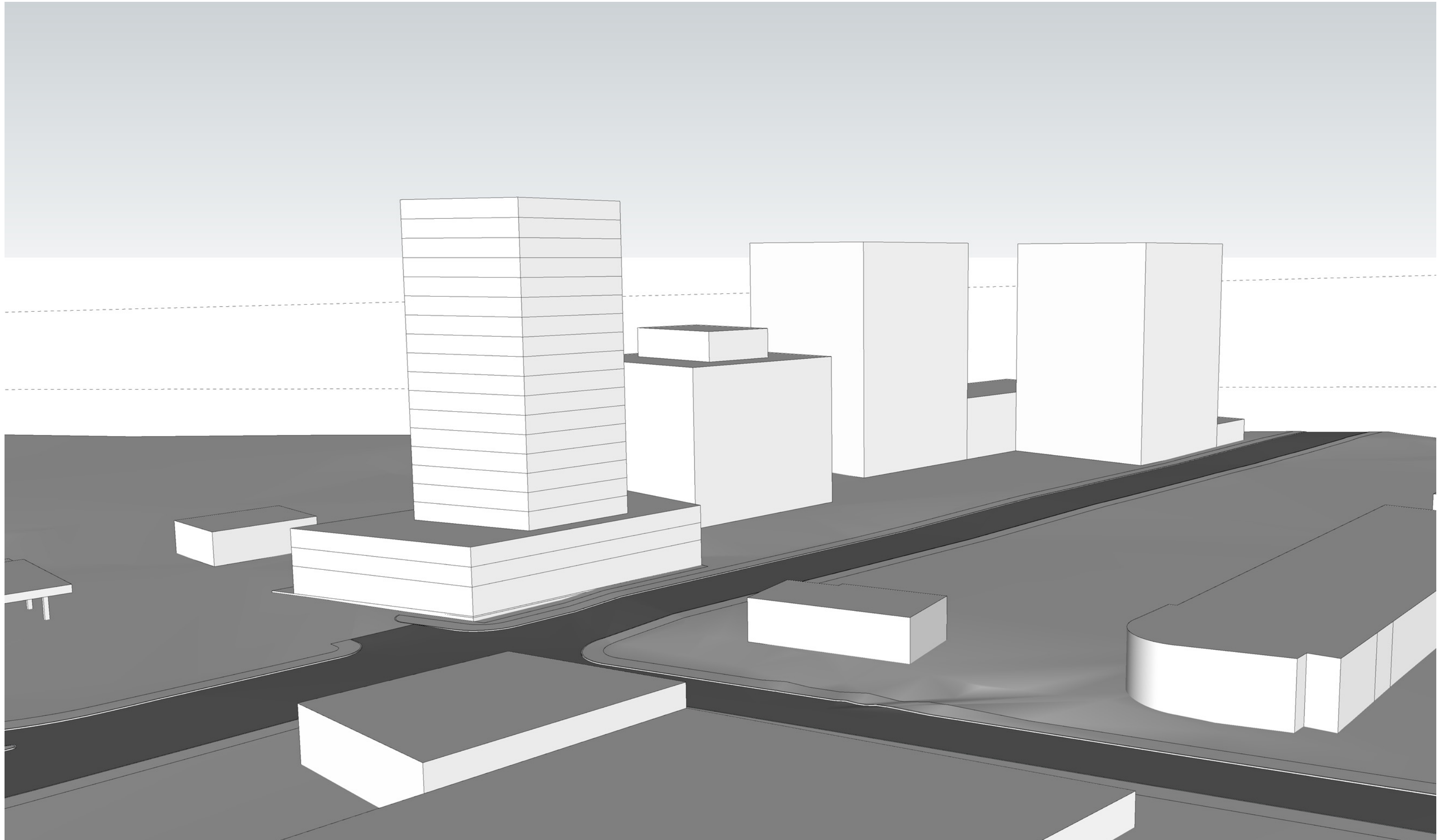
GFA: 17,119x2 =
34,238SF





GFA: 5043x17 =
85,731 SF





6050 YOUNG ST.

HALIFAX, NS

PERSPECTIVE VIEW

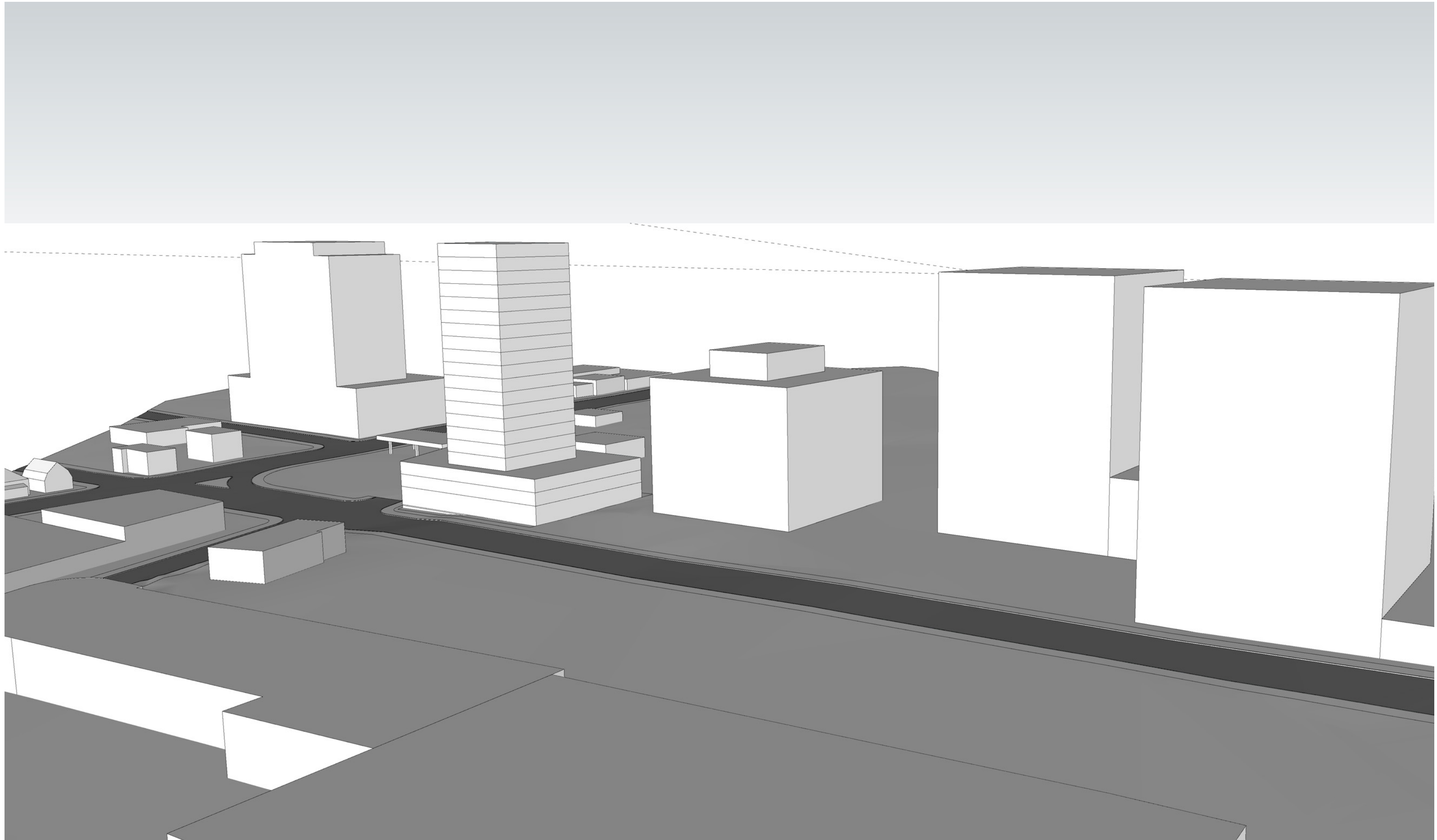
Project No.: 2017.16

Scale: NTS

Date: 30 Apr 2018

WM FARES
ARCHITECTS

SK1



6050 YOUNG ST.

HALIFAX, NS

PERSPECTIVE VIEW

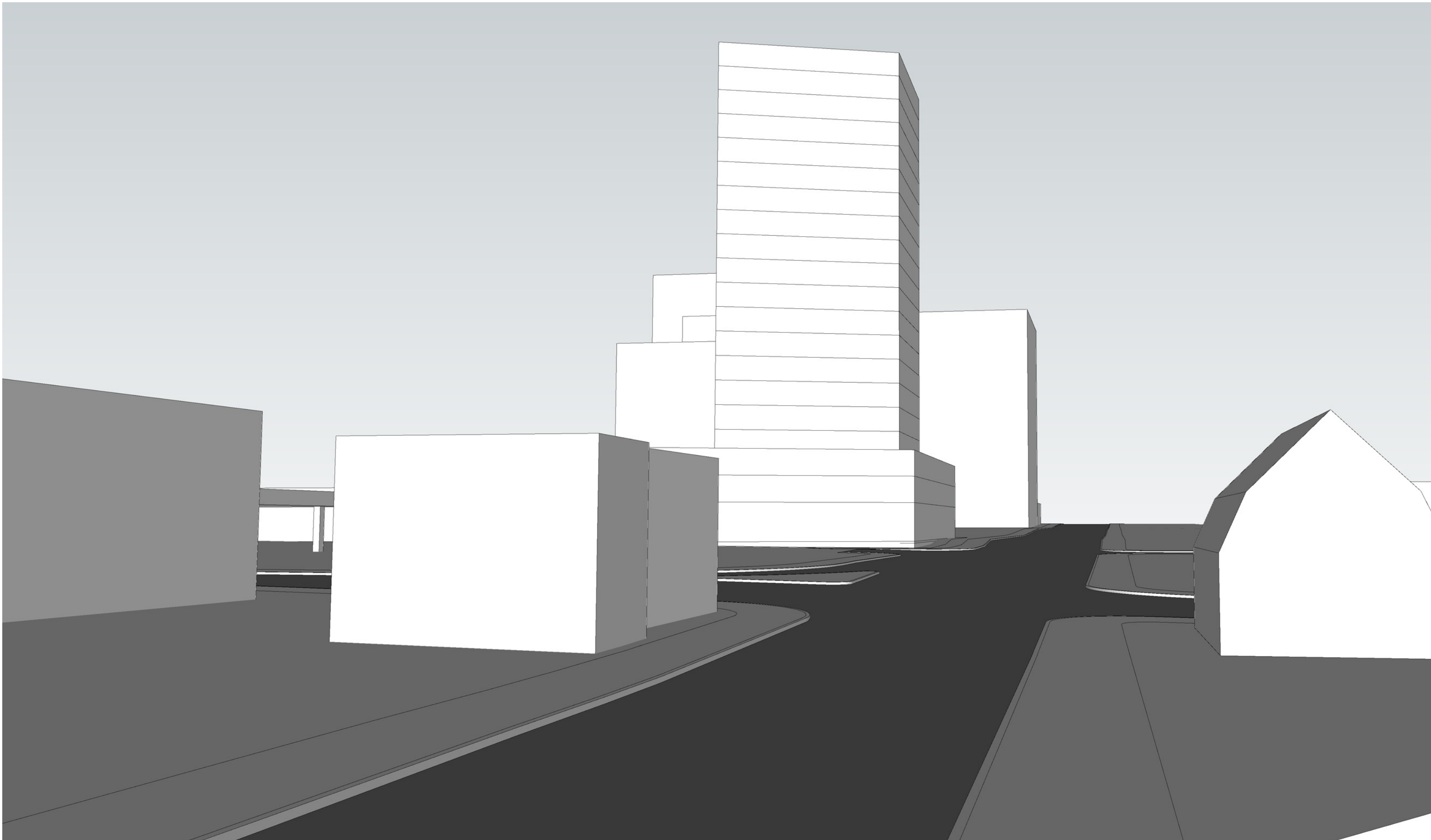
Project No.: 2017.16

Scale: NTS

Date: 30 Apr 2018

WM FARES
ARCHITECTS

SK2



6050 YOUNG ST.

HALIFAX, NS

PEDESTRIAN VIEW

Project No.: 2017.16

Scale: NTS

Date: 30 Apr 2018

WM FARES
ARCHITECTS

SK3



PLANNING SERVICES LTD

info@edm.ca
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F: 1 (902) 425-7990

2111 Maitland Street, Suite 300
Halifax, NS B3K 2Z8

May 1, 2018

Centre Plan Team
Via email: planhrm@halifax.ca

Re: Centre Plan Input - Wellington Street

Dear Centre Plan Team:

On behalf of J & A Investments Limited, we are pleased to provide input into the draft Centre Plan and Bylaw specific to Wellington Street. J & A Investments owns two adjacent properties at 1075 and 1083 Wellington Street, directly across from Lundys Lane, a small street separating Peter Green Hall and Century Tower.

Context

Wellington Street connects two major employment nodes, running between South Street (hospitals) and Inglis Street (Saint Mary's University). This has placed unique housing pressures and demands on the street, resulting in a mix of luxury apartment-style condominiums (aimed at working professionals) and detached homes that have been significantly altered, expanded and converted into multiple-unit buildings (and generally aimed at students). While once the dominant building type, intact detached single family homes are now the exception along Wellington Street.

On the west side of the street, Council recently approved a 10-storey building adjacent to Century Tower (which stands at 13 storeys). This building, currently under construction, will contain up to 190 units and a maximum gross floor area of 13,100 square metres. When complete will stand up to 35m, provide more than 750 dwelling units/hectare, and have a GFAR of 5.2. Council has also initiated an application for another 8-storey building on Wellington Street adjacent to Peter Green Hall (14 storeys). This building, if approved, would contain 101 units in 8 storeys, with a gross floor area of 9,083 square metres. This would result in a building of approximately 28m in height, 518 units/hectare, and a GFAR of 4.7. That leaves only a handful of small lots remaining on the street, with a number of older walk-up apartment blocks in between.

On the east side of the street, there is a 5-storey apartment-style condominium complex that occupies more than 75m of street frontage. The remaining lots are between 280 and 650 square metres in area, and the majority of them have been converted into apartment and quasi-rooming housing under the R-2A zone (permitting up to 14 units by way of an addition to an existing house). All of these properties back on to similar R-2A conversions or larger apartment blocks on Tower Road.

Issues

The draft Centre Plan applies a HR-1 Zone to properties on the east side of the street and HR-1 and HR-2 Zone to the properties on the west side of the street. It also places an HR-2 Zone on abutting properties along Tower Road. The result is a strip of properties with limited redevelopment options—and where many will already have more units than permitted under the HR-1 zone—surrounded on all sides with properties with near identical conditions, yet significantly greater development rights.

The application of the HR-1 Zone to these lands seems like an attempt to retain a form or streetscape that has long been altered beyond repair. Direction for Wellington Street has been given by Council through both adoption of by-right regulations and discretionary approvals. For example, properties proposed to be zoned HR-1 on the west side of the street already have approved development agreements (with another under consideration) that significantly exceed both the proposed height and GFAR. And unlike some areas in the regional centre where such development agreement cases may be exceptions in an otherwise more uniform fabric, Wellington Street is lined with buildings that already exceed heights and/or GFARs proposed under the Centre Plan in both the proposed HR-2 and HR-1 zones.

The current draft Plan transitions from high-density on the east side of Wellington Street, to lower-density on the west side of the street, yet back to higher-density on the abutting properties. Only then does it transition to Established Residential. We submit that this is a improper application of the HR-1 Zone based on the definition and intent of the zone. HRM's fact sheet for Higher Order Residential, released as part of the Centre Plan process, states that the "HR-1 zone transitions to adjacent established residential uses through lower heights and gross floor area ratios." In the case of the properties on the east side of Wellington, however, there are no adjacent established residential areas. Regarding permitted use, it also means that all properties surrounding the east side of Wellington would be permitted to have a wide range of housing types and uses, including 60-seat licensed establishments, fitness centres, grocery stores, retail, restaurants, offices, microbreweries, and medical clinics, but the properties in between in this small area would be much more severely limited in commercial uses.

Rather than allowing for the creation of a coherent streetscape, the zoning, as proposed, will only exacerbate the conflicting or opposing qualities that exist on the street today. Rather than downzoning one side through the application of HR-1, one solution to the mismatched form on Wellington Street would be

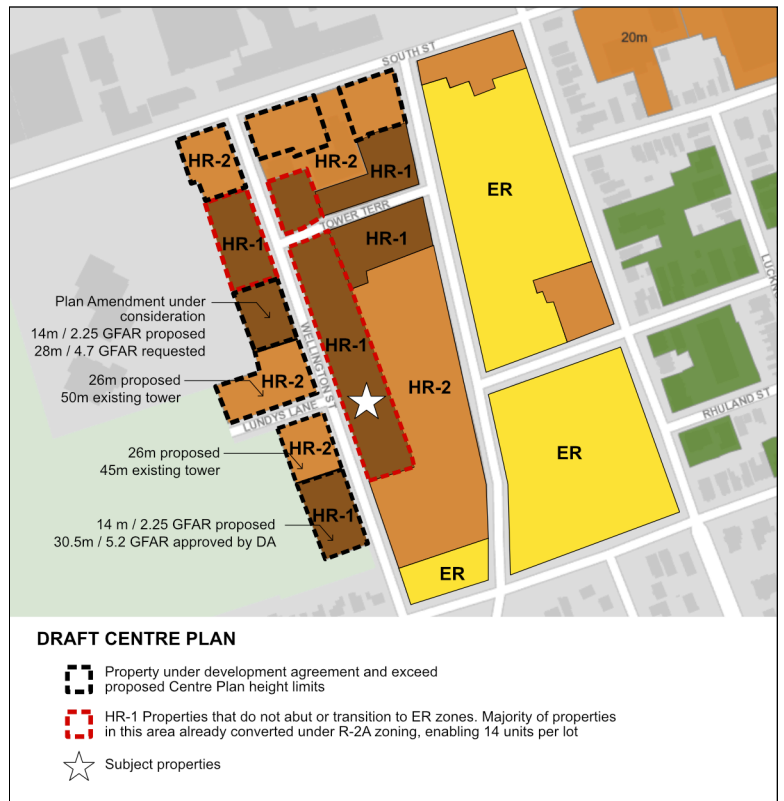


Fig. 1: Existing conditions on Wellington Street, with zoning as proposed by Centre Plan.

to permit redevelopment of reasonably scaled mid-rise buildings consistently along this short corridor. This would allow for proper transitions from a higher edge on Gorsebrook Park, to mid-rise up to 20 metres between Wellington and Tower Road, to 14m or lower on the east side of tower road to meet the large and more contiguous established residential area along this section of South Park Street.

Requested Changes

The requested changes are not specific to the subject properties, but all HR-1 properties on the east side of Wellington Street between Tower Terrace and Inglis Street. When looking at the draft plan, existing conditions and future direction of areas around it as established through decisions of Council, the proposed changes below are an attempt to propose reasonable regulations that help achieve desired transitions between neighbourhoods, taking into account ongoing change in the character of Wellington Street and the proposed zoning for abutting and nearby areas.



Fig. 2: Proposed changes for Wellington Street in the draft Centre Plan Plan and Bylaw.

Along the stretch proposed to be HR-1, we propose HR-2, with a 20m height maximum and GFAR of 3.5. This accomplishes three objectives: (1) It facilitates a transition in height and density from the existing, approved, proposed and under-construction buildings on the west side of the street; (2) it better aligns with the existing density of the many apartment conversions (R-2A) located along the east side of the street; and (3) it provides for a transition in height to the properties on the west side of Tower Road and, in turn, the Established Residential on the blocks between Tower Road and South Park Street.

We submit that the zoning on Wellington Street as proposed creates a situation where a small number of small property owners face greater restrictions on the use of the property, while those all around them are permitted to build to greater heights with significantly higher GFARs. This will likely further increase the assessed value of these smaller properties, yet prevent reinvestment in these properties. We ask that you consider the amendments to the draft plan as outlined in this letter.

Sincerely,
 EDM Planning Services Ltd.
Original Signed

Matt Neville, MaHS, MCIP, LPP



May 1, 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
40 Alderney Drive
P.O. Box 1749
Dartmouth, NS
B3J 3A5

Dear Jacob:

WSP Canada Inc. (WSP) is pleased to submit this letter on behalf of Killam Apartment REIT (Killam) as a response to the Draft Centre Plan Package A released in February of 2018.

Following the release of the Draft Centre Plan Package A documents, which included the Regional Centre Secondary Municipal Planning Strategy (SMPS), Land Use By-law (LUB) and Design Manual, WSP completed a thorough review of the documents to determine the particular impact they would have on a variety of Killam's land holdings within the Regional Centre.

This letter is specifically regarding the draft policies and regulations pertaining to lots that are one hectare or greater in size.

FEEDBACK

Our review of the documents has highlighted some challenges for Killam regarding potential future developments within their one hectare land holdings within the Regional Centre.

ONE HECTARE SITES WITH MULTIPLE LOTS

Policies 12 and 24 within the draft SMPS state that development on lots larger than one hectare in existence at the time of the adoption of this plan (located within the Centre or Higher Order Residential designations) shall be considered by a development agreement. There are several examples of one hectare sites within the Regional Centre that are made up of multiple, contiguous lots (PIDs) under one common ownership. Our understanding is the intent of these policies is to require comprehensive planning processes for the development of large tracts of land within the Regional Centre. We believe this is appropriate. Large sites have the potential to improve connectivity, offer new public space and contribute significantly to mixed-use communities. These sites offer the potential for truly transformative community building projects but would only meet their potential through the development agreement process.

A more appropriate method to capitalize on this intent would enable development agreements for one hectare sites under common ownership. We request that the policy be amended to enable development on sites larger than one hectare that may contain one or multiple lots.

EXISTING DEVELOPMENT AGREEMENTS ON ONE HECTARE SITES

Policies 12 and 24 within the draft SMPS state that development on lots larger than one hectare in size (located within the Centre or Higher Order Residential designations) shall be considered by a development agreement, except for lots where a development agreement has already been approved. Killam has land holdings within the Regional Centre that are on sites greater than one hectare in

size that also have an existing development agreement applied to the property for infill development. One example is their Victoria Gardens property in Dartmouth (PID: 00082610). Killam has potential long term plans for additional residential development on these larger parcels; therefore, they are concerned that the draft SMPS policies limit their ability to do so because existing development agreements are already applied to these properties. Killam requests that Policies 12 and 14 be amended to allow for substantive amendments to existing development agreements on sites greater than one hectare, or to allow for the simultaneous discharge of existing development agreements and the adoption of new development agreements.

INFILL DEVELOPMENT WITHIN ONE HECATRE SITES

Killam has several land holdings within the Regional Centre on sites greater than one hectare that contain residential buildings developed through an as-of-right process in accordance with existing zoning (i.e. Maplehurst Apartments, Dartmouth). Killam has potential long term plans to infill certain portions of these sites with additional development.

Section 206 of the draft LUB states that development on lots larger than 1.0 hectare in CEN-2, CEN-1, HR-2, or HR-1 zone shall be considered by development agreement only. Killam is concerned a development agreement process is not appropriate to infill portions of their larger land holdings with additional development.

It is our understanding that the draft policies and regulations for 1 hectare sites were put in the draft plans to enable comprehensive planning processes for the development of large tracts of land within the Regional Centre. We support this initiative for comprehensive planning, however we feel that the draft policies and regulations should enable a more streamlined approval process for smaller scale infill developments within these sites. We request that staff amend Section 206 of the draft LUB to allow infill development on sites greater than 1.0 hectare in size through a site plan approval process in accordance with the applicable zone.

CLOSING

We would like to thank you for taking the time to review this letter. We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff in an effort to align future planning documents with Killam's potential long term development plans.

If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact the undersigned.

Yours sincerely,

Original Signed

Connor Wallace
Urban Planner – Planning,
Landscape Architecture and
Urban Design

Original Signed

Andrew Kent
Associate Director, Developments



Delmore "Buddy" Daye
Learning Institute
Excellence in Africentric Education & Research

April 30, 2018

**Re: Submission regarding 5450 Cornwallis Street, Halifax
Lands of Delmore Buddy Daye Learning Institute - Centre Plan 2018**

To the Centre Plan Team:

I am writing to you regarding the implications of the draft Centre Plan for our property at 5450 Cornwallis Street located at the corner of Maitland Street, Halifax. (PID 40277022).

Introduction:

The Delmore Buddy Daye Learning Institute (DBDLI) is governed by a volunteer Board of African Nova Scotian professionals that has been tasked with conducting research, developing programs and providing services on behalf of our African Canadian/Nova Scotia Learners and Communities. The DBDLI is a leading Provincial and National centre of knowledge and research on Africentric theories and practices that improve educational outcomes and inform policy about Nova Scotian learners of African Ancestry from pre-school through college and onto adult learning.

We are in the process of moving our Institute to our new home at 5450 Cornwallis Street, Halifax. This existing two storey office building is currently being renovated to serve the needs of our organization so that the DBDLI can fulfill its role and mandate to deliver the services and programs which are of critical importance to our African Nova Scotian community. We plan to complete these renovations and move to this location by the summer of 2018.

Looking forward to the future, the DBDLI intends to invest in the neighbourhood and expand the current space by adding two storeys to the existing building. The expanded DBDLI building will help us to further our mandate and will serve a variety of educational and cultural purposes. It will become a significant community cultural hub serving the African Nova Scotian community with flexible space to facilitate classes, seminars, workshops, student assessments, and informal work sessions. We envision that our new home will host a number of special events such as receptions, displays, and cultural events.

It is intended that this addition will be two full commercial storeys and would be stepped back from the existing streetwalls on Cornwallis (6 feet) and on Maitland Streets (10 feet). Given that the existing building has underbuilding parking, the planned addition would result in an increase of the height of the building from approximately 39 to 68 feet.

Ongoing Land Use Bylaw amendment application:

Our property is currently zoned C-2 (General Business) in Area 8 of the Peninsula North Secondary Planning Strategy. Plan policy promotes a medium rise form in this area which is currently translated to a limit of 40 feet on ZM-17 (Peninsula Height Precinct map).

In order to accommodate our planned addition, an application was made on February 8, 2018 to amend ZM-17 of the Halifax Peninsula Land Use Bylaw to increase the height limit on this property from 40 feet to 68 feet. (Case #21606). It is our understanding that this application is supported by plan policy which allows a range of heights considered "medium rise". Attached is a preliminary elevation of the planned addition viewed from Cornwallis Street.

Centre Plan proposal for 5450 Cornwallis Street:

The draft Centre Plan 2018 is proposing that a height limit of 14 metres or 46 feet be applied to 5450 Cornwallis Street. In addition, it would be limited to a GFAR of 2.25. These limits would not permit the development of the planned two storey addition of 68 feet which will result in a GFAR of approximately 2.9.

In addition, Centre Plan 2018 is proposing that the property be within the Gottingen Street Centre with a zoning of CEN-1. The range of uses to be permitted in the CEN-1 zone are very limited and would not appear to permit the predominant use of 5450 Cornwallis Street as a significant centre for African Nova Scotian education and culture. The intended uses and activities at 5450 Cornwallis Street including a library and resource centre, social learning rooms, training rooms, cultural events, workshops, the presentation of art, films or musical performances, and offices for the organization would not be permitted. All of these uses are currently permitted under the existing commercial (C-2) zoning for the property which has been in place for decades and was a crucial factor in our decision to purchase this property two years ago for our Institute.

Centre Plan request and justification:

It is requested that changes be made to the proposed Centre Plan to allow an increase in height (well within the mid-rise range) from 14 to 20 metres with a corresponding increase in GFAR from 2.25 to 3.5. In addition, it is requested that 5450 Cornwallis Street be zoned CEN-2 as opposed to CEN-1.

We offer justification for these requests as follows:

- This property is a significant commercial building which, together with the MacDonald building on Gottingen Street, has functioned for decades as an office node in the Gottingen Street commercial area which is well served by transit resulting in a regional influence. The continuation of 5450 Cornwallis Street as a major commercial use was reflected by its zoning in the Peninsula North Plan in 2000.

- The Centre Designation is intended to accommodate the greatest concentration of new commercial and residential growth in the Centre Plan area. However, the proposed CEN-1 zone allows a much more restricted range of uses than is proposed for the Higher Order Residential 2 and the Corridor zones. Most notable of such uses include retail, office, and cultural uses.
- The past use of this building as a major office use, and the current and future use of this building as a Provincial Centre for African Nova Scotian education and culture with its superior transit and pedestrian accessibility, supports the application of a CEN- 2 zone on this property.
- The current height limits under the Peninsula North SPS and the proposed height limits of the Centre Plan severely limit the ability for this site to fulfill its intended role not only for DBDLI, but also for an intensified Gottingen Street Centre. The requested height limit of 20 metres is well within the limits of a mid-rise structure.
- There are other properties in the proposed Gottingen Street Centre, which are currently located in the 40-foot height precinct along the west side of Maitland Street from Prince William Street to Portland Place, where a height limit sufficient to reflect planned medium-rise development has been proposed (up to 32 metres) under Centre Plan. There are also examples of properties within this Centre, which notwithstanding their location directly across the street from or abutting lower rise residential and heritage residential properties, are proposed to be zoned CEN -2 with a 20-metre height limit. We see no planning rationale to restrict the use and height of 5450 Cornwallis Street when compared to these other properties.
- The planned streetwall stepbacks from both Cornwallis and Maitland Streets will ensure an appropriate transition to the neighbouring context including institutional and residential uses across Maitland and Cornwallis Streets. Also, these stepbacks will retain the existing building scale and experience for pedestrians on sidewalks adjacent to this building.
- It is our opinion that commercial and cultural intensification in Centres should be an equal goal to residential intensification, however it appears that there is more of an emphasis toward the residential and mixed-use redevelopment of existing major commercial properties in Centre Plan. We submit that residential intensification needs to be supported by a concentration of retail, office, service and community and cultural uses to support new residential development and redevelopment in complete pedestrian oriented centres. The Centres and corridors must allow a wide range of commercial uses with sufficient height and floor area to sustain and serve additional population and this should include the DBDLI centre at 5450 Cornwallis Street

Summary and Conclusion:

Based on the preceding analysis and justification, we respectfully request amendments to the proposed Centre Plan for 5450 Cornwallis Street as follows:

1. Allow an increase in height from 14 metres to 20 metres, and an increase in GFAR from 2.25 to 3.5 which are required to provide sufficient space to realize our vision of 5450 Cornwallis Street serving as a Provincial Centre for the realization of excellence in African Nova Scotian educational research and practice.
2. Zone this property as CEN-2 to allow a broader range of uses to not only reflect the current zoning and long standing use of the building, but also to further the goals and vision for DBDLI and the Gottingen Street Centre Designation.

We thank you for your consideration of these requests and would ask that as you revise the draft Centre Plan for Package "A" based on community feedback through consultation, that these revisions include these requested changes for the continuation and expansion of the Delmore Buddy Daye Learning Institute at 5450 Cornwallis Street.

Sincerely,

Original Signed

Jocelyn Dorrington
Chairperson, DBDLI Board

cc. Councillor Mason, District 7
Councillor Smith, District 8
Chairman and Members Community Design Advisory Committee
Sylvia Parris-Drummond, CEO DBDLI
Sheila Lucas-Cole, Project Consultant

Cornwallis street elevation

North West Elevation



Delmore Buddy Daye
Institute

firm: Ebiatici Plan+Design
address: 1 Starr Lane,
Dorchester, NS B2Y 4J7
phone: 902.461.2525



5432 CORNWALLIS

page size: 11x17 (landscape)
date: February 2nd, 2008
page number:

003

May 1, 2018 – via email

Mr. Carl Purvis, HRM Planning Applications Program Manager
Mr. Jacob Ritchie, HRM Urban Design Program Manager

Robie & College St. Area Centre Plan Change Request

Dear Mr. Purvis;

Thank you for your email response of March 15th, 2018 (attached) to my letter of February 26th, 2018 addressed to Kate Greene (attached) regarding the proposed changes in the latest version of the Centre Plan that affect our properties located in the designated Spring Garden Center area.

Let me begin by stating that we completely understand and appreciate the immense effort required to develop the Centre Plan and its supporting policies. With over 22,000 individual PIDS, it was expected there would be fine-tuning and adjustments required as the Plan became more detailed and granular. Wisely, the process has provided many opportunities for public input and review as the Plan is developed.

This letter is intended to respectfully request the Centre Plan team and, if necessary, the CDAC committee review the height and related GFAR designation for our properties located along Robie and College Streets that do not currently have a registered heritage building on them.

We are grateful that you and your team met with my development team to discuss our concerns and we appreciated your offer to determine the motivation for the changes. Your response provided a reasonable basis for the specific designation of a height limit of 11m on one of our properties where a registered heritage property (5669 College St.) is located. We fully understand the rationale in the Centre Plan to provide protection for registered heritage properties and are supportive of the proposed 11m limit for all registered heritage properties throughout the Centre Plan area.

However, our fundamental observation remains regarding our five parcels fronting Robie and College Streets (1389,1377 Robie St.; 5989, 5977, 5963 College St.). The Centre Plan designates the Spring Garden Center as the most southerly Center in Halifax. It is the smallest Center area and comprised of just four small blocks. It currently hosts some high density residential buildings and the Center Plan contemplates greater intensification for the area. The block on the southwest corner of the quadrant is the only one of the four quadrants currently without any high rise buildings. Our properties represent almost 2/3 of the non-heritage portion of that block with over 75,000 sq. ft. of land. All of the properties in the Spring Garden Center area were designated for the highest designation in the Purple version of the Centre Plan. The latest Yellow version includes that same highest designation (62m) for all the properties in the Spring Garden Center area except for registered heritage properties (11m) and all of our properties (50m) and one small property (50m) in the neighboring block that is too small to host the highest height. We are perplexed by the revised height and corresponding GFAR designation for our properties and respectfully request that they be restored to the height (62m) of the other properties in the Spring Garden Center area. We believe our request is reasonable because:

- Our properties are located at the prominent corner of Robie and College Streets and extend for 300 feet on Robie St. toward Spring Garden Road and 400 feet on College St. until the intersection with Carlton St. This prominent corner acts as the gateway linking the Dalhousie University campus, south end hospitals and residential areas with the city core.

- The Centre Plan calls for the Spring Garden Center quadrant to be the highest density in the south end. Yet, the largest and most developable parcel isn't currently indicated for the highest height and GFAR in the area.
- The current development proposal for the site (Promenade at Robie South) is well advanced and the HRM sponsored Public Information Meeting (PIM) is scheduled for June 4th.
- The Promenade at Robie South was approved by Regional Council to move forward last August because it was generally compliant with the Centre Plan.
- Of the 14 projects approved by Council for advancement on August 1, 2017, our project is the only one to have its height designation reduced from the Purple to Yellow versions of the Centre Plan.

We completely understand that our current proposal is being reviewed under a Site Specific Amendment approval process and that process is supposed to consider the Purple Centre Plan (June 2017) as a guide along with the planning principles described in the council motion. Nevertheless, we believe the changed height designation will create confusion for the public participating at our Public Information Meeting and for staff and Council trying to explain this change in the context of our proposal. Furthermore, we do not believe the change is justified and, in the event that our current application is unsuccessful, we would expect that our properties would be treated the same as the other properties in the Spring Garden Center area.

As you know, our family and team have worked very hard for over two years to develop a comprehensive and sensitive redevelopment proposal for our site that preserves all of our registered heritage buildings, transitions sensitively to Dalhousie and our neighbours on Robie Street and achieves the Centre Plan's goal of bringing additional density in the Spring Garden Center area. We have worked very hard with city planning and heritage staff and have fully participated in the Centre Plan consultation process. We respectfully request that your team review the height and GFAR designations for our non-heritage properties in the Spring Garden Center area and restore them to the designation of the other properties in the Spring Garden Center area..

Best personal regards,

Peter Rouvalis,
President, Promenade at College/Robie

Cc: Ms. Kathryn Green
Mr. Tyson Simms
Mr. Aaron Murnaghan
Ms. Kelly Denty
Mr. Miles Agar
Mr. Dan Goodspeed

(Kate Greene letter)

February 26, 2018

Kate Greene, MCIP, LPP
Policy and Strategic Initiatives Program Manager
Planning & Development
Halifax Regional Municipality
Halifax, NS

Center Plan Changes – Promenade at College & Robie

Dear Kate;

I am writing to inquire about proposed height designation reductions that were assigned to our properties in the updated Center Plan version released publicly on Friday, February 23rd.

As you are aware, we have always approached our development proposal for the College/Robie properties with a collaborative mindset. We have appreciated the guidance and advice provided by staff over the last two years as we work to fine-tune our core proposal. We believe our proposal is very sensitive to the heritage assets on our site and the desire of our neighbours to transition well to the surrounding uses. We were anticipating participating in our HRM sponsored PIM in March as discussed with staff a few weeks ago and as foreseen by Council in their decision last summer to advance our proposal.

Needless to say, it comes as a major surprise and disappointment that the updated draft Center Plan included a significant reduction in the height allowed on our properties. This reduction makes our current proposal unviable. We wonder why our properties were the only ones targeted for a reduction in the Spring Garden Road center area? Our approach has always been to seek understanding and to try to appreciate HRM's perspective but in this instance, we feel blind-sided and singularly targeted.

I would respectfully ask that we have an urgent meeting so we can gain an understanding of the objectives of the changes by the group involved in the development of the Center Plan.

We will make ourselves available at your convenience but since the report is being considered on Wednesday at CDAC, we obviously would appreciate an early meeting.

Sincerely,

Peter Rouvalis
Promenade at College/Robie

c.c. Myles Agar, Principal Planner, HRM
Tyson Simms, Project Manager, HRM

Dan Goodspeed
Wendell Thomas
Jim Meek
Noel Sampson

(Carl Purvis Email response – March 15, 2018)

Dear Peter and Team,

Further to our meeting last week, Kasia and I committed to you that we would track down the reason for the change in the draft Centre Plan heights applicable to your lands at Spring Garden, Robie and College. We have since had the opportunity to speak with our Municipal Heritage Officer, as well as the staff that have been working on our density and height mapping over the past weeks and months. In speaking with these individuals, the decision to reduce the draft height permissions on one property amongst the eight which are the subject of your plan amendment application was very much a conscious one.

The Centre Plan as you know is focused on adding people to our Regional Centre with the expectation that 18,000 units will need to be added over the coming years. With that said, the plan looks to strike a balance between adding these units without upsetting the existing character of our communities that its residents appreciate so much. As such, acknowledging that growth will need to occur in strategic locations of our Centres, Corridors, and Higher Order Residential areas, we do not want new policies to actively encourage the demolition of existing registered heritage properties, such as the one located at 5969 College Street. We recognize that your intent within your site specific plan amendment is to retain and relocate this building to a location nearby given not only its heritage value, but also the sentimental value it has to your team. HRM's Urban Plan Amendment Team - via Kate Greene, Miles Agar, and Tyson Simms – is negotiating in good faith with you on policies which would facilitate that approach. Should Council approve this policy, prior to the Centre Plan being approved, it will be written into the Halifax Municipal Planning Strategy, and staff intends to carry the policy forward into the future Centre Plan documents to ensure the development rights are protected.

If however, for whatever unforeseen reason, Council does not approve a site specific amendment for your property, the rules and regulations within the most recent Draft Centre Plan Secondary Municipal Planning Strategy and Land Use By-law – inclusive of those regulations relating to density and height, would apply to your site once the Centre Plan is approved. While this is not the course the redevelopment of this site is expected to take, staff again do not want to encourage the demolition of existing heritage resources due to increased heights and densities applied to them. As such, in working with the Municipal Heritage Officer, we have been working to identify registered heritage properties within the boundaries of Package A areas, and amending heights so as to not incentivize their demolition.

I would note again – as we did in our meeting last week – that the direction from Council that is informing the Urban Plan Amendments Team review of the project relates explicitly to the June 2017 version of the Centre Plan and the planning principles described in the August 1 2017 motion of Council, not the February 2018 version of the Centre Plan with amended heights. Acknowledging that you see the change as a communications issue between yourselves and the public, we as Municipal staff can certainly be clear about the intent of this change, as well as the fact that your proposed Plan Amendment application considers heritage resource preservation.

Myself as well as the staff cc'd on this email are available to you throughout the rest of your plan amendment process to address follow up questions you may have.

Kind Regards,

CARL PURVIS MCIP, RPP
PLANNING APPLICATIONS PROGRAM MANAGER

PLANNING AND DEVELOPMENT

HALIFAX

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April 18, 2018

Mr. Carl Purvis
Centre Plan Manager
Planning and Development
Halifax Regional Municipality

Dear Carl:

I am pleased to provide my final comments on the Centre Plan.

I had made about 8-10 submissions at the start of the Centre Plan consultation process, and for the most part, feel my areas of interest have been addressed, with the exception of two planning matters described below.

For some matters, such as affordable and special needs housing, I believe that HRM needs to adopt a more proactive role. These are HRM-wide needs, not just in the Regional Centre. Alignment of planning practice and staff resources will likely evolve, given the opportunities that are available through the National Housing Strategy. I suggest that a Housing Business Plan be established for the Municipality as a whole, incorporating Sections 6.2, 6.3 and 6.4 from the Centre Plan as a starting point.

In January 2016, in tandem with my submissions to the consultation process, I had the opportunity to survey Dartmouth residents and businesses on a range of community and planning concerns. The results show a strong commitment to the identity of Dartmouth as a community.

For example, I learned that 92% of residents and 74% of business owners felt that Dartmouth should be a community within a municipality that is known and promoted as Halifax Regional Municipality, as opposed to a municipality that is known and promoted as Halifax.

I also learned that 97% of Dartmouth residents and business owners supported Centre Plan policies that would protect Dartmouth's lakes, and that 98% supported coordinated management of our lakes.

Accordingly:

Urban Lakes Management Plan / Pilot Project

The Centre Plan provides an opportunity to consider urban lakes within a management framework that should address water quality, biodiversity and wildlife protection, invasive species, stormwater incursion, siltation, public safety, trails and access, littering, sports and recreational uses, cultural activities, signage, heritage, tourism, education etc.

Given the Centre Plan growth targets, it can be expected that the 7 lakes and 1 pond found within the Regional Centre will experience more intensive use. This may be particularly so in Dartmouth given the generally lower land costs and more available land for development in Dartmouth than in Halifax.

I assumed Policy 2.7.2 (f) - found on Page 79 of the first Draft - was a useful step towards urban lake management. It read:

Monitor water quality in all lakes and develop recommendations to maintain water quality, recreational opportunities, and aquatic habitat.

However, this policy has now been removed from the Centre Plan, and it defers to the policies contained in the Regional Plan. In my view, the Regional Plan does not provide sufficient management or protection of urban lakes.

Please re-instate Policy 2.7.2 (f) in the Centre Plan. Better still; make a policy statement for establishing a pilot project for the management of our urban lakes, starting with those in the Regional Centre.

Use the Legal Name of the Municipality on the Front Cover

Currently, only Halifax is listed on the front cover of the Centre Plan. The Centre Plan is a legal document and the legal name of the Municipality is used inside the document. The Centre Plan area is also referred to as the Regional Centre throughout, so it makes sense to include the word "Regional" on the front cover. Please remove the Halifax marketing logo from the front cover and replace it with "Halifax Regional Municipality".

Thank you for considering these requests.

Original Signed

David Harrison, MCIP

cc. Harbour East Marine Drive Community Council Members
Kelly Denty, Interim Director, HRM Planning and Development
Gloria McCluskey, President, Destination Dartmouth Association

Attn: JACOB RITCHIE
Date: April 18, 2018
From: Ed Edelstein of EcoGreen Homes

Proposed from Draft Centre Plan:

We are writing to give you feedback on the draft Centre Plan. With experience developing on Gottingen Street, we've learned that the leniencies within the current plan are essential to revitalizing this part of the city. We feel that the draft Centre Plan is much more restrictive than the existing plan and will therefore hinder redevelopment of this area.

We Propose Changes as follows:

1: Make Maitland an "enhanced CEN1" or simply CEN 2 and /or redefine "CEN 1"

Maitland as currently drafted is CEN 1 which is too restrictive for various commercial uses. We are concerned with CEN-1 zoning on Maitland St would prohibit the some of the existing uses on the street. We would like to see offices, retail and eating or drinking establishments along Maitland Street to service the residential community. Live/work units fronting Maitland as currently allowed would be great.

2: Make allowances for Through block properties on different PIDS but owned by one owner

We own the following through block properties between Gottingen St and Maitland St. Currently in the draft the properties are proposed as CEN-2 zoning on Gottingen and CEN-1 zoning on Maitland. As these are through lots owned by the same corporation, they should be zoned under the same zoning.

2242 Maitland St – PID 00154419
2230 Maitland St – PID 00154435
2171/69 Gottingen St – PID 00154559
2165 Gottingen St – PID 00154542
2157/59 Gottingen St – PID 00154526

3. Make GFAR's for Gottingen/Maitland have a ratio of 5 to continue to encourage development in this sensitive area

The proposed GFAR in Package A would also negatively affect future developments on our properties. With small and narrow urban lots such as these, lot coverage of 100% is nearly unavoidable and restricting the GFAR greatly reduces the buildable height. Currently on Gottingen St we can build five storeys fronting the street. The GFAR in the draft plan would restrict us to a 3-storey building at Gottingen St, with an upper floor of 50% floor area, or with significant step backs.

4. Make 3M street level possible for these smaller lots or at the most 3.5M

Further to this, the proposed ground floor level height of 4.5M, just shy of 15ft, would further restrict the number of storeys we could build. We also believe that this is not in keeping with the scale of the Gottingen Street neighbourhood, as well as other parts of the city.

5. Eliminate 1 M street step backs for Gottingen and Maitland

The minimum street line of 1 M is also not in keeping with the existing developments on t Gottingen Street and is only favorable for larger developments. Existing smaller lots on the street with infill development should not be required to step back 1M as it would not be in keeping with the existing street wall.

6. Leniency encourages development - Gottingen needs leniency to continue growing

Gottingen is a very socially sensitive area and needs all the help it can get to keep growing. Looking at the past, the city's pride can be seen in developments such as the Hyrdostone neighbourhood. This area was developed with no city planning and the leniency allowed for invention and a new community to develop from a bad situation. It would be a shame to discourage future development on Gottingen Street which has been essential to revitalizing this part of the city.

20 Rosedale Dr
B3A 1L8
Joseph Arab
902 209 3327

April 24, 2018
Jacob Ritchie, MCIP LPP
Urban Design Program Manager
Planning & Development
HALIFAX

Re. Policy 128 and Rosedale Development

Dear Jacob,

This is a letter to provide feedback on the Policy 128 from the draft Regional Centre SMPS, as part of the ongoing public consultation process taking place.

Policy 128 (found on page 127 of the draft SMPS) states:

"A new development agreement, or an amendment to an existing development agreement that would change the project commencement date, that is adopted in accordance with Policy [127], must include a provision that the development must be completed within three years from the date of Council's approval or all appeals have been disposed of, whichever is later."

Our understanding of this policy, with respect to amended construction timelines, is that:

- The construction timeline for a development agreement approved prior to the adoption of CP will be governed by terms defined in that development agreement
- Should an amendment need to be made to alter the construction timeline for the development agreement, the development will receive a maximum of three additional years at which point the building must be fully constructed.

In January we submitted a Development Agreement for a proposed development on a number of properties fronting Rosedale Dr (PIDs: 00066936, 00044792, 41054339 and 00067132). We

believe the additional 3 year maximum described in Policy 128 is ill-suited to our proposed development for two reasons:

- For a large development such as this one (two phases @ ~100 units each, the total area above 1 hectare), reasonable construction timelines could stretch beyond 3 years. If this is the case the policy doesn't provide any effective increase in timeline as construction would have to commence immediately (or beforehand) in order to be completed within 3 years. It's also unclear what should take place if the development is X% completed (ex. 50%, 80%, 95%) at the conclusion of those 3 years.
- Through conversations with members of the Centre Plan team, it was brought to our attention that while the Rosedale site sits in an important location in consideration of future growth (particularly along Wyse Road), the timeline for the development of the area is a bit longer than many areas, in particular on the Halifax side. Essentially, development around Wyse Road is highly important, but the urgency is lower than in other areas.

Given that the development is large (over 1 hectare, multi-phase, over 150 units) and that the urgency of development in the area is relatively low compared to other areas in HRM, we think a more reasonable timeline for this kind of site in Policy 128 would be

- 3 years to commence construction, OR
- 6 years to complete construction

Sincerely
Original Signed

Joseph Arab

President, ArabBros

Original Signed

Benjamin Carr

VicePresident, ArabBros

April 24th 2018

To the HRM Centre Plan Team,

We are submitting this letter to provide feedback as part of the public consultation process taking place with respect to Draft A of the Centre Plan. Specifically we would like to express our concern that the "low rise" designation being proposed for the section of Robie St. between Bliss St. and Jubilee Rd. is inappropriate given the current profile and future development potential of the Robie St. Corridor.

Robie St. is one of HRM's largest arteries. Immigration trends and low vacancies rates reported by CMHC the past several years highlight the significance of this Corridor as a centre of economic activity, now and even more so for the future.

The Robie St. corridor has also received some negative attention in the press over the past several months. While this creates a civic and political pressure to respond, responding too strongly will prevent future development potential that may have been in the long term best interest of the area and the city.

Specifically, we are requesting that sites on the section of Robie St. between Bliss St. and Jubilee Rd. be reconsidered to qualify for the 20m height and 3.5 FAR, characteristic of sites at the upper spectrum of the Corridor designation.

Sincerely

Original Signed

Joseph Arab & Benjamin Carr

Arab Brothers Capital Inc.



suite b201 - 639 portland hills drive
dartmouth nova scotia
b2w 0j7

04 May 2018

Centre Plan Project Team
Centre Plan Advisory Committee
Halifax Regional Municipality, NS

Re: Proposed Reginal Centre Plan

I 'm writing to submit our comments on the proposed Centre Plan regulations, both in general terms and relative to how they affect our site at the corner of Prince Albert Road and Glenwood Avenue in Dartmouth.

The high level policy goals are good but also represent fairly generic motherhood statements that could reasonably apply to any city. More importantly, there are concerns with the details of the regulations that will actually discourage the intended redevelopment. Based on our review, the plan does not provide a balanced approach, effectively discouraging development in the core areas of the city while promoting development in areas outside of the Regional Centre.

Downzoning

The plan suggests that it will provide certainty and enable development in key areas with faster approval processes. However there are many areas that currently have generous zoning and development agreement rights where development has not happened. This is especially true in Dartmouth for areas such as Wyse Road, Windmill Road, and Pleasant Street where the economic case isn't yet viable even though there are no height or density limits. While the uncertainty of a DA process does discourage development to some degree, reducing allowable heights and imposing arbitrary GFAR that together slash achievable density will do nothing to spur development in such areas. Instead these areas will continue to underperform as land owners wait for rents to increase or for the rules to change. Where density bonusing is required to achieve maximum height, even less development will happen, especially in areas like Wyse Road where it is already possible under current zoning to develop these heights without having to pay the proposed density tax.

Heights

The proposed height framework is not appropriate. To consider that low rise buildings are no more than 11m and 3 floors, and that mid rise is only 4-6 floors, might make sense in a small town but not in a city trying to broaden its appeal and attract investment. A high rise building by any rational definition does not start at 7 floors. The existing downtown Halifax standards are more appropriate (low rise to 20m, mid rise to 33m) and for consistency's sake should be used throughout the Regional Centre. There are many homes taller than 11 m - are we intending to call these mid rise buildings? There have been no detailed, meaningful feasibility studies done by HRM that consider development economics, otherwise it would be clear that most sites simply cannot be developed under the proposed height rules. There also needs to be a provision for varied heights on large properties, which should be used to accommodate stepped mid to high rise buildings that transition to low rise forms on the same site. This approach provides flexibility, while guaranteeing protection for adjacent low density forms by providing greater separation to tallest buildings.

Built Form Framework

A built form framework is good if it provides for reasonable yield and design options. But unreasonably strict development standards that force small building footprints, building envelopes and floorplates with no flexibility are a problem. Given the wide variances in site size, shape and context throughout the Regional Centre, there should be the ability to adapt to unique conditions. An oddity is the prohibition of useable penthouse space, which will result in unsightly mechanical penthouses and reduce opportunity for rooftop amenity space.

GFAR

The use of Floor Area Ratios is a valid means of regulating development by tying allowable building envelope to lot size. However it is only effective when a net figure is used that factors out areas such as common circulation areas, elevator cores and stairways, areas of refuge, shared amenity space, above grade enclosed parking, lunch rooms & locker rooms in commercial buildings, and bike lockers. Using a gross number means that the building will contain as many small units as possible and the least permitted amount of common space. But to use FAR at all when there is a clear heights and built form framework is unnecessary and seems to be trying to find just one more way to limit and prohibit development. Use built form controls or net FAR, but not both.

Grandfathering of Development Agreements & Approved Development Permits

It's our understanding that development agreements already approved or those already in process, will be grandfathered for a period of three years and that changes to the design to approved applications may also be considered by Council. This seems appropriate given it recognizes the substantial investment made in acquiring lands and planning for development, a process that does not happen quickly.

Approved Development Permits, are however, subject to a different standard and are being dismissed / vacated entirely under the proposed Centre Plan. Given that Development permits are obtained as-of-right they should be afforded equal if not superior consideration under the new plan. Development Permit plans require submission of detailed designs consistent with submissions for development agreements. Development Permits have received approval that is similar to development agreements, so why can this fact not be recognized? One may argue that the development agreement is a contract which cannot be vacated while the development permit might be vacated as part of process. However common sense demands that the new Centre Plan respect the right afforded to as-of-right property owners that have clearly demonstrated their intent by way of obtaining a Development Permit. It is only fair that there be a clause in the new LUB which states that a DP issued under today's rules or that has been applied for by a certain date, will continue to be valid for a period of at least three years once Centre Plan is adopted.

307 Prince Albert Road / 5 Glenwood Site

This Property consists of two separate parcels which we are in the process of consolidating, to create a 25,707 square foot site. The property at 307 Prince Albert currently contains a funeral home and large parking lot, while 5 Glenwood contains a duplex. The funeral home site is zoned GC General Commercial while 5 Glenwood was recently rezoned by Harbour East Community Council to R4 High Density Residential. Our intent is to develop a mixed use, primarily residential building on the combined lot via an active development agreement application, however we must ensure that the proposed zoning and standards provide adequate development rights.

Impact of Centre Plan Rules on Our Site

Centre Plan is proposing a Corridor Zone that would allow mixed use development on a maximum lot coverage of 80%, with a 20m height limit and maximum GFAR of 3.5. These standards are only proposed for 307 Prince Albert while 5 Glenwood is to receive a low density zone. Given the recent decision by Council to rezone 5 Glenwood, the entire site should be placed within the corridor to avoid split zoning the consolidated property and to enable comprehensive development.

GFAR vs DA proposal - Based on lot size, Centre Plan only allows 65,825 square feet of gross floor area on the lot at 307 Prince Albert Road, resulting in a yield of only 40 to 45 units which is simply not viable. That GFA is substantially less than what the building envelope rules allow for, which

would be 80,000 square feet - Why have a set of standards seeming to allow one design be superseded by another standard? Just use one or the other without trying to create some hybrid system that conflicts with itself. With the zoning applied to the whole combined site, the maximum GFA of 3.5 would only allow 89,975 square feet and a yield of only 55 to 60 units. For the combined site, the building envelope rules would allow 110,000 square feet. By comparison, the development agreement application currently in process is for approximately 85 units, with gross floor area of 118,000 square feet and a GFAR of 4.6. We've been going through this process for several years and if it was viable to develop a 55 to 60 unit building we would already have proposed that under the DA, given some vocal opposition to any development on the site. This comparison demonstrates that the theoretical development capability allocated by Centre Plan simply does not provide enough real world incentive to redevelop, and that HRM has not undertaken a meaningful analysis of the impacts of its proposed limits.

Height Limits - The existing zoning on our site does not include any height limits, which enables unlimited height for commercial buildings while residential buildings are subject to DA, giving flexibility to determine what is appropriate given the unique characteristics and context of every site. Centre Plan however is now proposing to impose a 20m height limit that would only enable a 6 storey building, with no penthouses permitted. The site is at a major corner, at the intersection of 3 streets and where the primary street of Prince Albert Road is very wide. The abutting lands to the north contain a service station and hotel. The site is very deep, which allows for good transitions in scale from the front back to abutting low density. A large park is on the other side of Prince Albert. Such a site is logical candidate for greater height given just these factors. In addition to the aforementioned, a tall building can be developed on this site with no shadow impacts. But Centre Plan seems intent on giving in to the anti-development voices and favouring low rise forms that are more suburban in character and that (if even possible to be built) will waste development capacity by failing to capitalize on intensification and infrastructure opportunities. By contrast, Planning Applications staff most recently supported a 9 storey building on the site through the DA process and advised it was compatible with the area, and in 2012 staff made a case for 14 storeys on the same site. Why is another group of staff now saying that these forms aren't appropriate? The version of Centre Plan approved in principle in 2017 provided for the ability to have extra height on corner sites, where good transitions in scale could be provided. Our DA proposal substantially exceeds the proposed standards of Centre Plan relative to setbacks and stepbacks to abutting lands, and where this can be achieved there should be consideration for extra height. However the new version of Centre Plan has removed this ability, for unknown reasons. But on the basis of that now-removed corner provision, staff supports extra height for the site at Robie/Cunard in Halifax, and Centre Plan now provides for a 26m building on that corner instead of 20m as shown last year. This shows an inconsistent approach and demonstrates a lack of fairness, as the Prince Albert site is very similar to the Robie/Cunard one in terms of context to surrounding land uses. As such Centre Plan should show at least a 26 m height at the corner of Prince Albert/Glenwood, stepping down toward the back. The consideration for extra height, where appropriate transitions in scale can be provided, should be put back in Centre Plan as per Council's approval in 2017. That will allow design flexibility where the characteristics of a site make it appropriate and exemplary design and form can be provided that exceeds the minimums.

Summary

For most properties, the proposed land use rules with their restrictions on height and GFAR will be a strong disincentive to redevelop sites. To underline this point, in 2017 Jacob Ritchie said in a public presentation (in relation to the review of the Downtown Dartmouth MPS) that growth targets have not been met because the 7 storey height limit in that plan is too restrictive. And yet that mistake is now proposed to be compounded and extended to a wider area. Most large sites, except those that have already advanced in a DA process or MPS amendment, will remain in their current state and HRM will not achieve its stated growth goals. It has become abundantly clear in the HRM-held developer workshops that city staff have little appreciation of the factors that contribute to decision making and investment in moderate to large scale redevelopments. The details of Centre Plan therefore need to be rewritten especially in the following areas:

- Decouple built form standards from GFAR, and just use one or the other, in order to bring clarity to site and architectural design
- Provide for a realistic heights framework for low, mid and high rise buildings,
- Don't tax the development of taller buildings in an effort to seemingly favour buildings of 6 floors or less,
- Undertake some meaningful feasibility studies on key sites to understand development economics around what is feasible and what is not, to break the cycle of HRM proposing rules that won't enable reasonable degrees of development,
- Extend the proposed Corridor zoning to also include 5 Glenwood Avenue.
- Provide grandfathering provisions for development permits equivalent to development agreements, and

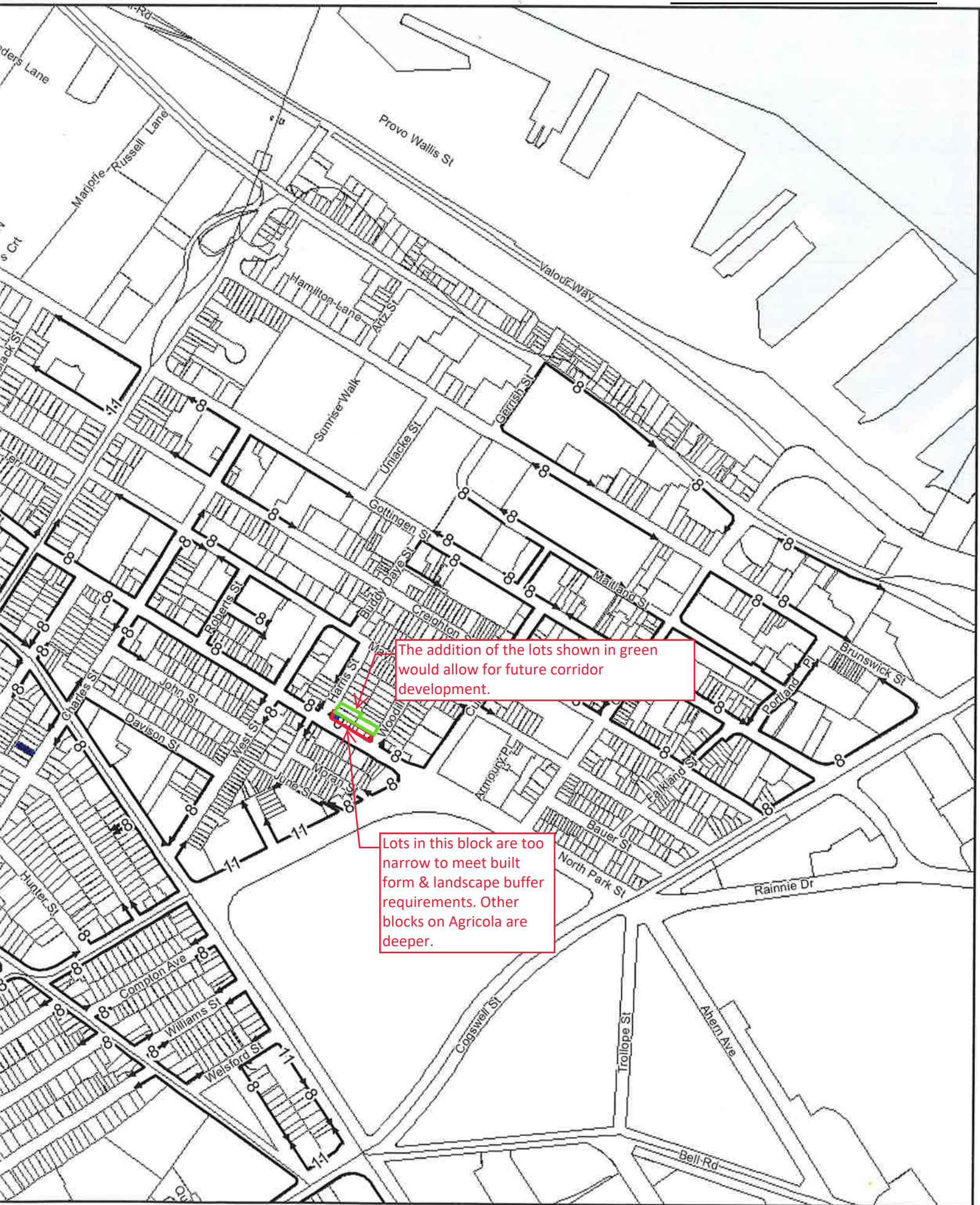
We support the goal of providing clear and up to date planning documents for the Regional Centre, but it is imperative that they be founded in a real understanding of land development, otherwise HRM will fall far short of its stated Centre growth goals with the result that development of new multi unit buildings will shift more strongly to the suburbs where there is a large land supply and fewer restrictions.

Yours truly,

Original Signed

Tony Maskine, M.A.Sc., P.Eng.
Blue Basin Group

cc: Chair and Members of Community Design Advisory Committee
Sam Austin, Councillor, District 5



The addition of the lots shown in green would allow for future corridor development.

Lots in this block are too narrow to meet built form & landscape buffer requirements. Other blocks on Agricola are deeper.

MEMO | 2018.05.03

To: Halifax Planning & Development
7071 Bayers Road, 2nd Floor Towers
Halifax, NS B3L 4P3

Subject: Centre Plan Commentary Feedback Package A – Urban Structure

Dear Centre Plan Team:

WM Fares Architects has reviewed the Centre Plan Draft Urban Structure and have concluded that many of the proposed zoning boundaries along major corridors are too shallow and unrealistic to allow for architecturally viable developments. We urge staff to consider our concerns, as we feel the urban structure as proposed fundamentally contradicts center plan objectives of pedestrian first, complete communities, and strategic growth. We fear if zoning boundaries are not appropriately and realistically adjusted, then stakeholder investors will turn to developing in areas outside the regional centre, leaving our urban corridors and centres stagnant with no cultural, social nor economic vibrancy.

Based on our experience and professional opinion, we are finding that lot depth of +/-40m (130ft) would be the bare minimum to allow for architecturally feasible midrise typologies that include double loaded corridors and adequate transitioning measures to ER-zones. It appears that COR boundaries are consistently one lot deep throughout the structure map and we strongly recommend extending zoning boundaries to the next lot boundary to meet a 40-meter minimum. We would also urge the centre plan team to re-assess the urban structure with a bold holistic visionary lens. What are projected built forms of full civic blocks and how do they interface with the public realm? What is the vision for how our streets are to *feel* like for a pedestrian? Do inconsistencies of building height and GFAR within civic blocks make sense? Are we ok with 'holes' in our urban fabric where shallow lots render unrealistic development potential? What is the visionary intent for our public streets? These fundamental planning questions cannot be addressed if the urban structure map takes on a hodgepodge approach of simply outlining preexisting uses from lot to lot vs visionary intent from block to block and street to street. Our neighbourhood streets should be carefully designed, and this is not addressed anywhere in the draft policies nor the Land-Use Bylaw.

To illustrate our higher level concerns, we have identified 3 subject areas as examples in the following attachments that include commentary and suggested boundary extensions in which we feel would adequately incentivize feasible midrise developments along our primary corridors:

- A. Agricola Street Corridor
- B. Robie Street Corridor near the QEII
- C. Windsor Street Corridor near the Forum

In addition, we have also attached active development interest properties where we have undertaken site assessments for current clients, many of which fall within the above subject areas but have PIDs excluded from surrounding zone boundaries. We are formally requesting that the following lot PIDs be included in the requested zones to allow for viable developments:

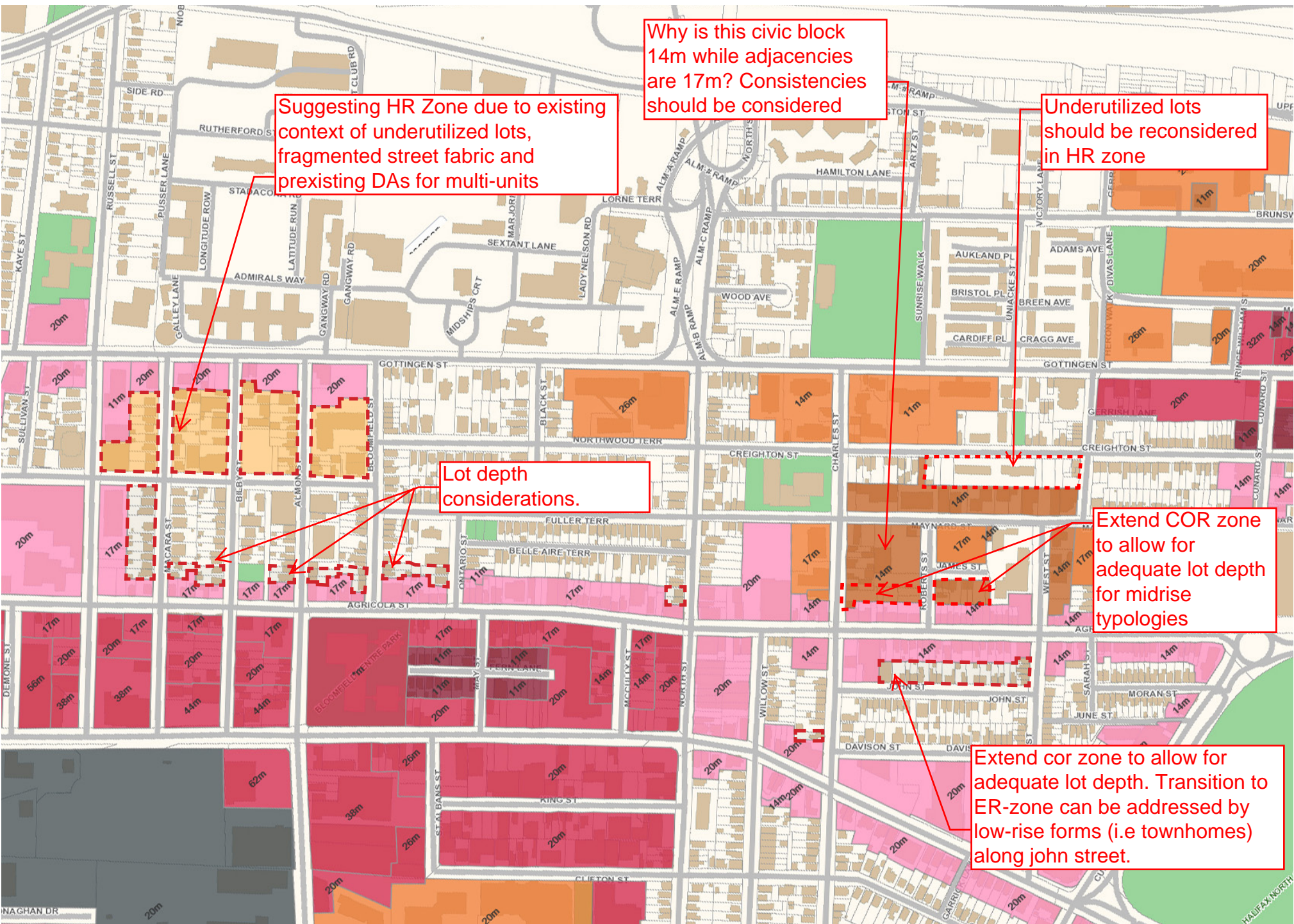
ATTACHMENT	SITE CIVIC ADDRESS	REQUESTED ZONE	MISSING PIDs
D	2966 Windsor Street	COR	00160077
E	1834-1840 Robie Street	COR	41266867
F	3430-3486 Prescott Street	HR-2	40070716, 40437006
G	958-968 South Bland Street	HR-2	00065177, 00065185, 00065193, 00065201
H	5655-5639 Fenwick Street	HR-2	00102798, 00102806, 00102814, 00102822, 00102830
I	5538 Inglis Street	HR-2	00064675, 41260530\
J	Wyse Road Master Plan (refer to J2)	CEN-2 (to allow for 12+ units for consolidated lots and midrise typologies)	Refer to J1 for extent of proposed master plan boundaries.
K	5576 North St, 2585 Maynard	HR-1	00169979, 00169961
L	1114 Lucknow Street	HR-2	00065862

If you have any questions or concerns regarding the outlined concerns and rationale, please do not hesitate to contact me by phone at 902.457.6676 or by email at jacob@wmfares.com

Sincerely,

Original Signed

Jacob JeBailey
 Principal Architect
 RAIC, NSAA, OAA, M.Arch, BEDS



Why is this civic block 14m while adjacencies are 17m? Consistencies should be considered

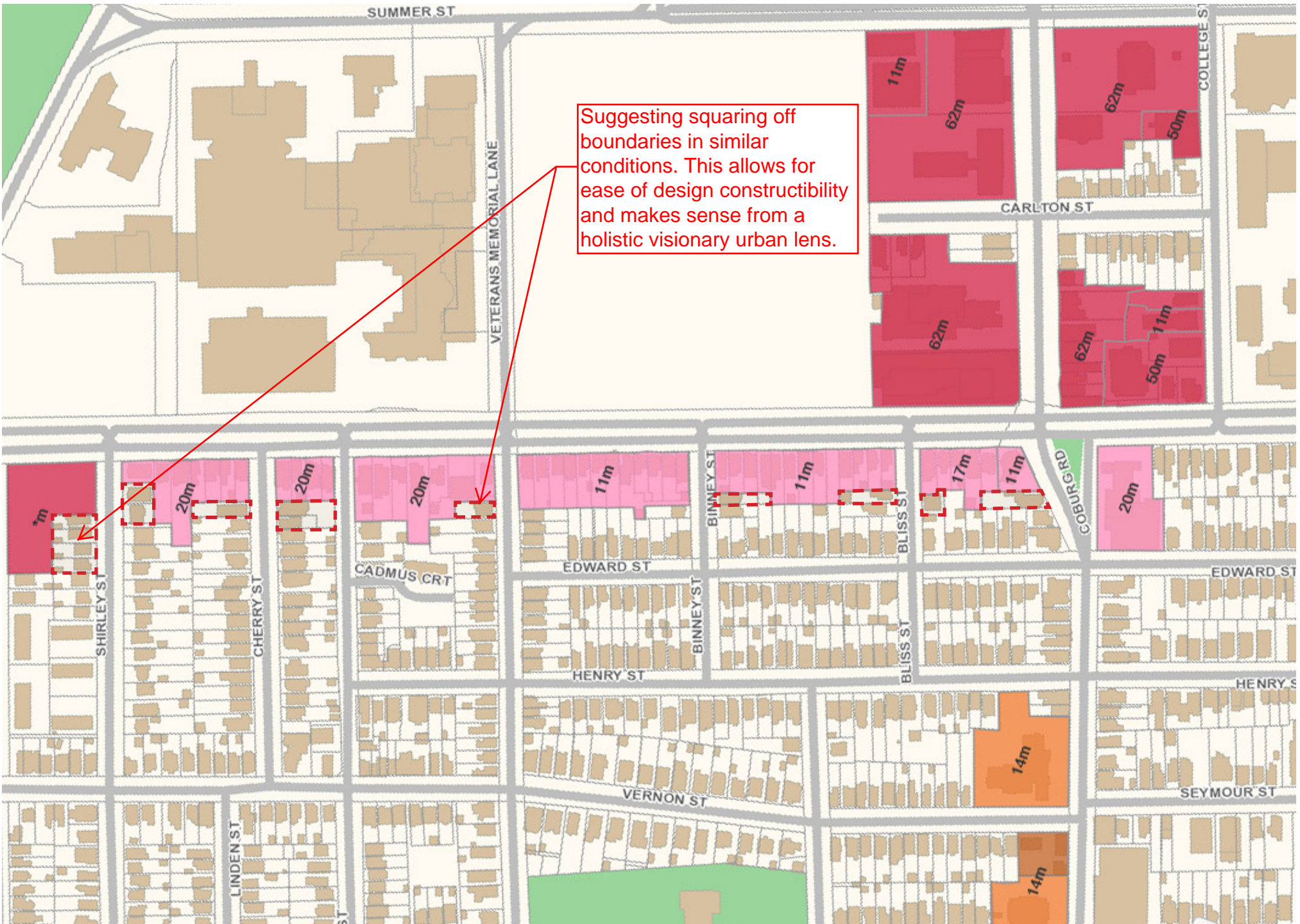
Suggesting HR Zone due to existing context of underutilized lots, fragmented street fabric and preexisting DAs for multi-units

Underutilized lots should be reconsidered in HR zone

Lot depth considerations.

Extend COR zone to allow for adequate lot depth for midrise typologies

Extend cor zone to allow for adequate lot depth. Transition to ER-zone can be addressed by low-rise forms (i.e townhomes) along john street.





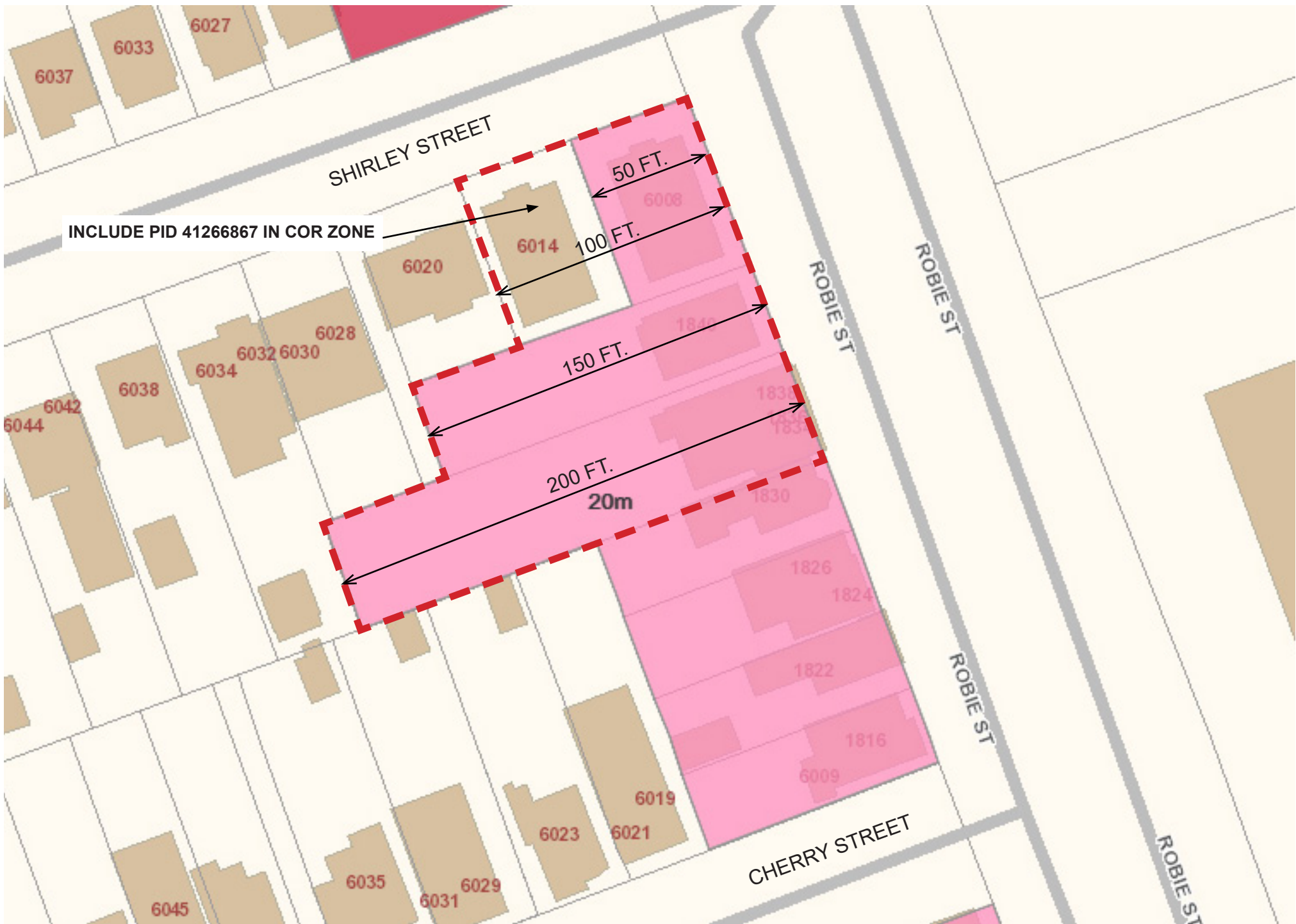
Consider re-zoning this future growth node to CEN to allow for the full growth potential along Young street without any 'holes' in the urban fabric

Lot Depth consideration for similar conditions along Windsor Corridor

Boundaries here highlighting existing conditions. What about the long term future potential of this entire civic block being re-developed with better attention to streetscape

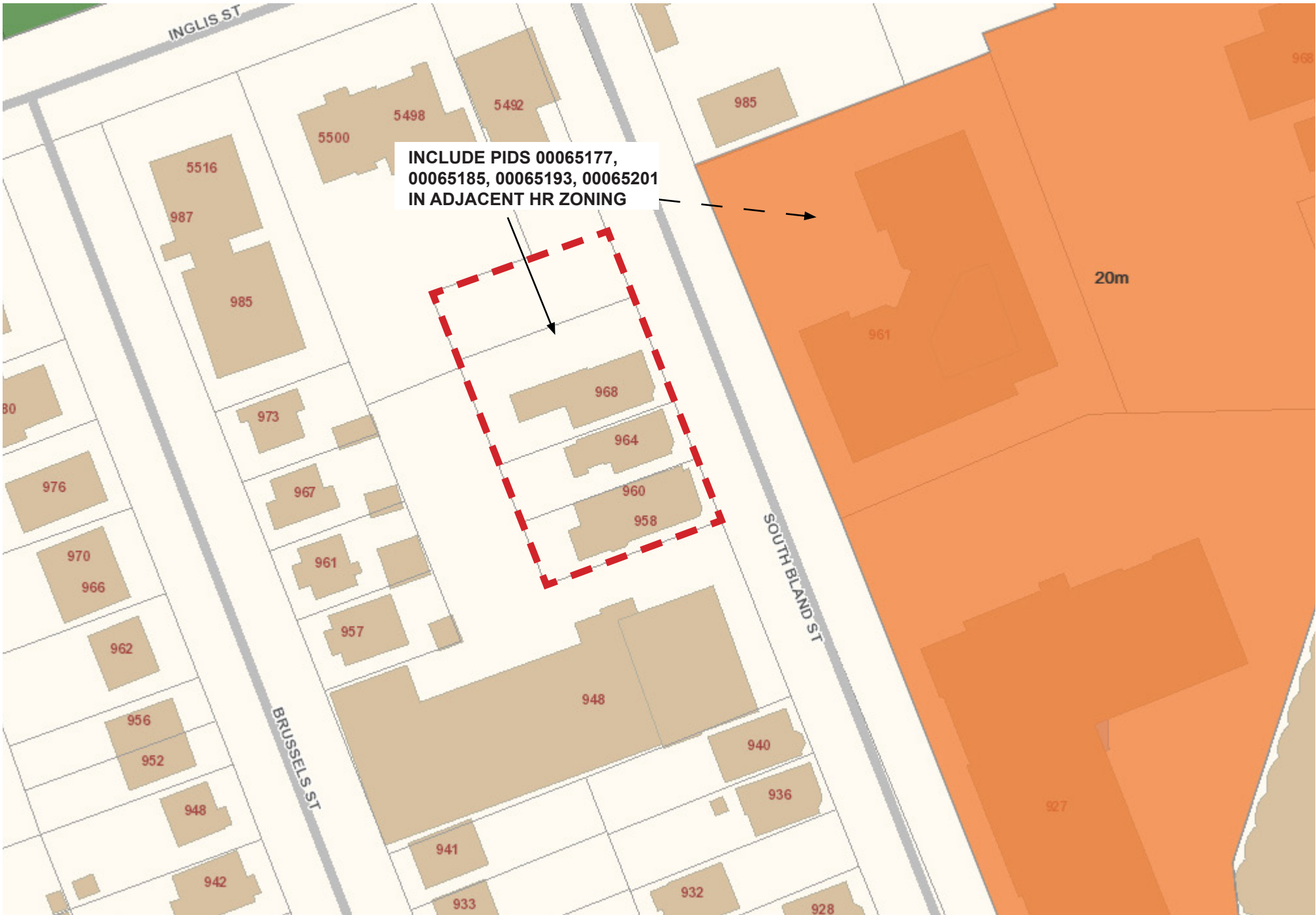
Suggesting squaring off boundaries in similar conditions. This allows for ease of design constructibility and makes sense from a holistic visionary urban lens.







INCLUDE PIDS 40070716, 40437006
IN ADJACENT HR ZONING



INCLUDE PIDS 00065177,
00065185, 00065193, 00065201
IN ADJACENT HR ZONING



**INCLUDE PIDS 00102780,
00102798, 00102806, 00102814,
00102822, 00102830 IN ADJACENT
HR ZONING**



INCLUDE PIDS 00064675, 41260530
IN HR-2 ZONING









INCLUDE PID 00065862 IN HR-2 ZONING

MEMO | 2018.05.03

To: Halifax Planning & Development
7071 Bayers Road, 2nd Floor Towers
Halifax, NS B3L 4P3

Subject: Centre Plan Commentary Feedback Package B – Case Studies

Dear Centre Plan Team,

WM Fares Architects has conducted a series of case studies on past and current projects to test the feasibility of the draft LUB and provide constructive professional feedback to the centre plan team. In general, we are finding the combination of an overly prescriptive methodology for built form in conjunction with zoning boundaries that do not allow for appropriate lot/building depth lead to unfeasible midrise forms, resulting in developments with reduced unit areas, reduced family type units, and unit yields under 24.

As visual design thinkers, we have chosen to illustrate our concerns by overlaying and comparing the proposed LUB parameters to built forms that we feel are more context sensitive, volumetrically balanced, and appropriately scaled. The format of each case study analysis is broken down into the following components:

1. CONTEXT MAP identifying site in relation to adjacent zoning. Note two of the three case studies have PIDs that are not included in the proposed re-zoning boundary. For clarity, LUB parameters have been taken from the urban structure boundary line to illustrate the impact of single lot rezoning on corridors.
2. PROJECT DATA TABLE AND LUB COMPARISON TABLE listing all applicable LUB parameters with commentary and recommendations
3. PROPOSED ROOF/SETBACK PLAN
4. LUB OVERLAY illustrating the impact of LUB parameters to our proposed development.
5. PROPOSED 3D MASSING AND LUB OVERLAY illustrating LUB parameters in coloured planes as follows:
 - a. Height parameters in Teal
 - b. Setback parameters in Red
 - c. Stepback Parameters in Yellow
 - d. Viewing Triangle in Green

6. GFAR BUILD-OUT COMPARISON illustrating GFAR build out of our proposed case study vs the full build-out as per the LUB parameters. We have also listed the maximum permitted GFAR according to Schedule 11 to attain a better understanding of whether the suggested maximums align with permitted build-outs.

Please take the time to review and consider our analysis and feedback for the attached case studies that fall under suggested COR and HR-2 zones. To gain a better appreciation of the impact of the LUB parameters to the internal organization of midrise buildings, attachments A and E include additional sheets of floor plans. The following are enclosed for review:

- A. 2642 Agricola Street
- B. 2844 Windsor Street
- C. 2966 Windsor Street
- D. 1840 Robie Street
- E. 7135 Bayers Road
- F. 2760 Gladstone Street.

In summary, we have found recurring concerns and issues that have risen through our analytical exercise and offer the following rationale and recommendations. At a higher level, we feel that many of our concerns may be resolved if the center plan addresses urban form from a holistic lens through envisioned form and parameters that relate civic block to civic block vs preexisting lot to lot which are arbitrary if and when consolidated.

URBAN STRUCTURE BOUNDARIES AND LOT DEPTH

In most cases, single-lot deep corridors in the proposed zones are not adequate for midrise multi-unit developments to be economically sustainable. This disincentivizes development and growth in these areas which we feel contradicts the overarching objectives of densifying our urban core and creating walkable complete communities. Not considering transitional requirements to ER-zones, we are finding that lot depths of +/- 37-40m would be a bare-minimum dimension for midrise buildings along these corridors to be economically feasible and programmatically functional. We would strongly recommend including an adequate amount of lot depth for all major corridors by means up extending the zoning boundary to the next ER lot. For reference, refer to the unrealistic allowable built volume for a single lot on Robie Street facing the QEII in attachment D.

VIEWING TRIANGLE

We see no urban design logic behind this parameter and question its reasoning. If it's driven by traffic engineering for pedestrian safety, can this be substantiated by raw data from HRM? What is driving the parameter? Does it reflect an existing statistical concern? This parameter will render generic built forms at each road intersection throughout the urban core. In principle, we favour variety over

uniformity. As design professionals we have significant worries about the impact of the viewing triangle compromising architectural innovation at building corners and would recommend removing this parameter altogether.

STREETLINE SETBACKS

Ultimately, streetline setbacks should relate to both existing context and projected future use. Based on our analysis, we find that streetline setbacks do not respond to existing road network hierarchy and are too generalized in the draft. In particular, setbacks on primary corridors intended for mixed-use should be minimized to 0m and allow building code to dictate appropriate setbacks for door swings. At a minimum we strongly recommend allowing for 0m setbacks for streetwall floors above grade, especially in areas where lot depth is less than 40m. For developments along secondary streets like Almon Street (attachment B) and Bayers Road (attachment E), we feel a 3m setback is excessive and does not relate to street hierarchy nor the existing built context. We feel that a relaxed setback of 1.5m or less would be more appropriate. For development cases that abut ER-zones, we find that a 3m setback on tertiary (residential) streets are merited to align with existing ER setbacks and streetscapes. In most of our case studies, our proposed setbacks are in keeping with the draft. Although we would argue for flexibility to allow for architectural threshold transitioning, i.e. from ground floor residential-use along tertiary streets to commercial-use on primary/secondary streets (refer to Attachment C).

REARYARD/SIDEYARD SETBACKS

First and foremost, definitions and nomenclature of side yard, rear yard, rear lot line, etc. requires more clarity and consistency across documents and packages. Specifically, we are having trouble identifying rear vs side yard for lots with multiple streetlines (corner lots) as setback parameters may have significant impacts on built form pending building/lot orientation. For example, the case study in attachment D exhibits a lot condition with multiple interior lot lines at different lengths – how would rear lot line be identified in these conditions?

As a general principle relating to 'pedestrian first' and 'context sensitive' centre plan objectives, we feel consistency in the public realm and maximizing building frontages (widths) along streets should be prioritized and assessed based on neighbourhood contexts. To be specific, we are finding that a 6m rear yard setback parameter for corner lots in transitional areas to ER zones are inconsistent with preexisting tighter urban fabrics. In these instances, context would dictate the interior lot-line with reduced *sideyards* between 2.5 and 3 metres vs a 6m *rearyard* that would result in excessively large holes in the urban fabric and in many cases compromise development feasibility. That being said, we do feel strongly about protecting preexisting rearyard green belts in ER-zones by somehow restructuring the transitional conditions to allow for mid-rise buildings with multiple street frontages to take on L-shaped footprints (for 2 street frontages) or C-shaped footprints (for 3 street frontages) with a 6m rearyard setback within its core, and reduced setbacks at streetscape conditions (refer to proposed

built forms in attachments B,C,D,F). This could be controlled by introducing a minimum building depth parameter for transitional areas to ER zones.

STEPBACKS

Gauging the appropriate impact of Stepbacks are contingent on setbacks within podium levels and lot depth. In general, we feel that a 2.5m stepback above the streetwall is appropriate and adequate if streetwall setbacks are kept to a minimum in CEN and COR zones. In most of our proposed massing, we have included even greater stepbacks due to reduced (proposed) setbacks which we feel result in far better built form than what is being suggested in the draft (refer to GFAR build-out comparisons).

Pending on lot orientation and how rear lot lines are defined, a 6m stepback above the streetwall will compromise development feasibility as is the case for attachment A where the site exhibits a larger frontage on a tertiary street (McCully) than the primary street (Agricola). For centres, we would suggest a smaller 4.6m stepback for midrise typologies.

The most negative impact has been observed in HR zones where excessive 3m streetline setbacks and 6m rear yard setbacks in transitional areas are prevalent. Our studies have indicated that significant amount of building volume would be lost with both setback and stepback parameters employed as illustrated in Attachments E and F. As mentioned above, setback parameters should be reconsidered and structured differently for primary, secondary and tertiary streets to alleviate any addressed stepback concerns.

STREETWALL HEIGHTS

Beyond the fact that lower streetwall heights will compromise development feasibility on shallow lots, we find the proposed streetwall heights too generalized and do not reflect street hierarchy, street widths, and existing contexts. Architecturally speaking we find 8m (2-storey) streetwalls for both mid-rise and high-rise forms too low of a 'base' and ill-balanced volumetrically. They also do not relate to preexisting fabric with as-of-right 3-storey buildings. For the record, we feel that all major transit corridors like Robie Street, Agricola Street, Windsor Street, Gottingen Street, Cunard Street and Quinpool Road merit a base-line of 3 storeys for these building typologies with further neighbourhood specific consideration for increased heights based on envisioned growth.

GROUND FLOOR HEIGHTS

We are recommending flexibility in the 4.5m to allow for neighbourhood specific context sensitivities where 4.5 would be far out of scale for smaller building typologies, residential uses, and narrower street widths like Agricola Street for example. We are finding that in areas like Agricola street, a lower height at around 3.7 to 3.9m would allow for a finished ceiling height of +/- 3m (10ft) after accommodating allowances for mechanical/electrical systems. It is in our professional opinion that a 3m finished ceiling height is in keeping the street scale.

MAXIMUM BUILDING DIMENSIONS & LOT COVERAGE FOR HR ZONES

We are finding that the combination of 50% lot coverage and a max 40m building width/depth far too constricting to the extent that very little built volume would be adequate for a feasible development. As mentioned earlier, streetscapes should be prioritized by maximizing building widths and would recommend removing this parameter altogether and let lot coverage dictate. Our analysis has illustrated that a lot coverage in the range of 60 to 70 percent would be more realistic in terms of development viability in these zones.

In conclusion, we hope our thorough analysis will help illustrate substantiated concerns about the realistic development potential for the above zones and boundaries. As urbanists and design professionals, we are optimistic about the cultural and economic growth potential of our city, yet the draft center plan as proposed will disincentivize development interest in our core. We strongly urge the centre plan team to consider our above recommendations. We look forward to collectively collaborating on refining the draft to promote vibrant urban growth in our city vs encouraging unsustainable suburban sprawl.

If there are questions or concerns upon reviewing our case studies, please do not hesitate to contact me at your convenience by phone at 902.457.6676 or by email at jacob@wmfares.com

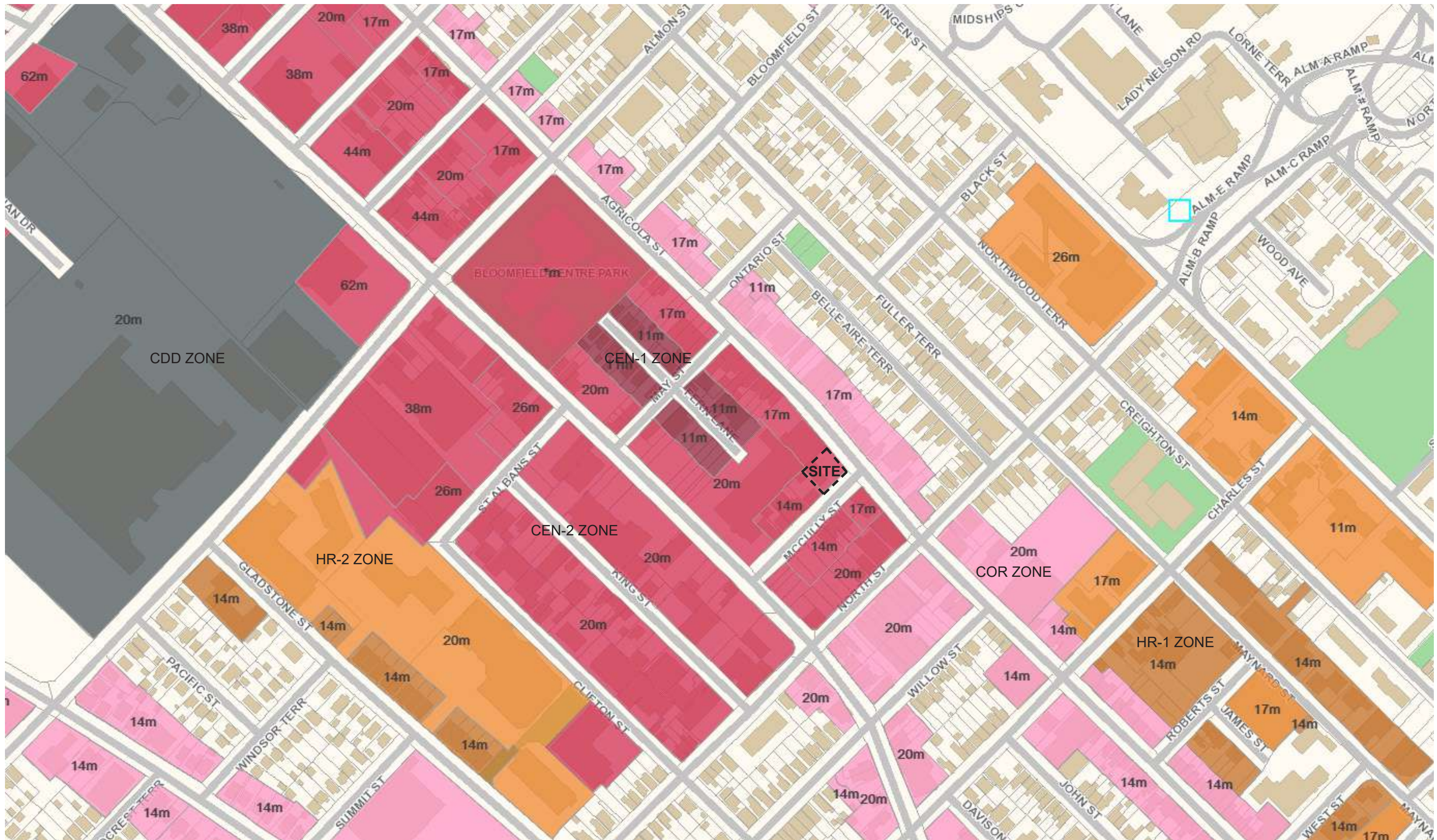
Sincerely,

Original Signed

Jacob JeBailey

Principal Architect

RAIC, NSAA, OAA, M.Arch, BEDS



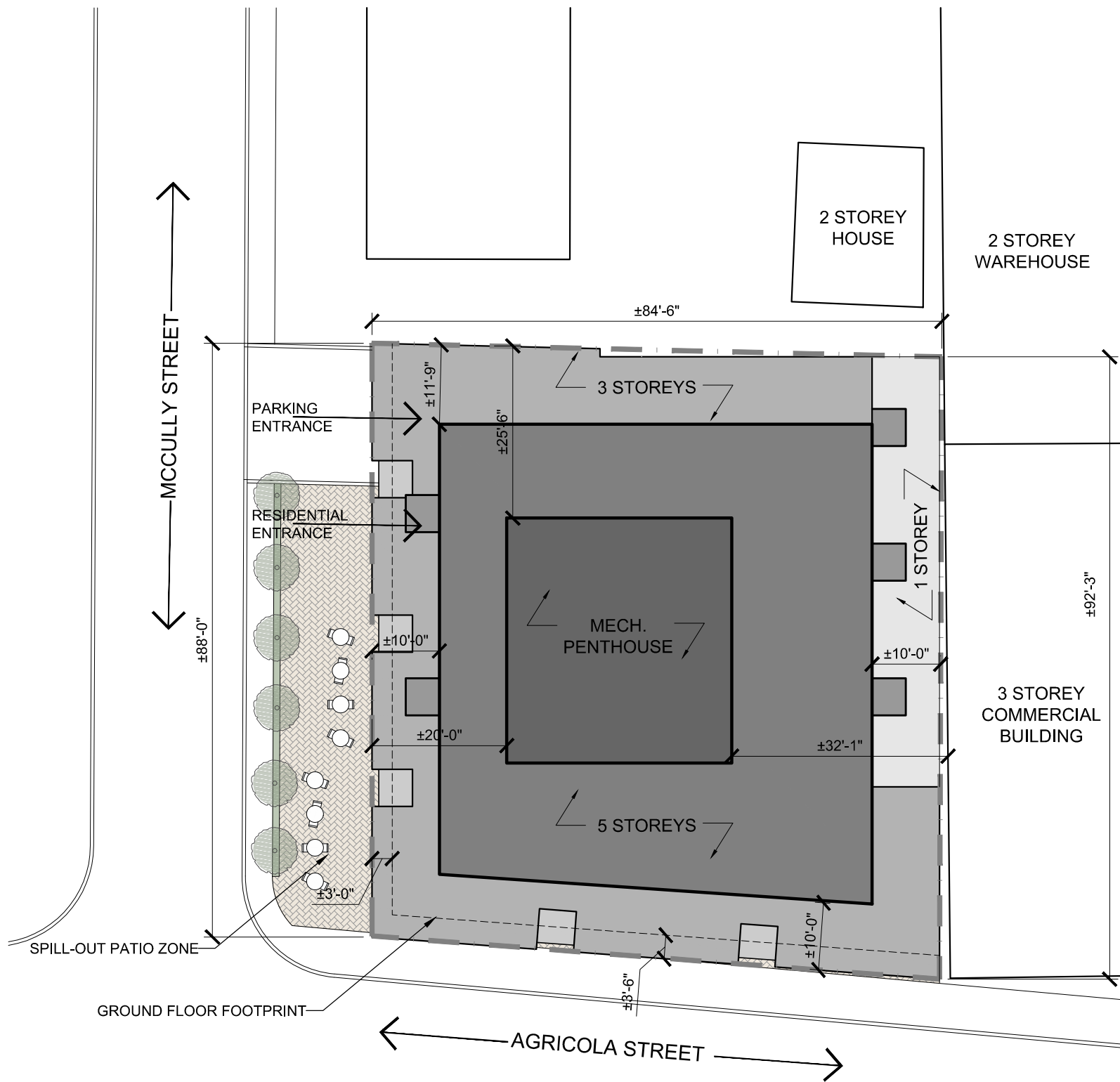
ATTACHMENT A
 2642 AGRICOLA STREET, HALIFAX, NS

CONTEXT MAP

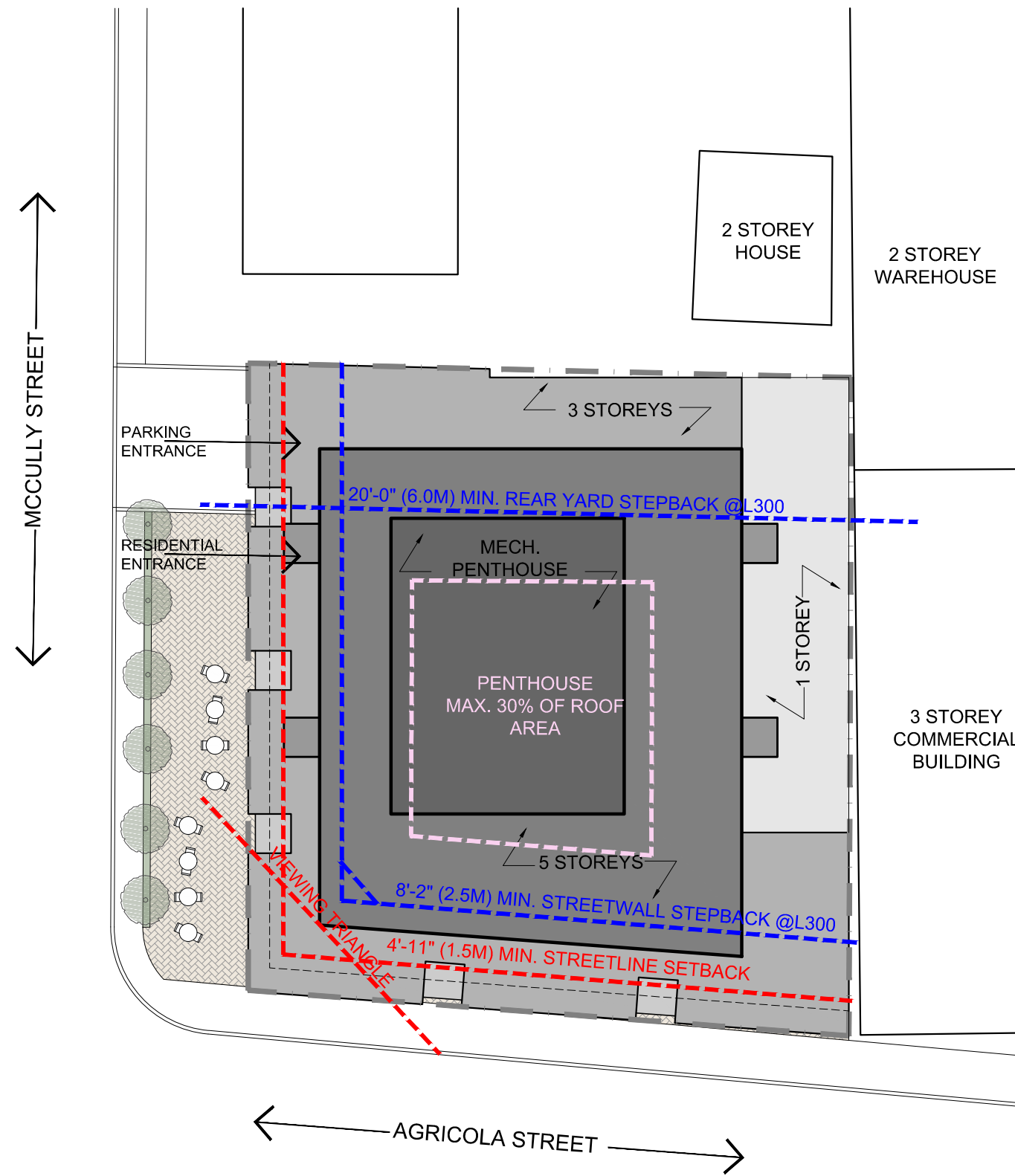
Project No.: 2018.06
 Scale: NTS
 Date: 05 May 2018

WM FARES
 ARCHITECTS

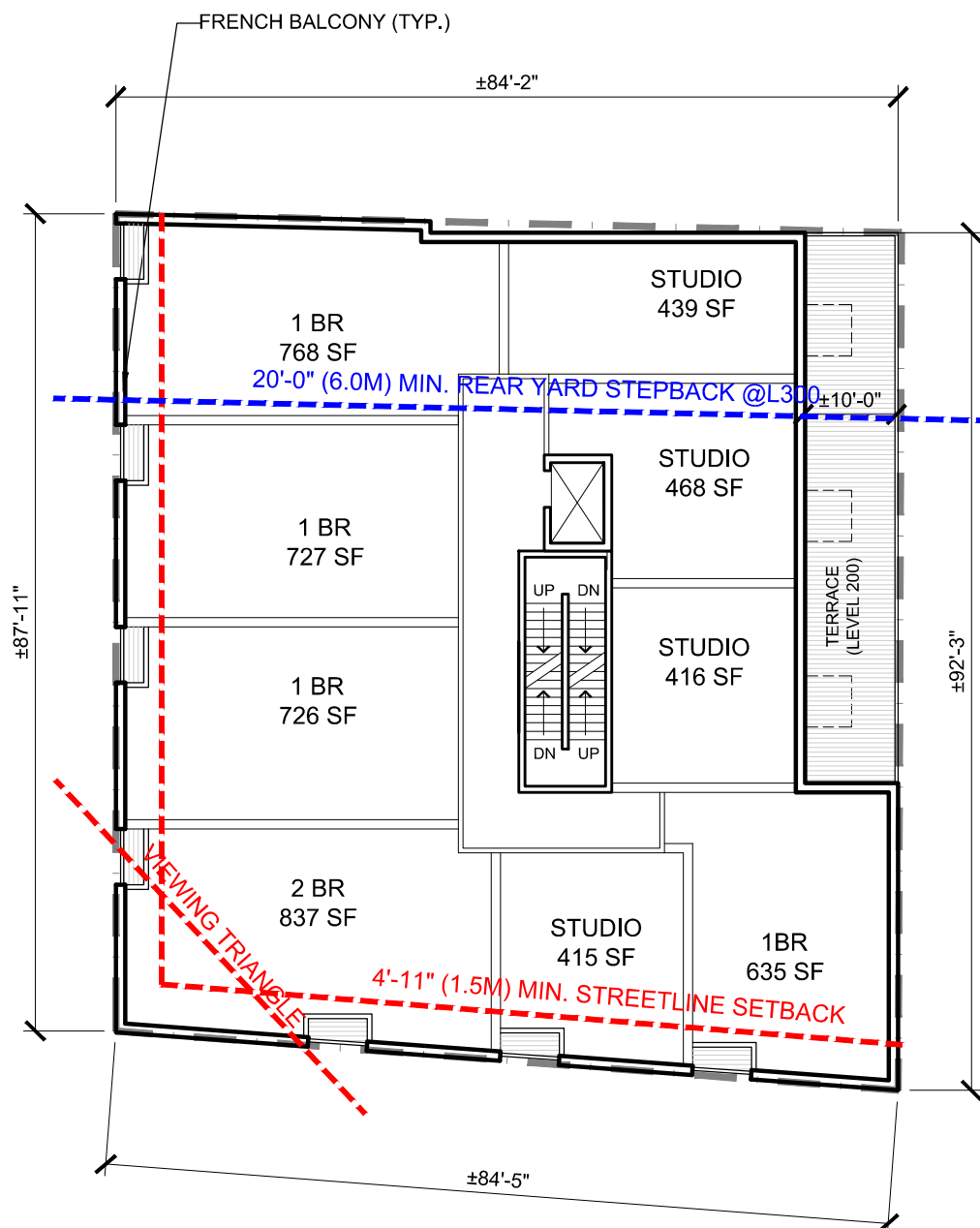
A01



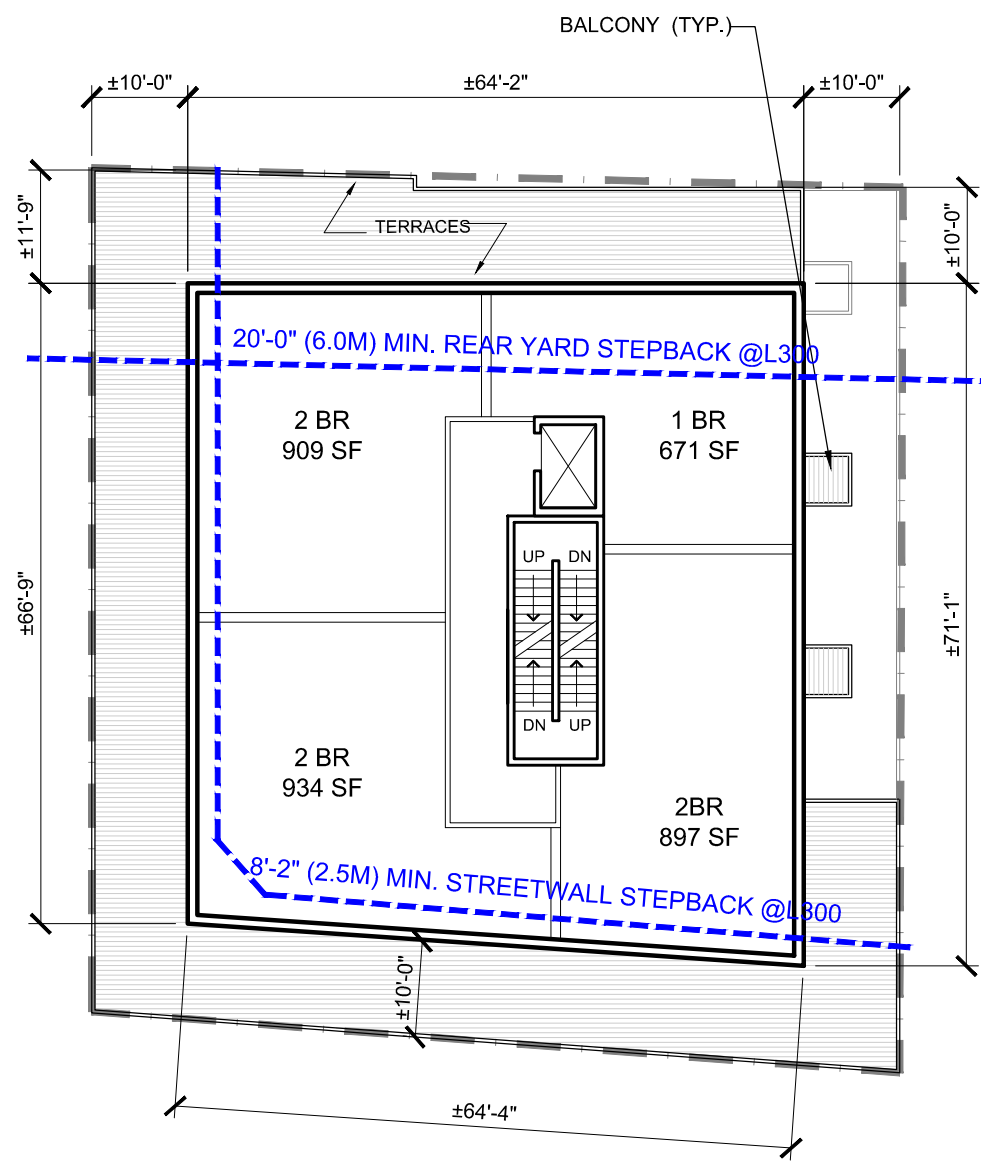
1 PROPOSED ROOF SETBACK PLAN
A03 SCALE 1" = 20'-0"



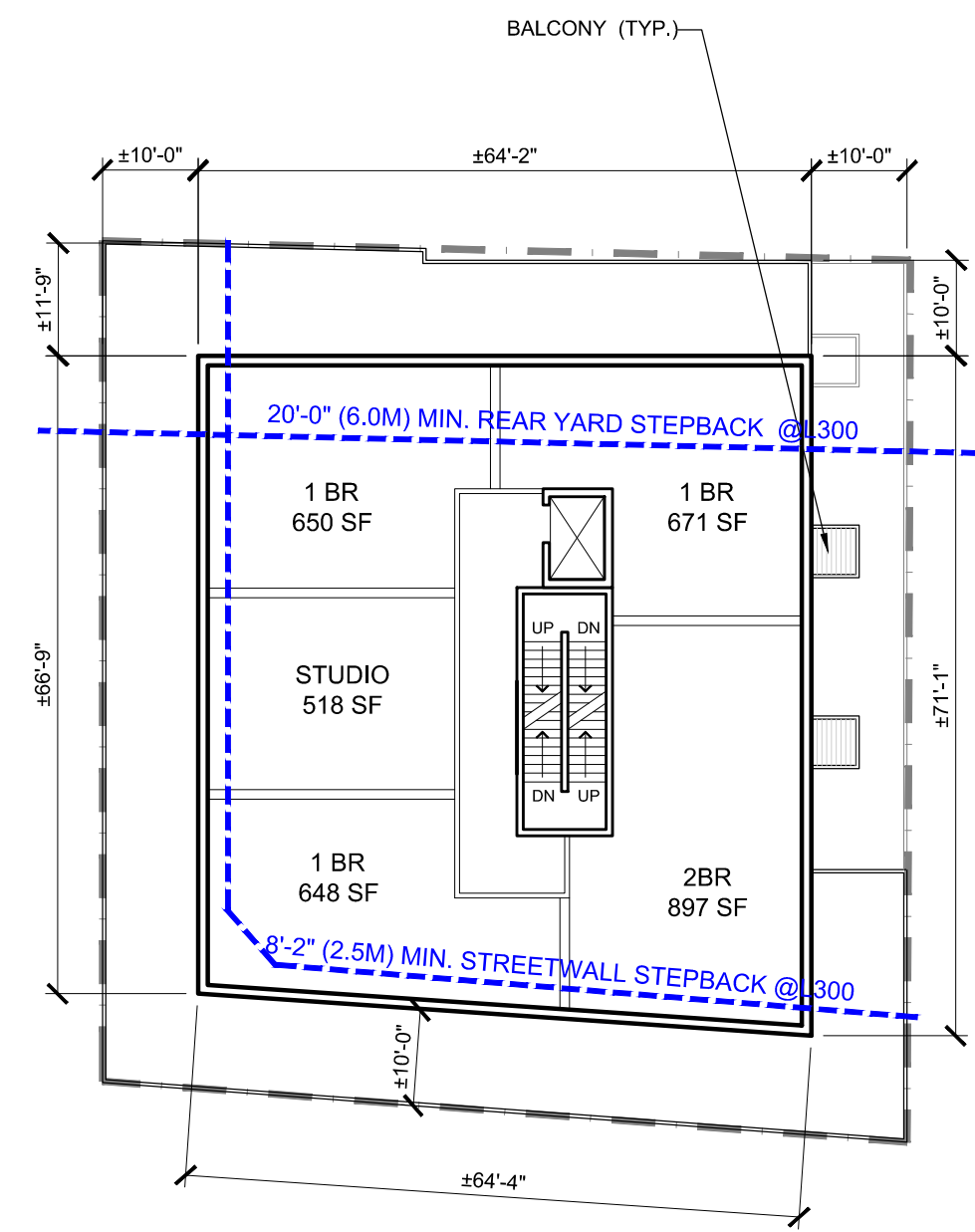
2 LUB OVERLAY
A03 SCALE 1" = 20'-0"



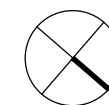
1 LEVELS 200-300
A05 SCALE 1" = 20'-0"

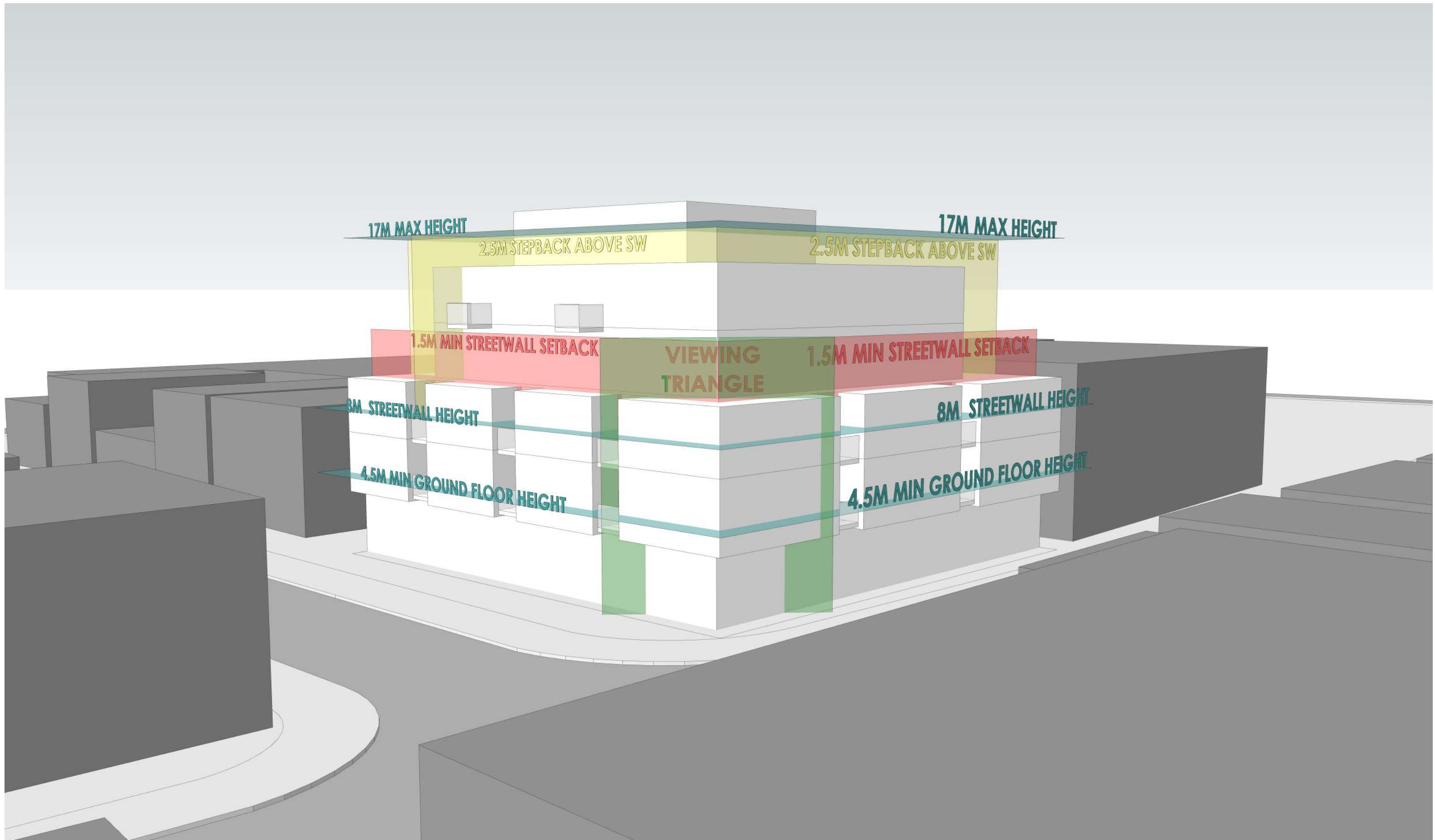


2 LEVEL 00
A05 SCALE 1" = 20'-0"



3 LEVEL 500
A05 SCALE 1" = 20'-0"





ATTACHMENT A

2642 AGRICOLA STREET, HALIFAX, NS

PROPOSED MASSING & LUB OVERLAY

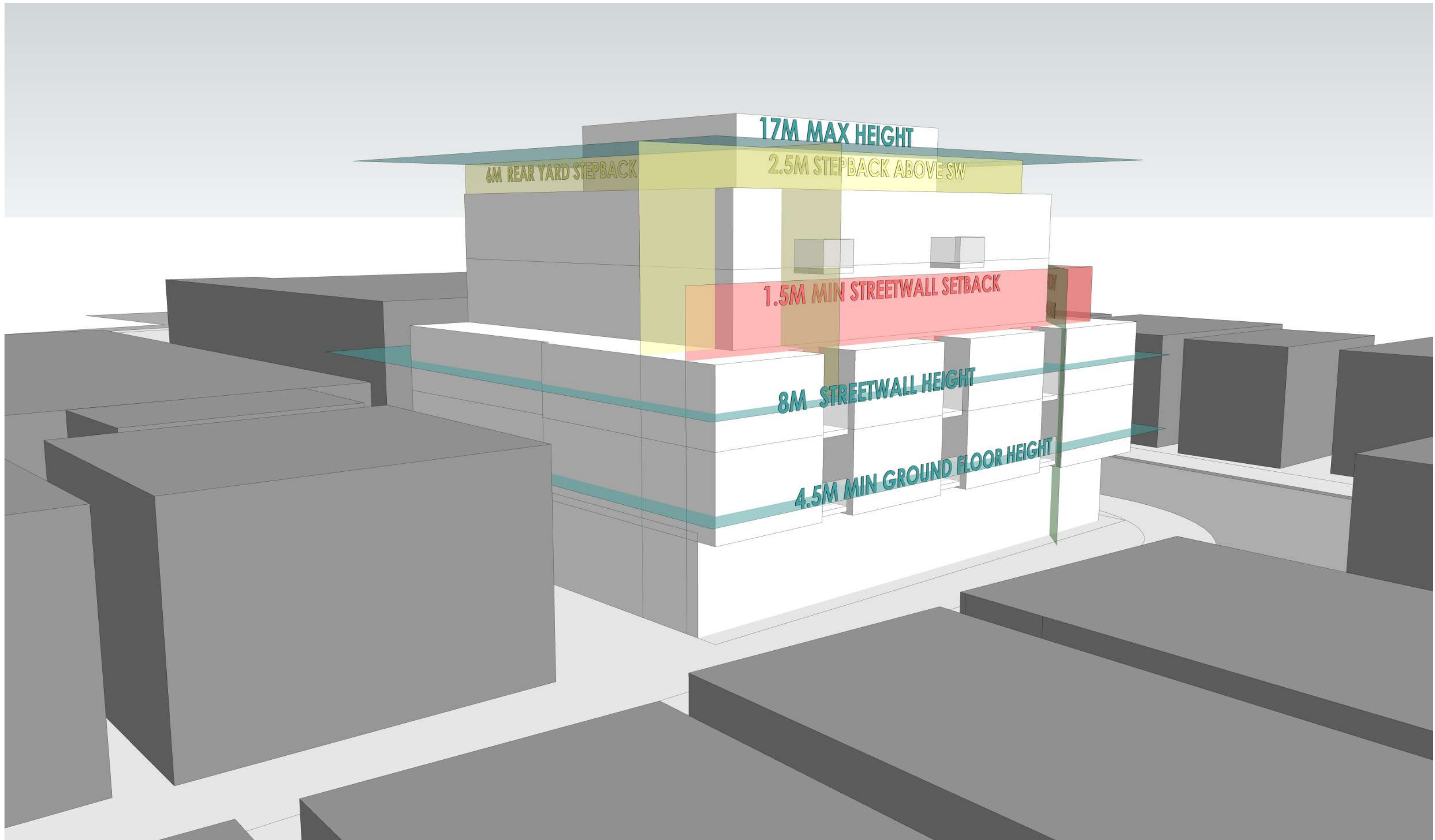
Project No.: 2018.06

Scale: NTS

Date: 05 May 2018

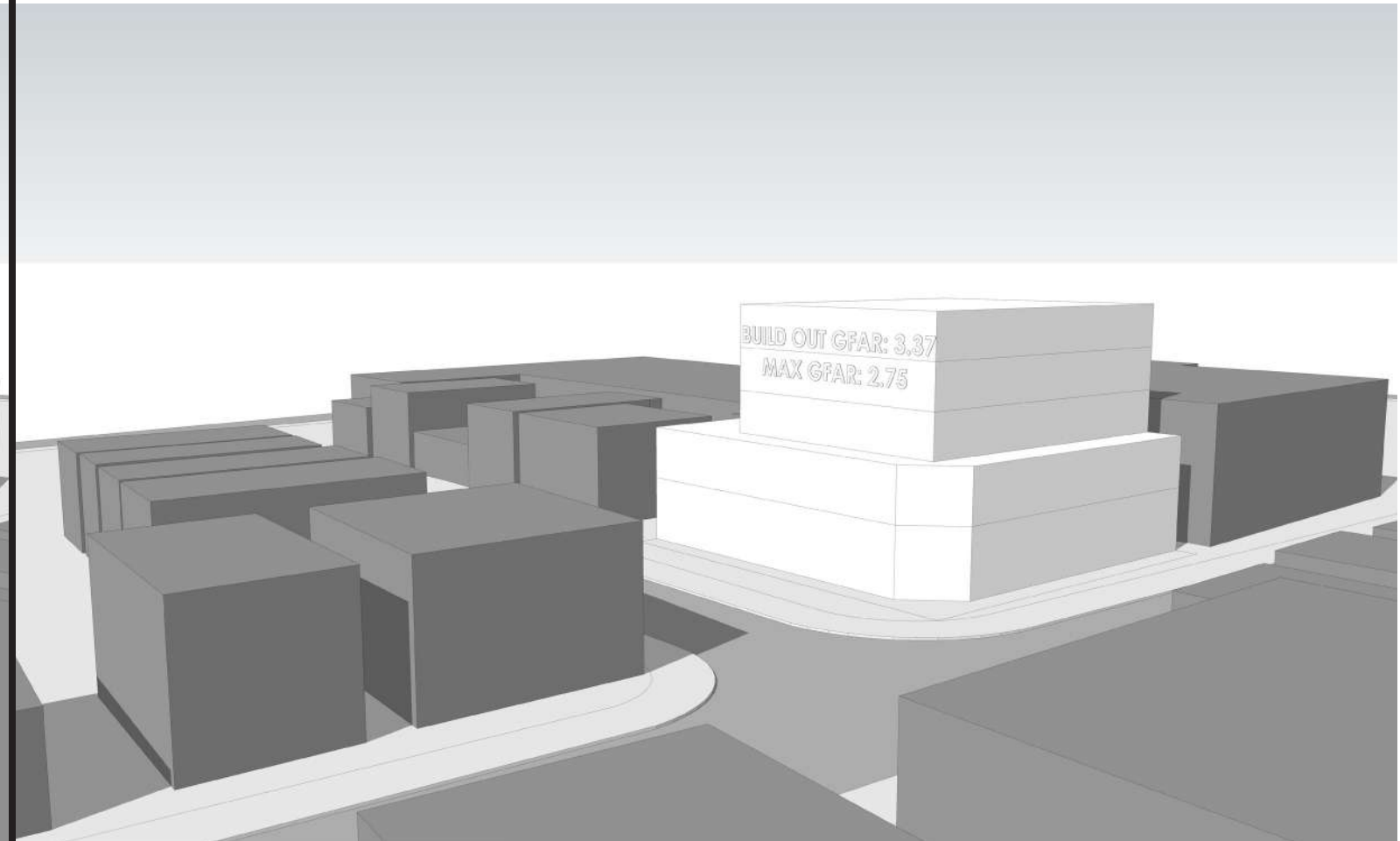
WM FARES
ARCHITECTS

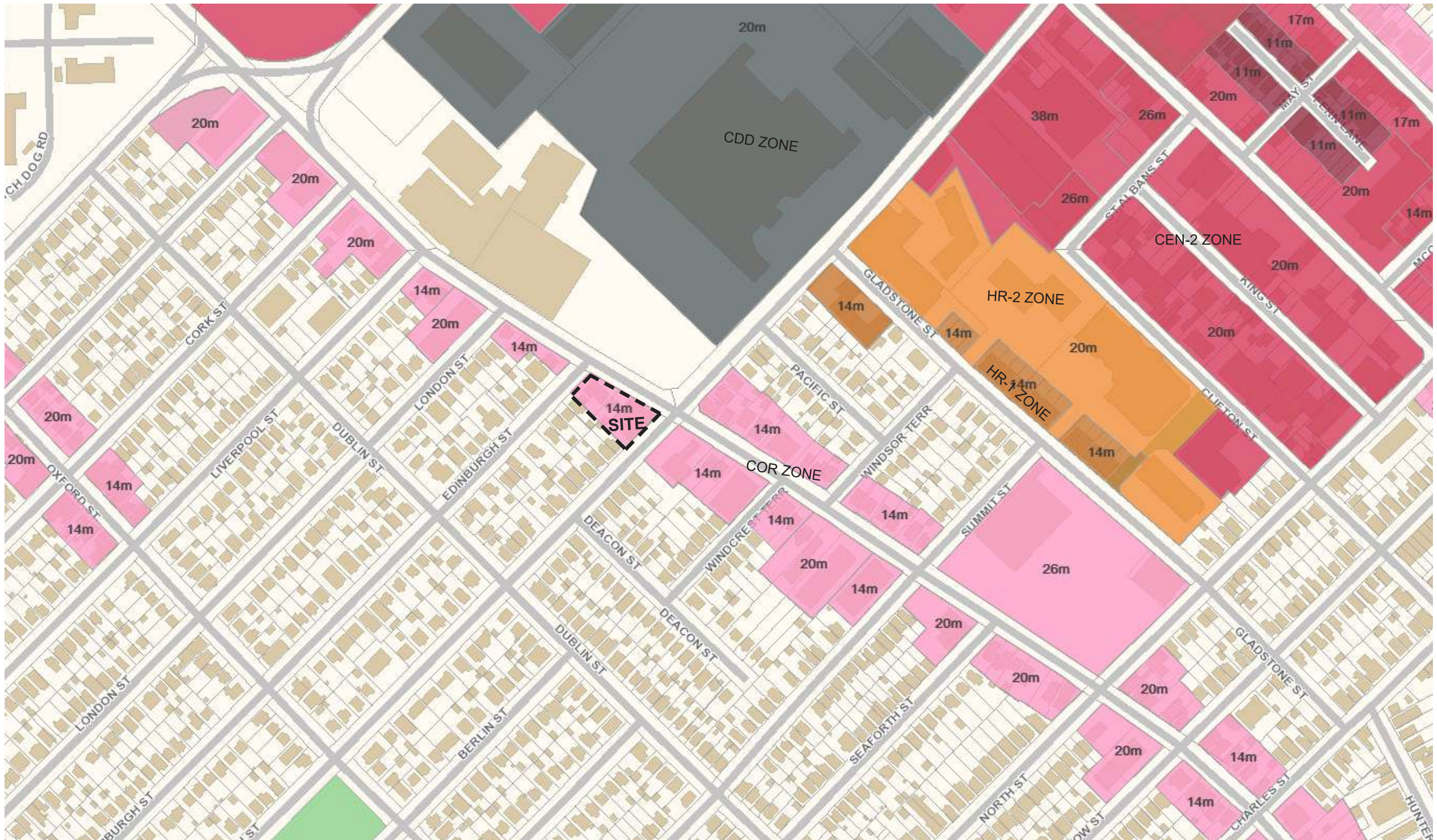
SK1



PROPOSED DESIGN

PER CENTRE PLAN

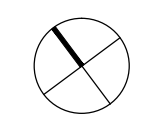
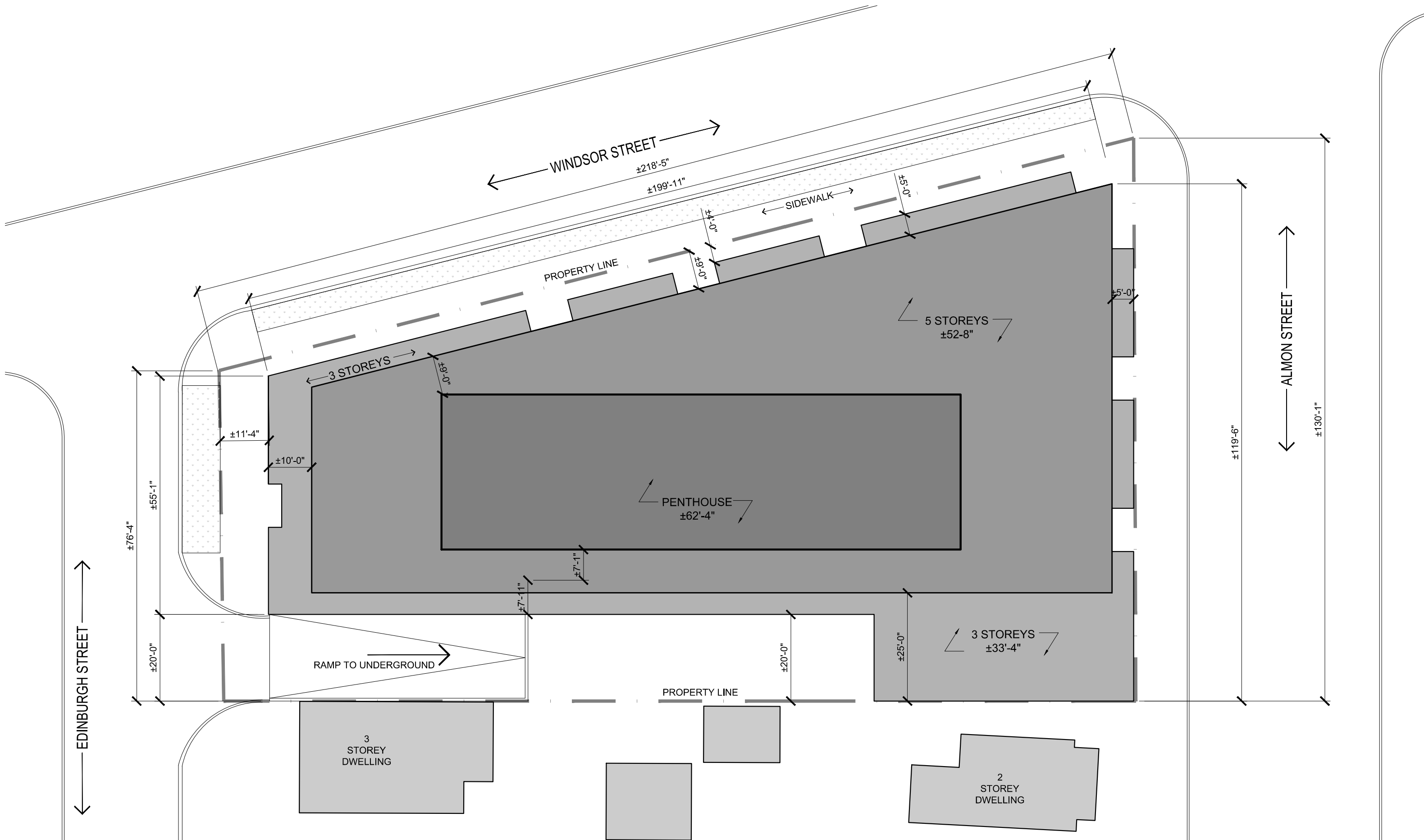


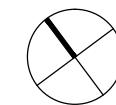
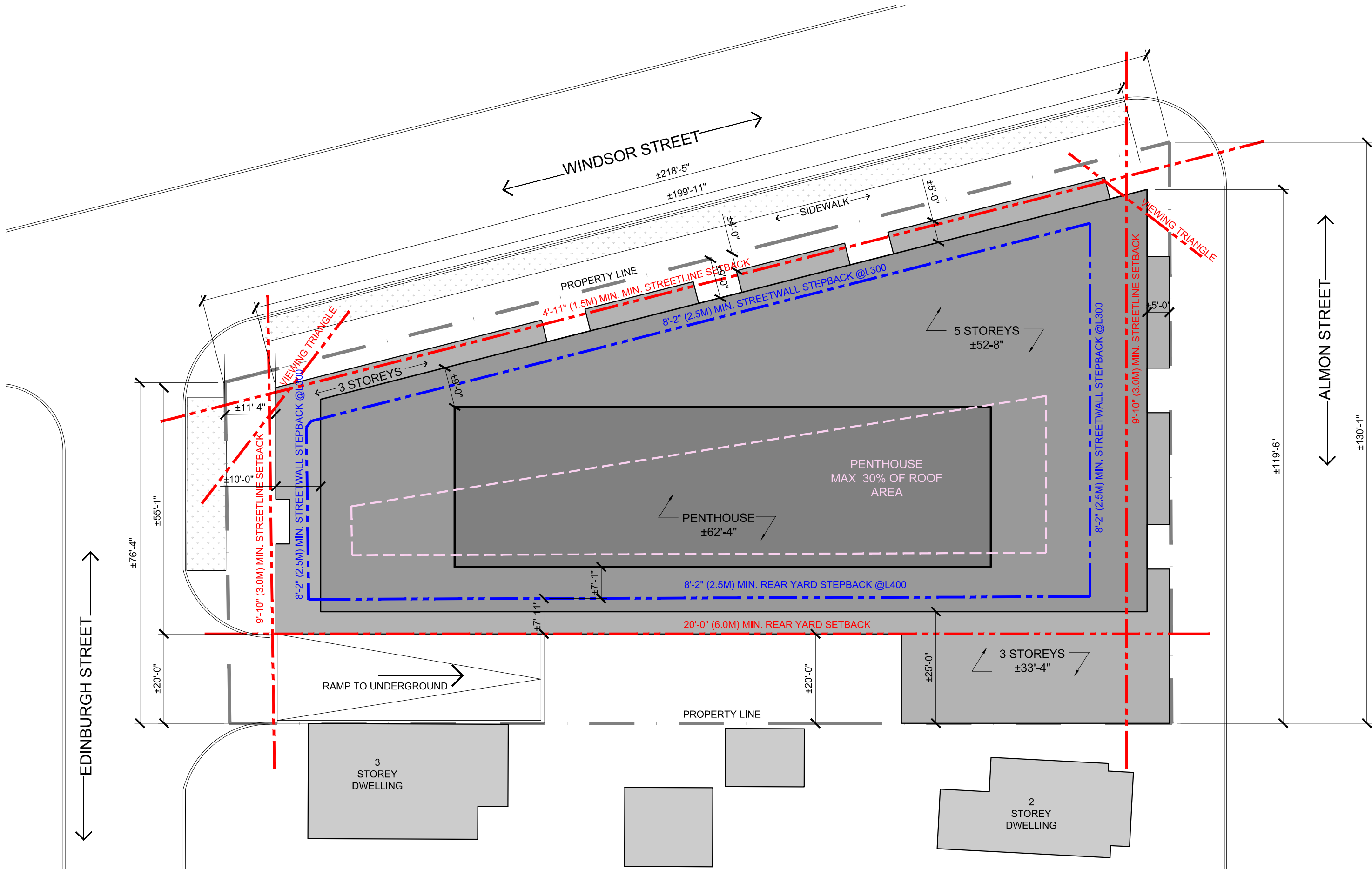


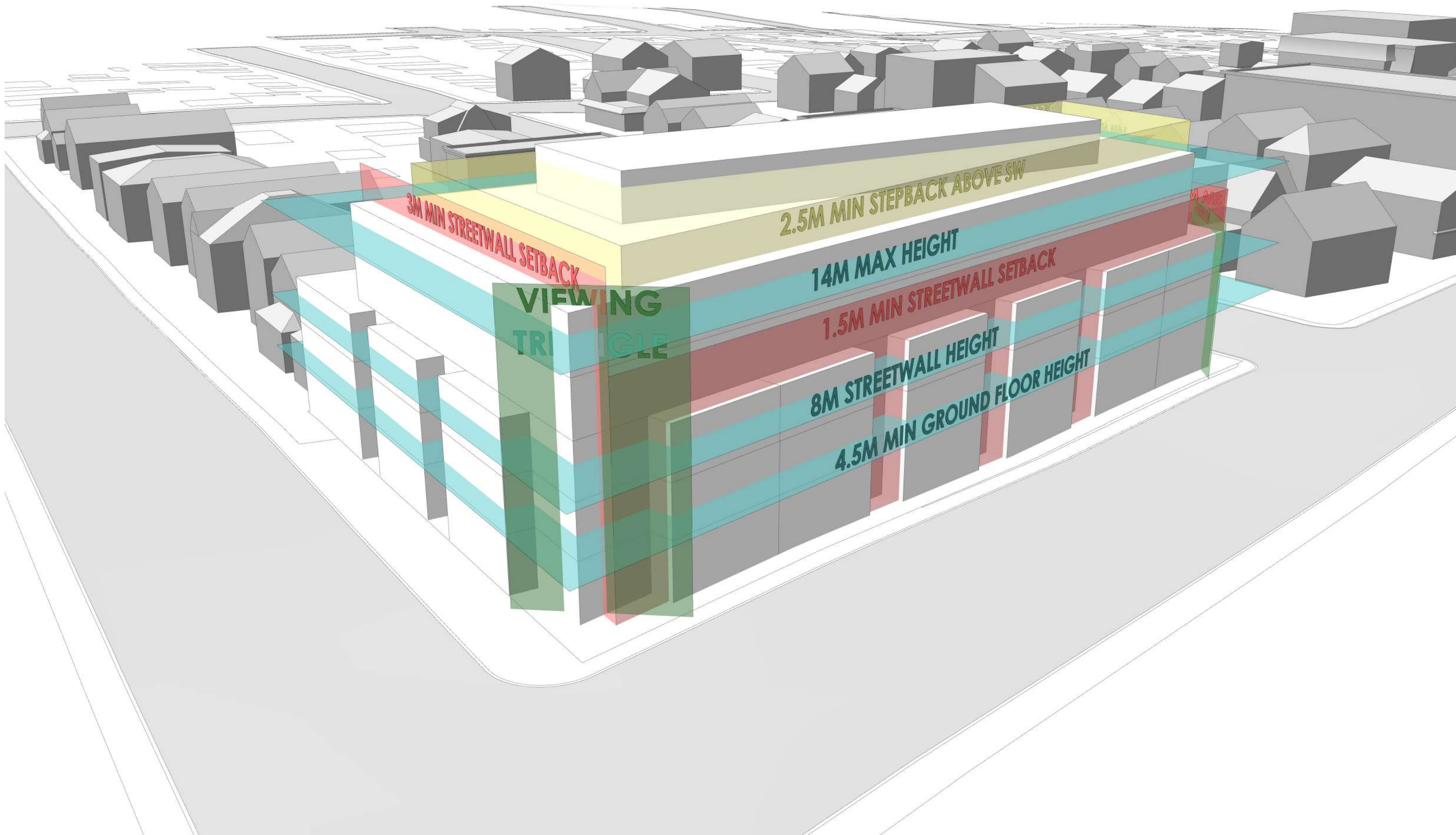
PROPOSED PROJECT DATA				
ZONE	COR	LOT DEPTH	MIN.	±23.3 m (±76.3 ft)
BUILDING TYPE	Mid-rise		MAX.	±31.4 m (±103.0 ft)
UNIT YIELD	± 52-57	GROSS FLOOR AREA		± 7,519.0 m ² (±80,934 SF)

DRAFT LUB COMPARISON TABLE

		LAND USE BY-LAW	WMF PROPOSED	COMMENTS
LOT AREA		Min. 279.0 m ² (±3003.1 SF)	±2,026.7 m ² (±21,815.0 SF)	
LOT FRONTAGE		Min. 9.1 m (±29.8 ft)	±61.0 m (±200.0 ft)	
LOT COVERAGE		Max. 80%	±79%	
GROSS FLOOR AREA RATIO		Max. 2.25	±3.71	Windsor St Corridor should have consistent GFAR and building heights at 20m and 3.5 GFAR.
BUILDING HEIGHT		Max. 14 m (±46.0 ft) - 4 Storeys	±16.1 m (±52.7 ft) - 5 Storeys	See above note. For lots like this to be economically feasible increased GFAR and height will be required.
HEIGHT EXEMPTIONS	ROOFTOP AREA	Max. 30%	±32.7%	Allowance for penthouse suites if within 30% coverage?
	EDGE SETBACK	Min. 3.0 m (±9.8 ft)	±2.7 m (±9.0 ft)	
GROUND FLOOR HEIGHT		Min. 4.5 m (±14.8 ft)	±4.1 m (±13.3 ft)	Flexibility should be provided for non-pedestrian oriented street to allow for lower gr.floor height to address context sensitivities.
STREETWALL HEIGHT		Max. 8.0 m (±26.2 ft) - 2 Storeys	± 10.2 m (±33.3 ft) - 3 Storeys	2-storey is parameter flawed. Limits volume and not architecturally balanced for buildings above 4 storeys.
STREETLINE SETBACK		Min. 1.5 m (±4.9 ft) from Windsor St. Min. 3.0 m (±9.8 ft) from Almon/ Edinburgh St.	±1.2 m (±4.0 ft) from Windsor St. ±0.0 m (±0.0 ft) from Almon St. ±3.5 m (±11.3 ft) from Edinburgh St.	Our proposed setbacks are relative to existing setback contexts. Can there be flexibility via variances for conditions like this?
STREETWALL STEPBACK		Min. 2.5 m (±8.2 ft)	±1.5 m (±5.0 ft) ±3.0 m (±10.0 ft)	Considering size of lot, the proposed stepback could be increased to 2.5m.
SIDE YARD SETBACK		Min. 3.0 m (±9.8 ft)	0.0 m	
SIDE YARD STEPBACK		Min. 2.5 m (±8.2 ft)	0.0 m	
REAR YARD SETBACK		Min. 6.0 m (±20.0 ft)	±0.0 m- 6.0 m (±0.0 ft- 20.0 ft)	Consideration should be made for lots with multiple frontages to allow for street condition to be consistent with preexisting 'side yard' setbacks and separation between buildings less than 6m.
REAR YARD STEPBACK		Min. 2.5 m (±8.2 ft) Above 11.0 m	±2.4 m- 7.6 m (±7.9 ft- 25.0 ft)	Would recommend a stepback at the height of the streetwall (proposed 3storeys) vs 11m parameter which may or may not align pending ground floor height.
LANDSCAPE REQUIREMENTS	ABUTTING ER DESIGNATION	L2	-	
	STREETYARD	Min. 60%	±100%	
	SIDEYARD	N/A	N/A	Unclear in LUB on requirements. Even if setback parameter is 0m, there should be provisions should the design lend itself for a side yard.
	REAR YARD	Min. 50%	±58%	Recommending excluding drive isles and ramps from 50% landscape requirement as most parking entry points will occur at the transitional zone (away from major intersection and aligns with internal building logistics/programming).
VIEWING TRIANGLE		Streetline intersection at 6.0 meters (±20.0 ft)	±4.4- 4.6 meters (±14.4-15.1 ft)	Recommending removal of this parameter all together







ATTACHMENT B

2844 WINDSOR STREET, HALIFAX, NS

PROPOSED MASSING & LUB OVERLAY

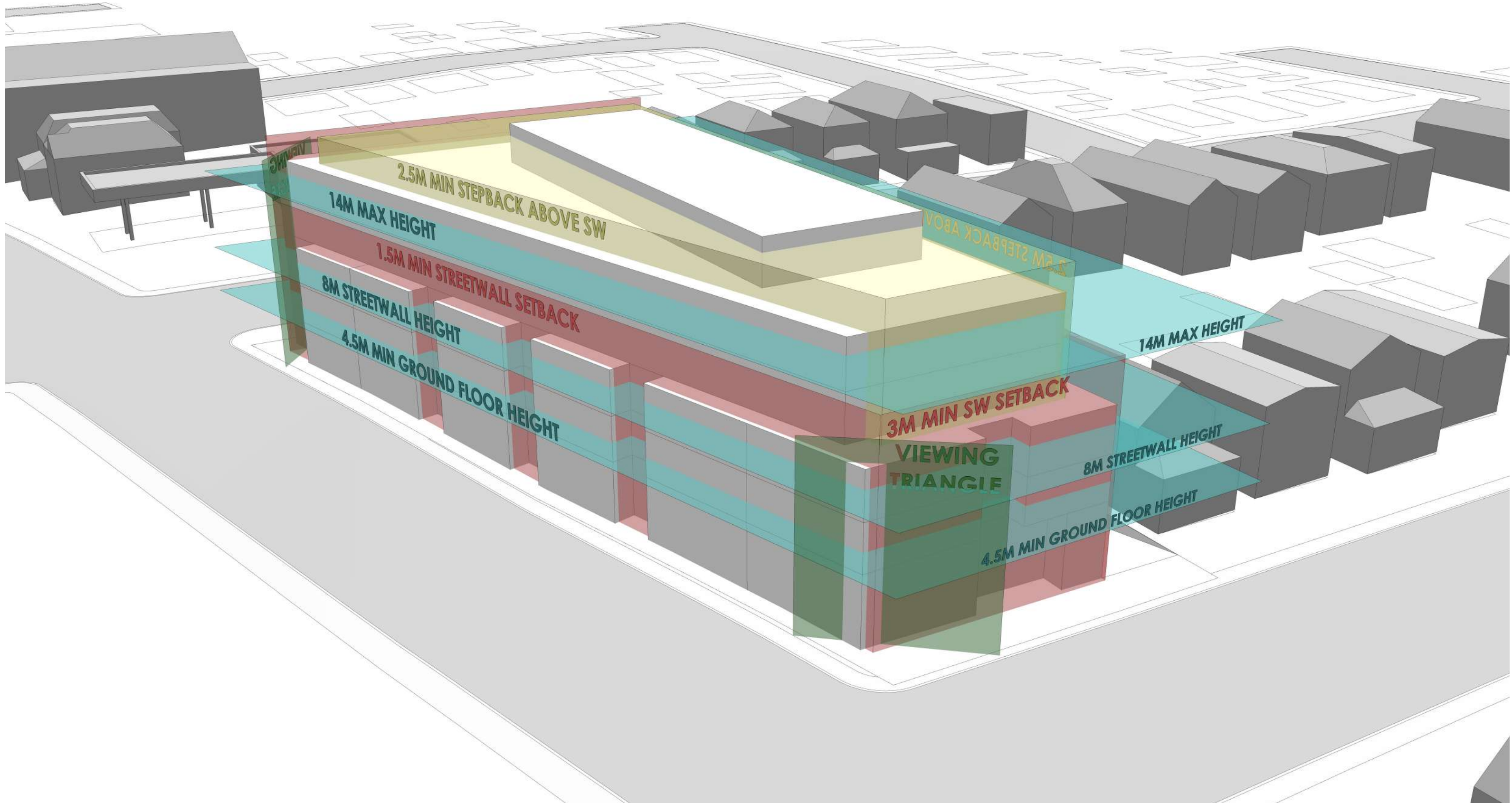
Project No.: 2015.33

Scale: NTS

Date: 05 May 2018

WM FARES
ARCHITECTS

SK1



ATTACHMENT B

2844 WINDSOR STREET, HALIFAX, NS

PROPOSED MASSING & LUB OVERLAY

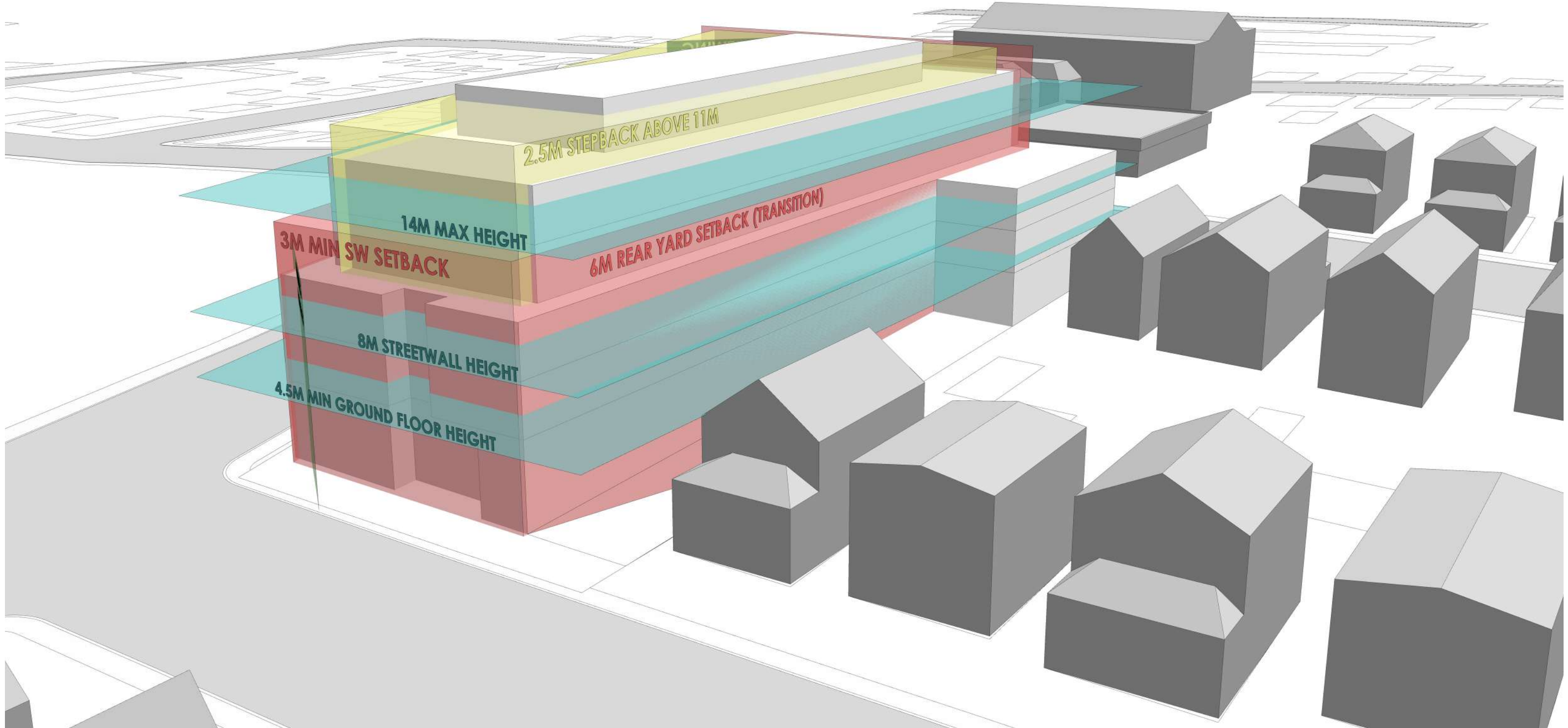
Project No.: 2015.33

Scale: NTS

Date: 05 May 2018

WM FARES
ARCHITECTS

SK2



ATTACHMENT B

2844 WINDSOR STREET, HALIFAX, NS

PROPOSED MASSING & LUB OVERLAY

Project No.: 2015.33

Scale: NTS

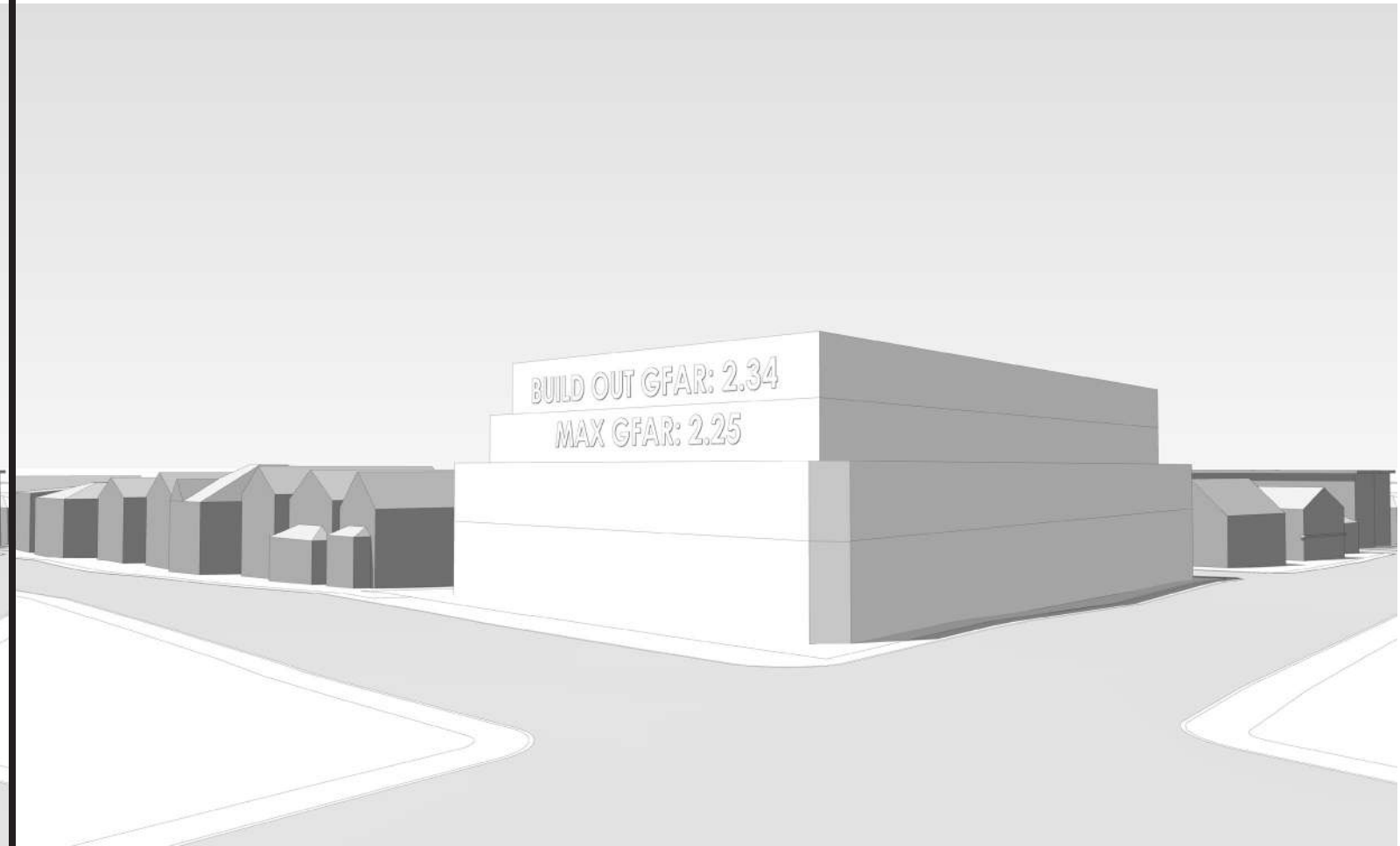
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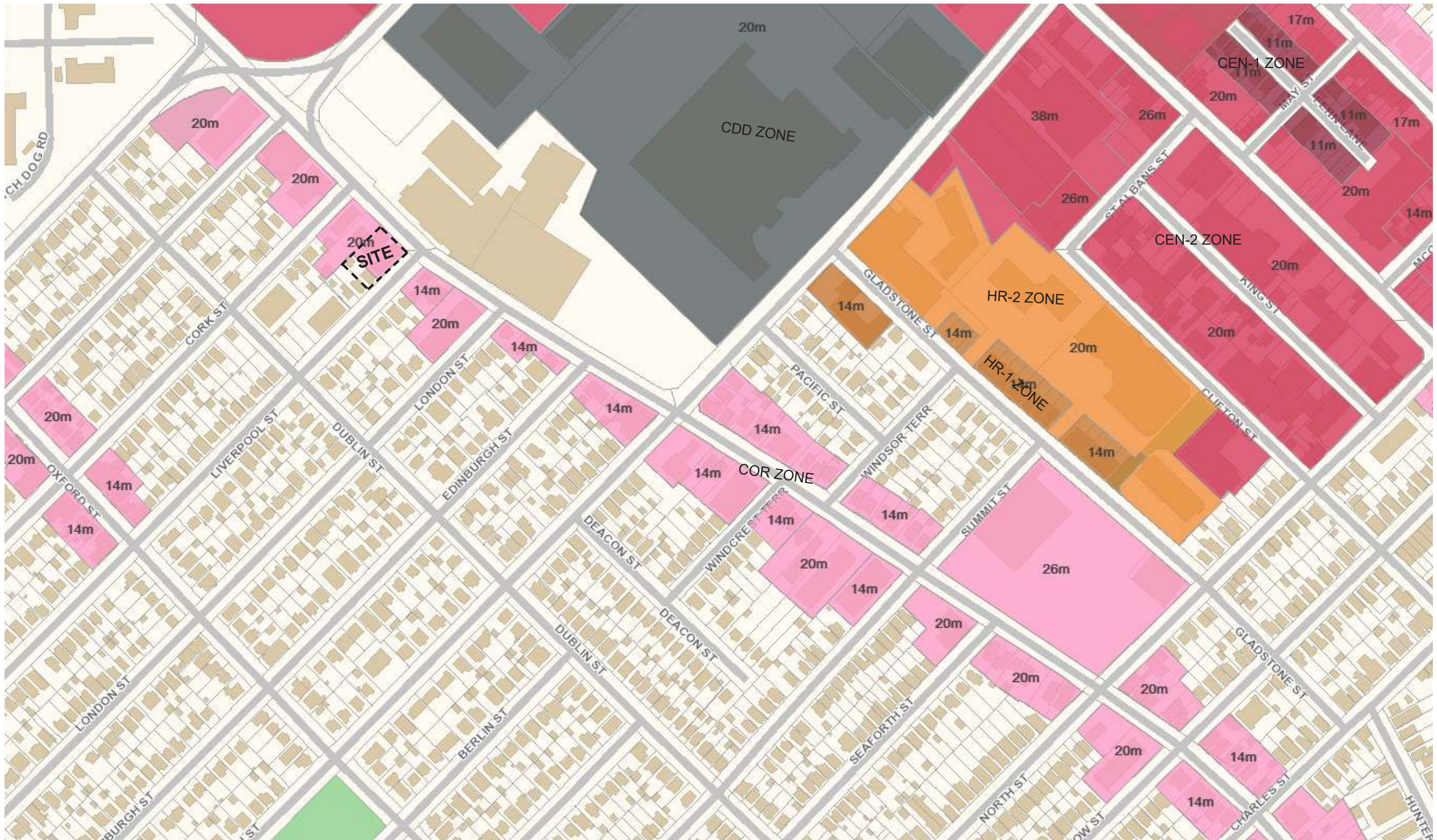
WM FARES
ARCHITECTS

SK3

PROPOSED DESIGN

PER CENTRE PLAN





ATTACHMENT C
 2966 WINDSOR, HALIFAX, NS

CONTEXT MAP

Project No.: 2015.34
 Scale: NTS
 Date: 05 May 2018

WM FARES
 ARCHITECTS

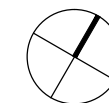
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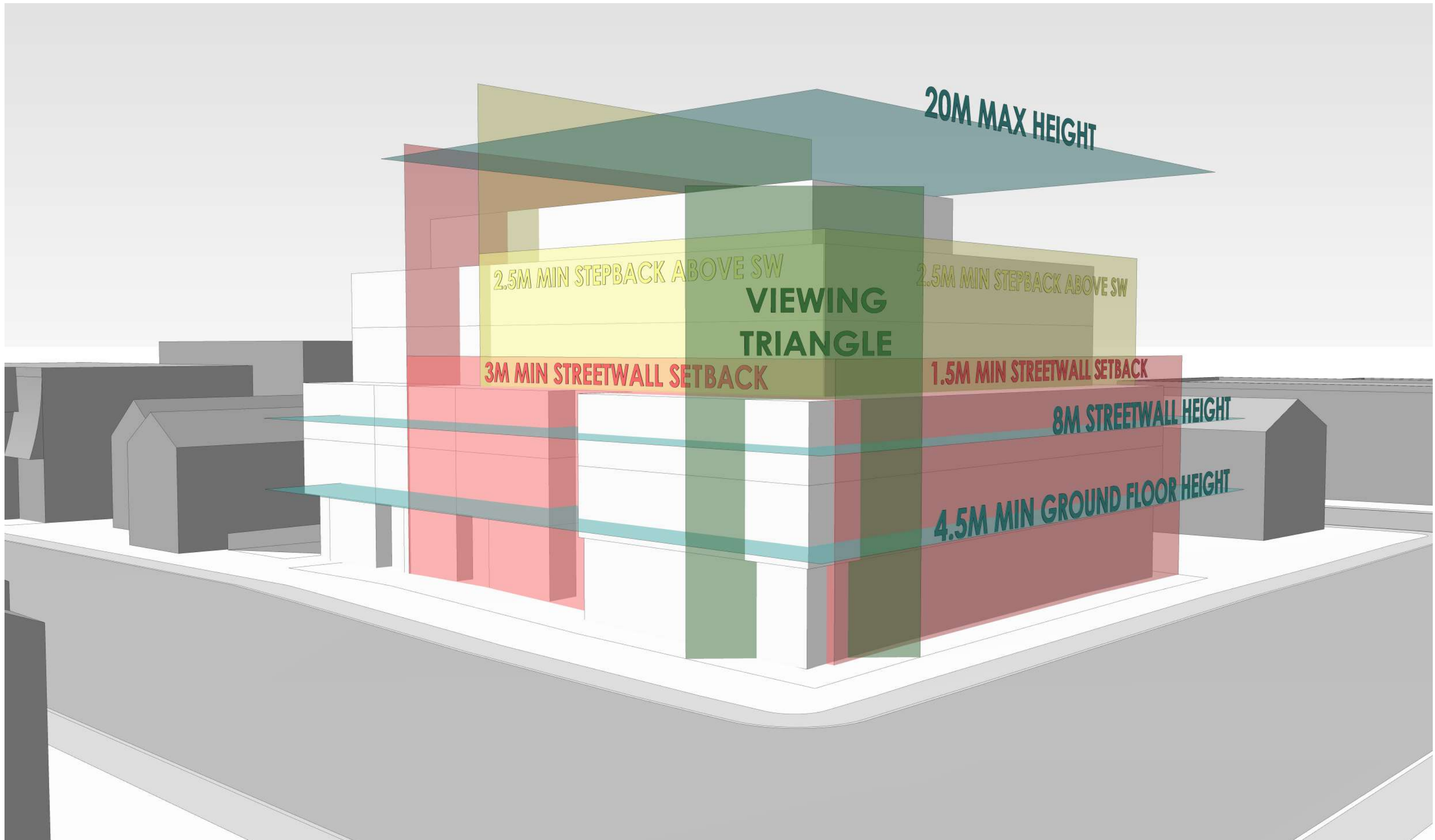
PROJECT DATA TABLE

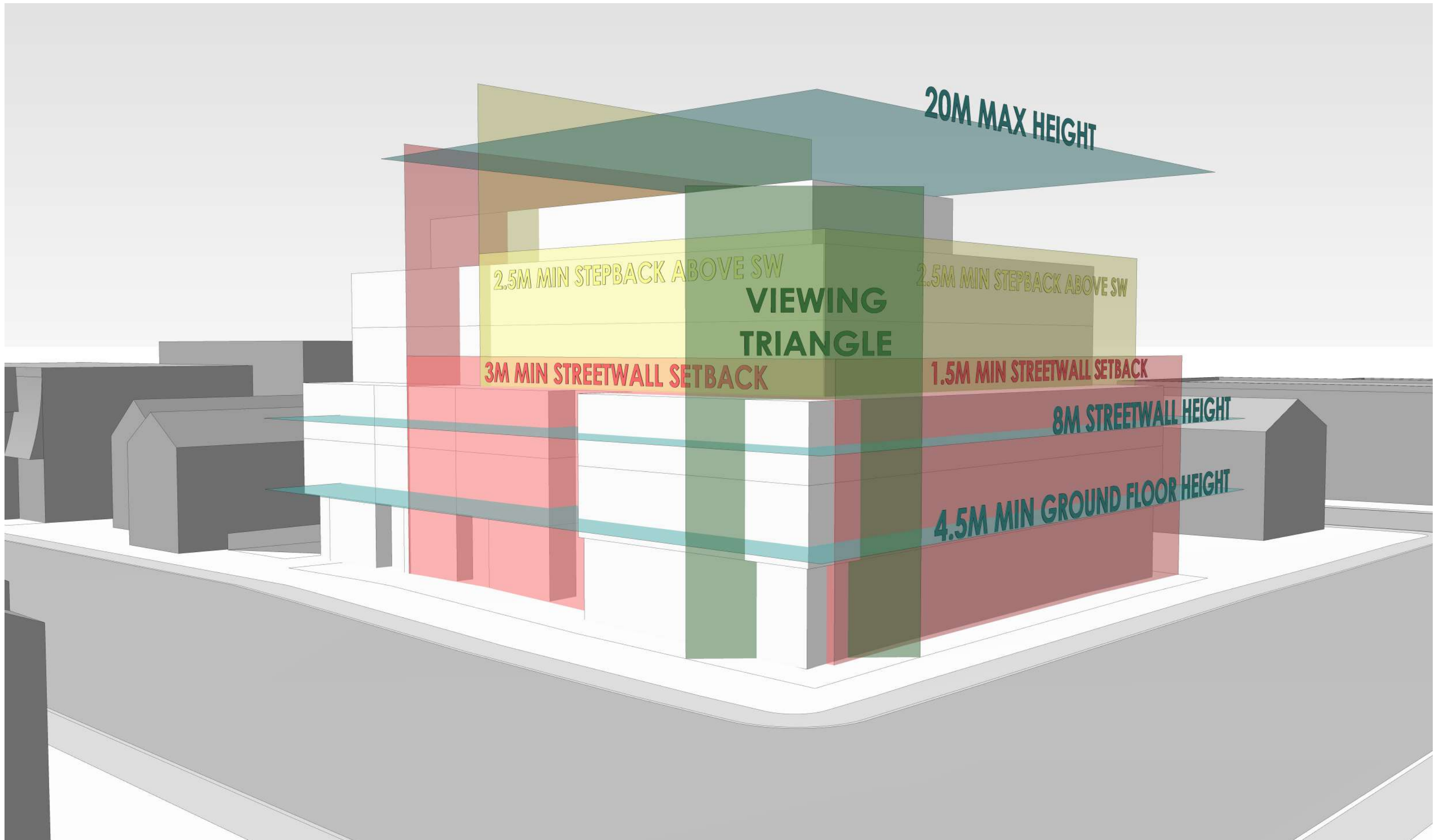
ZONE	COR	LOT DEPTH	±44.7 m (±147.0 ft)
BUILDING TYPE	Mid-rise	GROSS FLOOR AREA	± 4,293.0 m ² (± 46,210SF)
UNIT YIELD	± 37-41		

DRAFT LUB COMPARISON TABLE

		LAND USE BY-LAW	WMF PROPOSED	COMMENTS
LOT AREA		Min. 279.0 m ² (±3003.1 SF)	±1,376.0 m ² (±14,811.0 SF)	
LOT FRONTAGE		Min. 9.1 m (±29.8 ft)	±27.4 m- 36.0 m (±90.0 ft- 118.0 ft)	
LOT COVERAGE		80%	±66%	Assuming adjacent PID 00160077 is included in COR zone.
GROSS FLOOR AREA RATIO		Max. 3.50	±3.12	Refer to SK3 for build-out comparison and max GFAR. It is our professional opinion that an appropriate lot depth at say +/- 140 ft would result in reduced lot coverage, reduced building height, and thus a far better massing transition to ER zones.
BUILDING HEIGHT		Max. 20.0 m (±65.7 ft) - 6 Storeys	±18.4 m (±60.3 ft) - 5 Storeys	We are under the maximum height although our ground floor height is lower than 4.5m.
HEIGHT EXEMPTIONS	ROOFTOP AREA	Max. 30%	±40%	10% reduction could easily be accommodated considering the lot size and proposed built out.
	EDGE SETBACK	Min. 3.0 m (±9.8 ft)	±3.0 m (±10.0 ft)	
GROUND FLOOR HEIGHT		Min. 4.5 m (±14.8 ft)	±3.9 m (±12.7 ft)	Recommending flexibility in form of a range of 3.7m to 4.5m to address varying contexts and sloping conditions.
STREETWALL HEIGHT		Max. 8.0 m (±26.2 ft) - 2 Storeys	±9.6 m (±31.3 ft) - 3 Storeys	Refer to SK3 comparison. A 3-storey streetwall with 2 storeys above is more architecturally balanced than a 2 storey streetwall with a towering 4 storeys above. The LUB build out in our opinion falls short of human scale and transitioning objectives.
STREETLINE SETBACK		Min. 1.5 m (±4.9 ft) from Windsor St. Min. 3.0 m (±9.8 ft) from Liverpool St.	±1.7 m (±5.7 ft) from Windsor St. ±1.5 m- 3.0 m (±5.0 ft- 10.0 ft) from Liverpool St.	Suggesting flexibility in the form of a percentage (if not already listed) of the streetwall to project into the streetline setback for side streets (Liverpool). Refer to A03/A04. We have dealt with transitioning by having an increased setback for residential units at grade (10ft) and a reduced setback for commercial (5ft). We see this not only as an architectural methodology to transition into the adjacent ER zone, but also as a threshold transition between commercial and residential use within the proposed building.
STREETWALL STEPBACK		Min. 2.5 m (±8.2 ft)	±3.0 m- 4.6 m (±10.0 ft- 15 ft)	Due to lot size, there is greater tolerance and therefore we have introduced greater stepbacks. Generally, a 2.5m stepback is very much feasible even with smaller lots.
SIDE YARD SETBACK		Min. 0.0 m	±1.6 m- 4.0 m (±5.2 ft- 13.4 ft)	You will find that double loaded corridors and limiting distance (for window openings) will dictate side yard condition beyond 0m.
SIDE YARD STEPBACK		Min. 2.5 m (±8.2 ft)	±4.1 m-3.6 m (13.4 ft.-11.9 ft.)	
REAR YARD SETBACK		Min. 4.5 m (±14.8 ft)	See Transition Below	Assuming adjacent PID 00160077 is included in COR zone.
REAR YARD STEPBACK		Min. 2.5 m (±8.2 ft)	See Transition Below	Assuming adjacent PID 00160077 is included in COR zone.
TRANSITION TO ER ZONES	SIDE YARD	Min. 3.0 m (±9.8 ft)	N/A	
	REAR YARD	Min. 6.0 m (±20.0 ft)	±6.5 m (±21.2 ft)	
	SIDE & REAR STEPBACK	Min. 2.5 m (±8.2 ft)	Side: N/A Rear: ±3.3 m (±10.8 ft)	
LANDSCAPE REQUIREMENTS	ABUTTING ER DESIGNATION	L2	-	
	STREETYARD	Min. 60%	±90-100%	
	SIDEYARD	N/A	±100%	Unclear in LUB on requirements. Even if setback parameter is 0m, there should be provisions should the design lend itself for a side yard.
	REAR YARD	Min. 50%	±14%	Recommending excluding drive isles and ramps from 50% landscape requirement as most parking entry points will occur at the transitional zone (away from major intersection and aligns with internal building logistics/programming).
VIEWING TRIANGLE		Streetline intersection at 6.0 meters (±20.0 ft)	±3.3 meters (10.7 ft)	Recommending removal of this silly parameter.

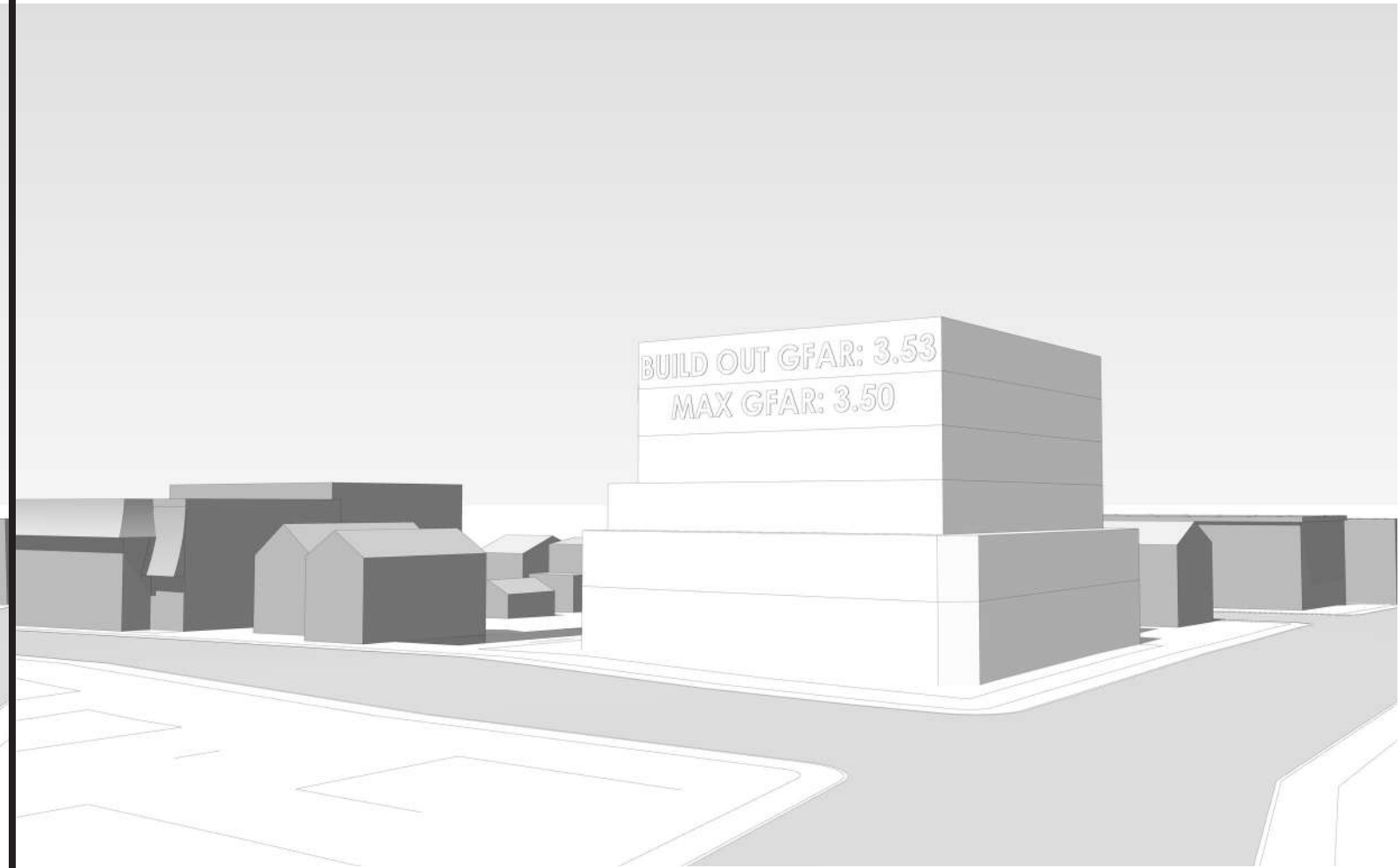
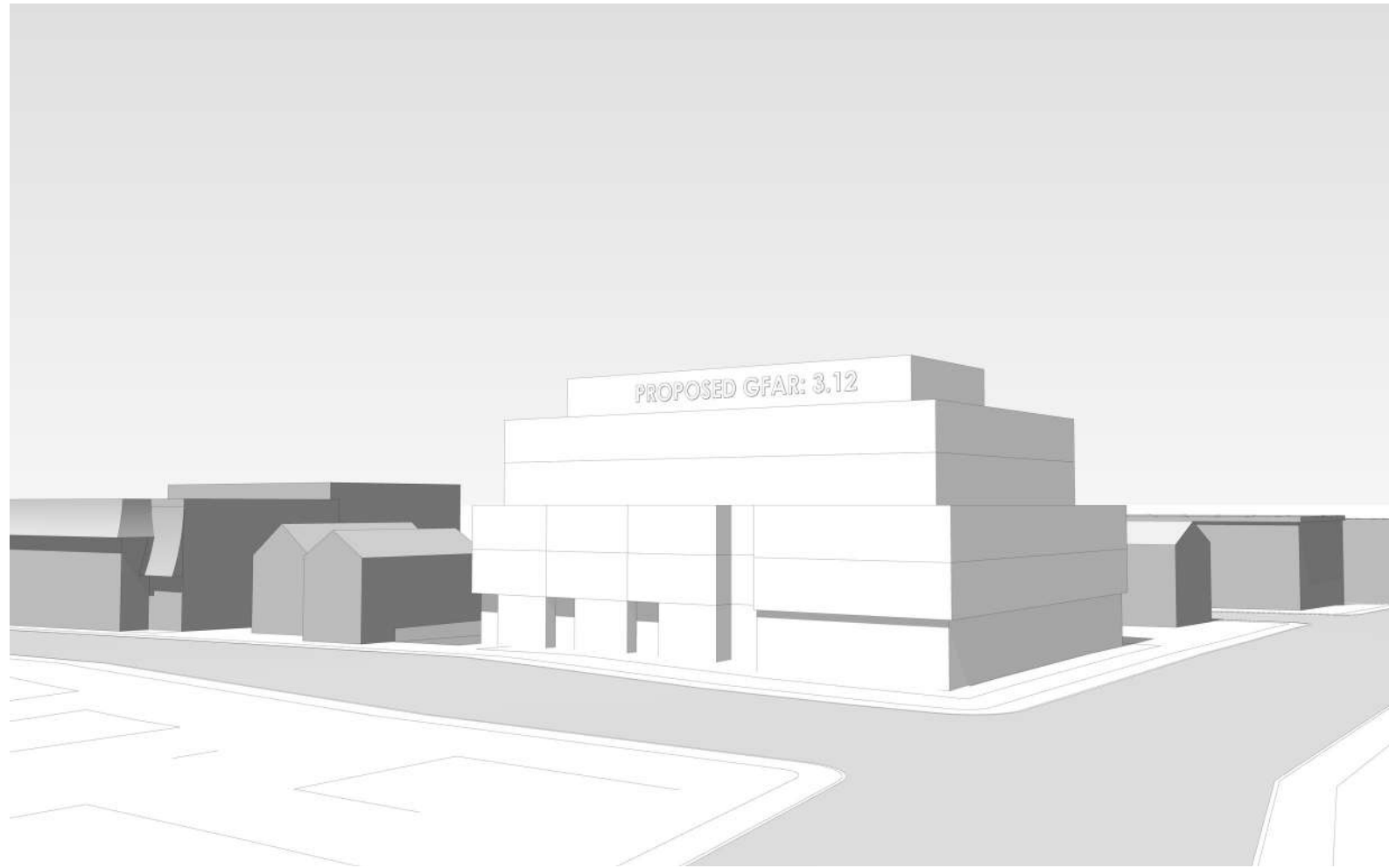






PROPOSED DESIGN

PER CENTRE PLAN



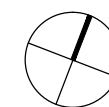


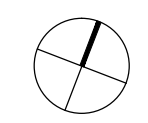
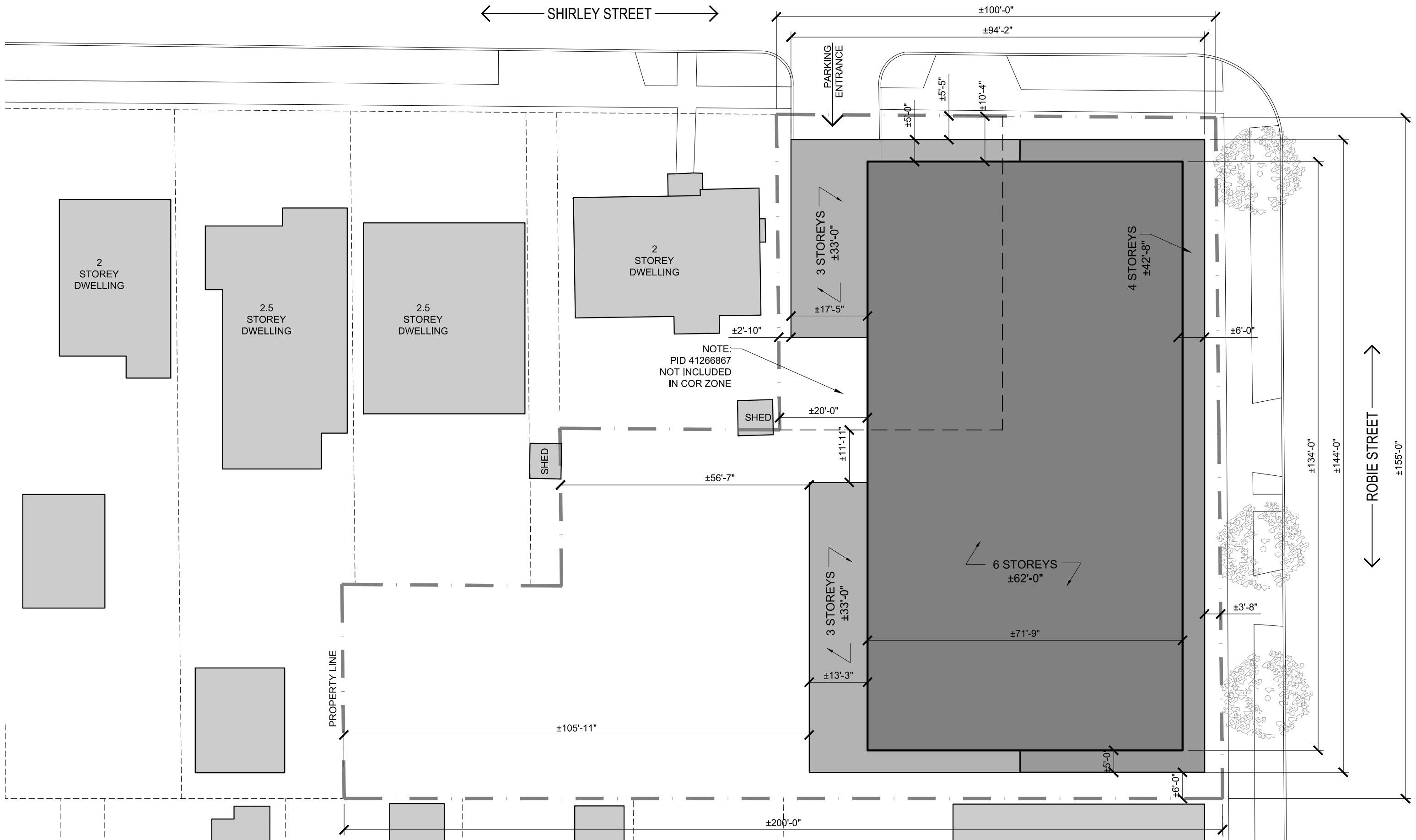
PROPOSED PROJECT DATA

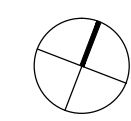
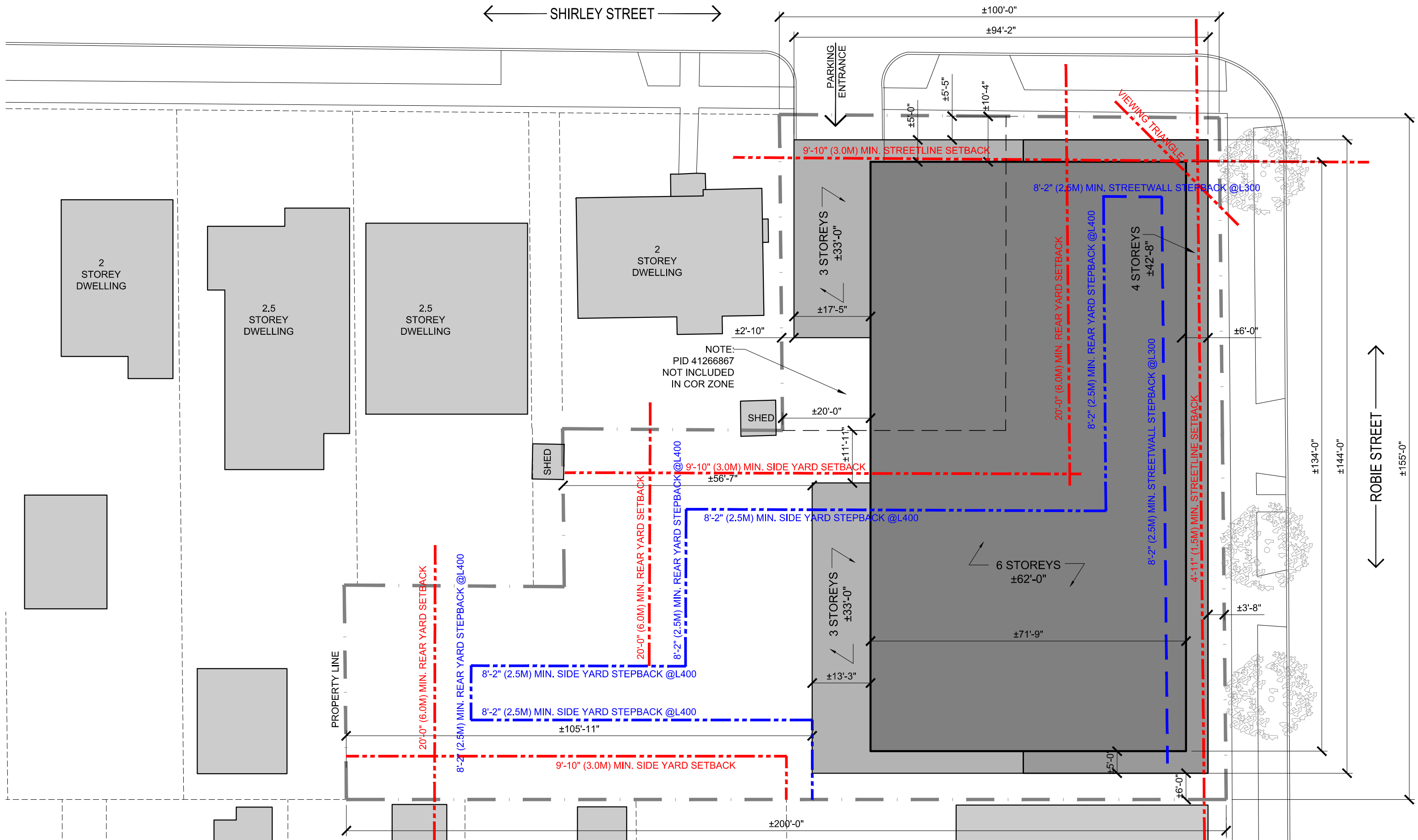
ZONE	COR	LOT DEPTH	MIN. ±30.5 m (±100.0 ft) MAX. ±61.0 m (±200.0 ft)
BUILDING TYPE	Mid-rise	GROSS FLOOR AREA	± 5,297.1 m ² (±57,018.0 SF)
UNIT YIELD	±29-30		

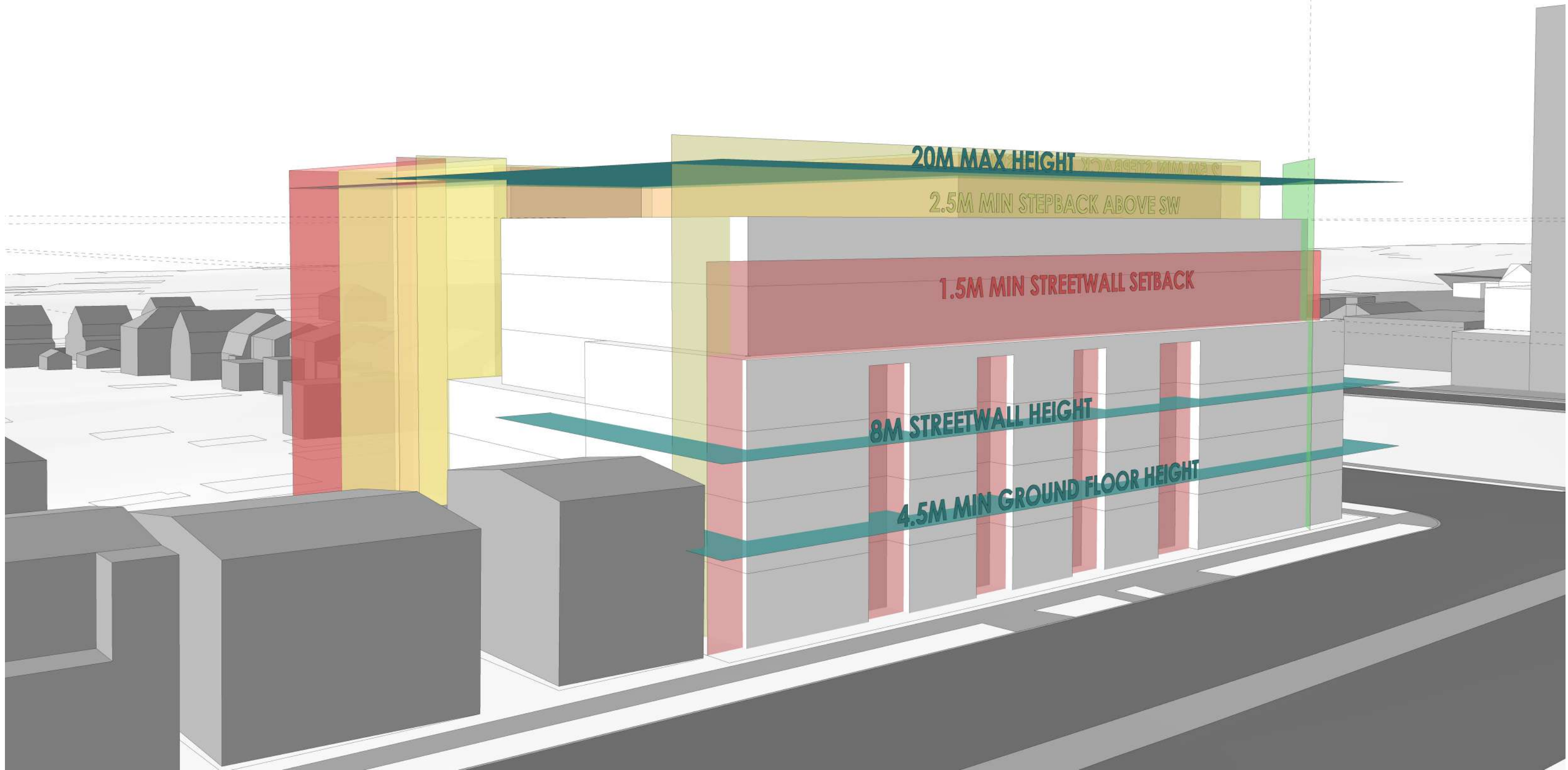
DRAFT LUB COMPARISON TABLE

		LAND USE BY-LAW	WMF PROPOSED	COMMENTS
LOT AREA		Min. 371.0 m ² (±3,993.4 SF)	±2,060.0 m ² (±22,176.0 SF)	
LOT FRONTAGE		Min. 12.0 m (±39.4 ft)	±28.7 m- 43.9 m (±94.2 ft- 144.0 ft)	
LOT COVERAGE		Max. 80%	±56%	Assuming adjacent PID 41266867 is included in COR zone.
GROSS FLOOR AREA RATIO		Max. 3.50	±2.57	Despite the allowance of a 3.50 max GFAR, the maximum achievable GFAR under the LUB parameters would be around 3.19, illustrated in SK3. Regardless, our proposed GFAR is less due to relatively large parcel.
BUILDING HEIGHT		Max. 20.0 m (±65.7 ft) - 6 Storeys	±18.9 m (±62.0 ft) - 6 Storeys	Proposed relatively close, pending ground floor height.
HEIGHT EXEMPTIONS	ROOFTOP AREA	Max. 30%	N/A	Mechanical penthouse not shown, but could easily be accommodated under 30% considering relatively large lot.
	EDGE SETBACK	Min. 3.0 m (±9.8 ft)	N/A	
GROUND FLOOR HEIGHT		Min. 4.5 m (±14.8 ft)	3.0 m (±9.8 ft)	Proposed is lower due to intended residential ground floor use. Flexibility should be permitted for use at grade.
STREETWALL HEIGHT		Max. 8.0 m (±26.2 ft) - 2 Storeys	± 11.8m (±38.7 ft) - 4 Storeys (Robie St) ± 10m (±33 ft) - 3 Storeys (Sherly St)	2-storeys along Robie Street does not reflect large road width hierarchy. We are proposing a 4 storey streetwall that transitions down to 3 storeys abutting ER-zone. We strongly feel that 3-storey streetwalls within these areas is an appropriate transitional threshold from existing 2 storey (sometimes 3 storey) dwellings.
STREETLINE SETBACK		Min. 1.5 m (±4.9 ft) from Robie St. Min. 3.0 m (±9.8 ft) from Shirley St.	±1.0 m (±3.2 ft) from Robie St. ±1.7 m (±5.5 ft) from Shirley St.	Our proposed streetline setback from Robie Street reflects adjacent building setbacks but the proposal could easily accommodate a 1.5m setback. We concur with the proposed 3m as we feel it is more context sensitive. The lost area can be compensated at the opposite end by reclaiming the proposed 1.8m side yard to 0m.
STREETWALL STEPBACK		Min. 2.5 m (±8.2 ft)	±1.5m (±5.0 ft)	Midrise portion of building could be shifted to accommodate a 2.5m setback which we feel is an appropriate standard/parameter.
SIDE YARD SETBACK		Min. 0.0 m (±0.0 ft)	±1.8m (±6.0 ft)	See note above RE Shirley street streetline setback.
SIDE YARD STEPBACK		Min. 0.0 m (±0.0 ft)	±1.5m (±5.0 ft)	
REAR YARD SETBACK		Min. 4.5 m (±14.8 ft)	See Transition Below	
REAR YARD STEPBACK		Min. 6.0 m (±20.0 ft)	See Transition Below	
TRANSITION TO ER ZONES	SIDE YARD	Min. 3.0 m (±9.8 ft)	N/A	
	REAR YARD	Min. 6.0 m (±20.0 ft)	±7.0 m (±22.9 ft) ±17.2 m (±56.6 ft) ±32.3 m (±106.0 ft) ±0.85 m (±2.8 ft)	To prove a point regarding unrealistic single-lot deep COR zoning, we have illustrated the setback parameters from the edge of PID 41266867, leaving a silver of buildable volume that will not be constructed. What does this say for other single deep zoned lots and the vision for our future built fabric? This will compromise our streetscapes to the detriment of the surrounding neighborhoods.
	SIDE & REAR STEPBACK	Min. 2.5 m (±8.2 ft)	Side: N/A Rear: ±4.0 m - 5.3 m (± 13.2 ft- 17.4 ft)	Our stepbacks could be reduced to accommodate for larger streetwall stepbacks at 2.5m
LANDSCAPE REQUIREMENTS	ABUTTING ER DESIGNATION	L2	-	
	STREETYARD	Min. 60%	±90-100%	
	SIDEYARD	N/A	±100%	
	REAR YARD	Min. 50%	±86%	
VIEWING TRIANGLE		Streetline intersection at 6.0 meters (±20.0 ft)	±2.3 meters (7.6 ft)	We suggest this parameter to be removed.









ATTACHMENT D

1840 ROBIE STREET, HALIFAX, NS

PROPOSED MASSING & LUB OVERLAY

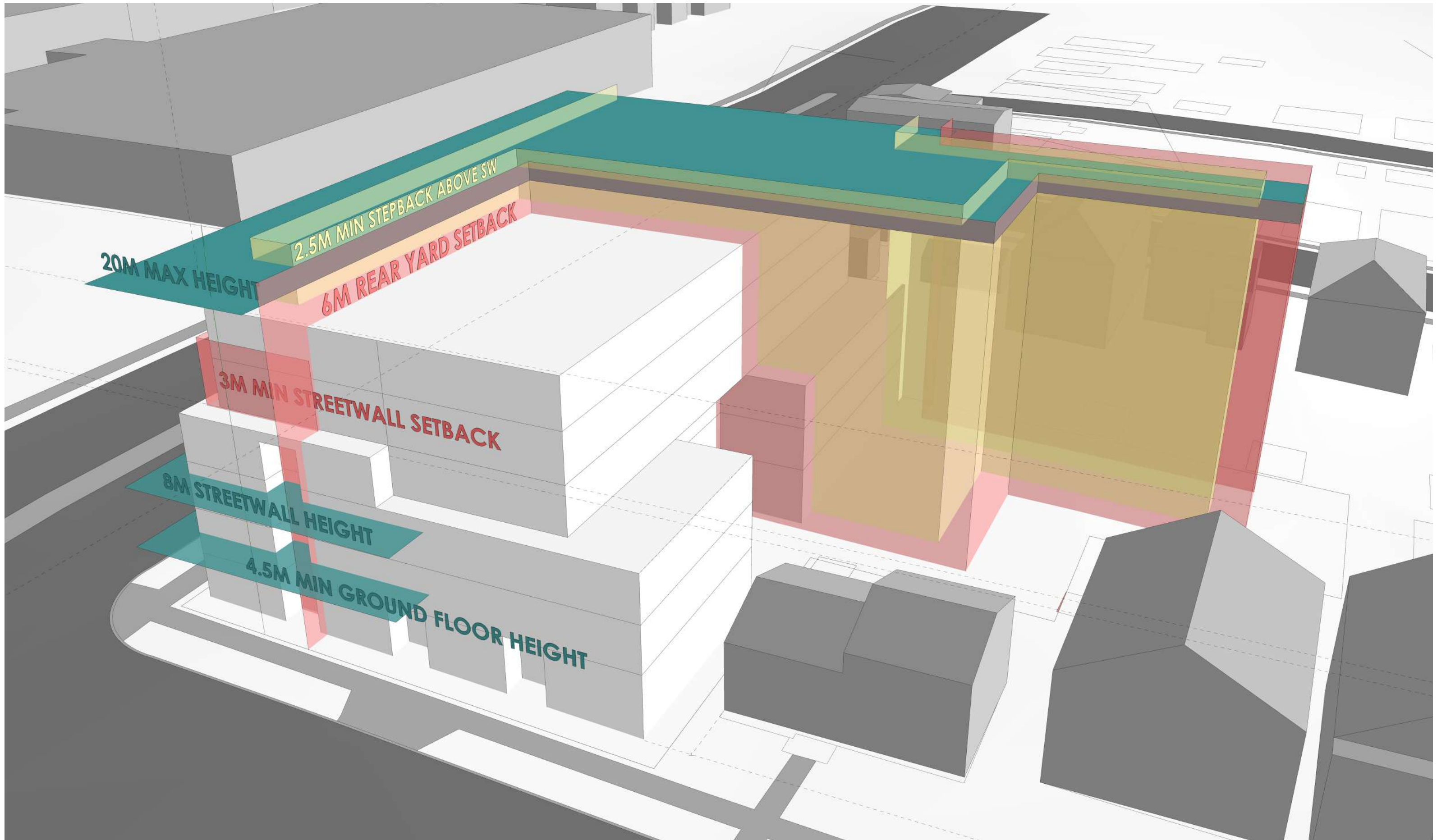
Project No.: 2015.37

Scale: NTS

Date: 05 May 2018

WM FARES
ARCHITECTS

SK1



ATTACHMENT D

1840 ROBIE STREET, HALIFAX, NS

PROPOSED MASSING & LUB OVERLAY

Project No.: 2015.37

Scale: NTS

Date: 05 May 2018

WM FARES
ARCHITECTS

SK2

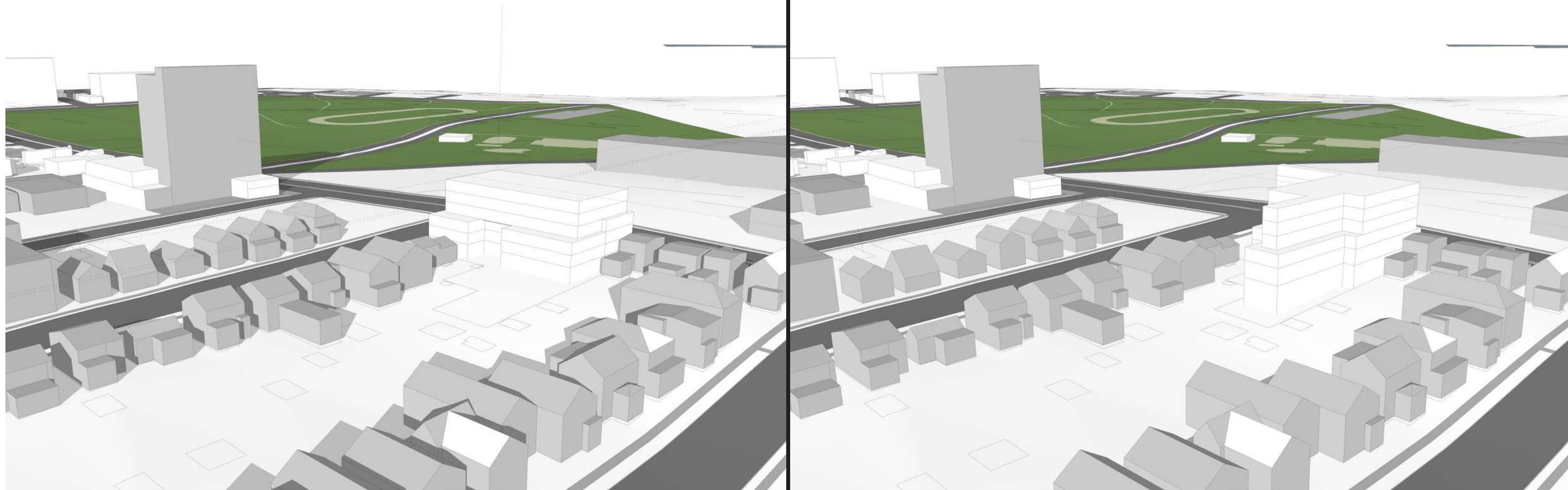
PROPOSED DESIGN

PER CENTRE PLAN



PROPOSED DESIGN

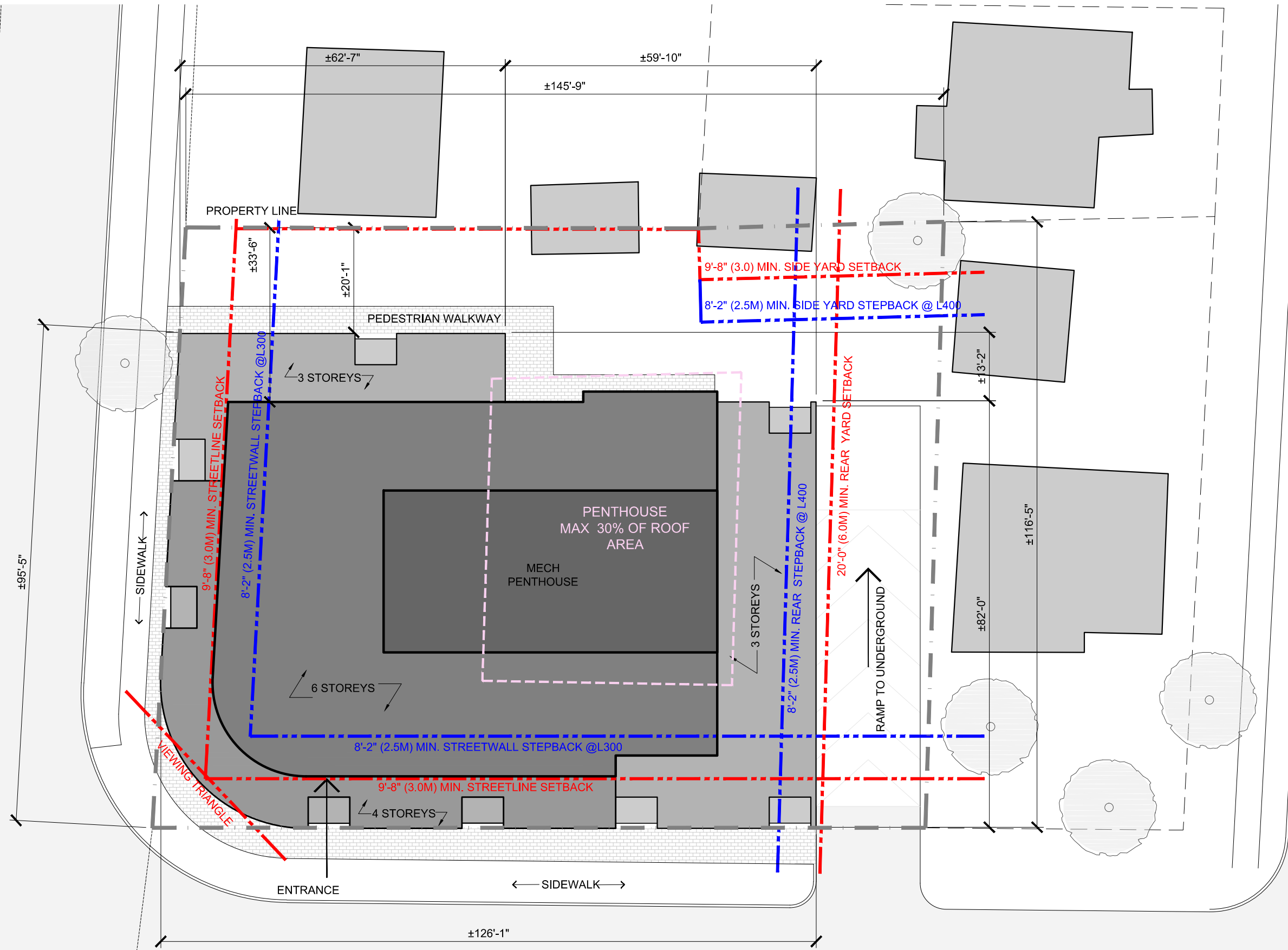
PER CENTRE PLAN





JOSEPH HOWE DRIVE

ROWE AVENUE



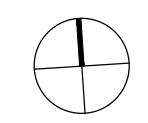
ATTACHMENT E

7135 BAYERS ROAD - HALIFAX - NS

LUB OVERLAY

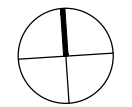
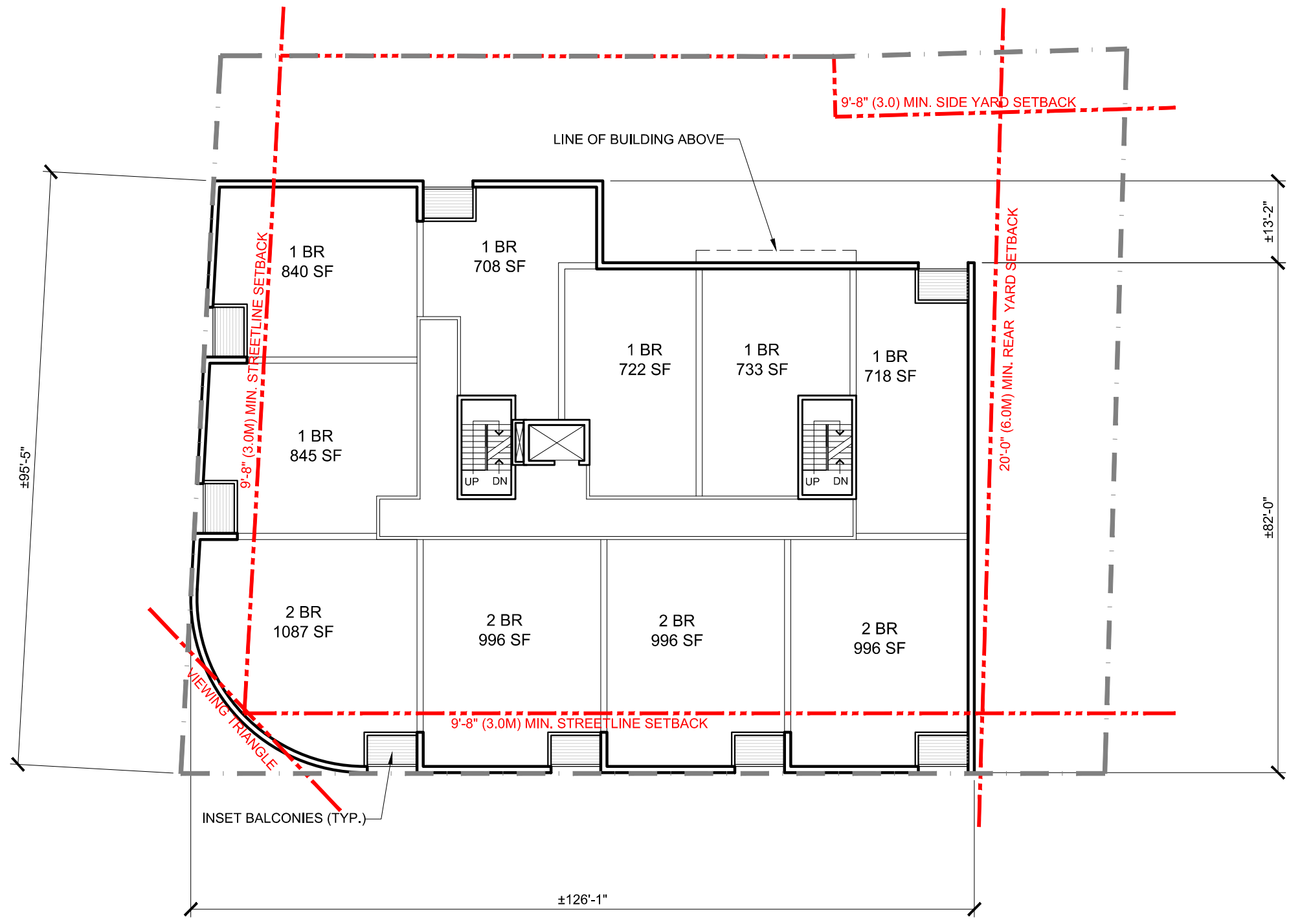
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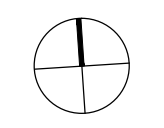
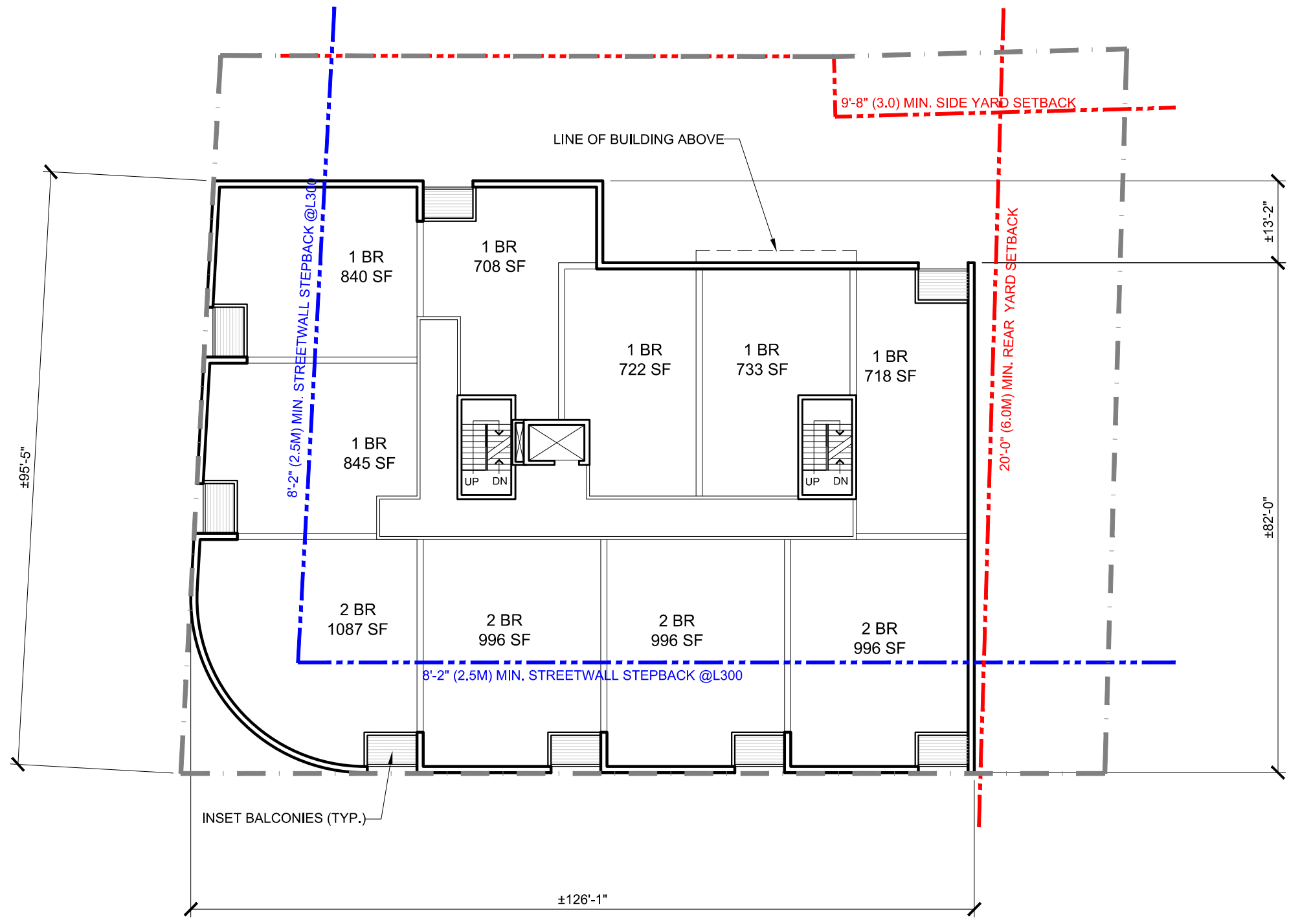
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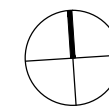
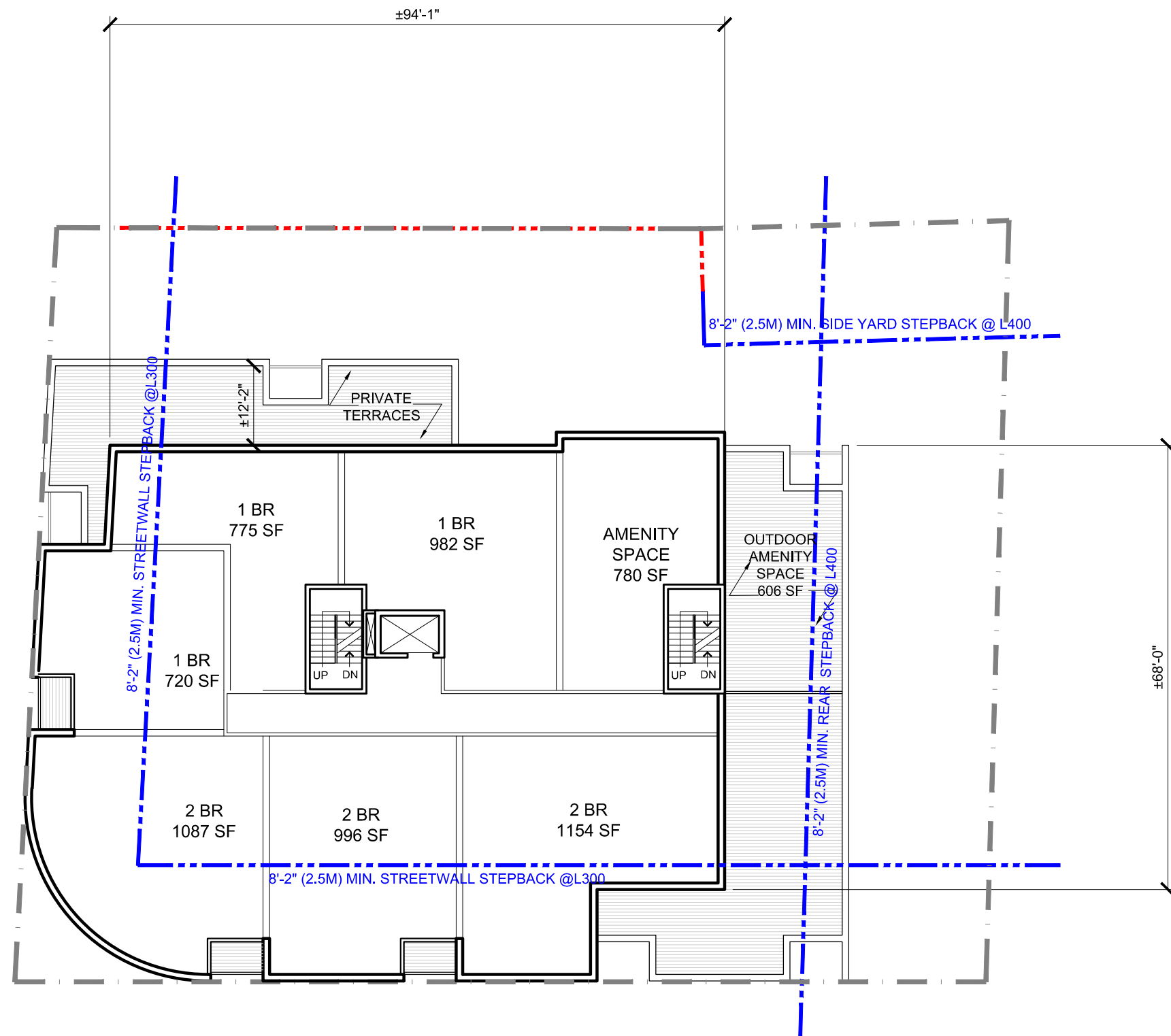


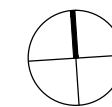
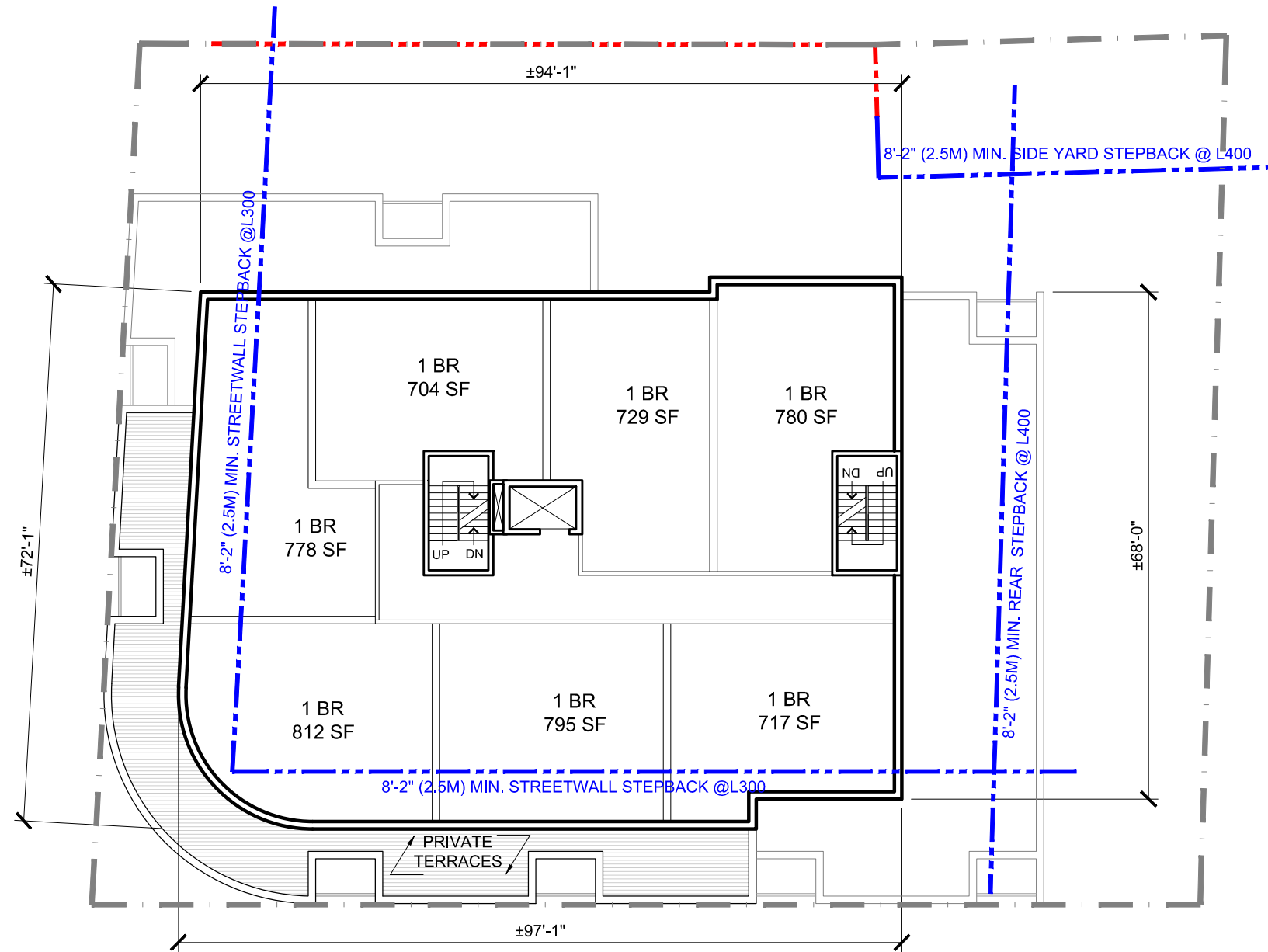
WM FARES ARCHITECTS

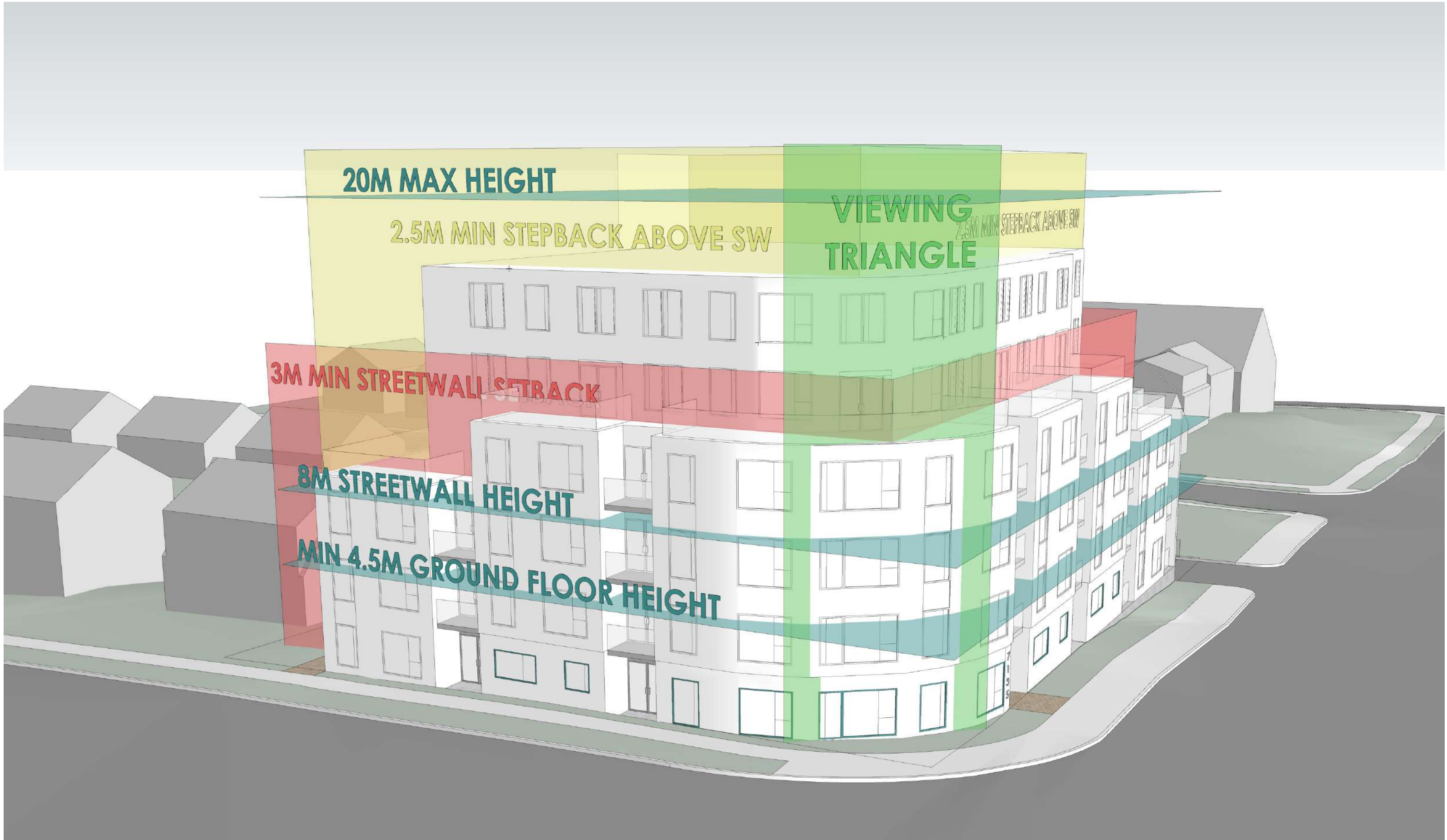
A04













ATTACHMENT E

7135 BAYERS ROAD, HALIFAX, NS

PROPOSED MASSING & LUB OVERLAY

Project No.: 2016.07

Scale: NTS

Date: 05 May 2018

WM FARES
ARCHITECTS

SK2

PROPOSED DESIGN

PER CENTRE PLAN



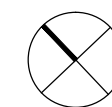


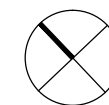
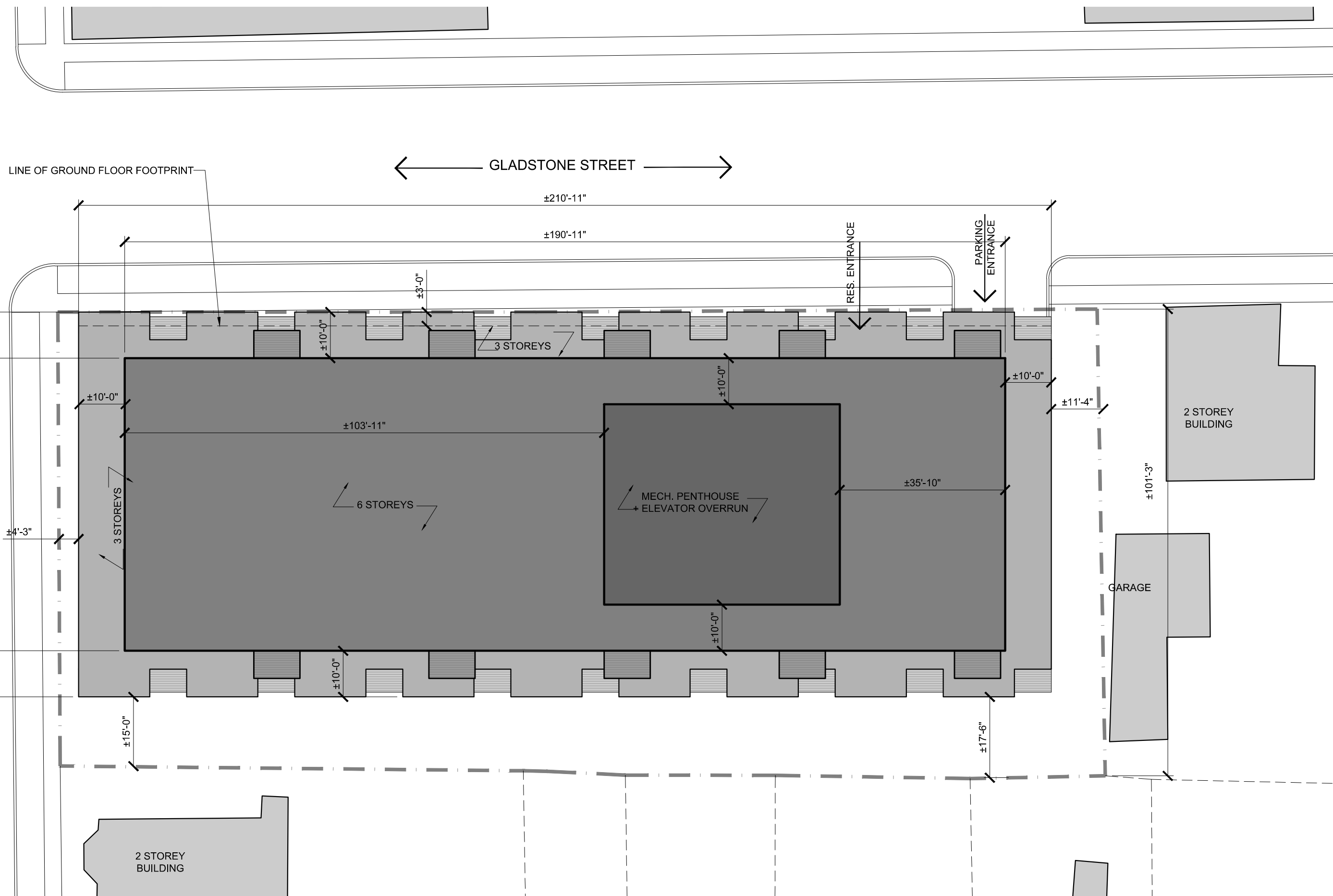
PROPOSED PROJECT DATA

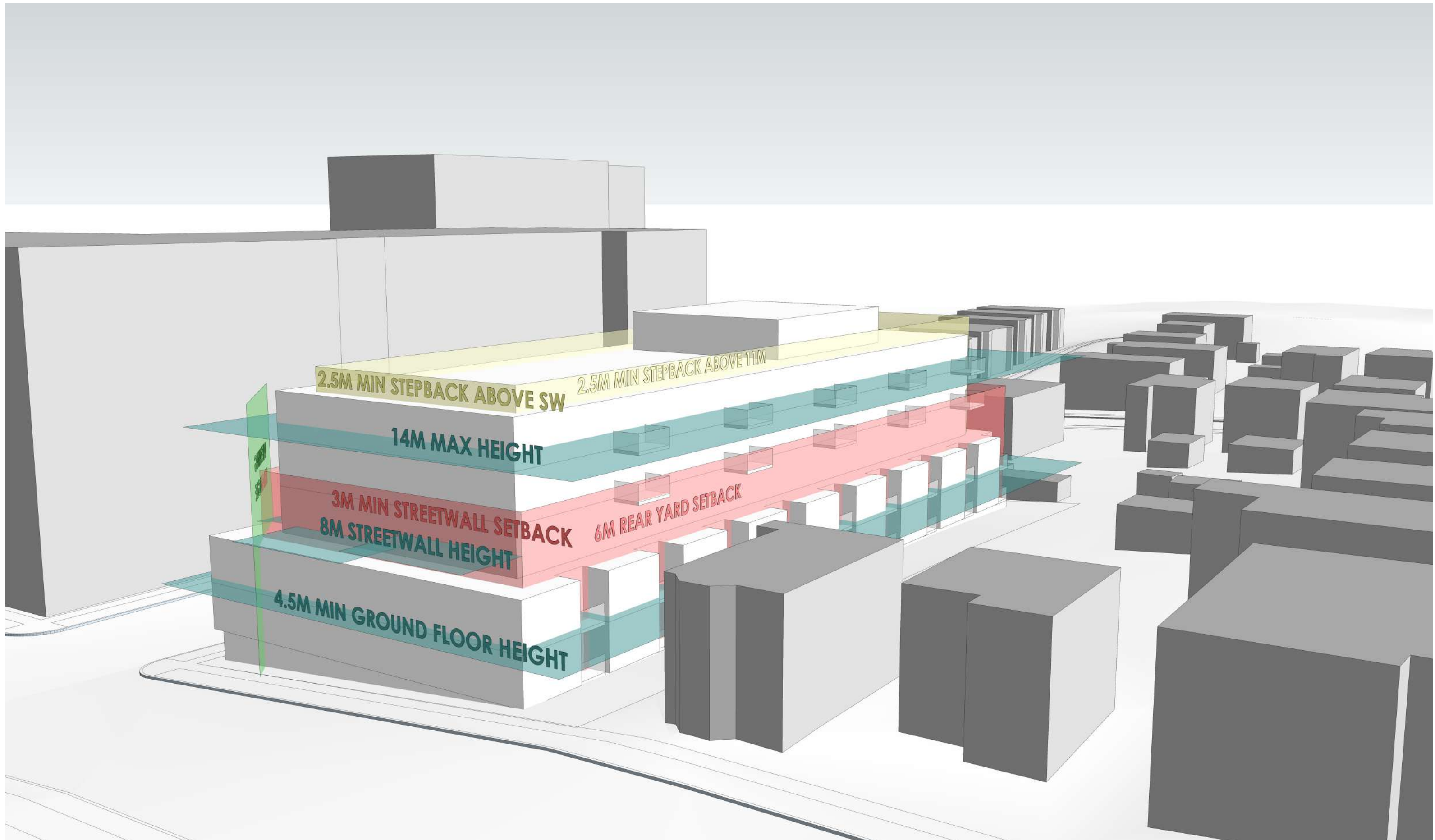
ZONE	HR-1	LOT DEPTH	MIN. MAX.	±38.4 m (±126.0 ft) ±38.4 m (±126.0 ft)
BUILDING TYPE	Mid-rise	GROSS FLOOR AREA	±8,276.9 m ² (89,031.3 SF)	
UNIT YIELD	±47-68			

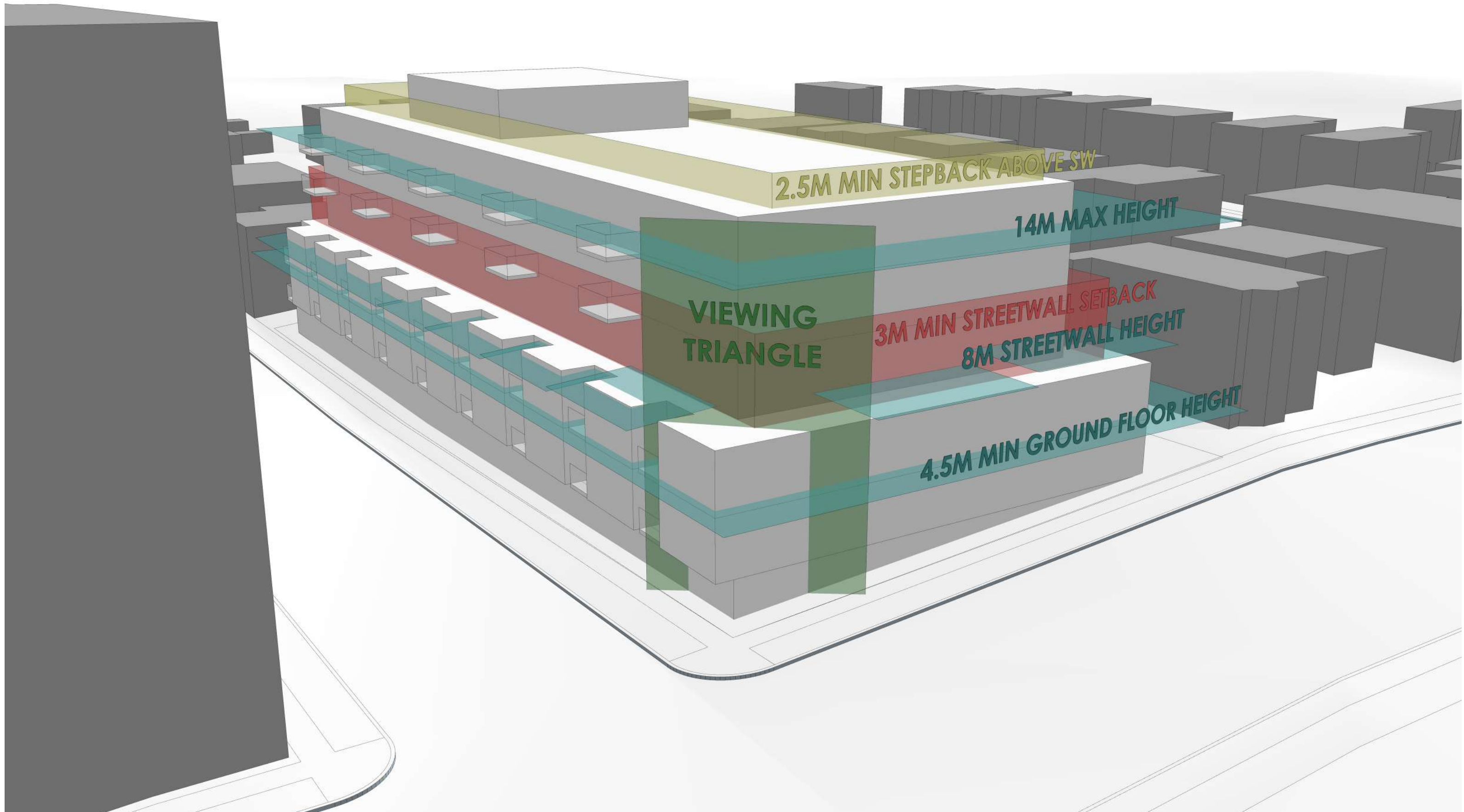
DRAFT LUB COMPARISON TABLE

		LAND USE BY-LAW	WMF PROPOSED	COMMENTS
LOT AREA		Min. 279.0 m ² (±3,003.1 SF)	±2,100.7 m ² (±22,612.0 SF)	
LOT FRONTAGE		Min. 9.1 m (±29.8 ft)	±30.0 m (±98.5 ft)	
LOT COVERAGE		Max. 50%	±78%	50% lot coverage is unrealistic considering lot size/depth for parcels on the peninsula. We are recommending a reduction and suggesting surveying lands designated HR to determine feasibility. Note that NONE of the below comments/conditions would apply with a 50% limitation.
GROSS FLOOR AREA RATIO		Max. 2.25	±3.94	When modelled and rendered, we found that despite the allowance of a 2.25 max GFAR, the maximum achievable GFAR under the LUB parameters would be around 1.72 as illustrated in SK3. This discrepancy is telling and unjustified. Regardless, we still feel a 2.25 maximum is unrealistic for HR zones, albeit a higher % coverage.
BUILDING DIMENSIONS		Max Building Depth/ Width: 40.0 m (±131 ft)	Building Depth: ±21.0 m (±68.8 ft) Building Width: ±62.8 m (±206.0 ft)	We are arguing that a minimum of 40m of LOT DEPTH is required for feasible double loaded corridor developments. Considering this parcel is less than 40m. A bigger concern here is the restriction of building depth AND width. Why include this parameter when rear/side yard setbacks will dictate? In addition, limiting building width will compromise streetscape fabric.
BUILDING HEIGHT		Max. 14 m (±45.9 ft) - 4 Storeys	±15.6 m (±51.4 ft) - 6 Storeys	We are only suggesting a 6 storey building due to lot grading. From Gladstone, the building reads as 6 storeys, and argue is context specific to adjacent development. Where the building transitions to the ER-zone, the building renders at 5-storeys due to a higher grade. This still puts us over the 4-storey maximum which we feel will compromise the integrity of the development.
HEIGHT EXEMPTIONS	ROOFTOP AREA	Max. 30%	±18%	
	EDGE SETBACK	Min. 3.0 m (±9.8 ft)	±3.0 m (±10.0 ft) plus	
GROUND FLOOR HEIGHT		Min. 4.5 m (±14.8 ft)	±2.9 m (±9.7 ft)	Proposed is lower due to intended residential ground floor use. Flexibility should be permitted for use at grade.
STREETWALL HEIGHT		Max. 8.0 m (±26.2 ft) - 2 Storeys	± 11.8 m (±38.7 ft) - 3 Storeys	Proposed will render a 2-storey streetwall facing ER zone due to change in grade. How will a condition like this be assessed, addressed, and defined in the centre plan?
STREETLINE SETBACK		Min. 3.0 m (±9.8 ft)	±0.0 m- 1.3 m (±0.0 ft- 4.3 ft)	Proposed reflects surrounding contextual setbacks for both streets. We would argue that a generalized streetline setback for HR zones or any zone for that matter, is not context sensitive and does not follow good urban design principles. A 3m setback in combo with stepbacks will compromise the feasibility of this development even with an increased 78% lot coverage as proposed.
STREETWALL STEPBACK		Min. 2.5 m (±8.2 ft)	±3.0 m (±10.0 ft)	Contingent on setback parameter and commentary above. Suggested 2.5 is feasible, but only if streetline setbacks are relaxed, and only if there is adequate lot depth.
SIDE YARD SETBACK		Min. 3.0 m (±9.8 ft)	±3.5 m (±11.3 ft)	Reasonable parameter, but would render irrelevant if max building width of 40m is instated.
SIDE YARD STEPBACK		Min. 2.5 m (±8.2 ft)	±3.0 m (±10.0 ft)	2.5m is realistic and adequate
REAR YARD SETBACK		Min. 6.0 m (±20.0 ft)	±4.6 m (±15.0 ft)	We have employed a reduced setback parameter due to site specific conditions of a shallow lot depth and rather large rear yards of adjacent ER-lots. Some flexibility should be permitted for site specific conditions like this.
REAR YARD STEPBACK		Min. 2.5 m (±8.2 ft)	±3.0 m (±10.0 ft)	2.5m is only feasible if streetline setback is relaxed to 0m along Gladstone St. See note above. Our suggested 3m is a product of reduced streetline and rear yard setbacks which we feel is more context sensitive and produces a better built form.
LANDSCAPE REQUIREMENTS	ABUTTING ER DESIGNATION	L1	-	
	STREETYARD	Min. 60%	±90-100%	
	SIDEYARD	N/A	±100%	
	REAR YARD	Min. 50%	±100%	This should be increased to protect visual greenery within transitional areas to ER zones.
VIEWING TRIANGLE		Intersection at 6.0 m (±20.0 ft)	±1.4 m (4.5 ft)	We are strongly suggesting the removal of this parameter all together.









ATTACHMENT F

2760 GLADSTONE STREET, HALIFAX, NS

PROPOSED MASSING & LUB OVERLAY

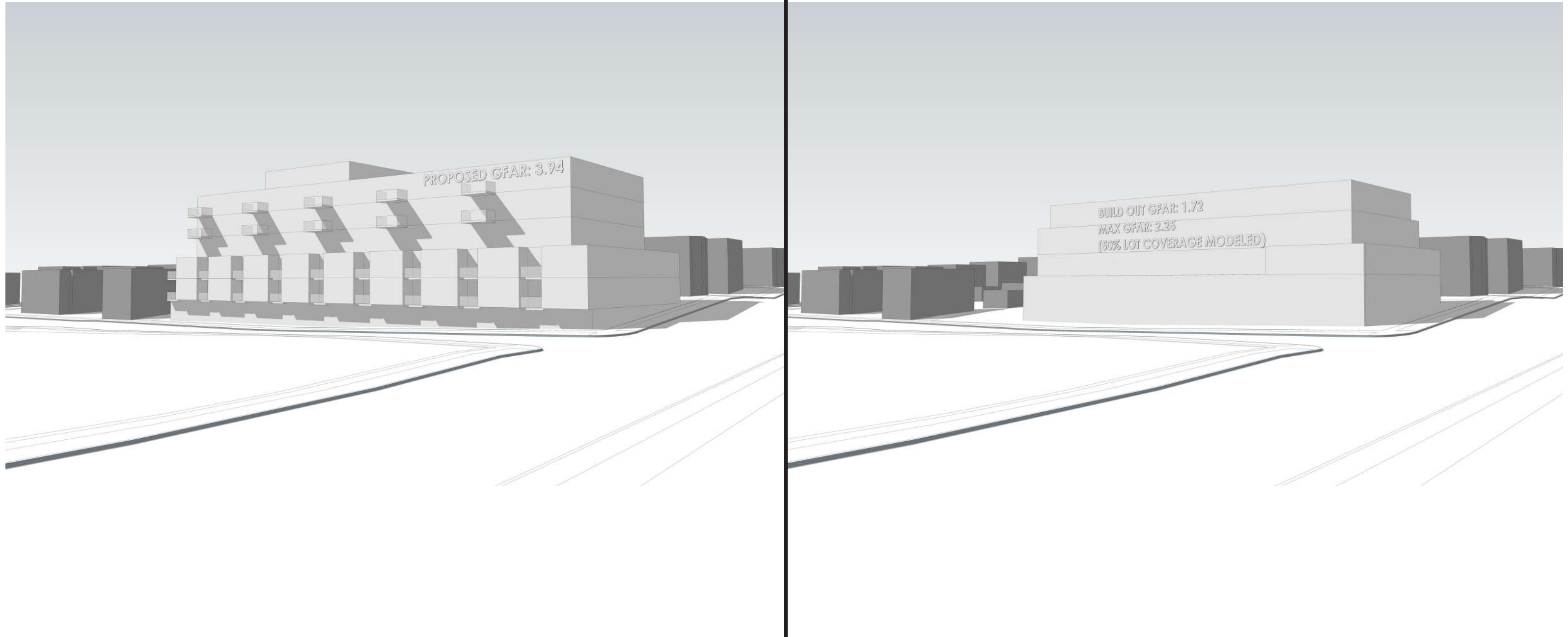
Project No.: 2018.XX
Scale: NTS
Date: 05 May 2018

WM FARES
ARCHITECTS

SK2

PROPOSED DESIGN

PER CENTRE PLAN



MEMO | 2018.05.03

To: Halifax Planning & Development
7071 Bayers Road, 2nd Floor Towers
Halifax, NS B3L 4P3

Subject: Centre Plan Commentary Feedback Package C – Existing Non-Conforming Use

Dear Centre Plan Team,

It has come to our attention upon fully reviewing the Draft Centre Plan Package A that there is no mechanism in place to allow for existing non-conforming multiunit buildings within ER zones to be revitalized and redeveloped. We feel this is a missed opportunity here to help improve streetscape conditions, as many of these buildings do not interface well with the public realm nor do they transition appropriately to neighbouring single family residences, rendering them out of place and alienated from the neighbourhood character.

We would recommend allowing provisions to incentivize land owners to rehabilitate and reinvest these buildings via increased density by means of increased footprint and/or height where appropriate. We envision a scenario where a streetwall can be introduced with townhouse-style form and landscaping, which we argue is more in keeping with the single-family dwelling context than their current monolithic form. It introduces a win-win situation for both the land owner and the neighbourhood streetscape.

There is a healthy stock of these existing non-conforming midrise typologies across HRM's Regional Core, especially in the North and West ends of the city. Our practice currently has 3 lots for various clients eager to take part in such provisions for revitalization and offer them here as examples for your review and consideration:

Attachment A: 6190 & 6184 Jubilee

Attachment B: 6022 North Street

We hope the Centre Plan addresses our above concerns and we look forward to seeing policies as suggested to further help improve all aspects and conditions of our characterized neighborhoods. Should you have any questions or concerns, please do not hesitate to contact me by phone at 902.457.6676 or by email at jacob@wmfares.com

Sincerely,

Original Signed

Jacob JeBailey

Principal Architect

RAIC, NSAA, OAA, M.Arch, BEDS



ATTACHMENT A
 6184-6190 JUBILEE STREET, HALIFAX, NS

PROPERTY BOUNDARY

Project No.: 2016.02
 Scale: NTS
 Date: 05 May 2018

WM FARES
 ARCHITECTS



Real Estate Counsellors, Brokers & Valuers

Registration to ISO 9001:2015

Counselling Advice
Feasibility Studies
Expropriation
Mediation & Arbitration
Infrastructure Acquisition

Valuation & Appraisal
PAMS® Portfolio Manager
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Industrial
Investment
Development
Rural

Economic Intelligence
Market Surveys
Site Selection
Trade Area Analysis
Supply & Demand Analysis
Demographic Studies

Property Tax Consulting
PAMS® Tax Manager
Assessment Audits
Negotiation
Appeal Board

Planning (Urban & Rural)
Regulatory Review
Development Analysis
Development Approval
Cost Benefit Analysis

Brokerage (Sales & Leasing)
Tenant Representation
Landlord Representation
Purchaser Representation
Vendor Representation

Lasercad® Space Measurement
Space Certification
"As Built" Plans

Turner Drake & Partners Ltd.
6182 North Street,
Halifax, N.S. B3K 1P5
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Tel: (709) 722-1811

Charlottetown, P.E.
Tel: (902) 368-1811

Saint John, N.B.
Tel.: (506) 634-1811

Toronto, ON.
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Fax.: (902) 429-1891

E-Mail: tdp@turnerdrake.com

Internet: www.turnerdrake.com

www.turnerdrake.ca

www.turnerdrake.net



Regulated by RICS

Our Ref: 1811786:PF/NL

VIA EMAIL: planHRM@halifax.ca

4 May 2018

Mr. Jacob Ritchie
Urban Design Program Manager
HRM Planning & Development
PO BOX 1749
Halifax NS B3J 3A5

Dear Mr. Ritchie and HRM Centre Plan Team:

Re: Draft Package A Designations – 3430 & 3480-3486 Prescott Street

We are writing on behalf of Carmen and Robert MacDonald, trustees of C&R MacDonald Family Trust, which owns 3430 and 3480-3486 Prescott Street in Halifax (PIDs 40070716 & 40437006, respectively). These two abutting properties each contain a single-storey commercial/industrial building, and are located in a primarily residential area of the Peninsula's North End. The existing buildings are presently occupied by the Prescott Group, a charitable organisation providing employment opportunities, vocational training, and personal development programs for adults with intellectual disabilities.

ISSUE

Under the urban structure map of the Centre Plan blueprint document endorsed by Regional Council in 2017, these properties were included in the "Higher Order Residential" designation, as were many of the adjacent commercial and multi-unit residential properties in the area generally located between Lady Hammond Road and Massachusetts Avenue. However, they are not included in the "Higher Order Residential" designation under the February 2018 draft policies of Package A.

Our understanding is that this is because they have recently been re-designated as "Industrial", for inclusion in the forthcoming Package B draft documents. Our understanding is that this change was made as a result of feedback received from a representative of the building tenant who expressed concern that the residential designation would cause them to lose their occupancy in the property. Suggesting they have no other substitute location, the implication put forward was that through its actions HRM would be destroying the continuing viability of this socially beneficial organisation.

REQUEST

As staff continue to refine these draft documents, we request that this change be reversed and that these two properties be included within the "Higher Order Residential" designation in the Package A content of the Secondary Municipal Planning Strategy and Land Use Bylaw that is considered by Council.

...2

We provide a justification for this change based on two rationales:

- (1) Specificities of the building occupant and the concerns which prompted this change, and;
- (2) broader principles and alignment with the Centre Plan itself.

DISCUSSION

- (1) With regards to the building occupant and their feedback received by HRM, first is the question of who contacted the municipality on their behalf. The property owners have an excellent relationship with the Prescott Group, and have confirmed their Executive Director did not provide any comment on this issue to HRM, nor did he give such direction to anyone else. In fact, this is not a concern he has heard expressed by the organisation's board of directors or any senior staff.

This is relevant because if the party that brought the issue to HRM staff did not have official standing to speak on behalf on the Prescott Group, we cannot be sure they have a complete understanding of the impact of the proposed designation, and they likely do not benefit from having a full picture of the tenancy relationship either. We are unclear as to the exact content of the concern expressed, but our understanding is that it stems from a fear that the residential designation was effectively an "upzoning" that would materially change the highest and best use of the property and ultimately result in an unwanted loss of tenancy to facilitate the owners' redevelopment ambitions.

Regardless of the basis for the concern, the reality of the situation is this:

- The property owners and the tenant concluded negotiations for a renewed lease agreement on the property in August of 2016. The Prescott Group has a contractual right to occupy the properties, potentially up to the end of May 2023 (depending on the tenant exercising their option to extend). Updated planning policy and regulation will not affect this.
- By the conclusion of this lease period, the buildings will be at the end of their economic life. In addition, the Prescott Group have a desire and mandate to expand their client base (individuals they provide social services to), and their capacity to do so is limited by the size of the current buildings. This reality has spurred a number of conversations between the property owner and their tenant. To summarise, it has been identified that the cost of rehabilitating and expanding the buildings to allow continued occupancy in the long term is significantly higher than finding space in a new location, even if at increased rent. The Prescott Group are aware of the need to find a new site prior to the end of their current lease.
- Further to the above, even if they had the inclination to incur the costs required, the tenant has indicated there are factors which would dissuade them from making such a sizable investment in this particular property. The proximity to residential uses presents an ongoing operational risk (in the past, intentions to expand their facilities/operations have unfortunately been met with neighbourhood opposition). A further prohibitive factor is that even under a "rehab and expand" scenario, a new location would be required on a temporary basis during the lengthy construction period. Thus, staying at the site would not alleviate the need to conduct a site search, and would in fact cause an even greater disruption to their operations.
- The highest and best use of the property has been residential redevelopment for some time (Turner Drake has valued these properties many times over the years). Planning policy has maintained an open door for redevelopment utilising the Development Agreement process established in 1983 via the Schedule L provisions of the current Peninsula Land Use Bylaw. In other words, an obvious economic motivation and policy opportunity to clear and redevelop the properties has existed for years, and this has not led to the outcome the recent draft re-designation is intended to prevent.

- Given the above, it should be apparent that the property owners have consistently shown deference to the needs of the Prescott Group. This includes agreeing to a generously flexible lease contract which will best accommodate their process of identifying and securing a new location for their operations, undertaking significant and uneconomical repair activities in the interim to maintain the Prescott Group's current ability to occupy the property, and incurring the opportunity costs of not pursuing the highest and best use of the site.

Thus, no matter the current or future planning framework, the continuing presence of the Prescott Group at this location is already forfeit by the basic logistic and economic realities of the properties. Additionally, the property owners have a demonstrated history of accommodating the needs of the Prescott Group, and are committed to assisting, as they can, in their process of relocation. There should be no concern that the municipality need intervene in their benefit.

The Prescott Group's situation demonstrates the general infeasibility of continued industrial use of the site. No similar organisation is likely to incur the costs required to maintain the tenability of the buildings, nor are these costs justified by the market rents they may command from a traditional industrial tenant. For example, among other substantial works, a necessary roof replacement has been recently costed at two years' equivalent rent. Beyond the current lease agreement, these properties will be fully depreciated and the only reasonable course of action for the owner will be to minimise carrying costs through demolition. The currently contemplated "Industrial" designation will only ensure they remain vacant and sterilised for any productive use.

- (2) Given the foregoing, insofar as updated planning policy and regulation is concerned, the only matter of consequence is the appropriate redevelopment of these properties following the Prescott Group's departure. This relates directly to the broader goals of the Centre Plan as well as the vision it sets out for the area through the urban structure. The properties are located in good proximity to local commercial, recreational, and institutional uses, as well as transit service on both the Robie Street and Lady Hammond Road corridors. They represent underutilised lands at the interface of a concentration of "Higher Order Residential" lands and surrounding "Established Residential" lands, and logically should be designated in consistency with one of these two options.

The Package A draft Secondary Municipal Planning Strategy describes "Higher Order Residential" neighbourhoods as containing a concentration of multi-unit residential buildings as well as opportunities for additional housing in a variety of forms on underutilised lands, in proximity to goods, services, and transit (pg. 22 and 41). It further states its intent is to create additional housing through infill and redevelopment (pg. 42).

The "Established Residential" designation is not addressed in Package A, but the 2017 Centre Plan blueprint document describes it as being characterised by the existence of low density housing, and suitable only for similarly scaled infill and auxiliary dwelling development which preserves this character (pg. 125).

Setting aside the economic infeasibility of industrial use, such a designation is also inappropriate from a policy standpoint. The "Industrial" designation is not addressed in Package A, but the 2017 Centre Plan blueprint document suggests employment-related designations are suitable for areas of existing and intensive job density that should be preserved, and not compatible with residential uses due to the risk of persistent nuisance issues (pg. 131 and 133).

Clearly, the primarily residential nature of the immediate neighbourhood is incompatible with true industrial use of the site. The "Higher Order Residential" designation is the most appropriate for these properties, given their condition and underutilization, the surrounding urban structure, and the availability of amenities. This designation will enable economically feasible and contextually appropriate development options that increase the availability and variety of housing close to amenities, transit, and services. HRM was correct in its previous evaluation of the property.

CONCLUDING REMARKS

We believe the recent change of designation was based on concerns from a party who was not endorsed to speak on behalf of the building occupant, and did not have full knowledge of the relevant facts. The reality of the situation would appear to negate the basis for their concerns.

The original designation of “Higher Order Residential” under the 2017 Council-endorsed blueprint document is the most appropriate for this site. It is most aligned with the spirit and content of the current Package A draft policies, and most consistent with the treatment of similar properties in this area. Reinstating this designation will allow eventual development of these underutilised lands at an appropriate scale and intensity. Maintaining the current “Industrial” designation will only ensure the current buildings are demolished and the lands remain vacant. Further, industrial use of these properties is inappropriate from a planning perspective given their isolation from any appreciable concentration of employment uses, and the urban structure designations imparted on the surrounding neighbourhood.

We trust you will find our request on behalf of Mr. & Mrs. MacDonald reasonable and consistent with the goals of the Municipality in adopting modernised planning policy and regulation. If you have any questions on the foregoing or would like to discuss this matter further, please do not hesitate to contact us. We look forward to following this issue as HRM continues its work on this important project.

Yours truly,

TURNER DRAKE & PARTNERS LTD.

Original Signed

—
NEIL R. LOVITT, MCIP, CPT
Senior Manager
Planning & Economic Intelligence

Cc via direct email: Jacob Ritchie, Lindell Smith

May 2, 2018

Jacob Ritchie, MCIP LPP
Urban Design Program Manager
Planning & Development
HALIFAX

1 Starr Lane, Dartmouth, NS
B2Y 4V7

CONTACT

Rob LeBlanc
president
t 902 461 2525

Re: 2438 Gottingen Street Redevelopment : Victoria Hall

Dear Jacob;

Thanks for meeting yesterday to review our client's (Joey Arab and Benjamin Carr) Gottingen Street Street redevelopment proposal. We have been engaged with Aaron Murnaghan trying to advance the idea of preserving the existing heritage building which fronts onto Gottingen Street Road and redeveloping the back portion (which fronts onto Creighton Street). We have prepared several massing models to understand what may be possible under the current zoning if the heritage building were not present, and it is this yield that we hope to achieve on the site while still preserving the heritage building. As you know, it will take considerable cost to restore and make usable Victoria Hall and this work will need to be paid for through the redevelopment. The site is zoned as R3 which requires consideration of the angle controls in the present bylaw and we have undertaken an assessment (attached at the end) to demonstrate what is possible under current zoning.

It is our understanding that registered heritage properties will require a DA process both today and in the future with the adoption of the CP. For that reason, the client is moving forward with the DA application today. However, I would like to speak about the approach that will be used in the future to advance projects like this. Neither the Bylaw nor the Heritage Standards and Guidelines (federal) provide guidance on how to incorporate density in order to preserve heritage. In our experience, this can be a one sided discussion with staff mostly interested in how the registered building will be preserved and improved, with push back on the idea that density and development will pay for these improvements. Since there are no policies which recognize the need for a balanced approach to redevelopment, it becomes easy for staff to take a one sided stance. It would be our hope that the new CP policies would weigh in on the need for a balanced approach. At the very least, the policy needs to mention that development intensification on registered properties is a good thing and that this intensification helps to pay for the preservation. Going a little further, it might be nice to recognize what density may be possible without the heritage resource so that there is an understanding of what maximum yield might be expected. In other words, to codify how much infill may be possible using form based coding that is specific for heritage DA's. Recognizing that the DA is a negotiated process that provides both HRM and developer flexibility; I still think that some objective and measureable codes would take some of the subjectivity out of the assessments. The Standards and Guidelines provide little guidance on this matter as well so I think it's important that HRM take a firmer position on heritage DA's.

To that end, we offer some observations and challenges of the draft policies in the CP.

- » *The 50% lot coverage is not workable for this property and we assume others will find the same.*
- » *The parking requirement is very different for a heritage development. Since you can't park under the exist-*

Landscape Architecture

Planning

Architecture

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ing registered building, there needs to be a reduction on the 3 to 1 ratio. We understand this doesn't apply to the Gottingen Corridor site but for other Higher Order Residential Sites it will need to change.

- » I also wanted to comment on the parking dimensions. The requirements for 20' x 9' is relatively generous. I would suggest looking at a 18' x 9' stall provided that the drive lane is 22' wide. I might also suggest that the 9' width dimension could be reduced to 8'6" where it can be shown that the reduced dimension is needed on smaller sites. With an extra 2' on the drive lane, a reduction in 6" on the stall width is easily navigable.

Though your department is not involved in the Heritage DA process now, I will continue to check in with you on this project because I think there will be lessons learned that could apply to how these DA's are handled in the future through the CP.

Thanks for your consideration.

Sincerely,

Original Signed

Rob LeBlanc

President, Ekistics Plan + Design



Google Earth

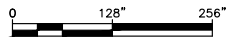


EXISTING ASPHALT SHINGLES
EXISTING HORIZONTAL WOOD SIDING
EXISTING WOOD WINDOW
EXISTING CONCRETE FOUNDATION
GRADE

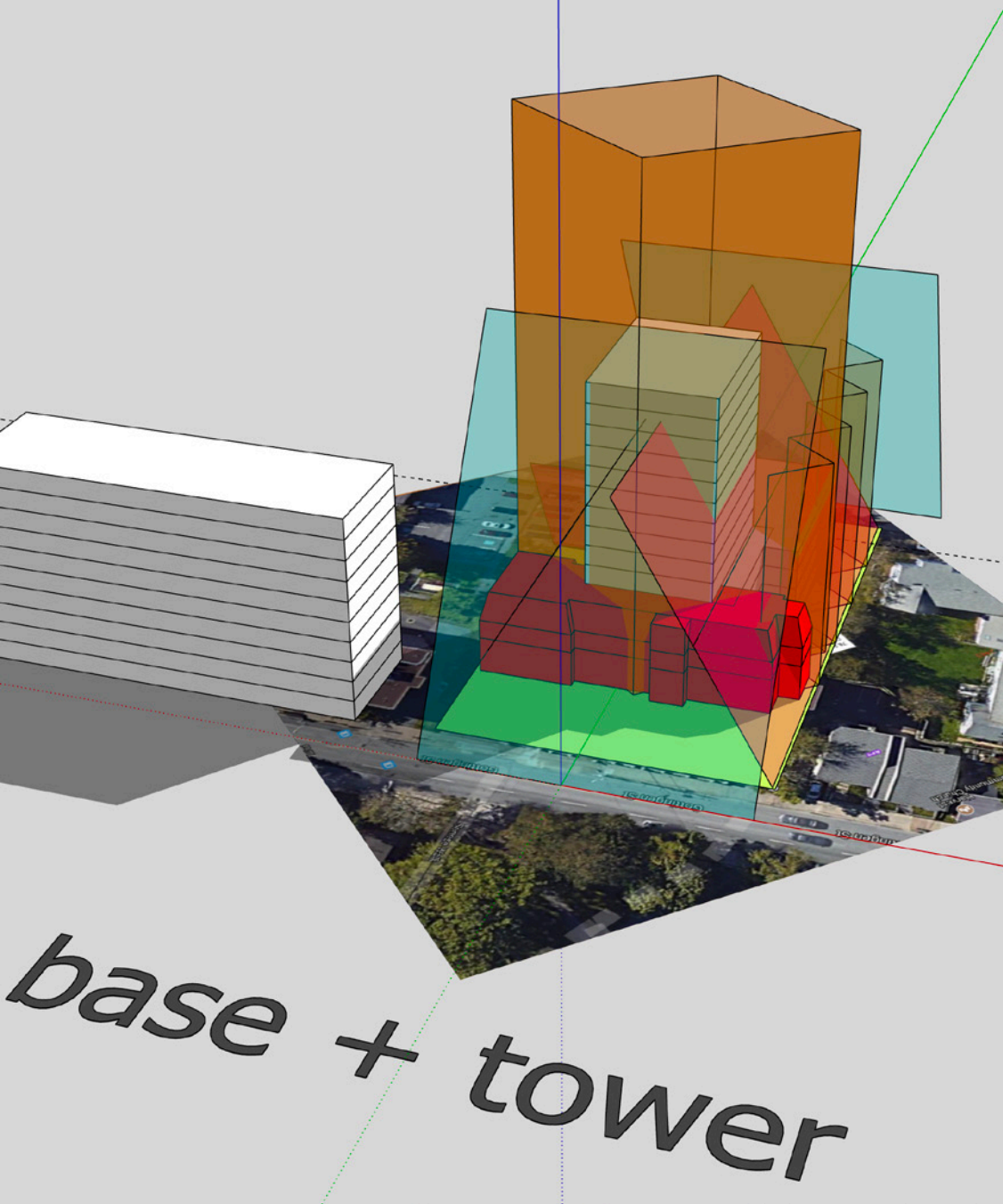
EXISTING BRICK

NOTE: HRM REQUIREMENT TO CONSERVE FRONT FACADE ELEVATION ONLY.

APPROXIMATE LOCATION OR EXTERIOR FIRE ESCAPE STAIR (NOT SHOWN)



STUDIO WORKS <small>INTERNATIONAL, INC.</small> <small>111 St. George Street, Suite 100, Halifax, NS B1R 1C1, Canada</small> <small>Phone: 902.422.1812 Fax: 902.422.1812 Email: info@studioworks.ca Website: www.studioworks.ca</small>	title VICTORIA HALL ELEVATIONS FRONT ELEVATION	location 2438 GOTTINGEN ST. HALIFAX, N.S.	scale 3/32"=1'-0"	date 11/16/17	dwg no: 01
	rev.				



Allowable: 104 units @ 240 persons.

0.97 acres @ 250 PPA = 242 people.

Revision Notes:

We were using the 36,000sqft lot size (which approximately matches ViewPoint) that was provided in the documents. However, there is some added Gross Lot Area that comes from the allowed street frontage as the zoning by-law for the Peninsula allows you to calculate Gross Lot Area as follows;

Gross Lot Area: means the area of a lot plus the area of one-half the width of any street or permanent open space abutting upon such lot, or thirty feet, whichever is the lesser.

Taking into account the additional area from the street frontage, there is an increase in area and units. Depending on the unit type distribution, the number of units could increase or decrease as long as maximum density does not exceed the 250 per Acre and the overall Open Space requirements. For example, having more 1 bedroom units would increase the amount of units allowed since they only count for 2 persons. As the allowed density on this site increased, so did the open space requirements. The Tower version without base makes it easier to achieve the open space requirements as it covers less of the site. The key number is the allowed Density, which has been revised.

REVISED NUMBERS:

The current Land-Use by-law for the R-3 zone and in Schedule-A allows for a point tower provided that it is contained within the angle controls. Any portion of the building that protrudes outside of the 60 degree angle control must be contained within the 80 degree angle control (from plan view). See the two attachments showing the two angle controls as they relate to this site. As shown, the height of the tower is not the limiting factor in the development and can vary depending on how many units are on each floor.

Here are the primary limiting factors for the R-3 zone Schedule-A as it applies to this property;

01 MAXIMUM DENSITY:

Lot Area: 3300 sq.m = 0.8 Acres

Lot Area +1/2 width street frontage = 3930 sq.m. = 0.97 Acres

Persons per acre:

250 Persons per Acre allowed in in Schedule-A

242 Persons allowed on 0.97 Acres.

Persons per Unit Type:

1 BED = 2 Persons

2 BED = 3 Persons

Unit Mix:

1/3 Units > 800sqft

2/3 Units < 800sqft

Given these parameters, a variety of unit mix options can be explored provided that 1/3 of the units are larger than 800sqft and the overall allowed density is not exceeded. An example mix would be as follow;

34 X 2BEDS = 102 Persons

70 X 1BEDS = 140 Persons

TOTAL: 104 Units @240 Persons

*bachelor apartments would have a 1 person per unit count

02 OPEN SPACE REQUIREMENTS:

This requirement determines the lot coverage. The Open Space and Landscape Open Space requirements vary per unit type and persons per unit. Based on the unit mix described above, approximately 19,000sqft of open space would be required for 85 units with a density of 200. A large percentage of that is required to be landscaped, and small portions of the landscape open space requirements can be placed on the rooftop. The open space requirements are calculated by the number of persons per unit;

120sqft X 3 persons for 2 bedrooms (34) = 360sqft X 34 = 12,240sqft

80sqft X 2 persons for 1 bedrooms (70) = 160sqft X 70 Units = 11,200sqft

Total Required Open Space: 23,440sqft

SUMMARY:

Given a maximum density of 242 persons and 104 units (34 2-beds and 70 1-beds as an example combination), a few options are possible on the site. The attached images show one where all the units are within the existing building and a small tower, the other has a mix of base building and shorter tower. In both options, the tower plates are limited to approximately 5,500sqft by the constraints of the 80 degree angle controls, resulting in 5 to 6 units per tower floor. Different configurations of units would result in slightly different numbers for the open space requirements. Both these options would allow the preservation of the heritage building. The tower needs to be located on the larger portion of the property as the larger distance between property lines allows for the tower form within the 80 degree angles. This means that portions of the tower base will intersect with the heritage building below.

It should be noted that the total units would include any that remain in the heritage building.

whether the heritage building is maintained or not, the density allowed and open space requirements remain the same and can be achieved in various unit type combinations.

April 24, 2018

Jacob Ritchie, MCIP LPP
Urban Design Program Manager
Planning & Development
HALIFAX

1 Starr Lane, Dartmouth, NS
B2Y 4V7

CONTACT
Rob LeBlanc
president
t 902 461 2525

Re: 5653 Victoria Road Redevelopment

Dear Jacob;

Thanks for meeting today to review our client's (Joey Arab and Benjamin Carr) Victoria Street redevelopment. We have been engaged with Aaron Murnaghan trying to advance the idea of preserving the existing heritage building which fronts onto Victoria Road and redeveloping the back portion (which fronts onto Lucknow Street) as a 5-6 storey development. We have prepared several massing models but under the existing zoning, it is very difficult to achieve the redevelopment. We were happy to see this site (PID 40849044) included as a potential higher order residential zone. The existing building consists of a registered heritage property fronting on Victoria and a 1980's 3-storey faux-heritage addition on the back. The developer would like to remove the back portion and create an integrated new redevelopment that will be more sympathetic to the heritage building using the Heritage Standards and Guidelines. The image below shows what we've been trying to advance through a heritage DA.

The draft Centre Plan shows this site as a potential higher order residential site. If the site were designated as a HR-2 site, we could achieve this redevelopment proposed and we understand that this would still have to proceed through the heritage DA process. The table below shows what he is looking to achieve.

Policy	Draft HR-2 Zone	Proposed 2018 Change
Height	4-8 storeys	6-storeys (basement is half in ground)
FAR	2.25-4.25	2.5
Lot Coverage	50%	80%
Max Building Dimension below Streetwall	40 m	24 m
Max Building Dimension above Streetwall	35m (750 sq.m.)	21m (600 sq.m.)
Rear Yard	4.5m	3 m
Street Yard	1.5 - 3m	1.5 m
Max Streetwall	2-4 storeys	3 storeys
Parking minimum	1 per 3 units	none

As you are reviewing the potential of this site for a heritage development, you will see we are generally meeting the draft guidelines in the CP. We have the following challenges which we hope you will address in future draft:

- » *The 50% lot coverage is not workable for this property and we assume others will find the same.*
- » *the 4.5m rear yard could be difficult in urban areas. As a corner lot, we assume the sideyards would be*

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Civil/Transportation Engineering

applied rather than the rear yards?

- » *The parking requirement is still difficult. Ideally there would be no parking requirements but the 1 spot for 3 units is still very difficult on very small urban sites like this. Perhaps the 3 to 1 can be reduced for smaller lots to say 5 to 1? There is no room on small sites for a ramp for underground parking (need 75' for a 12% slope into an underground parking garage).*
- » *I also wanted to comment on the parking dimensions. The requirements for 20' x 9' is relatively generous. I would suggest looking at a 18' x 9' stall provided that the drive lane is 22' wide. I might also suggest that the 9' width dimension could be reduced to 8'6" where it can be shown that the reduced dimension is needed to on smaller lots. With an extra 2' on the drive lane, a reduction in 6" on the stall width is easily navigable.*
- » *Lastly, I wanted to comment on the sometimes conflicting goals of heritage preservation and development on registered heritage properties. It is my experience that additional redevelopment density is often the catalyst (the carrot) for heritage reinvestment and that you can't have one without the other. The Heritage Standards and Guidelines make no mention of how towers of other forms of increasing density will impact the heritage character of a development. I'm worried that if the Centre Plan doesn't recognize these two goals, there will be an inordinate emphasis on heritage preservation with the emphasis on the need for density to pay for the improvements. As all planners will recognize, it is often much more expensive to retro To remedy this, I would assume that heritage planners should consider what scale of development might be possible if the heritage building were 'not there' anymore and they should at a minimum assign that allowable density to the property as a baseline. Without this approach, there will be much pressure to demolish heritage buildings to achieve what may be possible as-of-right.*

We understand that registered heritage buildings will still go through a DA process giving some flexibility to the hard requirements outlined in the bylaw. We would like to request that this site be formalized as a HR-2 site in future versions of the CP.

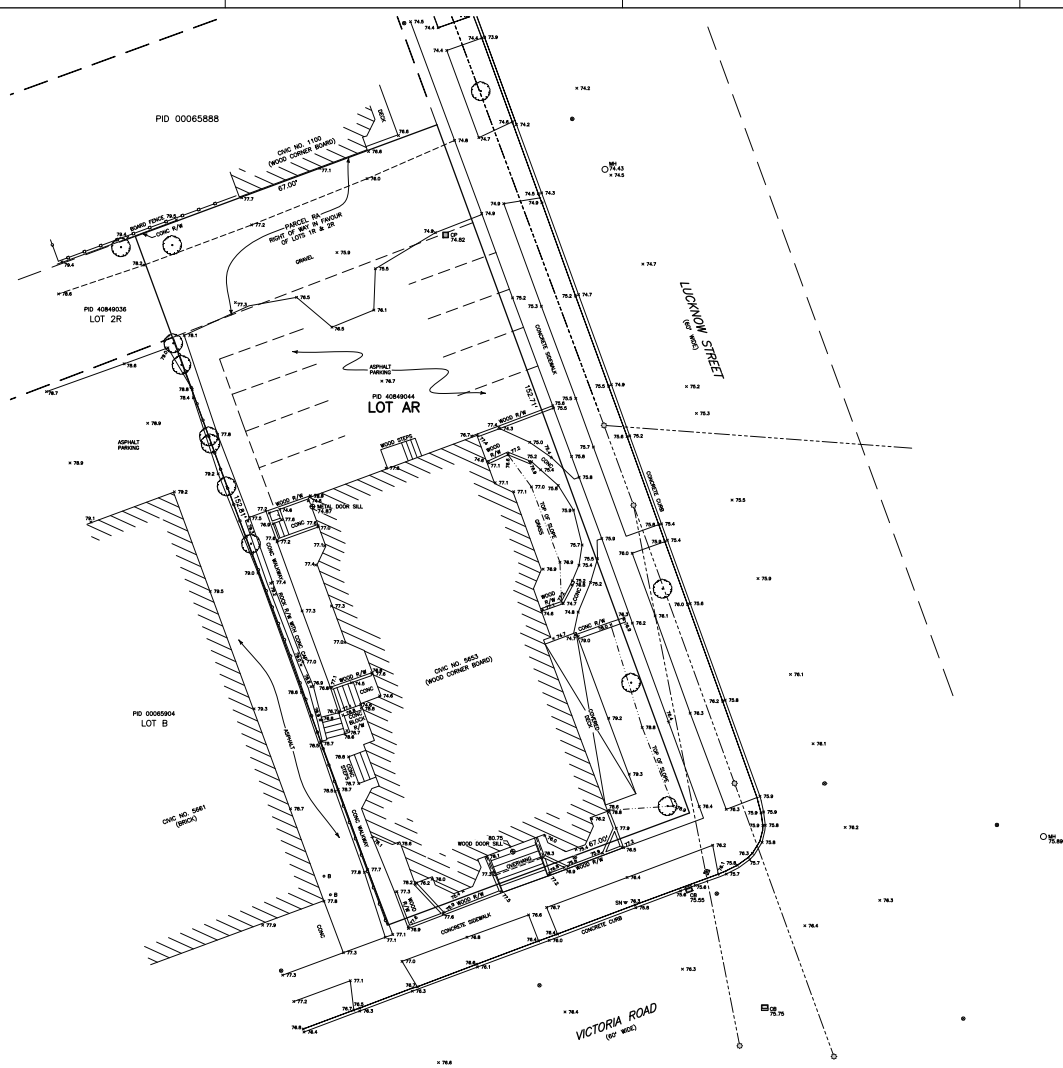
Thanks for your consideration.

Sincerely,

Original Signed

Rob LeBlanc

President, Ekistics Plan + Design



LEGEND

-----	PERIMETER OF LANDS SURVEYED
•	SPOT ELEVATION
○	DOOR SILL ELEVATION LOCATION
○	MANHOLE
□	CATCH-BASIN
○	WATER VALVE
○	UTILITY POLE & ANCHOR
○	SION POST
○	BELLARS
○	FIRE HYDRANT
○	WATER VALVE
○	HALIFAX COUNTY LAND REGISTRATION OFFICE
○	PARCEL IDENTIFICATION NUMBER
○	CONCRETE
○	CHAINLINK FENCE
○	WOOD FENCE
○	TOP OF SLOPE
○	OVERHEAD WIRE
○	HARDWOOD TREE

- NOTES:**
- ELEVATIONS ARE BASED ON CANADIAN GEODETIC VERTICAL DATUM AND REFER TO NOVA SCOTIA COORDINATE MEASUREMENT No. 5160. ELEVATION = 74.241 FEET.
 - LOT AR RELATES TO HICRO PLAN No. 33141.
 - CADASTRAL DIGITAL DATA BASED ON THIS SURVEY MUST BE USED IN CONJUNCTION WITH THIS PLAN. USERS ARE ADVISED TO CONFIRM THE ACCURACY OF DIGITAL INFORMATION NOT EXPRESSLY INDICATED HEREIN.
 - CAUTION: SERVICE INFORMATION SHOWN HEREIN WAS COMPILED FROM FIELD SURVEY. THE LOCATION OF UNDERGROUND SERVICES IS NOT CONFIRMED. CONTRACTORS SHOULD BE MADE AWARE BY ALL UTILITY OPERATORS RELATIVE TO THE COORDINATION OF THE SERVICES SHOWN HEREIN AND FOR OTHER SERVICES WHICH MAY EXIST BEFORE CONSTRUCTION COMMENCES.



SITE PLAN
LOT AR
 VICTORIA ROAD & LUCKNOW STREET
 HALIFAX, HALIFAX COUNTY, NOVA SCOTIA

SDMM
 Servant, Dunbrack, McKenzie & MacDonald Ltd.
 NOVA SCOTIA LAND SURVEYORS & CONSULTING ENGINEERS
 26 QUAD, OREGONTON PHASE 1, 1001 454-1425
 BUREAU LAKE BUSINESS PARK PH: (902) 455-8479
 HALIFAX, NS B3H 2C8 NS: www.sdmm.ca
 DATE: NOVEMBER 21, 2017
 SCALE: 1" = 10'
 FILE No. 1-1-79 (33021)
 PLAN No. 14-1812-0



May 1, 2018

Jacob Ritchie, MCIP LPP
Urban Design Program Manager
Planning & Development
HALIFAX

1 Starr Lane, Dartmouth, NS
B2Y 4V7

CONTACT

Rob LeBlanc
president
t 902 461 2525

Re: Green Street Development

Dear Jacob;

Thanks for meeting yesterday to review our concerns for our client's (Joey Arab) Green Street development. The developer has been trying to advance a new development for 3 properties on Green Street (PID 00103341, 00103333, 00103325). The properties take up about 11,696 sq.ft. and the lot depths are around 90' deep. The eastern most property borders on the Downtown Halifax bylaw zone (Barrington Street South District) that has a height precinct of 13.716 (45'). There is no post bonus height in the neighbouring property.

Under the current zoning, these properties are designated by the Halifax Peninsula Zoning Bylaw as R3 Multi-unit Residential under the Plan Sub-Area: South End Area Plan. The ground elevation along the street frontage of the 3 sites drops over 16 feet along the frontage which significantly compromises and complicates the development potential due to the loss of about 8' of height as a result of the 16' grade change. Though the allowable density calculation permits about 90 persons (0.36 acres x 250 ppa), the R3 Zoning angle controls limit the size of the building floor plate despite the 45' height precinct. To add additional height and to modify the angle controls would require a plan amendment. A formal Minor Variance Application was refused in 2016 and the Development Officer recommended moving forward with a Development Agreement process. It is our understanding that a plan amendment and DA would be needed to move forward with a 5-storey building which the developer is hoping to achieve. I think together we confirmed this with Carl Purvis yesterday.

The current draft of the Centre Plan further maintains the height of this property from 45' down to 14m (46') though the angle control requirements would be eliminated. The average grade of this property with 16' of grade change would eliminate one floor right out of the gate meaning that a maximum 3-storey structure would be permissible (taken from the high side of the site). The existing three buildings on the site are each 3-storeys. As a consequence, the 14 m zone being proposed for these sites effectively freezes these less than quality buildings from ever being developed. Unfortunately this is one of the sites where the elevation change significantly reduces what can be developed on this site and the new bylaw does not provide for enough development potential to redevelop any of the properties.

The developer has been actively trying to develop this property since 2015. He has commissioned an architect to advance the plans (see attached). We are taking over the project in hopes of advancing the project moving forward. We understand that a concurrent plan amendment and DA process could take a year to complete and the policy foundation for such a plan amendment would be informed by the proposed draft Centre Plan. This would likely result in an unfavorable outcome.

Landscape Architecture

Planning

Architecture

Civil/Transportation Engineering

We believe a more suitable strategy, that would be less labour intensive than a plan amendment, would be to petition for consideration of these properties in the 20m height zone. The 90' lot depth would allow much of what is now proposed in the higher order residential zone (except the lot coverage of 50%) to create a developable development. 5-6 storeys would make the redevelopment economics work while still being sympathetic to the surrounding properties right on the fringe of the Downtown Halifax zone.

We would respectfully request consideration of the 20m and 3.5 GFAR for these 3 sites which is being proposed right across the street from these properties.

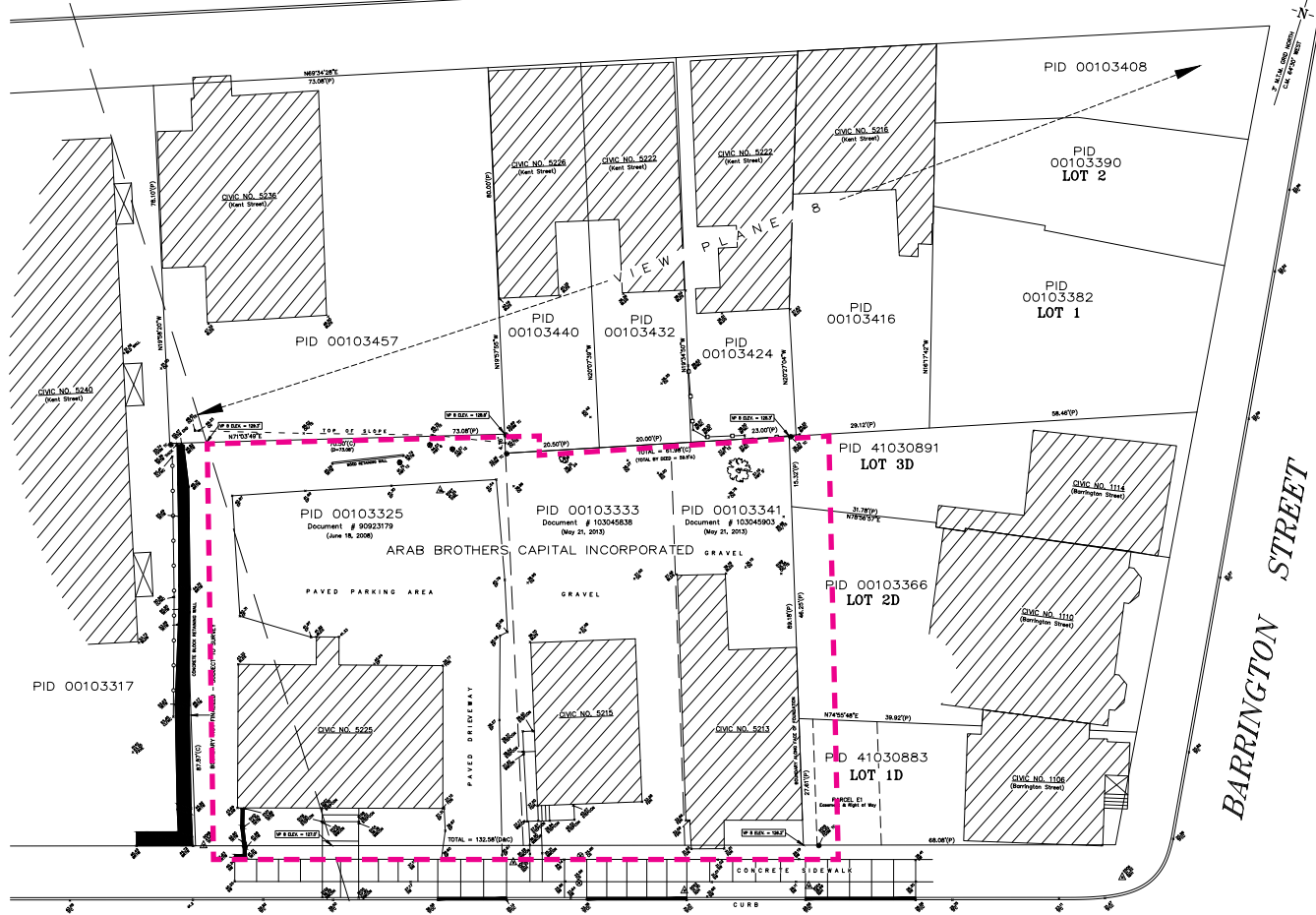
Sincerely,

Original Signed

Rob LeBlanc

President, Ekistics Plan + Design

KENT STREET



LEGEND:

PLAN	LANDS DEALT WITH BY THIS PLAN
PI	LAND INFORMATION SERVICES PROPERTY IDENTIFIER NUMBER
IRM	HALIFAX REGIONAL MUNICIPALITY UTILITY POLICE INSURANCE
RET. WALL	RETAINING WALL
MA	MANHOLE
CB	CATCH BASIN
CSW	CURB STOP WATER VALVE
O	ORIGINAL GROUND
TS, BS	TOP OF SLOPE, BOTTOM OF SLOPE
TRM, BTM	TOP OF RETAINING WALL, BOTTOM OF RETAINING WALL
IF	EDGE OF PAVEMENT
FWMT	PAVEMENT
HT	HARDWOOD TREE & DIAMETER
NP & ELEV.	NEW PLUMB & ELEVATION
GRND. ELEV.	GROUND ELEVATION
BLDG	BUILDING CORNER - BENCH
BLDG	BUILDING CORNER - BRICK
FN	FOUNDATION

MEASUREMENTS ARE GIVEN BASED ON THE NAD 83 SYSTEM. IF ADJUSTED TO THE NAD 2011 SYSTEM, THE MEASUREMENTS WILL BE DIFFERENT. THE MEASUREMENTS WERE TAKEN FROM PLANS OF SURVEY REFERRED TO IN NOTE 1.

NOTES:

- FOR FURTHER INFORMATION RELATIVE TO PROPERTY BOUNDARIES REFER TO THE REGISTERED PLAN NUMBER LISTED IN GRAYED BOXES REFERRED TO IN NOTE 1.
- PROPERTY INFORMATION RELATIVE TO PROPERTY BOUNDARIES OF ADJACENT LOTS IS SHOWN FOR INFORMATION ONLY AND SHOULD NOT BE USED FOR CONVEYANCE PURPOSES.

DRAFT COPY
SEPT. 14, 2017

ALDERNEY SURVEYS LIMITED
12 DUNN DRIVE, HALIFAX, N.S. B3H 1H4
Tel: 902-465-7300 Fax: 902-465-4834 alderney@aol.com

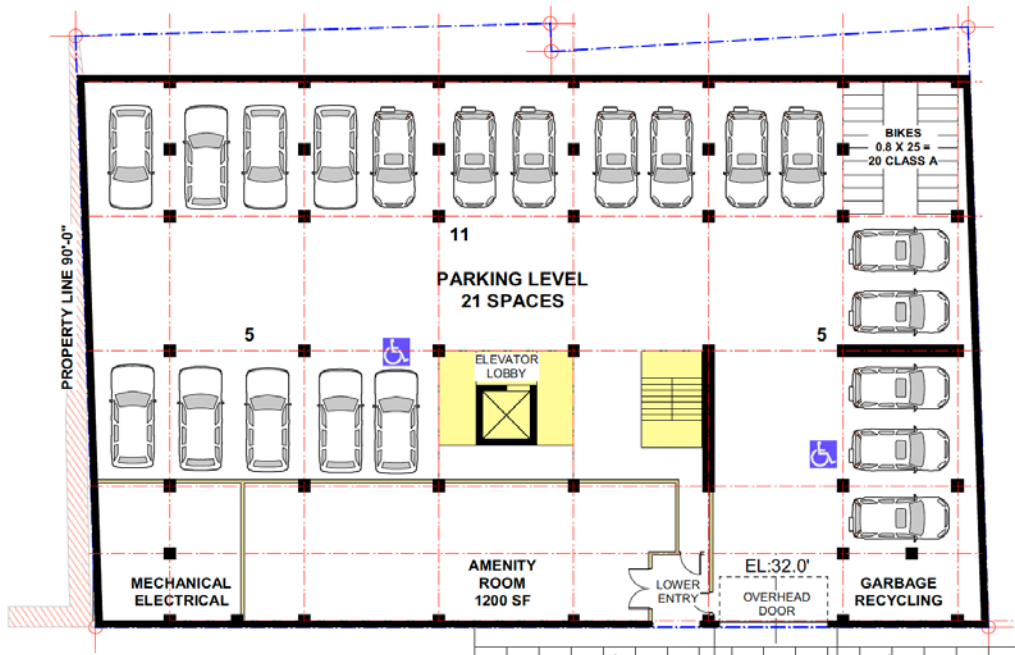
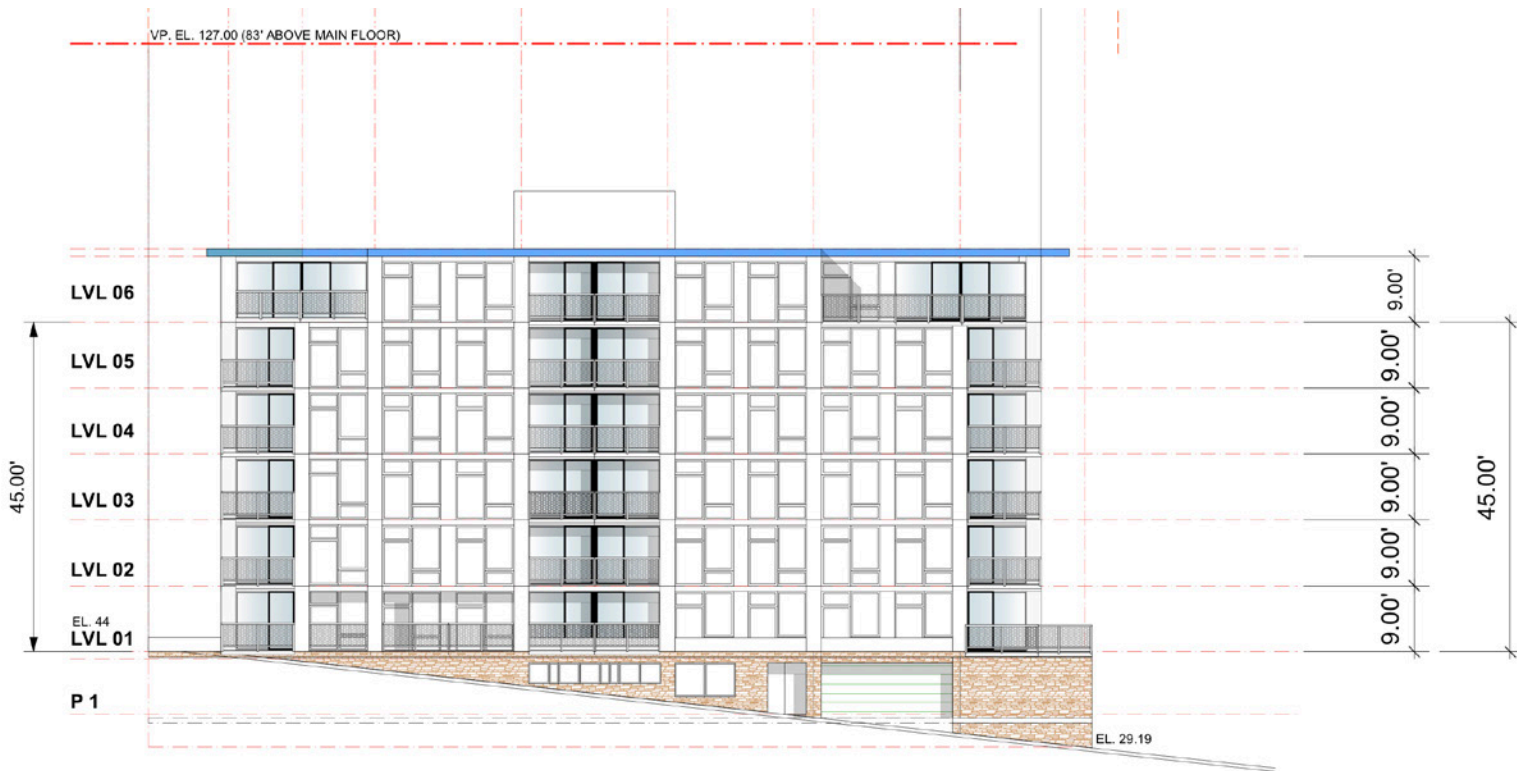
TOPOGRAPHIC PLAN
PID's 00103325, 00103333 & 00103341, Lands Conveyed to Arab Brothers Capital Incorporated
GREEN STREET
HALIFAX, HALIFAX COUNTY, NOVA SCOTIA

DRAWN BY: MJC
DATED: SEPTEMBER 14, 2017
DWG. No: 172414-1



The updated 2017 proposal submitted to HRM was for a building of seven stories and includes up to 50 apartment units with a mix of 20-1 bedroom and 40-2 bedroom apartments. Underground parking is provided for 25 spaces with street access directly off Green Street. This proposal does not have a good street condition and would not be permitted under the new Centre Plan Higher Order Residential zone standards.

We think we can achieve the zone standards of the new HR-2 proposed zone if we were allowed 20m and GFAR of 3.5.



May 1, 2018

Jacob Ritchie, MCIP LPP
Urban Design Program Manager
Planning & Development
HALIFAX

1 Starr Lane, Dartmouth, NS
B2Y 4V7

CONTACT
Rob LeBlanc
president
t 902 461 2525

Re: Robie Street Properties between Bliss and Binney

Dear Jacob;

This letter is a request behalf of my clients who are looking to develop 8 PID's facing directly on Robie Street (40346298, 00136812, 40346306, 00136820 00641043, 00641035, 00136796, 00136804,) across the street from the Camp Hill Cemetery.

The 8 properties are currently zoned as R-2 (general residential) and they sit in the Peninsula Centre plan area which has a height precinct of 35'. The existing plan has adopted several plan amendments for density and height increases in the Peninsula Centre Zone to allow development by development agreement. If the developer were to elect the DA route, it would likely require a plan amendment as well for anything over 3 units or 35' in height.

The current draft of the Centre Plan recognizes the Robie Street area as a growth Corridor, and generally speaking, the heights range from 20 m at the south and north end of the corridor (all the way up to 62m at the Robie/Quinpool intersection). The current CP draft has a significant drop in height down to 11m proposed across the street from the Camp Hill Cemetery. There are no designated heritage properties on my clients 8 properties. With the number of closely spaced buildings along Robie Street in this area, an 11m height limit (maintaining the 35' height limit from the old plan) would effectively freeze development in this important part of the corridor. The properties are not in great condition and the buildings are not representative of the highest quality architecture of that period. There are certainly better quality buildings in the neighbourhood. My client's properties are less than 1 block away from the Spring Garden / Robie Street proposed height precinct again with heights in the range of 62m. This is a busy transit corridor and there are approximately 25-30k jobs within walking distance of this site. Retaining an 11m height precinct will freeze any infill potential in a block that could benefit from some high quality development.

Maintaining the current height limit of 35' along what HRM is designating a growth corridor does not seem to be consistent with the description in the proposed Centre Plan for what Corridors are trying to achieve.

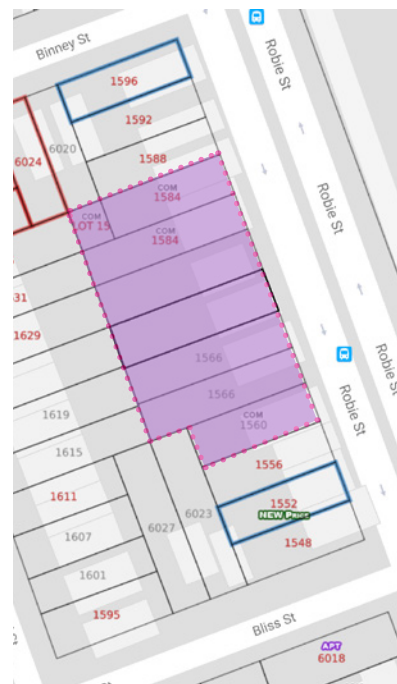
My clients would like to request consideration of the 20m height limit proposed on both the blocks north and south of this area so there is enough density to justify a new transit oriented multi-unit development similar to what is being proposed on other parts of Robie Street. The 20m seems to be a good compromise between the much higher heights proposed at the Spring Garden and Quinpool intersections (62m). The 39m (128') lot depths in this area allow for a street-related 5-6 storey development which will likely still be set back 40-50' from the rear yard lot line providing an ample

Landscape Architecture

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buffer between the rear neighbouring properties (which are generally 2-2.5 storeys in height and currently back onto the existing 2-3 storey properties on Robie Street).

We would respectfully request consideration of the zom and 3.5GFAR on the block between Binney and Bliss where my clients own a majority of properties. On the shallow properties, it would be helpful to include them for consideration along the side streets to half the block width so that the new developments can wrap around the block but not encroach on the neighbourhood.

Sincerely,

Original Signed

Rob LeBlanc

President, Ekistics Plan + Design



May 3, 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
40 Alderney Drive
P.O. Box 1749
Dartmouth, NS
B3J 3A5

Dear Jacob:

WSP Canada Inc. (WSP) is pleased to submit this letter on behalf of Maricor Properties Ltd. (Maricor) as a response to the Draft Centre Plan Package A released in February of 2018. This letter is specifically regarding properties located at 2131 Gottingen Street and Maitland Street (PIDs: 40623886 & 40623902).

INTRODUCTION

Following the release of the Draft Centre Plan Package A documents, which included the Regional Centre Secondary Municipal Planning Strategy (SMPS), Land Use By-law (LUB) and Design Manual, WSP completed a thorough review of the documents on behalf of Maricor to determine the particular impact they would have on properties located at 2131 Gottingen Street and Maitland Street.

Maricor is currently the landowner of PID 40623886 and is in the advanced stages of purchasing PID:40623902 from HRM. The land deal is expected to be complete within the next 2-3 months.

The subject properties are designated 'Centre' and zoned CEN-2 and CEN-1. The maximum Gross Floor Area Ratio (GFAR) for PID 40623886 is 3.50 and the maximum height is 20m. The maximum GFAR for PID 40623886 is 2.25 and the maximum height is 14m.

FEEDBACK

Our review of the documents has highlighted some challenges for Maricor regarding a potential future development of these properties.

MAXIMUM HEIGHT AND GFAR

As mentioned previously, the subject properties are located within the Gottingen Street Centre. Please refer to Figure 1 below, which illustrates that maximum height limits that are allocated to properties within the Gottingen Street Centre. It is our understanding that the following GFAR's correspond with each height limit:

- 56m: 7.5 GFAR
- 44m: 6.25 GFAR
- 32m: 5.00 GFAR
- 26m: 4.25 GFAR
- 20m: 3.5 GFAR
- 14m: 2.25 GFAR
- 11m: 1.75 GFAR



Figure 1: Gottingen Street Centre

After reviewing the proposed Urban Structure of the Gottingen Street Centre, we have identified some patterns relating the distribution of maximum height and GFAR. North of Falkland St and Portland Place, properties that front on Gottingen Street and are not ‘through lots’ have been assigned a 20m height limit and GFAR of 3.50. Through lots have been assigned a 26m height limit and GFAR of 4.25. Through-lots that are also corner sites (i.e. property bounded by Gottingen Street, Prince Willam Street and Maitland Street) have been assigned a 32m height limit and GFAR of 5.00.

After the acquisition of PID: 40623902 is finalized, it is Maricor’s intent to infill the portion of the site covered by surface parking with a new mixed use residential commercial building (see Figure 2).



Figure 2: Potential Future Development Site



This potential development site would be located on a through lot between Gottingen Street and Maitland Street. In order for an economically viable infill development on the subject site, additional height and GFAR is required. We request that PID: 40623902 be rezoned from CEN-1 to CEN-2 and that a maximum height limit of 26m and GFAR of 4.25 be applied to PIDs 40623886 & 40623902. We believe that this request aligns with the overall intent of the Urban Structure for the Gottingen Street Centre because a future development on this site would be on a through lot.

CLOSING

We would like to thank you for taking the time to review this letter. We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff through the remainder of the planning process.

If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact the undersigned.

Yours sincerely,

Original Signed

Connor Wallace, MCIP, LPP
Urban Planner – Planning,
Landscape Architecture and
Urban Design

May the 4th , 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
40 Alderney Drive
P.O. Box 1749
Dartmouth, NS
B3J 3A5

Re: Draft Centre Plan Package A Response: Westwood Construction Ltd. Bens Bakery Development, Halifax.

Dear Jacob:

WSP Canada Inc. (WSP) is pleased to submit this letter on behalf of Westwood Construction Ltd. (Westwood) as a response to the Draft Centre Plan Package A released in February of 2018. This letter is specifically regarding their site (including multiple PID's) located between Quinpool Road, Preston Street, Pepperell Street and Shirley Street, Halifax. The total site are of their properties is approximately 1.1 hectares (see Figure 1).



Figure 1: Subject Site

Following the release of the Draft Centre Plan Package A documents, which included the Regional Centre Secondary Municipal Planning Strategy (SMPS), Land Use By-law (LUB) and Design Manual, WSP completed a thorough review of the documents on behalf of Westwood to determine the particular impact they would have on the subject site.

One part of the site is designated 'Centre' and zoned CEN-2. A maximum Gross Floor Area Ratio (GFAR) of 4.25 and maximum height of 26m is applied to the majority of that part of the site. Another portion has a maximum GFAR of 2.25 and a maximum height of 14m. The other part of the site is excluded from Package A and it is our understanding that it will be designated as Established Residential within Package B.

May The 4th, 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
40 Alderney Drive
P.O. Box 1749
Dartmouth, NS
B3J 3A5

Re: Draft Centre Plan Package A Response: Westwood Construction Ltd. properties at 2032-2050 Robie Street, Halifax

Dear Jacob:

WSP Canada Inc. (WSP) is pleased to submit this letter on behalf of Westwood Construction Ltd. (Westwood) as a response to the Draft Centre Plan Package A released in February of 2018. This letter is specifically regarding properties located at 2032-2050 Robie Street (PIDs: 00140079, 00140061, 40448045 & 00140038).

INTRODUCTION

Following the release of the Draft Centre Plan Package A documents, which included the Regional Centre Secondary Municipal Planning Strategy (SMPS), Land Use By-law (LUB) and Design Manual, WSP completed a thorough review of the documents on behalf of Westwood to determine the particular impact they would have on properties located at 2032-2050 Robie Street.

The subject properties are designated 'Centre' and zoned CEN-2. The maximum Gross Floor Area Ratio (GFAR) applied to the properties is 3.50 the maximum height is 20m.

FEEDBACK

Our review of the documents has highlighted significant challenges for Westwood regarding potential future development on these properties.

MAXIMUM HEIGHT AND GFAR

As mentioned previously, the subject properties are located within the Quinpool Road Centre. Please refer to Figure 1 below, which illustrates the maximum height limits that are allocated to properties within the Quinpool Road Centre. It is our understanding that the following GFAR's correspond with each height limit:

- 62m: 8.0 GFAR
- 38m: 5.5 GFAR
- 26m: 4.25 GFAR
- 20m: 3.5 GFAR
- 14m: 2.25 GFAR
- 11m: 1.75 GFAR



Figure 1: Quinpool Road Street Centre

After reviewing the proposed Urban Structure of the Quinpool Centre, we have identified some patterns relating the distribution of maximum height and GFAR. The primary pattern being that more intense density and height limits are generally applied to properties that have frontage on Robie Street or are close to the intersection of Robie Street and Quinpool Road. Density and maximum height limits generally decrease heading westward down Quinpool Road. Other than the Westwood’s site at 2032-2050 Robie Street, there are four other properties within the Quinpool Centre that have direct frontage on Robie Street. All four of these properties either have a 62m height limit and a maximum GFAR of 8.0, or maximum height and GFAR has not yet been determined.

Westwood has demonstrated their intent through previous planning applications to develop a residential building on the subject property that aligns with the height limits and maximum GFAR’s that are applied to their neighbouring properties within the Quinpool Road Centre that have direct frontage on to Robie Street.

Therefore, we request that the Urban Structure of the Quinpool Road Centre be amended to enable a maximum height limit of 62m and maximum GFAR of 8.0 on Westwood’s site at 2032-2050 Robie Street, which is consistent with both abutting properties.

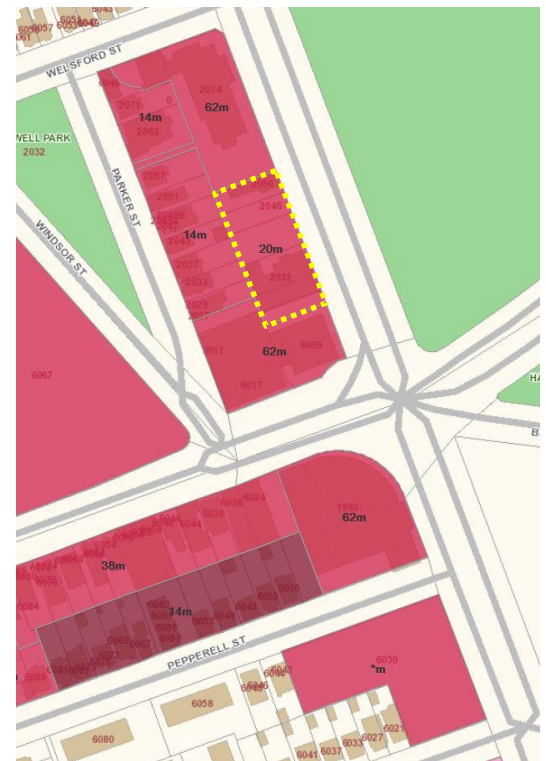


Figure 2: Robie Street Properties within Quinpool Road Centre



CLOSING

We would like to thank you for taking the time to review this letter. We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff through the remainder of the planning process.

If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact the undersigned.

Yours sincerely,

Original Signed

Connor Wallace
Urban Planner – Planning,
Landscape Architecture and
Urban Design

BACKGROUND

WSP is currently working with HRM Planning and Development Staff on a planning application (Case 20323) to amend the current MPS and LUB to enable a Development Agreement on the subject site that permits:

- a 10-storey mixed-use residential and commercial building on the portion of the site bounded by Quinpool Road and Pepperrell Street
- a six storey assisted care facility, stacked townhouse units and freehold townhouse units on the portion of the site bounded by Pepperrell Street, Shirley Street and Preston Street.

This application is at the final stage of the planning process and is expected to be brought forward to Regional and Community Council for approval this upcoming summer/fall.

The proposed development under Case 20323 was generated through extensive community consultation where a strong emphasis was placed on creating an appropriate transition between the Quinpool Road Commercial Corridor and the low density residential neighbourhood to the south.

FEEDBACK

In response to the status of the currently planning application, we request that staff make the following revisions to the Centre Plan documents in order to better align the plans with the future development proposal occurring on the site:

- Include all properties within the site that are bounded by Pepperrell Street, Shirley Street and Preston Street in Package A and designate these properties as Higher Order Residential.
- Apply maximum heights and maximum GFAR's of to all properties within the subject site that are consistent with the Case 20323 Development Proposal.

Aside from aligning the Centre Plan documents with the Case 20323 proposal, we feel that there is merit in considering the revisions requested above for the following reasons:

- Quinpool Road is an important corridor that is well serviced by transit, therefore is an appropriate location within the Regional Centre to allocate higher density developments.
- The portion of the site bounded by Pepperrell Street, Shirley Street and Preston Street is former industrial land that presents an opportunity to add additional residential density near one of the city's busiest commercial streets. This land also presents an opportunity for thoughtful mid-rise development that creates an appropriate transition between a commercial node and an established low-rise residential neighbourhood
- A variety of housing choices would be enabled on the site, aiming to accommodate the aging demographics, while still being inclusive to all demographics. More options will be available for residents to stay in the community they are familiar with, close to their friends, family and existing social support systems. This will help to maintain aging residents' social participation and inclusion. Variety in housing choice also creates variety in housing price, making the development more inclusive to all demographics.



CLOSING

We would like to thank you for taking the time to review this letter. We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff through the remainder of the planning process.

If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact the undersigned.

Yours sincerely,

Original Signed

Connor Wallace
Urban Planner – Planning,
Landscape Architecture and
Urban Design

May The 4th, 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
40 Alderney Drive
P.O. Box 1749
Dartmouth, NS
B3J 3A5

Re: Draft Centre Plan Package A Response: Westwood Construction Ltd. Properties bounded by Almon Street and St. Albans Street, Halifax

Dear Jacob:

WSP Canada Inc. (WSP) is pleased to submit this letter on behalf of Westwood Construction Ltd. (Westwood) as a response to the Draft Centre Plan Package A released in February of 2018. This letter is specifically regarding properties located between Almon Street and St. Albans Street Halifax (PIDs: 00005264, 00005272, 00005116, 00005140, 00005132, 00005124, 40414013, 40414021, 40414005, 00005108 and 00005090). The total site area of their properties is approximately 1.6 hectares (see Figure 1).

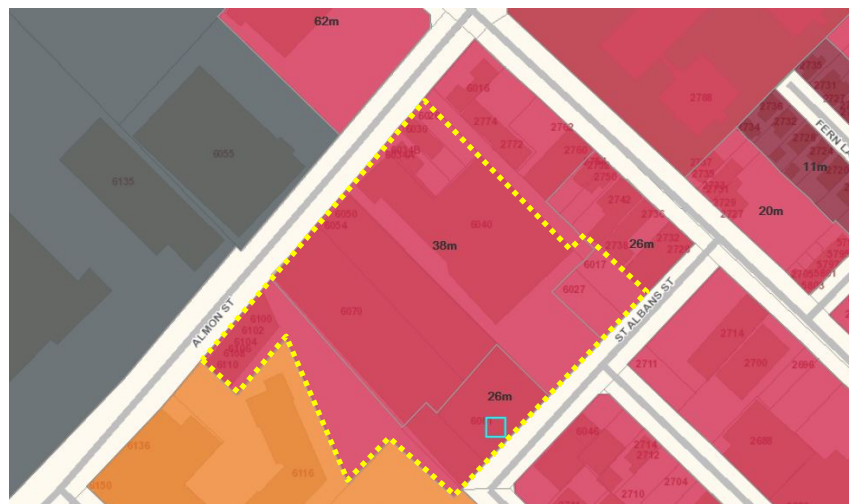


Figure 1: Subject Site

Following the release of the Draft Centre Plan Package A documents, which included the Regional Centre Secondary Municipal Planning Strategy (SMPS), Land Use By-law (LUB) and Design Manual, WSP completed a thorough review of the documents on behalf of Westwood to determine the particular impact they would have on properties bounded by Almon Street and Robie Street.

The subject properties are designated 'Centre' and zoned CEN-2. A maximum Gross Floor Area Ratio (GFAR) 5.50 and maximum height of 38m is applied to the majority of the site. A smaller portion of the site has a maximum GFAR of 4.25 and a maximum height of 26m.

FEEDBACK

Our review of the documents has highlighted significant challenges for Westwood regarding a potential future development on these properties.

ONE HECTARE SITES WITH MULTIPLE LOTS

Policy 12 within the draft SMPS states that development on lots larger than one hectare in existence at the time of the adoption of this plan (within the Centre designation) shall be considered by a development agreement. There are several examples of one hectare sites within the Regional Centre that are made up of multiple, contiguous lots (PIDs) under one common ownership. This site being one of those examples.

Our understanding is the intent of these policies is to require comprehensive planning processes for the development of large tracts of land within the Regional Centre. We believe this is appropriate. Large sites have the potential to improve connectivity, offer new public space and contribute significantly to mixed-use communities. These sites offer the potential for truly transformative community building projects but would only meet their potential through the development agreement process.

A more appropriate method to capitalize on this intent would enable development agreements for one hectare sites under common ownership. We request that the policy be amended to enable development on sites larger than one hectare that may contain one or multiple lots.

HEIGHT LIMITS ON ONE HECTARE SITES

As it is the intent of the plan to require a comprehensive planning processes for sites greater than one hectare in size, we do not believe that applying a maximum height limit to these sites is appropriate. We believe that using GFAR as the only density measurement tool for these Development Agreement applications will enable a more flexible planning process. GFAR as the sole density regulator will allow for more interesting and innovative design considerations to take place on these sites, offering more opportunity to improve connectivity, offer new public space and contribute significantly to the public realm. We request that staff amend the Urban Structure for the Robie Street /Young Street Centre by applying a maximum GFAR of 5.50 and removing all height limits from Westwood's properties located between Almon Street and St. Albans Street (PIDs: 00005264, 00005272, 00005116, 00005140, 00005132, 00005124, 40414013, 40414021, 40414005, 00005108 and 00005090).



CLOSING

We would like to thank you for taking the time to review this letter. We ask that you consider our feedback and requests and respond directly. We look forward to continuing dialog with HRM Planning and Development staff through the remainder of the planning process.

If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact the undersigned.

Yours sincerely,

Original Signed

Connor Wallace
Urban Planner – Planning,
Landscape Architecture and
Urban Design

2018.05.04

Halifax Regional Municipality
Centre Plan Staff

Dear sirs/madams

Thank you for providing the opportunity to comment on the draft Centre Plan Land Use Bylaw regulations for Package 'A'.

I represent the Mi'kmaw Native Friendship Centre in the redevelopment of their lands on Gottingen Street.

The Mi'kmaw Native Friendship Centre would like to have discussions with HRM Planning Staff about the proposed Land Use Bylaw controls for its properties near the northwest corner of Gottingen and Cornwallis Streets (PIDs 00155572, 00155598, and 00367409), in particular the GFAR and Height limits. As you are aware, the Friendship Centre submitted a 'Pre-App' (Case 19618) and had discussions with HRM staff through 2015, prior to the writing of the current draft Plan and Bylaw.

The current draft Plan and Bylaw do not appear to reflect the building envelope we proposed at that time, whereas it appears other projects "in the works" in the same vicinity are reflected in the GFAR and Height proposals. In fact, there is quite a variety of heights and GFARs in the immediate vicinity and we're struggling to understand the urban idea supporting various restrictions and why we are on the "low end" of the scale.

Fortunately, you are at a stage in your process where you are seeking input and we'd be happy to sit with you to understand the rationale behind the proposed controls. We reviewed the draft Secondary Planning Strategy and did not find enough detail to help us understand why the controls are proposed as they are. It will be a benefit to the Mi'kmaw Native Friendship Centre to meet to discuss the matter in the context of our earlier 'Pre-App'. Please let me know when we may have this discussion.

Yours sincerely

Peter Henry

Original Signed

Peter Henry ARCHITECTS

cc: Pamela Glode-Derochers, ED, MNFC
Lindell Smith, City Councilor, District 8
Waye Mason, City Councillor, District 7
Lisa Roberts, MLA, Halifax Needham
Andy Fillmore, MP, Halifax



May 4, 2018

Submission regarding 311 (Yuille Auto Works) and 327 (Napa Auto Parts) Prince Albert Road, Dartmouth

To the Centre Plan Team,

I would like to take this opportunity to comment on the implications of the draft Centre Plan 2018 Package "A" as it relates to two of our properties in Dartmouth.

We currently own and operate a vehicle repair and service centre, Yuille Auto Works at 311 Prince Albert Road, and we lease our property at 327 Prince Albert Road to Napa Auto Parts, which operates a retail and wholesale auto parts store. Both of these businesses have been successfully operating as neighbourhood commercial uses in this area for decades, and are located in the C-2 (General Business) zone of the Dartmouth Land Use Bylaw which permits their respective uses.

Both of our properties are proposed to be located in the Graham's Corner Corridor of Centre Plan and have a height limit of 20 metres.

Our main concern with Centre Plan 2018 is that it appears that neither of these uses will continue to be permitted uses in the area under the terms of the new Corridor zone.

Yuille Auto Works would fall under the broad definition of "*service station- premises used for the retailing of motor vehicle fuels, lubricant, and accessories, the repair and servicing of motor vehicles indoors, motor vehicle inspections or car wash facilities.*" A service station is not proposed as a permitted use in the Corridor zone. It is our understanding that Yuille Auto Works would be made a non-conforming use by Centre Plan, and that no specific provisions are being included in Centre Plan to address those uses that are being made non-conforming. Non-conformity would remove the ability to invest in and improve our neighbourhood-oriented business through expansion or through the redevelopment of the property for the same use.

Napa Auto Parts would appear to fall within the definitions of both *retail* and *wholesale and distribution* under Centre Plan. Retail, "*premises used for the selling or renting of merchandise, including second-hand goods directly to the walk-in public...*" and Wholesale and Distribution, "*premises where merchandise is sold or distributed to retailers, industrial, commercial, institutional, or professional uses, or other wholesalers.*" While retail uses are proposed to be permitted in the Corridor zone, wholesale and distribution uses are not. It appears that at least one of the current uses of this property may also be made non-conforming by the proposed Centre Plan zoning.

While it may be appropriate to make certain uses non-conforming if they do not promote the goals and objectives of Centre Plan, it is my opinion that both auto service uses and wholesale and distribution uses (which are a component of a retail store) should continue to be permitted as they both promote the vision of Centre Plan. One of the main objectives of Centre Plan is to facilitate residential

intensification of the Regional Centre. Intensification will be more successful if residents of these denser neighbourhoods have convenient access to commercial and services uses that they require on a regular basis. This will help to build sustainable and complete communities.

Both of these existing uses, given their limited scale and location along a major Dartmouth collector road, provide an important service for residents of the surrounding neighbourhoods. For routine auto service and maintenance such as tire and oil changes, vehicle inspections, and minor repairs, Yuille Auto Works allows residents to access this service near their neighbourhood. In addition, residents who would prefer to do minor repairs themselves can purchase these parts within their community. To force these uses out of this neighbourhood would require residents to travel to areas such as Burnside or Dartmouth Crossing to access services that they routinely require.

It should also be noted that there is an inconsistency in the manner that other auto related uses are regulated in Centre Plan. For example, car and truck rental uses are defined as a retail use which can include the servicing and repair of these rental vehicles. Additionally, service uses such as tow truck depots, which would include the on-site parking of the trucks, are permitted in the Corridor zone. Both of these uses have very similar, or even greater, land use impacts when compared to an auto service use like the one we operate on Prince Albert Road.

Centre Plan seeks to promote complete residential and commercial communities in the Regional Centre. Therefore it should permit neighbourhood-oriented, small to medium scale auto service uses, and allow small to medium scale wholesale and distribution uses which are associated with street-oriented retail uses in Corridor zones.

Making the Yuille Auto Works and Napa Auto Parts businesses, both of which serve the local neighbourhoods, non-conforming uses under Centre Plan has negative implications for these businesses and for our property values. I request that Centre Plan be revised so that both of these uses are permitted in the Corridor zone.

Regards,

Adam Godwin,
Vice President
Yuille Auto Works, Dartmouth

Cc. Councillor Austin, District 5
Chairman and Members, Community Design Advisory Committee

May 4, 2018

To: HRM Centre Plan Team

RE: Lands of Twin Lakes Developments, Prince Albert Road, Dartmouth

I am writing on behalf of my client Twin Lakes Developments who own lands on Prince Albert Road in Dartmouth. The site consists of two parcels (see Attachment A), a 2159 sq. m site at 327 Prince Albert Road (PID 00136028 outlined in red) and a 1.05 ha site located to the side and rear (PID 00136036 outlined in yellow). The combined site is within the proposed Grahams Corner Corridor under Centre Plan. The site at 327 Prince Albert has 32.6 m of street frontage, while the larger parcel has frontage in two locations, in the south of 12.2 m (the former Bartlin Road right of way that was closed and sold to Twin Lakes) and 16.2 m in the north end of the site. Together the sites are 1.27 ha in size with about 60 m of combined road frontage.

The site abuts Alderney Elementary School to the east, a series of commercial and medium density residential uses to the south on Lawrence Street, commercial and office uses to the west on Prince Albert Road including a large scale grocery store, and a low density residential neighbourhood to the north.

Existing Land Use Policy and Zoning

Under the existing MPS for Dartmouth, the entire site is split between two land use designations. The front 200 feet of lot depth measured from the street (about half the site) is designated Commercial, while the back half is designated Residential. The Commercial designation supports a wide range of commercial and residential uses through as of right zoning and enables high density residential through a development agreement process. The Residential designation enables all levels of density through as of right zoning and development agreements, with commercial limited to neighbourhood oriented uses.

The property at 327 Prince Albert is zoned C-2 which permits most commercial uses as of right. The larger vacant parcel is entirely zoned R-3 (Medium Density Residential). The online zoning map shows that a small sliver at the rear of the large parcel is zoned R-2 which may be in error as the intent was for the full site to be R-3. For both properties a development agreement is required pursuant to Policy IP-5 to enable multiple unit dwellings.

Existing Development Agreement

In 2006, Harbour East Community Council approved entering into a development agreement to enable a 12 storey, 83 unit project on the larger of the two parcels. Execution of the development agreement was delayed until 2013 due to delays in transferring two parcels of land from HRM ownership (a closed street, Bartlin Road, and part of the school site) to Twin Lakes. The development agreement stated that construction was to commence by 2018, however a non-substantive application to extend the commencement date has been submitted to HRM and is expected to be before Harbour East-Marine Drive Community Council for approval in the next two months. (see attached site plan) It is important to note that there was no community opposition to approval of the development agreement, and that there continues to be strong support in the community for the project to be built.

Intended Development Form

It is the intention of Twin Lakes to develop the site generally in conformance with the approved development agreement, with a maximum height of 12 floors. However it may be possible to consolidate the smaller lot at 327 Prince Albert with the larger site and undertake a more comprehensive development of similar scale that is better oriented to the street.

Proposed Centre Plan Regulations

Centre Plan places both sites within the Grahams Corner Corridor. The site at 327 Prince Albert is proposed to be zoned COR which would enable a range of commercial and residential uses. An allowable height of 20 m is allocated to the site and a maximum allowable GFAR (Gross Floor Area Ratio) of 3.5. The larger parcel is proposed to be zoned HR-2, allocated a maximum height of 14 m, and a maximum allowable GFAR of 2.25.

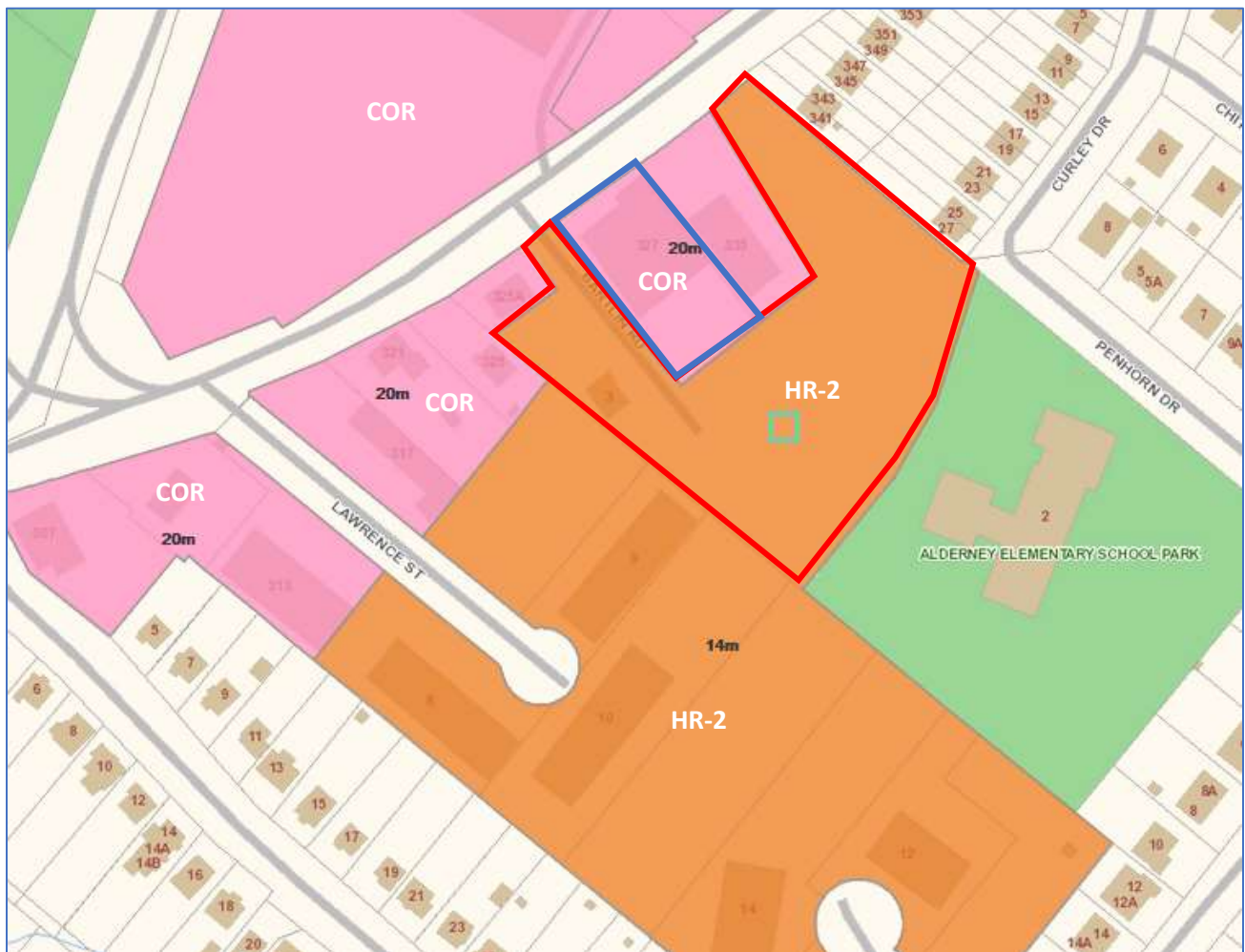


Figure 1 Proposed Centre Plan Zoning and Heights

It appears that Centre Plan staff had no awareness as to the existence of a development agreement for a major project on the site. The proposed regulations for 327 Prince Albert are generally acceptable however it is not clear why a combination of built form controls (maximum height, lot coverage, setback

and stepback controls) and GFAR is proposed to be used as they tend to conflict with each other. Either form of regulation is effective, but together they are not complementary.

The rear portion of 327 Prince Albert may be appropriate for more height if it is consolidated with the larger parcel to enable a unified development that can be better oriented to the street and contribute to a strong pedestrian environment.

The regulations proposed for the larger parcel are of serious concern. Given the size of the site, its location at the bottom of a hill, abutting a school and commercial land uses, it is well suited for a large scale mixed use redevelopment with a range of building heights on a common underground parking podium. To expect it to redevelop 14 m buildings is unreasonable and a wasted opportunity to create a major infill project that can help build a strong pedestrian oriented corridor and lead to intensification of the area. A development agreement process has already determined that this site is appropriate for a major project. Given the limited lot frontage, the maximum GFAR, the proposed requirements for one building per lot and a maximum building length/width of 40 m, no more than two smaller scale apartment buildings could be developed. Although the zone permits a building footprint of up to 40 m by 40 m and 1600 square metres, an efficient square design cannot be achieved. Even if the maximum dimension were possible, that would result in lot coverage with two buildings of only 30%. In considering efficient floorplates, these buildings can actually be no more than 40 m by 30 m, with footprints of only 1200 sq. m each, resulting in a lot coverage of only 23%. With only a maximum of four floors permitted per building, the maximum GFA that could be achieved is 9600 sq. m, and a resulting GFAR of 0.9. This equates to about 70 units, in a very inefficient site design at a density suited to suburban areas, on a site of well over 1 ha. This is a totally unrealistic expectation for this large site that has potential for so much more.

The proposed Centre Plan regulations for the site are totally inappropriate, and fail to take advantage of the single largest opportunity in this Corridor to enable major, high quality intensification.

Requested Centre Plan Regulations and Justification

It is clear that a totally different set of standards is needed relative to lot coverage, form and intended intensity of use. Given the surroundings, the existing development agreement, and the fact that a 12 storey tower is well accepted by the community on the site, the entire Twin Lakes site should be included within the COR zone which already covers part of the site, and is also placed on lands to the south and west. This is a rational extension of the commercial zone and would address many of the barriers created by the proposed HR-2 zoning. A height allocation of 40 m should also be provided for the site. This would allow a central tower, in line with the existing development agreement, around which a lower rise form could be provided on a shared podium, and recognize the appropriate development rights already conveyed. It may be possible for Twin Lakes to consolidate its two parcels and develop them as a single entity. That scenario would allow the building to be pulled up to Prince Albert Road, and create a pedestrian-oriented presence with substantial ground floor commercial space that would benefit the neighbourhood and help build a strong streetscape. This scenario also requires a 40 m height to enable a central tower. A greater degree of lot coverage is required, as enabled by the Corridor zone which allows up to 80%, in order to allow a low to medium rise form surrounding the tower. A lower height precinct has no clear benefit whatsoever to this site, provided that massing minimizes shadows on the low density lands to the north.

Including the site within the Corridor zone would recognize the extent of development rights that have already been conveyed, while encouraging improvements to the overall site design through lot consolidation and creating a pedestrian-oriented street presence for the project. This is a site with unique characteristics that requires innovative thinking in order to develop appropriate standards that meets the goals of Centre Plan while also providing a financial incentive to the landowner to invest in the site and improve the design.

Centre Plan is proposing to drastically reduce development potential on the Twin Lakes site, seemingly in a manner that is contrary to the desire of HRM to encourage growth in this Corridor. This key site should be the focus of discussions as to how to most efficiently facilitate development and provide a major population boost to the neighbourhood. We request the opportunity to meet to discuss how best to accommodate this site, as needed revisions to the proposed Centre Plan Land Use By-law progress based on stakeholder input.

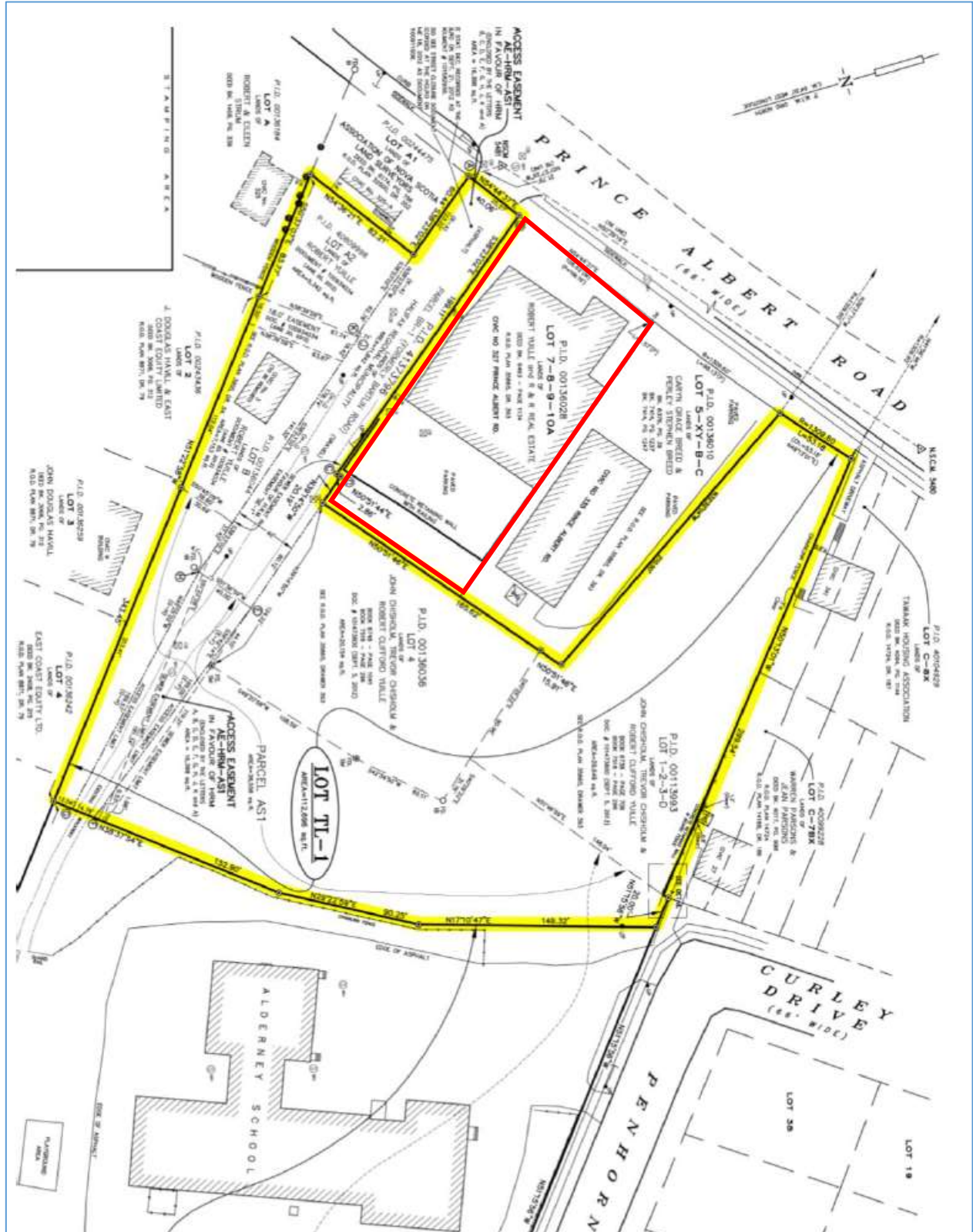
Yours truly,

Original Signed

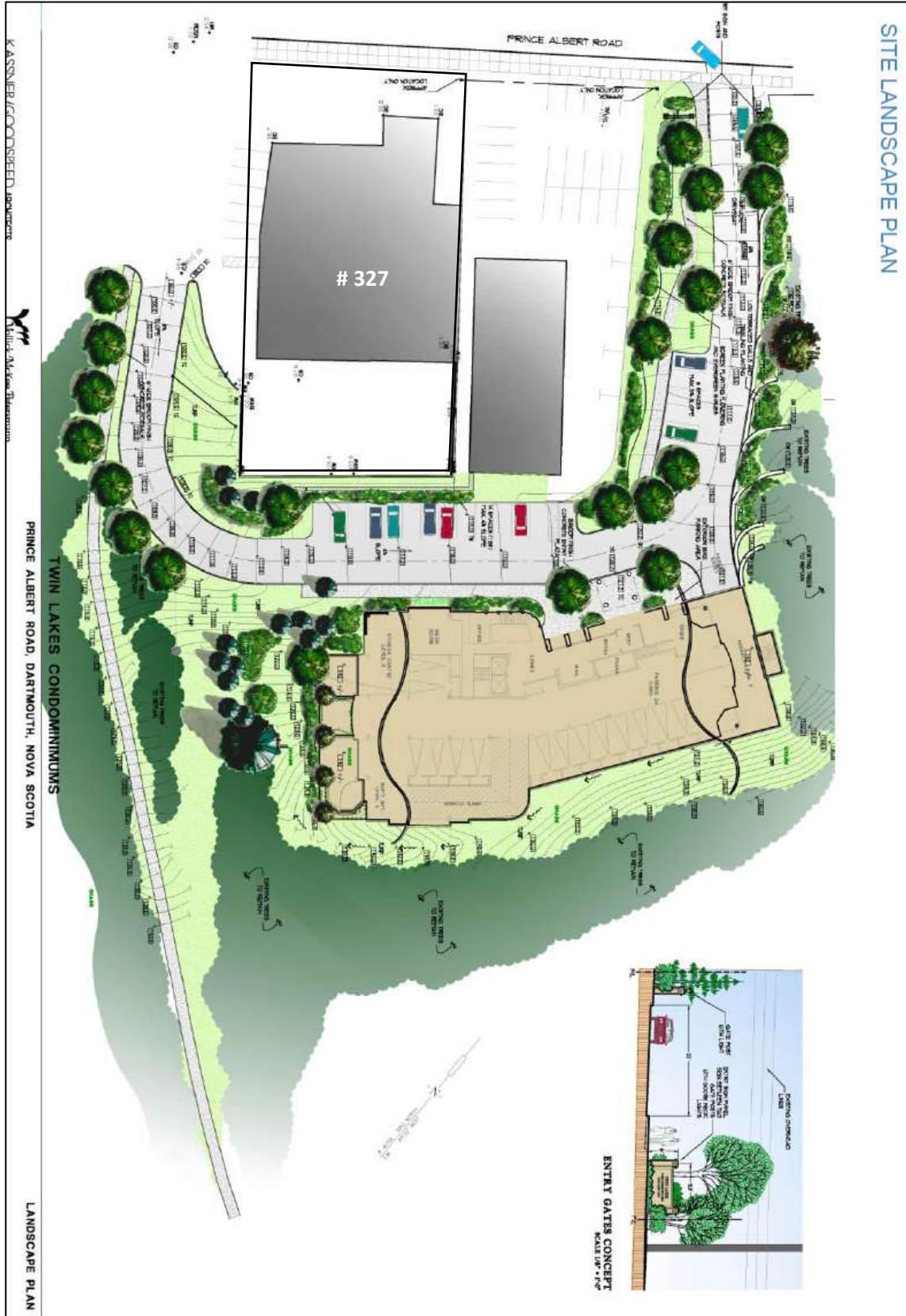
Mitch Dickey MCIP LPP
Urban Planner

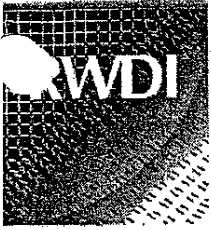
cc: Chair and Members of Community Design Advisory Committee
Councillor Sam Austin

Attachment A - Site Survey



Attachment B – Approved Site Plan for 12 Storey Building





**FINAL REPORT
WIND IMPACT STUDY
LAKE BANOOK CANOE COURSE
DARTMOUTH, NOVA SCOTIA**

Project Number: 03-1451
Date: February 13, 2004
Submitted by: Rowan Williams Davies & Irwin Inc.
Project Engineer - Hanqing Wu, Ph.D., P.Eng.
Project Manager - Dan Bacon
Project Director - Harry A. Baker, C.E.T.

Submitted to: Halifax Regional Municipality

1. INTRODUCTION

Rowan Williams Davies & Irwin Inc. (RWDI) was retained by the Halifax Regional Municipality (HRM) to undertake a wind study to determine the effects that two proposed condominium projects would have on the Lake Banook Canoe Course in Dartmouth, Nova Scotia. The objective of this study was to determine if and to what extent the proposed developments will affect the existing wind conditions over the canoe race course on Lake Banook. This objective was achieved through wind tunnel testing of a physical model of the study area. The tests assessed wind speed and direction for the existing and proposed building configurations.

Wind tunnel tests were carried out by RWDI in August 2003 and January 2004. Since the submission of a draft report in August 21 2003, additional results have been reported through meetings, email, phone and fax messages in response to the comments from HRM, the Canadian Canoe Association (CCA) and the developers. The current (January 2004) tests were conducted with the canoe course in the position as illustrated in the SDM&M Plan No 13-1119-0, dated August 5, 1997, included in the Revised Project Requirements issued by the HRM dated December 23, 2003. The test methodology, data analysis and result presentation are summarized in this final report, which is also in compliance with the guidelines established in the Revised Project Requirements.

2. TEST METHODOLOGY

The photographs in Figures A and B show the 1:500 test model in RWDI's boundary layer wind tunnel. The model was constructed using design drawings listed in Appendix A. The proposed United Gulf Development (upper photo in Figure B) consists of two 12 storey towers, joined at the base by a parking structure and ground level townhouses. It is to replace the former 2 storey YMCA building on Brookdale Court at the north end of the lake. The existing 2 storey commercial building on Paddler's Cove on the east side of the lake will be replaced by J & J Developments - Paddler's Cove Condominium Building, consisting of a ground level parking garage and 6 to 7 floors of residential units (lower photo in Figure B).

As shown in Figures A and B, the wind tunnel model included the existing buildings, proposed developments and all relevant surrounding buildings, trees and topography within a 570m radius. In particular, buildings and trees adjacent to the lake were simulated. Turbulence of the natural wind approaching the modelled area was simulated in RWDI's boundary layer wind tunnel. The 1:500 scale model was instrumented with a series of wind sensors on the lake. These sensors as shown in Figure C were developed by RWDI for use on scale models and are capable of measuring both the wind speed and direction at approximately 1.5m above the water surface.

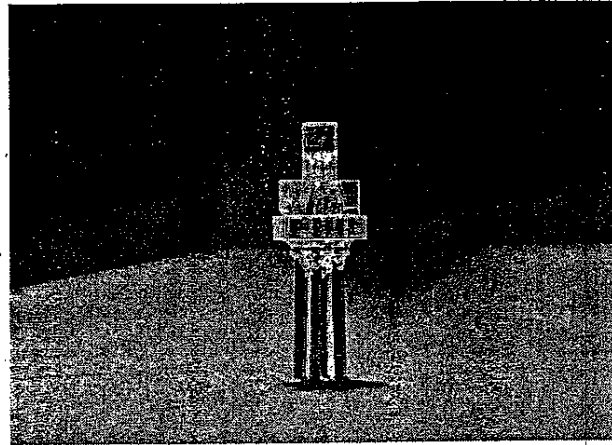


Figure C: Wind Sensor

These wind sensors are designed with six pressure taps spaced equally around the circumference of a cylinder. Both the wind speed and direction at a measurement location are determined by the pressure distribution around the cylinder recorded during the wind tunnel testing. These measurements were recorded along the length of the canoe course at the outer boundaries of Lanes 1 and 9 and in the centre of Lane 5, as well as between the canoe course and the two proposed developments, as shown in Figures 1 through 36 included in Appendix B. In order to minimize potential interference between the wind sensors, they were installed on the lake 50m apart from each other for the first test. These sensors were then shifted by 25m for the second test to obtain data every 25m along Lanes 1, 5 and 9 from the 1000m course starting line to the 600m mark. The final results in Figures 1 through 36 were derived by combining the data from the two sets of tests. The same testing procedure was conducted for both the existing and proposed configurations.

Figures 1 through 36 graphically display mean wind speeds and directions recorded at a total of 85 locations for 36 equally incremented wind directions. The length of the arrows in these figures is proportional to the wind speed at that location. In each figure there are two colour coded arrows at each sensor location. The black arrow identifies the local wind direction for existing site conditions and the red arrow for the proposed conditions. Also included in the figures are average wind speeds over the canoe course (where measurements were taken) for the Existing and Proposed

Configurations as well as the wind frequency for each wind direction sector. In Appendix B of the report, Figures 1 through 14 and 32 to 36 are supplemented with Figures 1a through 14a and 32a to 36a. These figures are close-up views of localized areas adjacent to the proposed developments. Generally, the information contained in these supplementary figures is the same as in the base figures but provide a close-up view for convenience when reviewing the results of the study.

This study involved state-of-the-art measurement and analysis techniques to predict wind conditions on Lake Banook. However, some uncertainty remains in interpreting the results, and the following points should be kept in mind when the test results are reviewed:

- (1) Lake Banook is a natural canoe course and variations in wind speed and direction would be expected. Local wind climate, i.e., speed and frequency, should be considered together with the wind tunnel results. Analysis of long-term local wind records is discussed in detail in Section 3;
- (2) The RWDI equipment used to test the Lake Banook project would be expected to produce wind direction data that is accurate to within 10° in areas where wind speeds are relatively high and the turbulence is low.

There are areas where low speed turbulent wind conditions occur. These areas usually are represented on the figures provided by measurement locations that have wind speed arrows that do not protrude substantially beyond the circle surrounding the sensor number. Also, in these situations the wind directions between configurations can vary greatly.

Generally, the wind speeds presented in this report are accurate to $\pm 10\%$. The exception occurs when low wind speeds occur in turbulent conditions. In this case, the accuracy is less certain and we would then rely on the variability of the natural wind to give an indication of the accuracy. In natural conditions the variability of wind direction would be in the $\pm 30^\circ$ range in relatively open space. Figure D includes two tables showing the instantaneous measurement of wind speed and direction by an anemometer. As shown in the upper graph contained in Figure D, over a two minute period the wind direction can vary up to $\pm 45^\circ$.

However, a more typical band width would be +/- 20°.

In the lower graph of Figure D the wind speed over a 2 minute time period is shown. In this graph, where the average speed is approximated 7 m/sec, the extremes can be as much as +/- 3 m/sec. However, the more typical speed range is +/- 2 m/sec.

- (3) While wind turbulence (gusts) were simulated during the wind tunnel testing, only mean wind speeds and directions are presented in this report for clarity. The mean wind speeds and directions are the best statistical indicators of the wind intensity over an open water surface. A similar gust level of the surface winds is expected for all the canoe course locations and for both building configurations;
- (4) There are no established limits on what acceptable variations to wind speed/direction on a canoe course may be. As a result, the current study focuses on the comparison of wind tunnel measurements of wind speeds and directions along Lanes 1, 5 and 9 for the Existing and Proposed Configurations. Guidelines have been developed through consulting with all parties involved in the project, based on the results obtained from our wind tunnel testing in August, 2003. Details of these guidelines are discussed in Section 4;
- (5) The effect of summer trees was modelled around the lake. This is adequate since the canoe course is primarily used in the summer. Wind flow patterns on the lake may be slightly different during other seasons due to a different foliage density;
- (6) Wave interaction was not simulated in the current study;
- (7) The sampling duration and frequency in the wind tunnel were set at 24 seconds and 512 Hz, respectively, corresponding to approximately 4.5 hours and 0.75 Hz in full scale of the current project. This is considered adequate for a wide range of turbulence wind conditions; and
- (8) Unforeseen changes in the study area, such as construction or removal of buildings and trees, could affect the wind conditions over the lake.

3. ANALYSIS OF LOCAL WIND CLIMATE

From meetings and subsequent correspondence with HRM it was indicated to RWDI that CCA has adopted a critical 7 m/sec wind speed being used by the International Olympic Committee planning the canoe course for the upcoming Athens Olympic Games. This speed translates to approximately 25 km/h. From our research it was determined that for winds recorded at a weather station (usually 10 metres above grade), wind gusts with a 3 sec. gust duration are typically recorded at a speed of approximately 50% higher than the mean speed. Therefore, 25 km/h mean wind speeds would be expected to be accompanied by approximately 38 km/h gusts.

Wind statistics recorded at the Shearwater Airport between 1953 and 1991 were analysed from July 15 to September 15 for the hours of 8:00 a.m. to 6:00 p.m. Figure E graphically depicts the distributions of wind frequency and directionality for this time frame when most of the prime canoeing events occur. When all wind records are considered, winds from the south through southwest directions are predominant, as indicated by the upper wind rose. Winds with a mean speed greater than 25 km/h measured at the airport occur for 10% of the time during the selected time frame. The strong south through southwest winds are prevalent, as demonstrated by the lower rose in Figure E. Winds of such a magnitude are reported by the Canadian Canoe Association to be critical to their paddlers and the timing of events during a competition.

To provide an indication of the frequency of occurrence for other wind speeds, additional analyses were conducted to determine the percentage of time that certain wind speeds will occur during the prime summer canoeing season. The results are shown below:

Mean Wind Speed at 10 m above ground at Shearwater Airport

Exceeding Wind Speed (km/h)	10	15	20	25	30	35	40
Frequency (%)	74	46	22	10	3	1	<1

During the time frame of our wind study CCA provided RWDI with a list of the key canoeing events that occurred during the summers of 2000 to 2003. A review of the wind data available from Shearwater Airport indicated that the prevailing winds were similar in frequency and direction to those shown in Figure E.

When discussing the wind climate at the study site it is important to discuss the study methodology of converting the wind speeds recorded at Shearwater Airport to those expected at the Lake Banook Canoe Course. As winds flow over the earth's surface, obstructions at ground level such as buildings and trees slow the wind speed at ground level. As a result, winds recorded close to grade will be lower in speed than at a higher level. This speed will increase until the roughness on the earth surface no longer influences the speed. The wind speed at this level is called the gradient speed. Research shows that the increase in wind speed with elevation can be described by a power law with its exponent related to the surface roughness. Using the results from this research it is possible to calculate the gradient height wind speed at Shearwater by "scaling up" the wind speeds measured at the anemometer which is 10 metres above grade. Because the gradient wind speed would be the same over Lake Banook, the actual wind speed at the water level can be determined by using the wind tunnel measurements of ratio of wind speed at the water level to that at gradient height.

4. ASSESSMENT GUIDELINES

From our understanding, the intent of the study would be to encourage the proposed developments to not negatively affect the existing wind conditions on the Lake Banook Canoe Course. If possible, try to accomplish wind conditions that have little variation across the course for any given location along its length. However, it is a natural course, and the existing surroundings will give rise to variations in wind conditions. For those cases where variations do occur some guidelines were provided to the HRM by the CCA. They are provided as follows:

- Wind Speed:** The maximum change in the wind speed range of 2.8 km/h across the course lanes is considered acceptable.
- Wind Direction:** As long as the wind direction stays in the same sector as the existing conditions, the wind direction is acceptable. A plan of a canoe is divided into 6 sectors as shown in Figure F.

Acceptable variance in wind direction:

- High speed (arrow head outside of circle): +/- 10°
- Low speed (arrow head inside of circle): +/- 20°

Figure F illustrates the details of each sector overlaid on a plan of a canoe and is colour coded to the supplementary figures in Appendix B. It is based on the sketch included in the original message from Steve Giles of the CCA to RWDI, dated November 19, 2003.

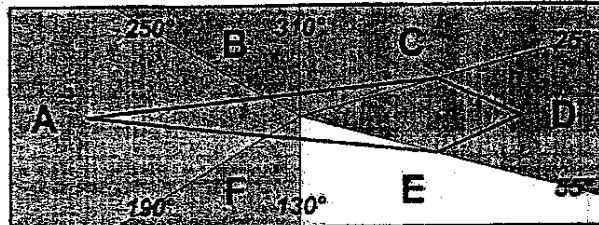


Figure F: Wind Sectors

A review of the wind tunnel results was undertaken to determine the area of influence on the course and the critical wind directions to consider for further analysis. Based on this review the following are the critical course areas and wind directions (respectively) for each development.

United Gulf Development

- From start line to 150m point of 1000 metre course
- Wind direction 320° to 40°

Paddler's Cove Development

- Between 250m and 375m points of 1000 metre course
- Wind direction 70° to 140°

Based on the data shown in Figure E, the frequency of winds from 320° to 40° is 15.1% of the time for the United Gulf Development, and the frequency of winds from 70° to 140° is 11.9% of the time for the Paddler's Cove Development. For winds from other directions, approximately 73% of the time, the wind impact caused by the proposed developments is negligible.

As noted above, there are no established criteria for assessing the wind impact on a canoe course. The above guidelines were developed from discussions between all parties working on the project, based on the August 2003 wind tunnel results. In the recent wind tunnel tests, the canoe course was relocated and Lane 9 was closer to the shoreline, resulting in more wind protection to Lane 9. Therefore, the following modifications to the above guidelines are suggested:

- Winds from 50° and 60° should be examined for the United Gulf Development, as the recent results indicated higher variations across the lanes for both existing and proposed configurations. As a result, the frequency of winds from 320° to 60° would be 16.4% of the time for the United Gulf Development; and
- Selection of 2.8 km/h as the threshold wind speed range is based on a calculation performed by the CCA. A clear explanation of the calculation has not been provided to RWDI. If the issue of wind speed is considered critical to a decision of acceptability, the methodology used to establish this limit should be reviewed to determine the applicability to the specific issue.

5. EFFECTS ON WIND CONDITIONS

Figures 1 through 36 show that a majority of the red arrows (Proposed Configuration) are aligned with the black arrows (Existing condition) and are similar in length. Therefore, the wind direction and wind speed are unaffected at the majority of the areas in the canoe course by the addition of the proposed developments.

Table 1 lists the wind frequency by percentage recorded at 10m above ground at the Shearwater Airport. Using the reference wind speed of 25 km/h at the airport, the **average wind speeds** at 1.5m above the entire canoe course are also listed in Table 1 for the Existing and Proposed Configurations as well as their differences in km/h. The proposed developments induce increased average wind speed over the canoe course only for winds from 150°, 160°, 180° to 200°, 230°, 260° and 290° to 310°. No increase is more than 0.6 km/h. The remaining wind directions generally indicate that the average wind speed over the course remain the same or being reduced. On average, the wind speed is reduced by 0.4 km/h by the proposed developments.

Table 2 lists the **average wind direction** at 1.5m above the entire canoe course for the Existing and Proposed Configurations as well as their differences in degrees. On average, the proposed developments did not induce a change in wind direction. However, on a direction by direction basis there were some directions that on average caused some variation. These variations ranged from +3 degrees to -5 degrees.

5.1 Effects on Entire Canoe Course

The speed variation caused by the proposed developments may have different impacts on each lane of the canoe course. For instance, for winds from 20° (Figure 2a) wind speeds near the starting line are reduced along Lane 9 and, to a lesser extent, along Lanes 1 and 5. Such a reduction will narrow the difference between the wind speeds along Lanes 1, 5 and 9 and create a more uniform wind climate in the starting area. On the other hand, a reduction in wind speed along Lane 9 for 30° and 40° (Figure 3a and 4a) would cause an opposite impact. Therefore, it is helpful to break down these wind speeds to the average along each lane and to compare their differences between the Existing and Proposed Configurations.

Table 3 lists the **average wind speeds** for each lane for all 36 wind directions. The speed range is defined as the difference between the maximum and minimum wind speeds among Lanes 1, 5 and 9 for each wind direction. It describes the wind speed variation over the canoe course, i.e. the smaller the speed range, the more uniform in wind speed between the lanes. The last column in Table 3 lists the difference in the speed range between the Proposed and Existing Configurations, which may be used as an indicator for the potential wind impact on wind conditions over the course. A negative value in this last column suggests a reduced speed range, or more uniform wind conditions over the course after constructing the developments.

In Table 3, for the Existing Configuration, the speed range between lanes is between 0.1 km/h (210°) and 2.9 km/h (330°) with the average speed difference being 1.7 km/h. Similar speed ranges were noted for the proposed developments. The speed range between lanes is between 0.1 km/h (210° and 230°) and 3.2 km/h (40°) with the average speed difference being 1.9 km/h. The small differences in speed between configurations could be difficult for paddlers to perceive. The maximum speed range difference observed was 1.9 km/h.

Table 4 lists the **average wind directions** for each lane for all 36 wind directions. The direction range is defined as the difference between the maximum and minimum wind directions among Lanes 1, 5 and 9 for each wind direction. It describes the wind direction variation over the canoe course, i.e. the smaller the direction range, the more uniform in wind direction between the lanes. The last column in Table 4 lists the difference in the direction range between the Proposed and Existing Configurations, which may be used as an indicator of the potential wind impact on wind conditions over the course.

In Table 4, for the Existing Configuration, the direction range between lanes is between 0° (220°) and 16° (300°) with the average direction difference being 6°. Similar direction ranges were noted for the proposed developments. The direction range between lanes is between 0° (240°) and 15° (300°) with the average direction difference being 6°.

5.2 Local Effects

Due to the distance from the proposed developments, the wind effects appear to be more noticeable in localized areas close to these developments. Therefore, further assessment was conducted on the localized areas of the study model for each Development.

In order to provide graphics that are clear for the reader to view the figures include only the areas of influence for each development and for the critical wind directions. The numbering sequence is Figures 1a to 6a and 32a to 36a for the United Gulf Development and Figures 7a to 14a for the Paddler's Cove Development. Each figure contains directional arrows (black for existing conditions and red for proposed) that show the wind direction for each sensor location and the relative size of arrow shows the difference in wind speed. In the lower right hand corner the legend shows the existing and proposed average wind speed and direction.

To assist in assessing any change in wind direction the supplementary figures (i.e., Figures 1a, 2a, etc.) have been color coded. In the upper right corner of each figure is a copy of the Wind Sector drawing contained in Figure F. Below that drawing is a table that illustrates the Local Wind Direction at each sensor for both test configurations. The wind directions in the table are color coded to match the appropriate wind sector shown in the drawing. The color coded wind directions for the proposed configuration are included on the plan of the canoe course at the appropriate locations.

5.2.1 United Gulf Development (Tables 5 and 6, Figures 1a to 6a and 32a to 36a)

The United Gulf Development is located at the north end of the lake. When winds are from the northerly directions, a localized wind sheltering effect from the proposed development is evident, as shown in Figures 1a to 6a and 32a to 36a. Wind speeds and directions are altered at Sensors 201 through 204, and, to a lesser extent, at other sensors on the canoe course near the starting line.

Table 5, using the same format as Table 3, summarizes the variations in wind speed for 21 sensors between the starting line and 150m marks (Sensors 106 to 116 and 205 to 214). For this localized area, in Table 5, for the Existing Configuration, the speed range between lanes is between 0.2 km/h (210° and 230°) and 5.2 km/h (60°) with the average speed difference being 2.5 km/h. Similar speed ranges were noted for the proposed development. The speed range between lanes is between 0.3 km/h (220°) and 8.7 km/h (50°) with the average speed difference being 3.0 km/h. The difference in wind speed range for the area of influence for the United Gulf development varies from -1.1 to 4.4 km/h. In reviewing these test results consideration should also be given to the fact that winds from 50 degrees occur infrequently (0.6% of the time).

Table 6, using the same format as Table 4, summarizes the variations in average wind direction for 21 sensors between the starting line and 150m marks (Sensors 106 to 116 and 205 to 214) for all 36 wind directions.

In Table 6, for the Existing Configuration, the direction range between lanes is between 1° (for several directions) and 49° (330°) with the average direction difference being 11°. Similar direction ranges were noted for the proposed development. The direction range between lanes is between 1° (for several directions) and 45° (330°) with the average direction difference being 11°.

5.2.2 Paddler's Cove Development (Tables 7 and 8, Figures 7a to 14a)

The Paddler's Cove Development is located on the east side of the lake. The sheltering effect is evident at the wind sensors adjacent to the development (Locations 229, 129 and 228) for the easterly wind directions, as indicated in Figures 7a through 14a. For these wind directions, minimal

changes in wind speed and direction could be observed at sensors on the course further away from the development.

Table 7 summarizes the variations of wind speed for 18 sensors between the 250m and 375m marks (Sensors 121 to 126, 130 to 132, 220 to 226, 230 and 231). For this localized area, in Table 7, for the Existing Configuration, the speed range between lanes is between 0.2 km/h (150°) and 5.9 km/h (70°) with the average speed difference being 2.0 km/h. Similar speed ranges were noted for the proposed development. The speed range between lanes is between 0.3 km/h (150°) and 5.3 km/h (70°) with the average speed difference being 2.0 km/h.

The difference in wind speed range for the area of influence for the Paddlers' Cove Development varies from -0.6 to 0.4 km/h.

Table 8, using the same format as Table 4, summarizes the variations in **average wind direction** for 18 sensors between the 250m and 375m marks (Sensors 121 to 126, 130 to 132, 220 to 226, 230 and 231) for all 36 wind directions.

In Table 8, for the Existing Configuration, the direction range between lanes is between 0° (110°) and 17° (360°) with the average direction difference being 5°. Similar direction ranges were noted for the proposed development. The direction range between lanes is between 0° (40°) and 16° (360°) with the average direction difference being 5°.

May 4, 2018

To: HRM Centre Plan Team

Submission Re Centre Plan

Below please find my comments on Package A of Centre Plan.

Building Typologies

The plan seeks to establish a building typology to help classify categories of development and provide a link to varied built form controls. The typology is very simple – low rise buildings (up to 11 m and 3 floors), medium rise (up to 20 m and 6 floors) and high rise (over 20 m and 6 floors), This is overly simplistic in that it doesn't address the need to establish a full hierarchy that includes the various lower density forms (garden suites, single units, two units, triplexes, townhouses, stacked townhouses etc). Given that Centre Plan deals with all of these forms, it should contain a definition and a visual representation of each in the MPS and simple definitions in the LUB.

The height typology is very conservative and not appropriate for a city, though it may work well in a town or very small city with little demand for tall buildings. It seems to play to anti-height biases that are unfortunately all too prevalent and which have a negative effect on development in HRM. Height is just one part of a complex set of considerations in determining appropriate form and urban design, if height is immediately sacrificed automatically then the desired outcomes in terms of urban design, slender buildings, reduced shadow effects on streets and parks can be negatively affected.

As such, Centre Plan should continue to use the typologies developed out of the Regional Centre Urban Design Study and adopted in principle by Regional Council in 2007. See the attached excerpt from a staff report considered at Committee of the Whole and Regional Council on July 31, 2007. This typology was approved in principle for the whole Regional Centre and was adopted within the Downtown Halifax MPS in 2009, and is proposed for use in Downtown Dartmouth. As HRM tries to simplify its bylaws it needs to use similar standards as much as possible. As such, low rise buildings should be those up to 20 (6 floors), mid rise buildings up to 33 m (10 floors), and high rise buildings being over 33 m. In areas where height is sensitive, the height map can establish that low rise forms not exceeding 3-4 floors are required.

Building Height

In many areas, not enough height has been allocated to stimulate redevelopment and revitalization. In many cases the proposed heights are well below what is permissible under current zoning. There needs to be more provision for buildings of 6-10 floors in the true mid rise range and for more 12 storey buildings on numerous appropriate sites. While it is good that a few sites for 20 storey buildings have been identified, some of those sites are well appropriate for more height. There is an irrational aversion to buildings over 20 floors and staff is not providing the needed education as to how such buildings can have a place. Since the tallest buildings possible in Downtown Halifax are in the 23-25 storey range, they should be accommodated somewhere. Or, if there is going to be a strong policy decision to hold heights to 20 floors outside of the downtowns, then the downtown plan should be revised to allow 30+ storey buildings.

A key factor in height is floorplate size – for true towers a small floor plate size of 750 sq m as recommended is appropriate but this standard cannot be applied to buildings of 7-10 floors – you would end up with a 2 or 3 storey podium and a totally non feasible small floorplate of 750 sq m on top -

May 4, 2018

***Mitch Dickey MCIP LPP
Urban Planner***

typically these small floorplate forms only work for 20+ storey towers. Mid rise towers out of necessity will tend to be longer and extend along most of their lot – in such cases a maximum dimension of 64 m is appropriate for 10 floors and under. For buildings of 11+ floors, the 750 sq m standard can be considered. Using the attached typology simply makes more sense, as it realistically reflects the existing building forms that have been built, it is consistent with past practice, is a right fit for the city, and works better with built form controls that can vary in different streetscape and local contexts.

The proposed height precincts assume that the same height should apply to the whole property. While valid in terms of zoning, it is not necessary for height. Many sites are unique in terms of shape, dimension, and abutting land uses and it will often be possible to accommodate a 33 metre structure on part of the site, while allocating only 20 m adjacent to a street or more sensitive uses. If there are abutting land uses like major industrial or port infrastructure, or utility buildings, greater height is typically appropriate nearer to such uses. Therefore there needs to be flexibility in terms of maximum heights so that an appropriate design response can be developed to respond to local conditions.

At an early engagement session for Centre Plan, three different scenarios were provided for the Centres which considered how many new buildings, at different height thresholds, would be needed to achieve growth goals for the Centre. The lower the building heights, the more buildings required and thus the more displacement of existing housing stock. Since it appears that conservative heights have been adopted it would be useful to see analysis that indicates the impact on each Centre, and ideally for each Corridor. Council and the public should have an understanding of how much building demolition is required in each area to meet growth goals – it is my opinion that the loss of existing housing stock should be minimized and that in many areas there needs to be some extra height allowance to protect existing housing. Finally, if we are spreading out development in response to a public fear of tall buildings, development potential is being wasted. Once the Centres and Corridors approach buildout, redevelopment pressure will start to increase in lower density areas. Therefore Centre Plan should not be wasting valuable development capacity in the short term – the recommended heights need a closer look as to their long term impacts so that there is long term growth capability in each area – not just for the next 10-12 years..

Built Form and GFAR Controls

Other than the issue that not enough height allowance has been provided in many cases, and other than the 750 sq m floorplate issue on 7-10 storey buildings, the built form controls appear solid. However in the CEN and COR zones they often indicate an unrealistic building envelope. This is due to GFAR limits reducing the floor area that would otherwise be permitted if lot coverage, max building dimensions, setbacks and stepbacks are met. Built form controls and GFAR are both valid planning tools – however they are not meant to be used together. If FAR is to be used, it must be net and not gross, so that only habitable/leasable space is factored in. A designer will always try to minimize space needed for common circulation areas and cores but using GFAR will force the smallest unit sizes and lead to minimal or no common spaces and internal amenity areas. The approach should be to incentivize larger units and more common areas.

Pedestrian Oriented Streets

Prince Albert Road has not been identified as such a street. It has the capability to become such a street as underutilized lands are developed, and commercial uses should therefore be required at grade along the street within the Grahams Corner Corridor.

May 4, 2018

Zoning

The HR zones are more suited to suburban application than for use in the Regional Centre. There will be few sites where a 12 unit building is viable (HR-1) and there are many bad instances of such buildings in terms of quality. The HR-2 zone sets lot coverage too low at 50%, and the maximum building dimension of 40 m is overly strict as it applies to all sides – when it should only apply along a street frontage. Square buildings are generally inefficient and not viable in low to mid rise residential forms, being better suited to commercial use. From several case studies I have done on HR-2 lots with a 20 m height allowance, it is not possible to achieve the allocated 3.5 GFAR, instead 2.7 seems to be as high as can be achieved – this means a lot of wasted development potential.

Bonus Program

The density bonus program is built entirely around imposing requirements on the tallest buildings, of which there would be relatively few, and of trying to create a critical mass of affordable housing from this small base. As such this seems to amount to a tax on taller buildings. The burden falls entirely on a few, and the program may actually inhibit larger scale development. It might be more appropriate to spread the burden of creating a robust bonus system that generates more community benefit across a much greater number of sites. As an example, the base pre-bonus threshold could be set at 24 units, regardless of height. If you wish to exceed that scale of building, regardless of height, then you must provide affordable housing at a certain rate. Perhaps 1 affordable unit per 10 units, to use the Provincial requirement for accessible units as an example which requires 1 per 20 units. In addition, part of the bonus should be to pay 1% of the construction value of the larger building into a public art fund. This idea was adopted in HRM's approved Public Art Policy. As part of the bonusing, a flat per unit park infrastructure fee could be levied to support reinvestment in existing parks which will be expected to serve a larger population. A seemingly missed opportunity for bonusing is the value in preserving or restoring a heritage asset, whether it is registered as such or not, pursuant to the Design Manual and the Design in Heritage Contexts section. In such cases the amount of bonus devoted toward affordable housing should be reduced. This more fair approach would spread the burden for creating affordable housing and contributing to public amenities across all moderate to large development.

Non Conforming Structures and Uses

It appears that the new zoning standards will create many non-conforming uses and structures. Typically for uses that is done with the intent of phasing such uses out because they are in some way undesirable. However there appear to be uses in Corridors and Centres and HR areas that would become non-conforming without good reason. And there appears to be no mechanism to deal with such uses. There needs to be a mechanism, as inevitably there will be demand to apply to enlarge or renovate such uses or change them to a less intensive use. Without providing for this, the result will be applications for site specific MPS amendments. There should be an inventory to determine how many land uses are to be made non-conforming, which will help gauge a policy response and estimate future applications.

Many buildings will become non-conforming structures due to the application of height precincts which fail to take existing buildings into account. Rather than make them non-conforming, a spot height precinct should be applied, which will ensure they are conforming buildings and which will provide the ability to renovate the buildings and make changes to the rooflines, replace mechanical enclosures, create small amounts of additional habitable space, and add modest penthouses. There should be a clause in the LUB stating that non-conforming structures may be used for any purpose permitted in the

May 4, 2018

zone so that even if they exceed the height requirement, a residential or office use can be expanded throughout.

Lake Banook Canoe Course Protection

The preamble to Policy P-60 wrongly states that the canoe course may lose its ability to host major regattas due to the development of tall buildings, and applies an 11 m height limit around this lake to prevent this outcome. This is wrong. As one of the HRM project managers handling the wind testing project, I have first-hand knowledge. The existing Dartmouth MPS policy that imposes the 11 m height limit was done in response to a Council motion that grew out of concern for protecting the lake, after two developments were proposed (14 storeys on former YMCA site and 8 storeys at Paddlers' Cove). The facts are:

- HRM hired internationally-known RWDI from Ontario to undertake wind tunnel testing of a model of the lake, the paddling course, existing development, and the proposed buildings,
- The Atlantic Division of Canoe/Kayak Canada (CKC) provided input to the methodology and interpretation of results (included Dennis Rogers and Kim Cochrane, Flag Officers, and Steve Giles as an engineer and Olympic paddler.
- HRM staff and CKC devoted hundreds of hours to guiding the modeling process, interpreting results, and providing feedback to RWDI, who were paid by HRM and not the developers,
- The results indicated very minor changes in wind direction and velocity downwind from the development sites – so there was only change when winds were blowing from the west and east which only occurs during a small portion of paddling season
- At no time was it thought that on the basis of these developments that the lake could no longer hold events
- CKC could not state that the identified effects were relevant or could affect races
- RWDI noted that given the topography around the lake and existing buildings and vegetation and currents, that conditions already vary from lane to lane depending on wind direction
- Staff were unable to find anyone who could say that construction of four high rise buildings on Brookdale Crescent from the late 1960's to early 1980's, which are located very close to the canoe course compared to the development sites, had any impact on the paddling course.
- In 2005 Regional Council wanted to adopt some measure to protect the lake and the height limit was suggested as one option and was adopted. However there is no empirical basis to show that low rise buildings of only 11 m would not affect the course
- In 2010 additional modelling was undertaken relative to the YMCA site. This was paid for by the property owner, but the methodology and findings were subject to approval by Planning staff and CKC.
- The modelling showed that development of a large footprint 11 m building on the former YMCA site would have greater impact on wind speed on the lake than a slender tower with a smaller footprint.
- RWDI staff in inspecting the lake perimeter advised that buildings like the judges' stand and boathouse near the finish line of the course could, even though they are small scale buildings, affect wind conditions on the canoe course given certain wind directions. Likewise tree removal or tree planting could have long term effects.

The upshot is that the 11 m height limit does not provide any definitive protection to the paddling course. The only means to do so would be to require wind tunnel modelling and testing to consider any

May 4, 2018

built form changes around the lake. Unlike under current regulations, Centre Plan will be able to require such testing through the new Land Use Bylaw as a condition of approval, just like pedestrian wind tunnel assessments are sometimes required in Downtown Halifax. This approach would provide empirical data that can aid evidence-based decision making.

Attached is a copy of the main body of the RWDI summary report from 2005. There is another report on the more recent modelling done, relative to the former YMCA site, in the MPS amendment case file.

Summary

I make all of the above comments in the spirit of trying to improve the document so that it can actually result in the amount of development that is intended. However if the plan is not revised from its currently overly conservative height and FAR allocations, it will likely result in less growth and speed up the pace of new suburban apartment development given all the available approved lands that exist outside of the Centre in areas such as Bedford West, Timberlea, Port Wallace, Fairview, and Main Street.

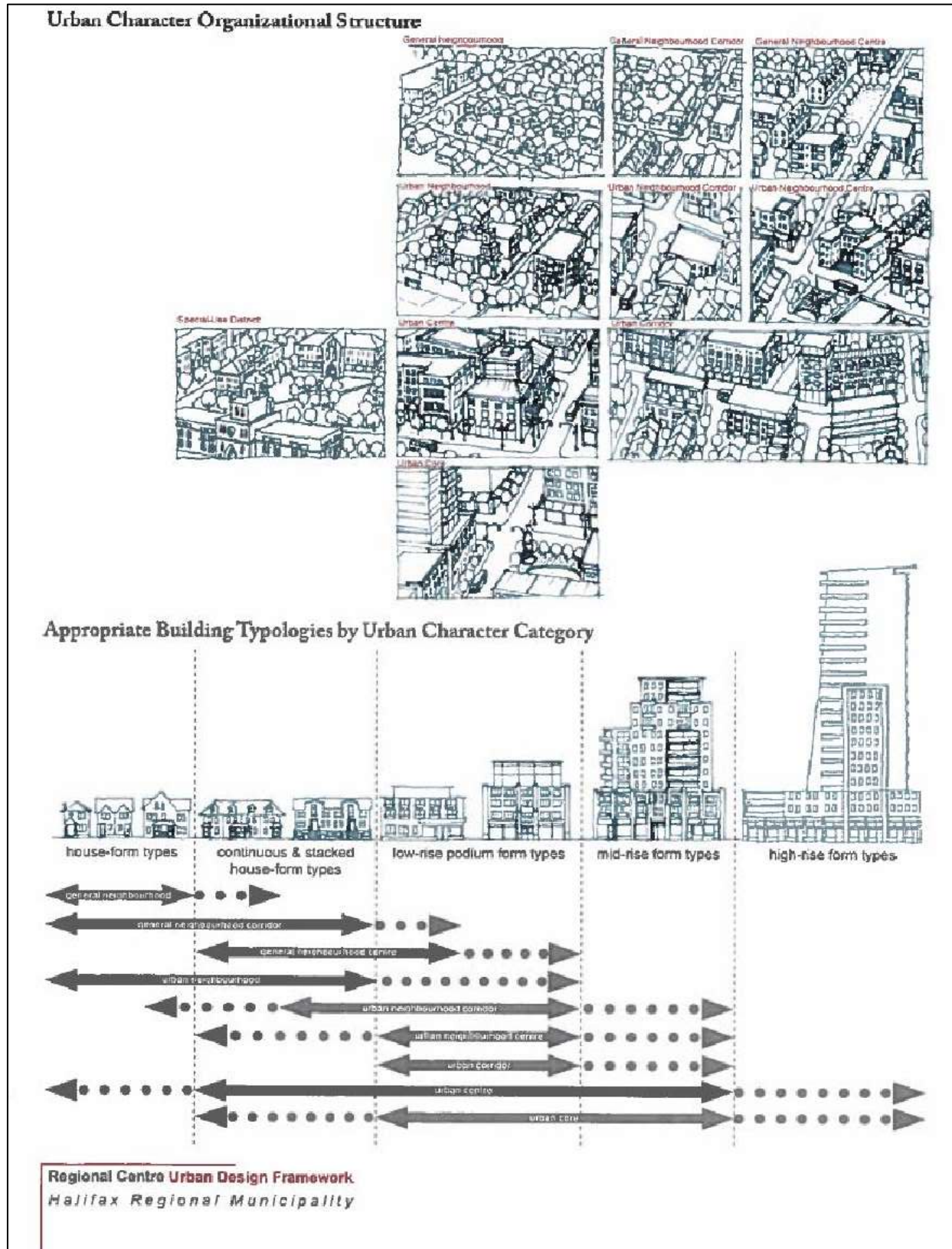
Yours truly,

Original Signed

Mitch Dickey MCIP LPP
Urban Planner

May 4, 2018

***Mitch Dickey MCIP LPP
Urban Planner***



Attachment B – Land Banook Canoe Course Wind Study

May 4, 2018

***Mitch Dickey MCIP LPP
Urban Planner***

20F Rosedale
B3A1L8
Joseph Arab
902 209 3327

May 3 2018
Jacob Ritchie,
MCIP LPP
Urban Design Program Manager
Planning & Development HALIFAX

Re: 2438 Gottingen Street Redevelopment : Victoria Hall

Dear Jacob,

We are submitting this letter to provide feedback on a development site at 2438 Gottingen Street (PID 00148791) as part of the public consultation process taking place with respect to Draft A of the Centre Plan.

We have been working through a heritage DA process for the site (Victoria Hall). Our hope is to achieve at minimum a density of development that matches what is currently allowable as-of-right, plus additional density to compensate for the substantial costs to restore and preserve Victoria Hall.

Through conversations with you, Carl and Elora, we have been made aware that in an effort to protect existing and prospective heritage buildings, most/any corresponding properties are being given a "low rise" development status under Centre Plan. This disincentivizes the demolition of any such properties and encourages utilizing the Heritage DA process. Despite the "low rise" designation serving first and foremost to protect heritage buildings, it intentionally and unintentionally serves a second function: it sets a starting point for negotiations about the reasonableness of design and development parameters.

We see an opportunity for the Centre Plan to set a tone for a more effective and progressive approach to Heritage Preservation based on mutually beneficial collaboration between the city and private developers. The plan needs to quantify redevelopment opportunity for sites that successfully qualify for a Heritage DA process at a sufficient level to motivate the time, money and risk that goes into these projects.

Given the complexity of Centre Plan and the wide array of interpretations and perspectives on it, it is likely that if redevelopment potential is not quantified (and quantified with care), heritage officers (now or in 20 years) will rely on personal opinion as a basis for supporting the nature of development that they think is reasonable in the area. As one example, we have already seen with Gottingen the way the 11m designation has altered the negotiation in a less collaborative direction. While the 11m policy may protect buildings from demolition, it will not protect them from deterioration.

We think heritage preservation can co-exist with substantial development (for example, well designed towers) through effective design, and that the paradigm that is resistant to this co-existence is ultimately likely to lead to the loss of heritage assets due to an inability to finance their restoration. Our ask is that the CP provide some explicit guidance regarding the quantitative parameters that will govern the Heritage DA process to enable the simultaneous goals of economic development and preservation. These goals have to be seen and **mandated** as able to co-exist. This would open the door for a progressive and collaborative approach to protecting our history by building our future.

Sincerely

Joseph Arab
President
Arabbros

Benjamin Carr
Vice President
Arabbros

20F Rosedale
B3A1L8
Joseph Arab
902 209 3327

May 3 2018
Jacob Ritchie,
MCIP LPP
Urban Design Program Manager
Planning & Development HALIFAX

Re: 5653 Victoria Road Redevelopment

Dear Jacob,

We are submitting this letter to provide feedback on a potential development site at 5653 Victoria Rd (PID 40849044) as part of the public consultation process taking place with respect to Draft A of the Centre Plan.

We've been working on a 5-6 storey development proposal through a heritage DA with Aaron. After a number of constructive meetings we were disappointed to be informed that there actually does not exist the appropriate policy for us to develop the site under the current LUB through a heritage DA. Aaron's suggestion was to wait for CP and then proceed with the development.

Under the draft CP the site is proposed as higher order residential. We are requesting consideration that the site be considered as HR-2, for which the stated quantitative parameters match quite closely the design we have been negotiating with Aaron.

Three specific challenges the current CP guidelines present for the development:

- The economics of the development is not feasible with 50% lot coverage
- The parking requirement is difficult because of the size of the site (10235 sqft). Underground parking isn't feasible, and ground level parking will immediately eat 10-20% of the project's yield. We wonder if the parking requirement could be removed for sites of this size (possibly sites under 15000sqft)
- The 4.5 rear yard will be very difficult on this site (as it will on other similar urban sites).

One further comment about the Heritage DA process: We see an opportunity for the Centre Plan to set a tone for a more effective and progressive approach to Heritage Preservation based on mutually beneficial collaboration between the city and private developers. Ideally the plan would explicitly quantify redevelopment density for sites that successfully qualify for a Heritage DA process at a sufficient level to motivate the time, money and risk that goes into these projects.

Sincerely

Joseph Arab
President
Arabbros

Benjamin Carr
Vice President
Arabbros

Attachment 54: DEV105

20F Rosedale
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Joseph Arab
902 209 3327

May 3 2018
Jacob Ritchie,
MCIP LPP
Urban Design Program Manager
Planning & Development HALIFAX

Re: Green Street Development

Dear Jacob

This letter is to provide feedback on a potential development site on Green street (PID 00103341, 00103333, 00103325) as part of the ongoing Centre Plan public consultation.

The current buildings on the three sites are low quality. The site is zoned R3 Multi-unit Residential currently, and under the draft Centre Plan it is higher order residential at 14m. Because of a mixture of the steep grade change, height precinct and angle controls, the as-of-right options (current and under the draft centre plan) don't allow the economics to work out for redevelopment, effectively freezing these properties.

We've been trying to advance this development since 2015. We were first directed towards a Variance (which was refused) and then to a Development Agreement (for which we discovered, several months into the process, that the corresponding policies do not actually exist). Given that, a Plan Amendment would be the only other approach to developing the site.

We think a more reasonable solution is for the site to be reconsidered at 20m and 3.5FAR, which has been attributed to properties across the street.

Sincerely,

Joseph Arab
President
Arabbros

Benjamin Carr
Vice President
Arabbros

20F Rosedale
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Joseph Arab
902 209 3327

May 3 2018
Jacob Ritchie,
MCIP LPP
Urban Design Program Manager
Planning & Development HALIFAX

Re: Robie Street Properties between Bliss and Binney

Dear Jacob

We are submitting this letter to provide feedback as part of the public consultation process taking place with respect to Draft A of the Centre Plan. We are looking to develop the stretch of Robie st between Bliss st. We would like to express our concern that the low-rise designation being proposed for this stretch of Robie is ill-suited given the current profile and future development potential of the Robie St. Corridor.

Robie St. is one of HRM's largest arteries. These PIDs are a block away from the Spring Garden – Robie intersection which has heights in the range of 62m. There are 25-30k jobs in walking distance. Immigration trends and low vacancies rates reported by CMHC the past several years highlight the significance of this Corridor as a centre of economic activity, now and even more so for the future. Freezing the sites at 11m seems counter to the description in the Centre Plan about what corridors are trying to achieve.

The Robie st corridor has also received some negative attention in the press over the past several months. While this creates a civic and political pressure to respond, responding too strongly will prevent future development potential that may have been in the long-term best interest of the area and the city. The properties on the PIDs are not in great condition and not reflective of high standards of architecture. None of them are registered heritage.

Specifically, we are requesting that the stretch of Robie between Bliss st and Binney be reconsidered to qualify for the 20m height and 3.5 FAR, characteristic of sites at the upper spectrum of the Corridor designation.

We would also request consideration that corridors include in their boundaries properties that do not front the primary street but that “square” the zone. This is not a matter of encroachment – the boundaries should not supersede what is already proposed, simply match it evenly to enable more consistency and predictability for development. This will increase the property value of the “side” properties in question and not impede future development possibilities. In our specific case, we would request this consideration for PIDs 00136754 and 00136861

Sincerely

Joseph Arab
President
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Benjamin Carr
Vice President
Arabbros

Attachment 56: DEV105

20 Rosedale Dr
B3A 1L8
Joseph Arab
902 209 3327

April 24, 2018
Jacob Ritchie, MCIP LPP
Urban Design Program Manager
Planning & Development
HALIFAX

Re. Policy 128 and Rosedale Development

Dear Jacob,

This is a letter to provide feedback on the Policy 128 from the draft Regional Centre SMPS, as part of the ongoing public consultation process taking place.

Policy 128 (found on page 127 of the draft SMPS) states:

“A new development agreement, or an amendment to an existing development agreement that would change the project commencement date, that is adopted in accordance with Policy [127], must include a provision that the development must be completed within three years from the date of Council’s approval or all appeals have been disposed of, whichever is later.”

Our understanding of this policy, with respect to amended construction timelines, is that:

- The construction timeline for a development agreement approved prior to the adoption of CP will be governed by terms defined in that development agreement
- Should an amendment need to be made to alter the construction timeline for the development agreement, the development will receive a maximum of three additional years at which point the building must be fully constructed.

In January we submitted a Development Agreement for a proposed development on a number of properties fronting Rosedale Dr (PIDs: 00066936, 00044792, 41054339 and 00067132). We

believe the additional 3 year maximum described in Policy 128 is ill-suited to our proposed development for two reasons:

- For a large development such as this one (two phases @ ~100 units each, the total area above 1 hectare), reasonable construction timelines could stretch beyond 3 years. If this is the case the policy doesn't provide any effective increase in timeline as construction would have to commence immediately (or beforehand) in order to be completed within 3 years. It's also unclear what should take place if the development is X% completed (ex. 50%, 80%, 95%) at the conclusion of those 3 years.
- Through conversations with members of the Centre Plan team, it was brought to our attention that while the Rosedale site sits in an important location in consideration of future growth (particularly along Wyse Road), the timeline for the development of the area is a bit longer than many areas, in particular on the Halifax side. Essentially, development around Wyse Road is highly important, but the urgency is lower than in other areas.

Given that the development is large (over 1 hectare, multi-phase, over 150 units) and that the urgency of development in the area is relatively low compared to other areas in HRM, we think a more reasonable timeline for this kind of site in Policy 128 would be

- 3 years to commence construction, OR
- 6 years to complete construction

Sincerely

Joseph Arab

President, ArabBros

Benjamin Carr

VicePresident, ArabBros



City of Halifax Non-Profit Housing Society

2444 Barrington Street

Halifax, NS, B3K 2W9

Phone: 902 490-6277

Fax: 902-490-6280

Halifax Community Planning
Center Plan (Store Front)
5161 George Street, Halifax
Attention: Kasia Tota & Carl Purvis, Senior Planners

Dear Kasia Tota & Carl Purvis:

Thank you for our meeting of Friday, April 27th, 2018 wherein we discussed the Center Plan's impact relative to properties owned by Harbour City Homes (HCH). HCH is a Not-For-Profit provider of affordable housing for those of modest incomes. We rely solely on rental income to fund our operation. The rents we offer are significantly below free market rents in the immediate area largely bounded by Barrington, Cornwallis, North and Maynard streets. Within this envelope we own 18 properties or 180 residential units. Approximately a third of our housing stock is located on Brunswick street.

In 2015 the HCH Board made the difficult decision to sell 9 properties of which 6 consisted of registered historic properties. We had to do this as we simply could not afford to carry out the repairs necessary to offer structurally and architecturally sound living accommodations. After paying down long-term debt commitments the remaining sales proceeds were used to effect long needed repairs to our remaining building stock. Today, we now have three registered properties, and several others that are still in dire need of repair or complete renovation.

In 2017 HCH engaged Stantec Engineering to identify the repair and the replacement requirements of our building portfolio for the next ten years. Stantec also prioritized the timing of these repairs and probable costs associated with each. Their findings proved that our property located at 2388 Gottingen Street was in the worst condition.

The 2388 Gottingen Street property consists of three buildings. Two containing 6 units each and one with 12 units. The 12-unit building is bordering uninhabitable, indeed 46% of the campus is vacant due to its condition. After examining various rehabilitation scenarios and associated costs the redevelopment of the site must be considered. We engaged the Affordable Housing Association of Nova Scotia (AHANS) as part of this evaluation.

Centre Plan 2018 [DRAFT] - Package A



LEGEND

PARCEL	ADDRESS:	PID:	SF	CURRENT ZONING
①	2388 Gottingen	1488817	12,546	R3
②	2421 Creighton	0149104	6,250	R2-A
			<u>18,796</u>	

Centre Plan 2018 [DRAFT] - Package A

Not In Package A

Properties at that location are not included in Package A.

HARBOUR CITY HOMES

PARCEL ADDRESS	PID	SF	CURRENT ZONING
1. 2388 Gottingen	1488817	12,546	R3
2. 2421 CREIGHTON	0149104	6,250	R2A
TOTAL		18,796	



Basemap



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May 4, 2018

Ms. Kelly Denty
Acting Director of Planning & Development
Halifax Regional Municipality

RE: Feedback from Dexel Developments on HRM's proposed Center Plan Bylaws and details on the following sites:

947-975 Mitchell Street and 950-968 Mitchell Street
2790 Windsor Street / 6254 Almon Street
6458-6487 Quinpool Road / 2000 Beech Street
2571-95 Robie Street/5812-16 North Street / 5747 Willow Street

Ms. Denty,

We have reviewed the most recent release of draft Centre Plan documents as it pertains to a number of properties owned by The Lawen Group. While the general thrust of the Plan and its overall policy approach is good, there are broad concerns with the details of the proposed regulatory framework. The Centre Plan sets out four core principles, including 2.4 Strategic Growth which requires the distribution of growth throughout the Centre in context-specific forms. However, the regulations seem to be developed with the assumption that all properties have similar characteristics and a common set of standards fits all situations. In reality, there is wide variety in lot size, dimensions, street character, and nature of abutting uses. It needs to be understood by planning staff that these circumstances vary widely, that adaptability to local conditions is crucial, and that a set of 'one size fits all' rules is unworkable. In addition, there is a strong bias against height that will result in many sites being left in their current state due to resulting lack of economic redevelopment viability. The main issues we have identified include:

- A building typology that is unrealistic for a city of Halifax's size and is overly restrictive, with limited allowance for building heights that seems to be based on an assumption that mid and high-rise buildings are generally undesirable. The building typology should reflect low rise buildings as being up to 20 m (not 11 m), and mid-rise up to 30 m (not 20 m) as is used within Downtown Halifax. Site specific height limits could still be used, to respond to specific conditions, where there is concern over height to limit buildings from reaching the full height of their specific category
- A built form framework that while generally acceptable in principle, works with a concurrent maximum allowable Gross Floor Area Limit (GFAR) to make it difficult to achieve adequate rentable floor area in residential or commercial buildings,

- Not providing for varied heights on large properties, which should be used to accommodate stepped mid-rise buildings. Current height precincts use this approach and it is beneficial in design and achieving more attractive projects,
- Failure to consider properties with unique characteristics, such as unusually large sites, brownfield and grey field sites with a large extent of contamination to be remediated, or those with relationship to adjacent industrial uses or transportation infrastructure,
- Prohibition of useable penthouse space, which will result in unsightly mechanical penthouses and reduced rooftop amenity opportunities,
- Unreasonably strict development standards that force small building footprints and building envelopes with no flexibility, and
- A reduction in development potential as compared to existing MPS and/or LUB provisions.

In addition, the proposed density bonus program presents a series of problems, challenges, and deficiencies. It shows a lack of consideration of the impacts of the proposed bonus density levies and a need to consider other options such as inclusionary zoning. Issues we identify are as follows:

- HRM has no mechanism in place and no capacity or ability to administer and monitor this program,
- Because Gross floor area is used, a developer will have to pay a bonus on common circulation areas, mechanical areas, and amenity space,
- As drafted, the proposed Bonus program is a tax and disincentive on new buildings in the Centres and certain parts of Corridors that otherwise are deemed desirable by Centre Plan relative to built form,
- Centre Plan is attempting to create an affordable housing system and generate revenues for other public amenities such as public art through a levy on any building taller than 6 floors, which is a disincentive to mid and high-rise forms. Buildings of 6 floors or less won't contribute to community benefits – the burden of these benefits should be shared equally,
- The program will lead to less affordable housing than hoped, as most developers will choose not to bonus and instead develop only low-rise buildings of 6 floors or less. This will waste development and population capacities in Corridors and Centres, and HRM will not meet its urban core growth targets or be able to provide substantial amounts of affordable housing,
- It does nothing for the people that cannot afford basic housing, or for those who want or need studio units.

An affordable housing program would be better served by charging a fair and clearly-stated per unit tax for all new housing that is then directed to rent subsidies and capital grants for new construction through a rational and coordinated program involving other levels of government



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and non-profit agencies. The burden would then be spread across all development forms and enable a stronger program that can actually achieve its goals.

The cumulative effect of these measures, especially given proposed height limits and lot coverage limitations for many sites and the large gap between pre- and post-density allowances, will have the effect of limiting and restricting development rather than encouraging it. For many sites the proposed Centre Plan actually reduces development rights, while also requiring bonusing for those landowners who try to regain their existing rights for height and building volume. The regulations are often going to be a strong disincentive to redevelop sites especially where there is cash flow from existing commercial and residential buildings. If HRM realistically intends to achieve its growth goals as stated, then more development rights need to be provided to ensure a balanced approach. The above are general comments on Centre Plan as a whole. In addition, we have comments on four specific properties in Halifax on the following pages. For each of these sites there are issues with the proposed Centre Plan provisions that make it difficult if not impossible to develop them over the life of the plan. The sites below are discussed in the following pages, and a height and massing model provided for each that is based on their unique conditions and responds to surrounding contexts.

947-975 Mitchell Street (east side) and 950-968 Mitchell Street (west side)
2790 Windsor Street / 6254 Almon Street, (Former Maritime Lawn & Garden)
6458-6487 Quinpool Road /2000 Beech Street
2571-95 Robie Street/5812-16 North Street/5747 Willow Street

We ask that you and appropriate staff review this submission after which we would like to meet with you to discuss these issues and these properties in detail.

Original Signed

Louie Lawen, P.Eng
President & CEO
DEXEL

Attached: Current CP and DEXEL's building layouts for the 4 sites

Cc: Center Plan Team
CDAC (Sherryll Murphy)

947-975 & 950-968 Mitchell Street, South End

Site Description and Context

We own the vast majority of frontage on both the east and west sides of Mitchell Street. Together the properties combine to make a parcel over 2 acres in size. Mitchell Street has a poor reputation and appearance due to the mix of residential, commercial and industrial land uses that exist and the age of the buildings. The lands abut major port facilities in the form of grain elevators that are equal to 12+ floors in height to the south, a gas station to the north, and two 6 story residential buildings to the west. The site, given its situation, represents an excellent opportunity for a major mixed-use development to further the intensification goals of Centre Plan. However, the degree of environmental contamination on the site is high and remediation costs dictate that substantial development opportunity is needed.

Regulatory Overview

Centre Plan is proposing that the site be limited to 20 m in height, and that it be zoned HR-2 (Higher Order Residential-2) with a GFAR limit of 3.5. Lot coverage would be limited to 50%. This seemingly compares well to the current zoning of RC-3 Residential-Commercial Mix which has an as of right height limit of 35 feet. However, Policy 7.8.2.2 of the South End Area Plan, for District 8, enables a development agreement process for taller buildings with a general guideline of 6 floors, with flexibility in the policy to allow greater height given the abutting Port facilities and their height. Therefore, Centre Plan is not conveying any more rights than already exist for redevelopment of this parcel. Centre Plan is in fact going to reduce development potential for the site due to the restrictions of the HR-2 zone that limits lot coverage to 50% and establishes a maximum building dimension at grade of 40 m. Such building dimension limits make sense along street fronting portions of a site where you are trying to create a varied streetscape, however they make no sense on a site such as this where long building lengths can be provided internally. The zone requirements would tend to drive a square-shaped building in order to try to achieve maximum floor area, however such a design is inefficient. The maximum GFAR of 3.5 cannot be met, instead the limits result in a GFAR of 2.39 for the west side of the street and 2.14 for the east side of the street. Redevelopment will not be viable, especially given the level of contamination that exists and the associated clean-up costs to enable new development on this brownfield site. Finally, these standards have the effect of forcing a suburban form on the that is not desirable.

Requested Changes to Accommodate Development

A closer look at this Mitchell Street site indicates that site specific consideration is needed, and this would apply to many other sites of similar size or context as well. The intended development for the site is mixed use, and would include ground floor minor commercial uses, a commercial recreation facility in the form of indoor tennis courts, a self-storage facility, and 300+ residential units. Together these make site development economically viable, will contribute to the revitalization of Mitchell Street, provide more service uses for the area population, and respect adjacent land uses. We have prepared a rough massing concept that shows our proposal. In order to enable development and to allow the site to contribute to revitalization and densification of the Regional Centre, the following changes to Centre Plan are requested for this site:

- Establish split height precincts for the site in order to enable a mix of forms including a narrow tower form for up to 12 floors on a portion of the site. For this large site there is no reason why a mixed series of height precincts should not be applied, in fact it can be used to help create the best massing. An indoor tennis facility requires a floor to ceiling height of 11 m and as such would only leave 9 m for residential uses above. The best approach for the site is to enable a street-oriented base of four floors on both sides of Mitchell Street, and allow greater height internally while still transitioning to adjacent development to the west, north and east with setback and setbacks. A streetfront courtyard mid-block on the west side helps break up the massing on the site further. Tower forms on this street would not stand out and would in fact blend in given the greater height of the grain elevators. The height would be internalized to the block and given orientation of the site to sunrise/sunset and the grain elevators, there would be no unreasonable shadow impacts,
- Apply a zone that enables an urban rather than suburban character form. A lot coverage requirement of 50% is neither desirable nor feasible. At least 75% lot coverage should be allowed as per our concept, on top of a 100% coverage podium, for such sites to create realistic and economical footprints, which would still allow substantial at grade landscaping and setbacks along with some surface parking for the commercial uses.
- Enable small scale, neighbourhood oriented self-storage facilities. There is growing demand for this use at the neighbourhood level and it can be provided within a mixed-use building without negative visual impacts, as opposed to the larger-scaled business park type storage facility that is typically seen. It would cater to the immediate South End area.
- Enable greater maximum building dimension than 40 m along streets for such large sites, and do not limit building dimensions internal to the site. Given the nature of the site with extensive frontage, its location at the end of a street, and adjacent to Port facilities and existing large scale residential buildings (which exceed this 40 m limit with no negative impacts), there is no reason to limit the building footprint here. The floor plates of our

proposed towers can be limited, above the 4th floor our proposed towers on the west side of the street would sit atop a well-articulated podium with floorplate dimensions of 45 m by 20 m for the 8 and 12 story buildings. The 6 story tower on the east side of the street would have a floorplate of 48 m by 20 m. The Granary building extends along South Bland Street at about 65 m in length and does not present any visual or built form issues in this context, in fact it is highly visually appealing.

- Allow a greater streetwall height of 3 floors to allow tennis courts to be located closer to the street. This use needs 11 m floor to ceiling height, and a taller streetwall of this height will not be out of proportion to the street width, which is a critical consideration in maintaining pedestrian oriented streets.

Conclusion

The Mitchell Street site is totally unique and needs a realistic planning framework that recognizes remediation and development costs and that would actually encourage and enable a high-quality development. Our proposed massing is appropriate for the site given its context, with minimal impacts on neighboring land uses while greatly improving the character of the street. For such unique large sites, continued use of a development agreement process would actually be beneficial to allow balanced consideration of all goals and the best possible design. Alternatively, a set of variance criteria could be used to enable a varied built form framework while still meeting the urban design goals of Centre Plan. The right rules will allow the Lawen Group to totally transform and uplift the character of the area. Given Lawen Group land holdings on both sides of the street and the abutting Port facilities, it may also be appropriate to shorten the street and develop a cul-du-sac to improve vehicle circulation and allow integration of The Lawen Group properties on the east side of Mitchell Street with the larger parcels to the west.

2790 Windsor Street / 6254 Almon Street, (Former Maritime Lawn & Garden)

Site Description and Context

This site consists of 2 properties, together comprising 25,000 square feet, one being a former gas station and the other being a vacant house lot. They are located at the corner of the busy Almon /Windsor intersection on the opposite corner from the Halifax Forum. On the northwest side of Almon is a 2 story mixed use building and to the east across Windsor Street are a number of 2 story commercial/residential buildings in converted houses. The street right of way is wide to accommodate 3 lanes each way on Almon Street, with two lanes and double bike lanes each way on Windsor Street.

Regulatory Overview

Centre Plan is proposing that the site be split between Corridor and Established Neighbourhood designations, although the two properties have been used together and are to be consolidated into one parcel. The former gas station site would be limited to 14 m in height and 80% lot coverage, while the Almon Street property would be zoned to a low-density zone. This split approach does not take into account the common ownership and the historical use of the lots as one parcel and does not recognize their true and appropriate potential.

Requested Changes to Accommodate Development

A close look at this site and its combined potential, especially in comparison to other sites south on Windsor Street which are to be granted a greater height of 20 m under Centre Plan, indicates that it can accommodate additional height and massing. With the current proposed regulations under Centre Plan, economic development is at risk and development capacity would be wasted at a conspicuous major street corner. We propose to develop a mixed-use building that would provide prominent commercial space at the corner, residential units above, and which would step down in the rear towards existing low density residential development. We have developed a massing concept that implements the goals of Centre Plan in terms of developing underutilized sites while also respecting adjacent neighbourhoods. In order to accommodate this concept and enable the site to contribute to revitalization and densification of the Regional Centre, the following changes to Centre Plan are requested for this site:

- Include the lot at 6254 Almon Street in the Corridor Designation and zone, given its historical commercial use in combination with 2790 Almon Street, to reflect its intended consolidation with the corner lot, and to avoid split zoning the site.
- Assign a height of 20 m to most of the existing commercial property at 2790 Windsor, with a 14 m height allowance being granted for the remainder to establish a strong transition in scale. This would enable a height of up to 6 storeys with small floorplates

measuring 40 m by 20 m on the prominent corner which is well supported by planning principles given the size of the lot and the street widths. Our plan provides for excellent transitions to lower density development. The extra height is also justified by Centre Plan's proposed 20 m height on other properties further to the southeast on Windsor on lots that are of generally equal or lesser depth and which are located at less prominent street corners.

Conclusion

This site is located at a major street corner with wide rights of way, with Almon Street having 3 lanes in each direction and Windsor Street of similar width with 2 vehicle lanes and 2 bike lanes in each direction. It is a well-established principle that taller development is appropriate at such corners. The additional height that is requested will accommodate a higher quality landmark project and still provide excellent transitions in scale to adjacent lands and be appropriately proportional to the street widths.

6458-6487 Quinpool Road /2000 Beech Street

Site Description and Context

This site consists of six properties located at the corner of Quinpool Road, a major arterial, and Beech Street which is a local street. There is a single story commercial building sitting on 3 of the lots that fronts on Quinpool, housing a grocery store and a veterinary clinic. Three other lots, one on Quinpool and two on Beech Street, are used as surface parking. To the west along Quinpool is a commercial property with a restaurant, and a large gas station on the next block, while across Beech Street is a Tim Hortons and across Quinpool are existing homes.

Regulatory Overview

The collective site of 6 parcels is proposed to be included within the Quinpool Centre. A height limit of 14 m is proposed for the entire site. The maximum streetwall is proposed to be 8 m or two floors. A 6 m rear yard setback would be required from abutting residential properties as well as a 3 m side yard and 2.5 m stepback above the streetwall. A low GFAR of 2.25 is proposed. Together these limits would only enable a very modest 4 story building and provide no incentive for redevelopment given the existing well-established commercial uses that exist on site, leading to retention of the existing building and highly visible surface parking lot.

Requested Changes to Accommodate Development

A closer look at this site and its context, with greater depth measured back from Quinpool Road as compared to other commercial sites along this stretch of Quinpool Road, and with its combined potential under one ownership, indicate that it can accommodate additional development which would be in scale in this context. Allowing extra height with up to 20 m on part of the site would make redevelopment feasible, allow relocation of parking underground, and enable establishment of larger commercial units to accommodate growing demand in this Centre. The end product as proposed would be a higher quality mixed use building that would provide prominent commercial space at the corner with residential units above, would step down in the rear towards existing low density residential development, and would feature parking hidden underground. A 20 m height precinct has already been applied on the other side of Beech Street and this site represents a logical extension west along Quinpool especially given the site depth.

In order to accommodate this, and enable the site to contribute to revitalization and densification of the Regional Centre, the following changes to Centre Plan are requested for this site:

- Assign a height of 20 m on that portion of the site oriented to the corner. This would mirror the height allotted to the Tim Horton's site on the opposite side of Beech, with a 14 m height allowance being granted for the remainder to establish a strong transition in scale to abutting properties on Beech and Elm Streets. The depth of the site lends itself to a two-tiered building that steps back from the wide width of Quinpool Road to the lower density area, where requirements for at grade setbacks and stepbacks will apply. This would enable a height of up to 6 stories on the prominent corner that is well supported, given the size of the lot and the street widths, while ensuring exemplary transitions to lower development on nearby lots that do not have the same depth or ability to support the greater height.
- Allow for small scale penthouses on the roof to provide useable rental or amenity area, which also assists with the integration of unattractive mechanical penthouses.

Conclusion

This site, given its greater size and depth than others along these 5 blocks stretch of Quinpool Road, is suitable for development of up to 20 m in height over part of the site. The modest additional height, which is already being proposed immediately across Beech Street by Centre Plan, will actually enable redevelopment to occur and the vision for this Centre to be realized. Maintaining a height limit of 14 m is a disincentive, with little more development rights than under the current outdated rules of 35 feet which have long been preventing redevelopment in this area.

2571-95 Robie Street/5812-16 North Street/5747 Willow Street

Site Description and Context

This site consists of an entire block face on the north side of Robie Street between North Street and Willow Street. The properties are at a very busy intersection of two main streets. There are four lots, with 5 buildings in total, each being 2 storeys. There is some ground floor commercial, but the buildings are primarily residential. The lots back onto a large Bell Canada telecommunications facility which is 7-8 storeys in height with a small staff parking area between this building and the subject lands. Existing uses across North Street include a service station and a car dealership parking area, along with a small low rise commercial building.

Regulatory Overview

The sites are proposed to be located within the Robie Street Corridor which extends south along Robie from North Street to Welsford Street by the Common. On the opposite side of North Street, the lands are proposed to be within the Young/Robie Centre. The site is currently designated Major Commercial under the Peninsula North Secondary MPS, and high density residential is permitted as of right. The site is also eligible for inclusion in Schedule Q which would allow more intensive and taller residential development through the development agreement process, with the main consideration being potential for impacts on adjacent commercial uses. The site is an excellent candidate for a Schedule Q project, which would likely result in 100% lot coverage, ground floor commercial, and parking garage entrance off Willow Street. The proposed Corridor zone for the site would reduce allowable lot coverage to 80%, limit height to 20 m, a GFAR of 3.5, and require a rear yard setback of 4.5 m, a rear yard setback of 1.5 m, and a front yard setback of 1.5 m. Given the relatively shallow lot depth, these massing provisions work together to totally prohibit redevelopment and do not allow anything that even approaches a 3.5 GFAR. This would be a lost intensification opportunity given the presence and impact of the Bell building in the rear.

Requested Changes to Accommodate Development

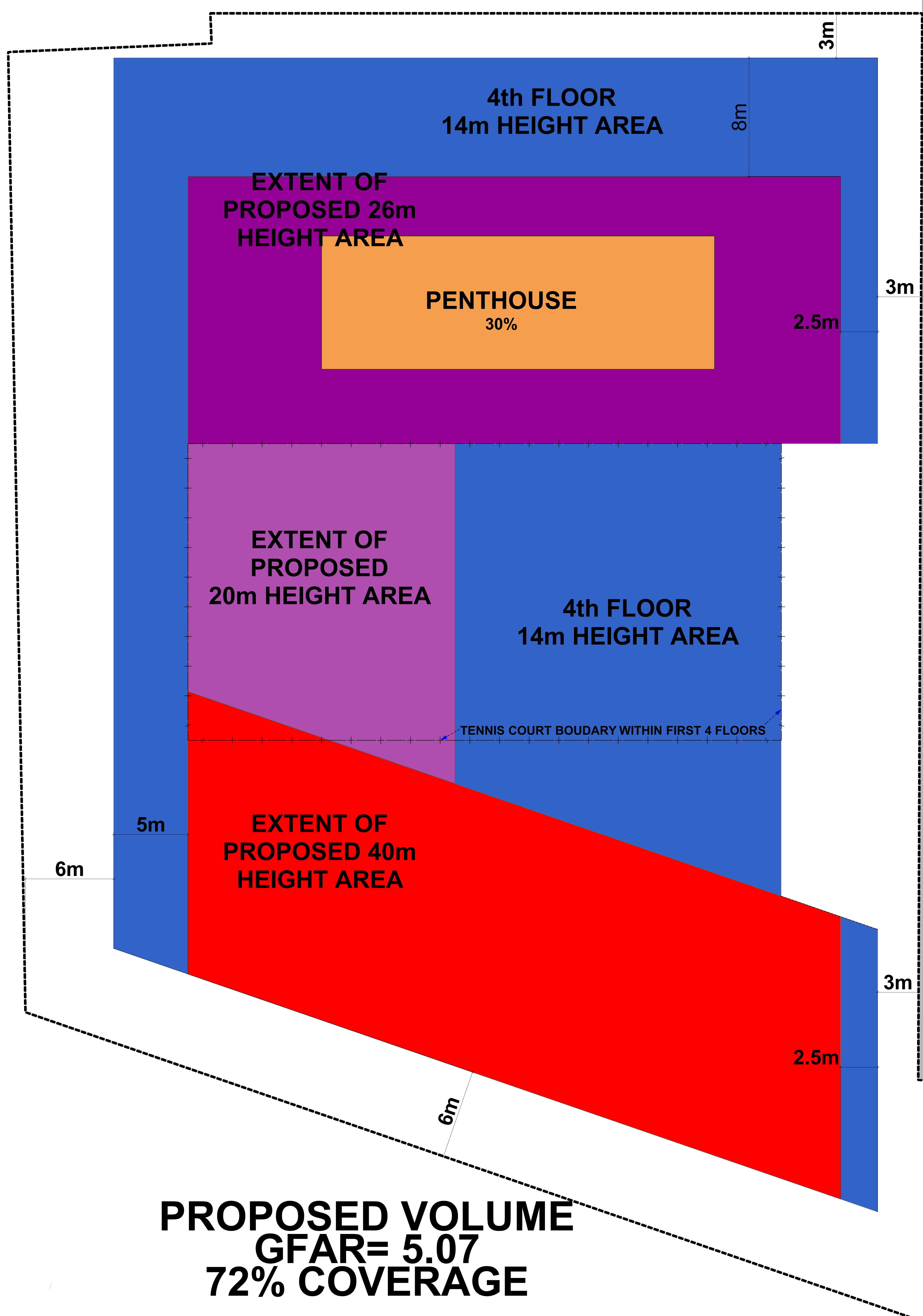
This is yet another site where a closer analysis of the area would indicate the need for special considerations for the site if the goal of Centre Plan is to enable redevelopment and densification. The abutting Bell building, the character of the abutting streets and proposed land use rules on opposite side of North Street support greater intensity of development. As such we propose a 7 story building, including a 3 story podium that is designed for the unique context of the site. In order to accommodate this concept and enable the site to contribute to revitalization and

densification of the Regional Centre the following changes to Centre Plan are requested for this site:

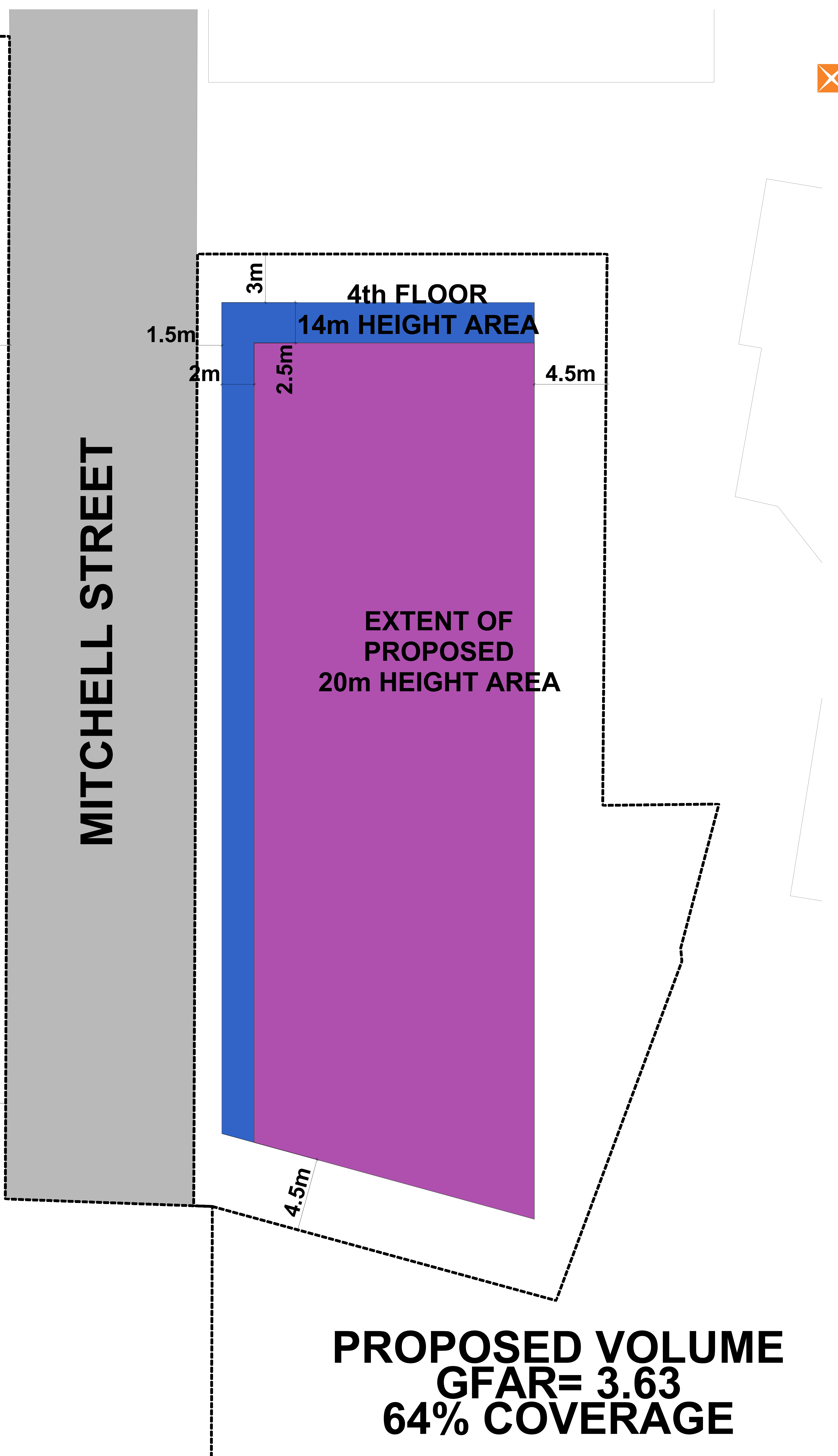
- Place the site within the Young/Robie Centre in order to allow 100% lot coverage which reflects both existing development rights and the street line condition with each building built to the property line, and also include the Bell property in the Centre which would allow a 0 m rear yard setback for the Robie North development parcel,
- Consider granting additional height of 3 m for 23 m total in order to allow a narrow 7 story building of similar height to the Bell building with single loaded corridors,
- Allow for an 11 story streetwall around the entire perimeter of site,
- Ability for a maximum tower dimension of 54 m measured along Robie Street in order to accommodate the upper floors in a single-loaded configuration given lack of lot depth, that results in an average depth dimension of only 14 m, and
- Enable the use of useable single level penthouses on a maximum percentage of the roof to help integrate mechanical penthouses and provide rooftop amenity space.

Conclusion

This site is constrained by shallow lot depth but can reasonably be developed under existing zoning and MPS policy, while the proposed Centre Plan Corridor site and built form requirements will render redevelopment totally unfeasible. Placing the site within the Robie/Young Centre would mirror the opposite side of North Street and will help mitigate redevelopment constraints through the more appropriate standards of the Centre zone, while additional height will assist the project given that single loaded corridors will be necessary. The resulting building would be very narrow in profile when viewed from either direction of Robie Street, would have no shadow impacts on existing housing, and would have the beneficial effect of screening the unsightly blank walls of the Bell building when viewed from the west.



**PROPOSED VOLUME
GFAR= 5.07
72% COVERAGE**



**PROPOSED VOLUME
GFAR= 3.63
64% COVERAGE**

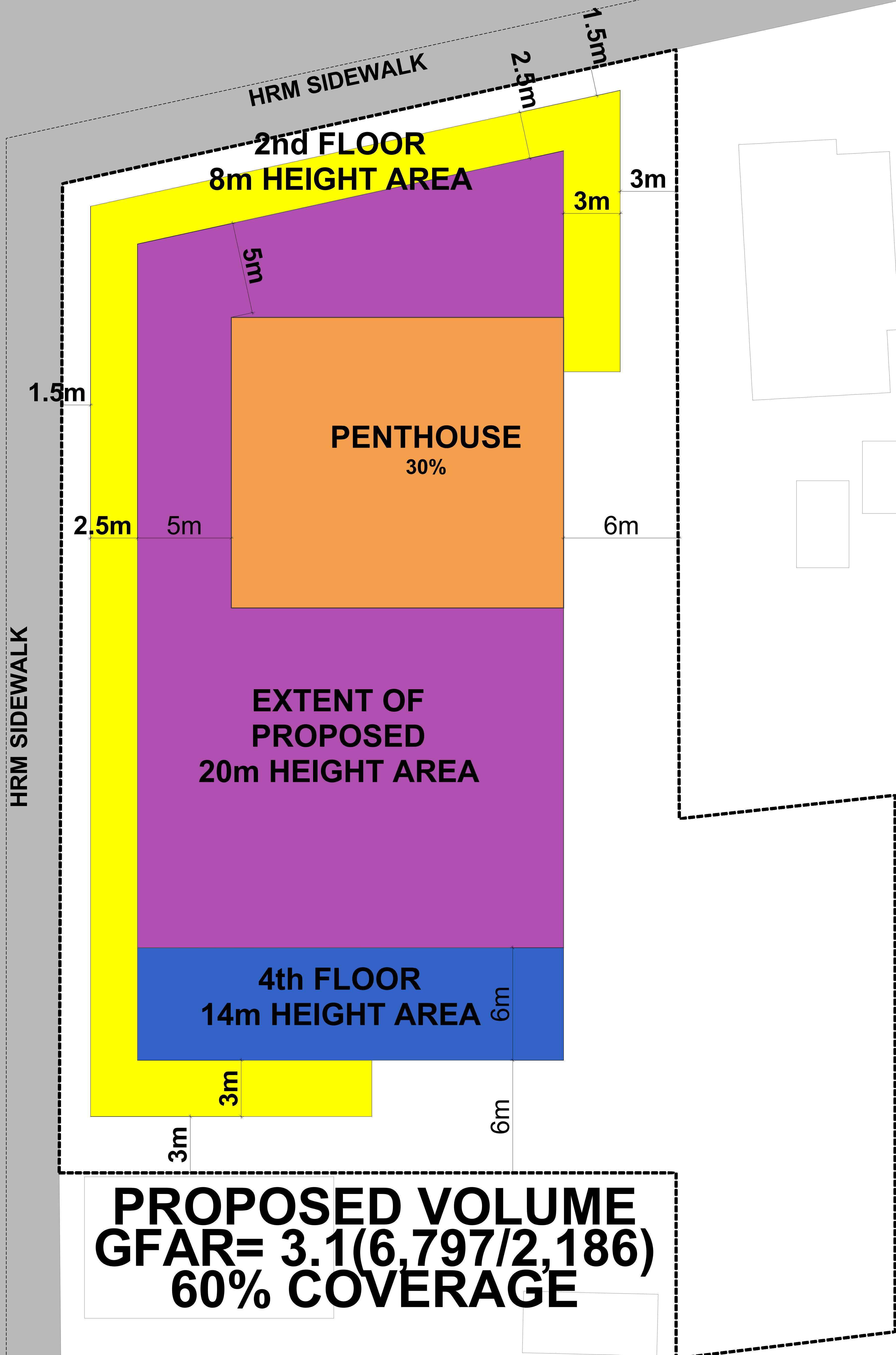


CENTRE PLAN ZONING
GFAR= 2.39
49% COVERAGE

CENTRE PLAN ZONING
GFAR= 2.14
46% COVERAGE

WINDSOR STREET

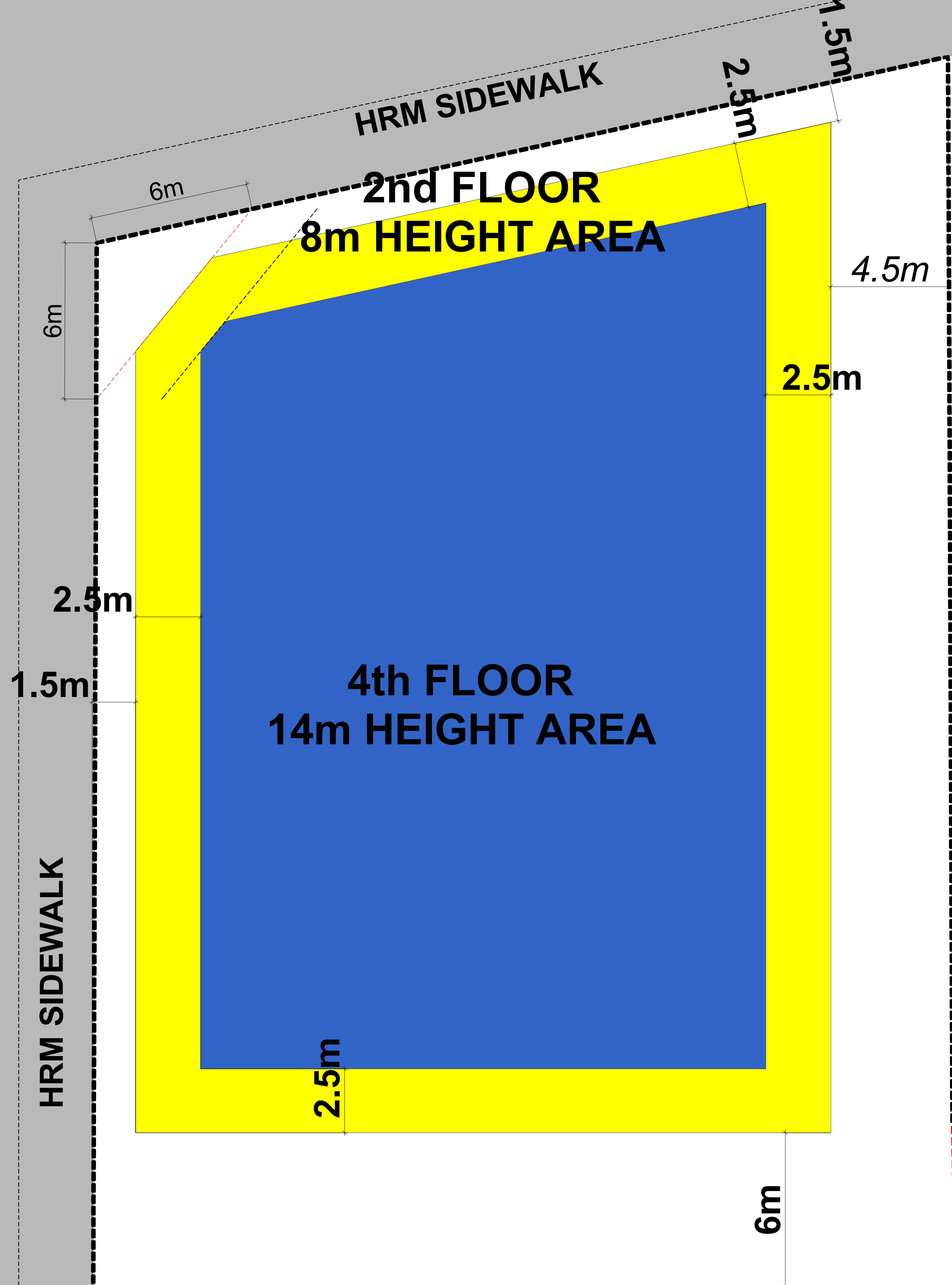
ALMON STREET



PROPOSED VOLUME
GFAR= 3.1(6,797/2,186)
60% COVERAGE

WINDSOR STREET

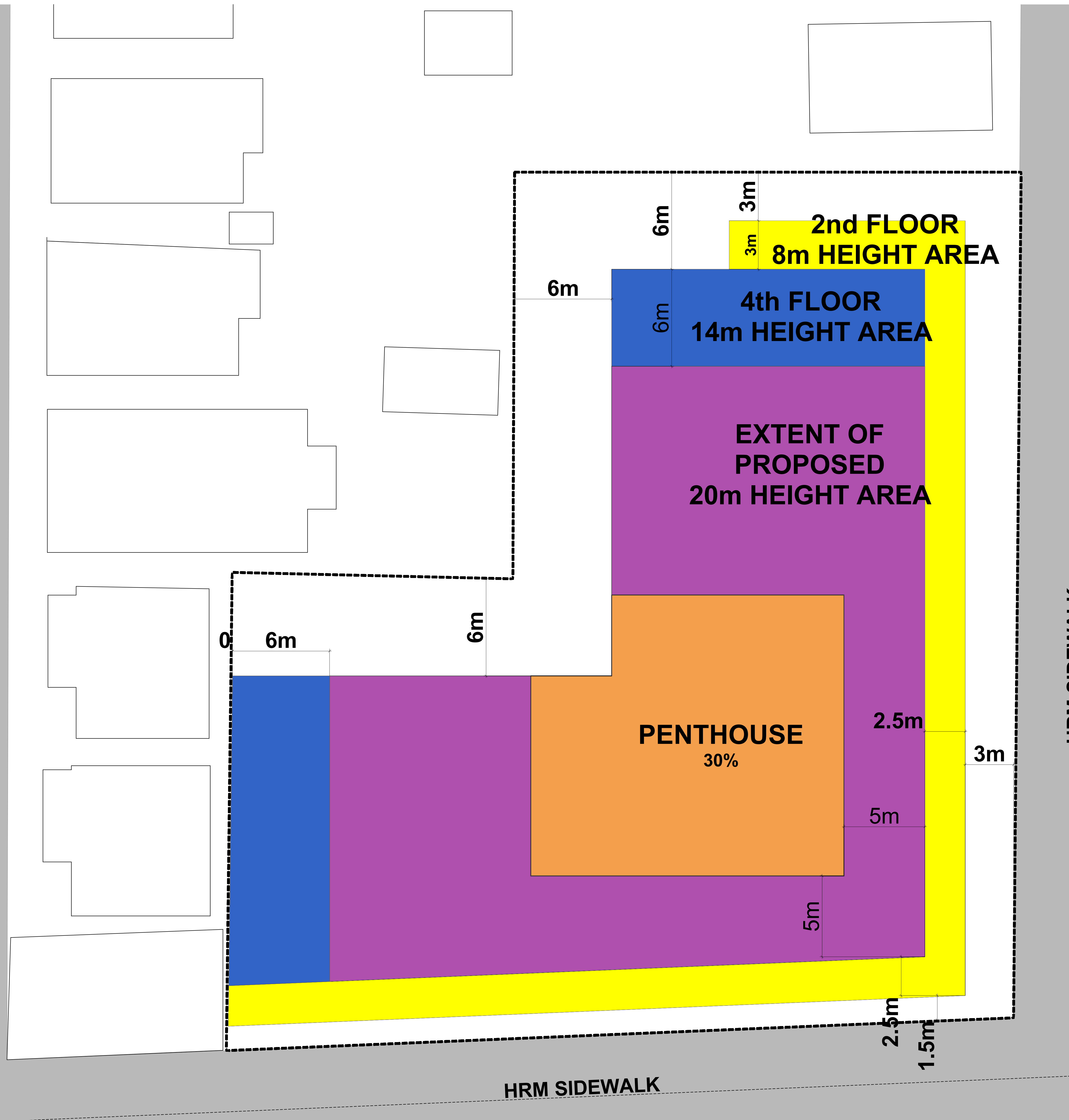
ALMON STREET



CENTRE PLAN ZONING
GFAR= 2.24(3,253/1,451)
66% COVERAGE

ELM STREET

HRM SIDEWALK



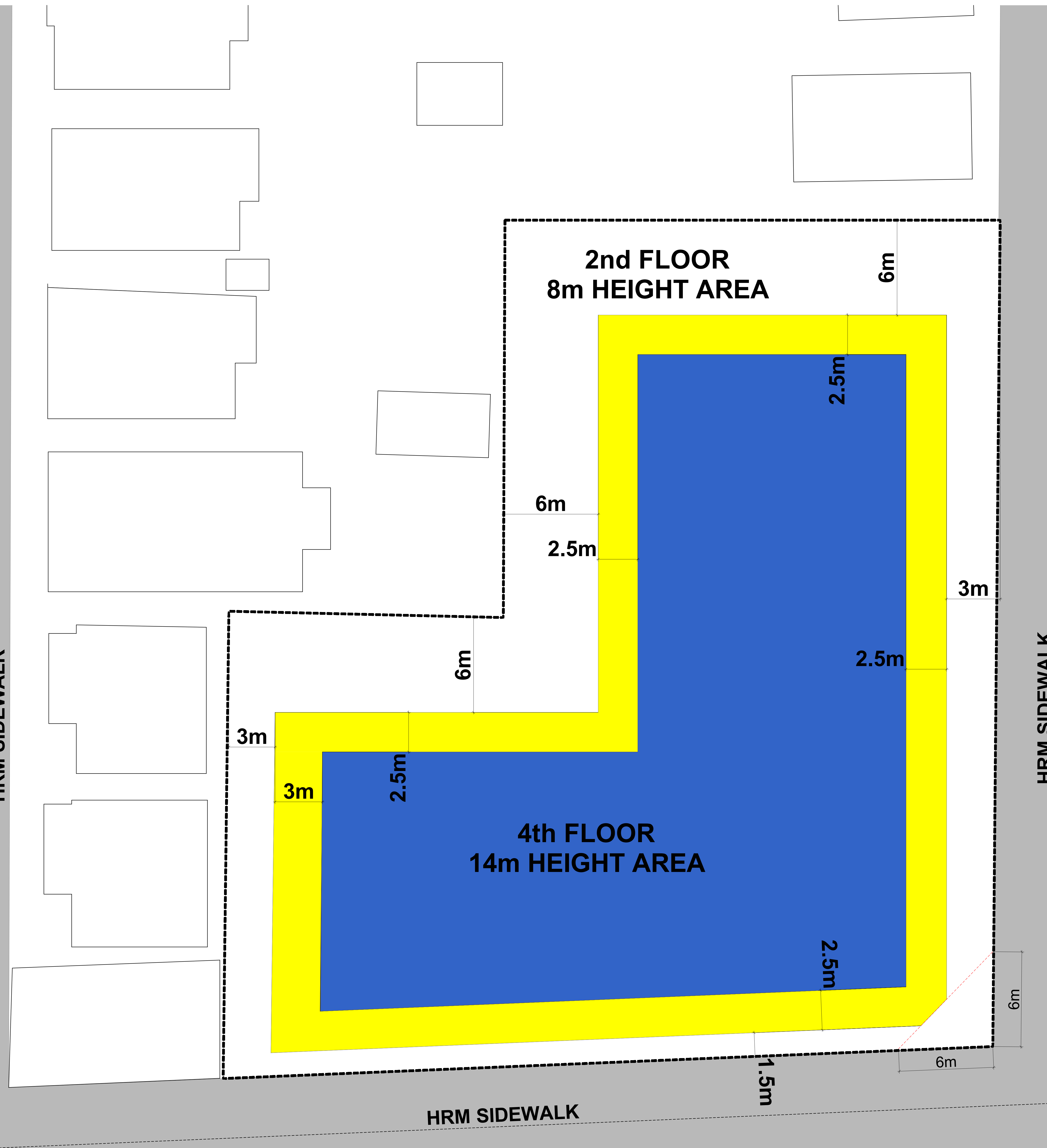
HRM SIDEWALK

BEECH STREET

QUINPOOL ROAD
PROPOSED VOLUME
GFAR= 3.55 (7676 / 2,157)
71% COVERAGE

ELM STREET

HRM SIDEWALK



BEECH STREET

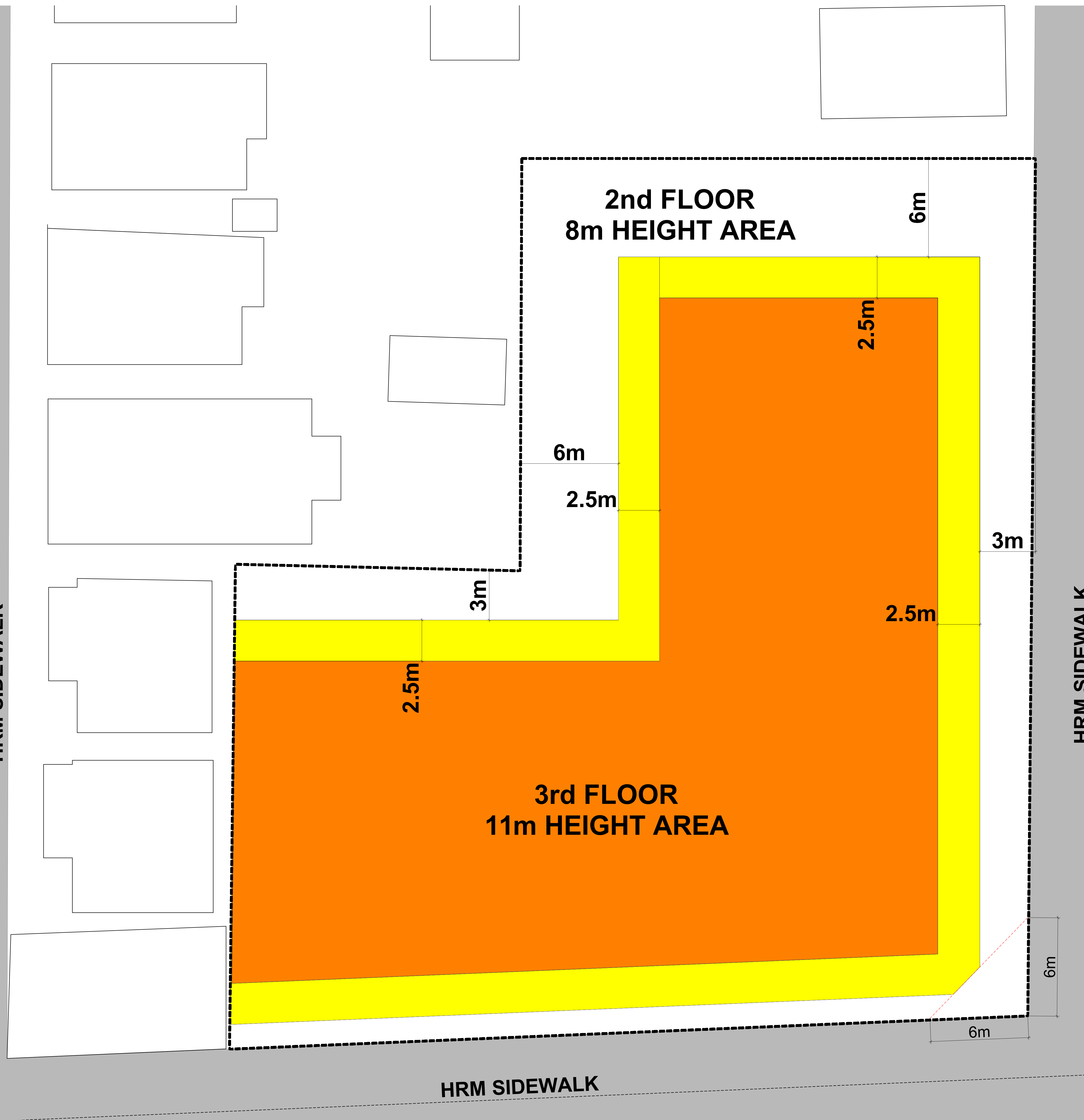
HRM SIDEWALK

QUINPOOL ROAD-Option 1

CENTRE PLAN ZONING
GFAR= 2.25 (4,870 / 2,157)
66% COVERAGE

ELM STREET

HRM SIDEWALK



BEECH STREET

HRM SIDEWALK

HRM SIDEWALK

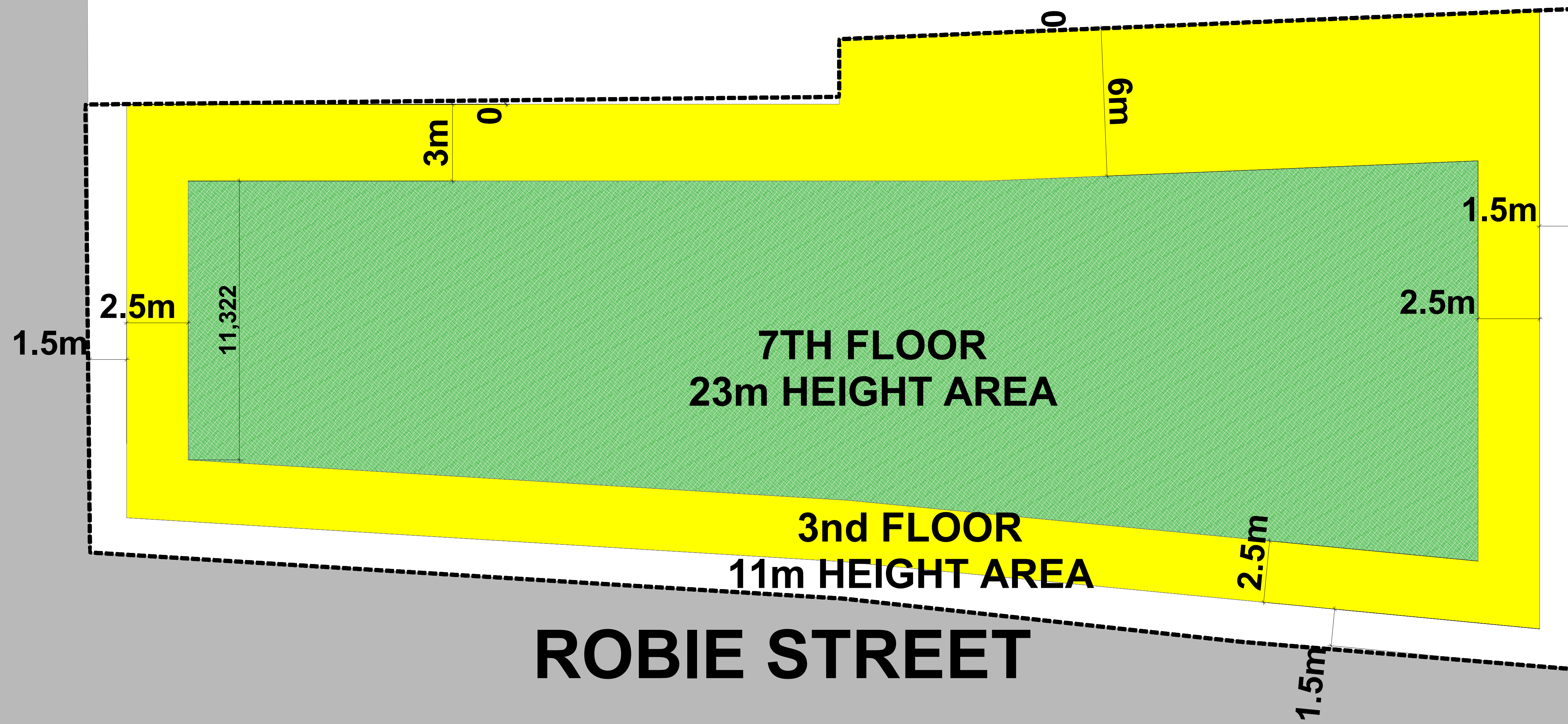
QUINPOOL ROAD- Option 2

CENTRE PLAN ZONING
GFAR= 2 (4,312 / 2,157)
72% COVERAGE

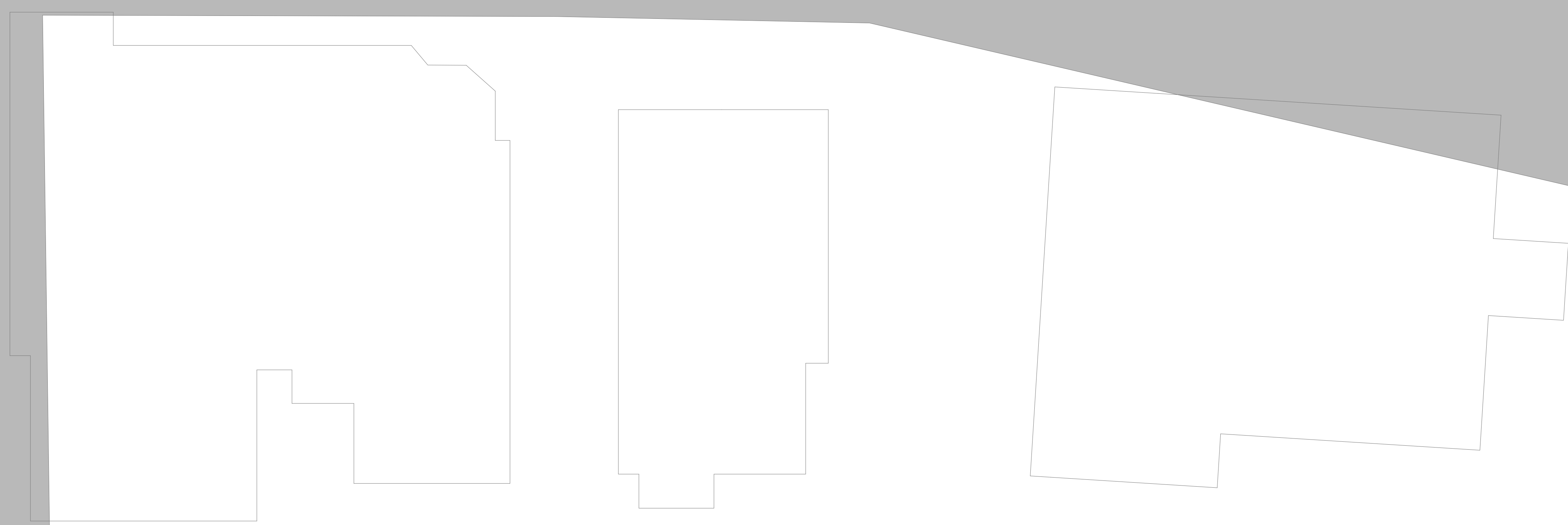
NORTH STREET

WILLOW STREET

ROBIE STREET

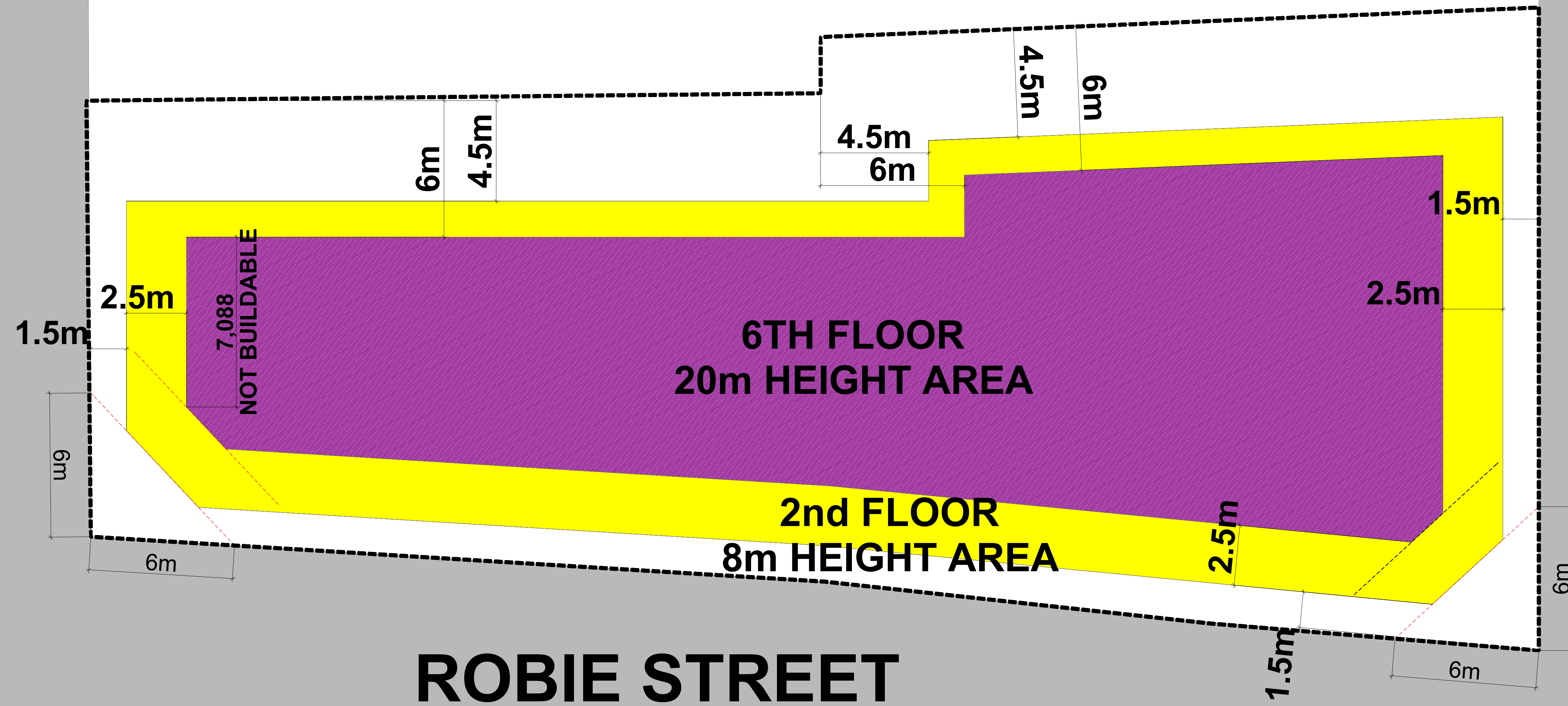


PROPOSED VOLUME
GFAR= 4.37 (5,822 / 1,331)
88% COVERAGE



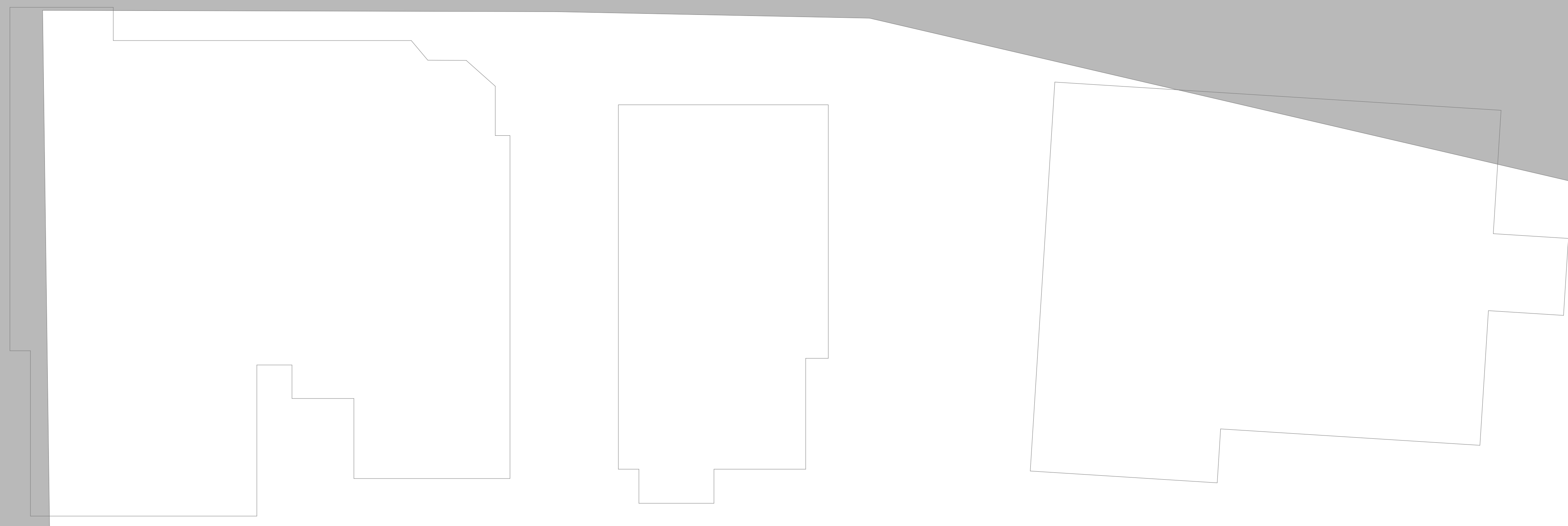
NORTH STREET

WILLOW STREET



ROBIE STREET

CENTRE PLAN ZONING
GFAR= 3.19 (4,248 / 1,331)
68% COVERAGE



We fully intend to engage the stakeholder community relative to the site's redevelopment. A sustainable development that will be in scale with the neighbourhood's built form while meeting the spirit and intent of the center plan's key objectives surrounding: human scale development; affordable and improved special care housing options; and a "pedestrian first" approach that also encourages public realm opportunities.

To achieve these objectives, we will need greater residential density for the site. Economically the project will have to pay for itself while producing the sorely needed additional cashflow that will allow HCH to address other challenged properties that remain within its affordable housing portfolio.

HCH may include 2421 Creighton Street as part of 2388 Gottingen's redevelopment. We ask for its inclusion as part of the center plan rezoning. Combined the site would measure 18,800 ft². (See attached schematic). Assuming an average unit size of 600 ft² (Unit mix yet to be defined), we see at least 50 residential required for the site with a height limit no less than 14 meters. The latter is consistent with those heights currently proposed under the Center Plan for properties either adjoining 2388 Gottingen street or further south down on this main corridor.

We are currently working with partners AHANS, CMHC, The Province of Nova Scotia, and potentially the City of Halifax in acquiring the necessary capital through the National Housing Strategy's Co-Investment Fund to redevelop this high priority site.

On behalf of the Board of Directors of Harbour City Homes I thank you for your time and consideration relative to this matter.

Regards,
Original Signed

Patrick LeRoy, BBA MBA
Acting General Manager & Board Secretary
Harbour City Homes
www.harbourcityhomes.org

Enclosures: One (1); 2388 Gottingen Street & 2412 Creighton Street, Center Plan Map
CC. HCH Board



May 4th, 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
Alderney Landing, 40 Alderney Drive
Dartmouth, NS, B3J 3A5

Subject: Centre Plan 'Package A' Public Consultation Period Submission - South Street and Harvey Street

Dear Mr. Ritchie,

On behalf of our client, Southwest Properties., WSP Canada Inc. (WSP) would like to submit comments with regards to the Draft Centre Plan 'Package A' released in February 2018. Southwest Properties currently owns properties on South Street and Harvey Street in Halifax (PIDs: 00093146, 00093286 & 00093278). These properties are currently zoned R-2A. There is an existing municipally registered heritage property on this site and it is crucial that planning regulations are created in a way that support the retention and rehabilitation of this asset. There is an active planning application with HRM Planning regarding this site and we are working with Miles Agar to advance this file.

The following paragraphs outline the existing proposal, pertinent clauses of Draft Centre Plan 'Package A,' and the requested amendments for consideration. To support this letter, a Preliminary Massing Study was completed to visualize the current draft Centre Plan regulations as they would apply to the site (see attached).

EXISTING PROPOSAL

Southwest's proposed development for the properties is for a multi-unit residential building on a site which would allow for the retention and restoration of the historic Stairs House, while respecting the development context of the neighbouring properties. The development proposal was created through consultation with two Heritage Architects, Chris Borgal of GBCA and Mark Archibald of Architecture49, and discussions with HRM Heritage Planning Staff. The redevelopment concept for the project represents best practice for heritage recapitalization and as such would represent a significant asset for the streetscape and local neighbourhood. A Heritage Impact Statement was also created by Architecture49, which concluded:

The historic value of the Stairs House is recognized by the project through the restoration of its principle mass and form, and indeed the Stairs house will form the principle identifying entrance to the new residences and remain accessible to all residences as common facilities. The project retains the historical value of the existing building while increasing the viability of the project through a dense modern addition. The proposed development will restore a

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historically significant South Street build and serve as a model for the adaptive re-use of similar heritage buildings in the surrounding neighbourhood. The addition will be a complementary modern design, subordinate to the original historical building, while a density that enables project feasibility within its urban context.

COUNCIL MOTION

WSP has prepared and submitted a Plan Amendment application on behalf of Southwest Properties for the Stairs property on South Street and the abutting parcels on Harvey Street. On January 16th, 2018, Council approved the following motion regarding the application (staff included the application under Attachment B of their report):

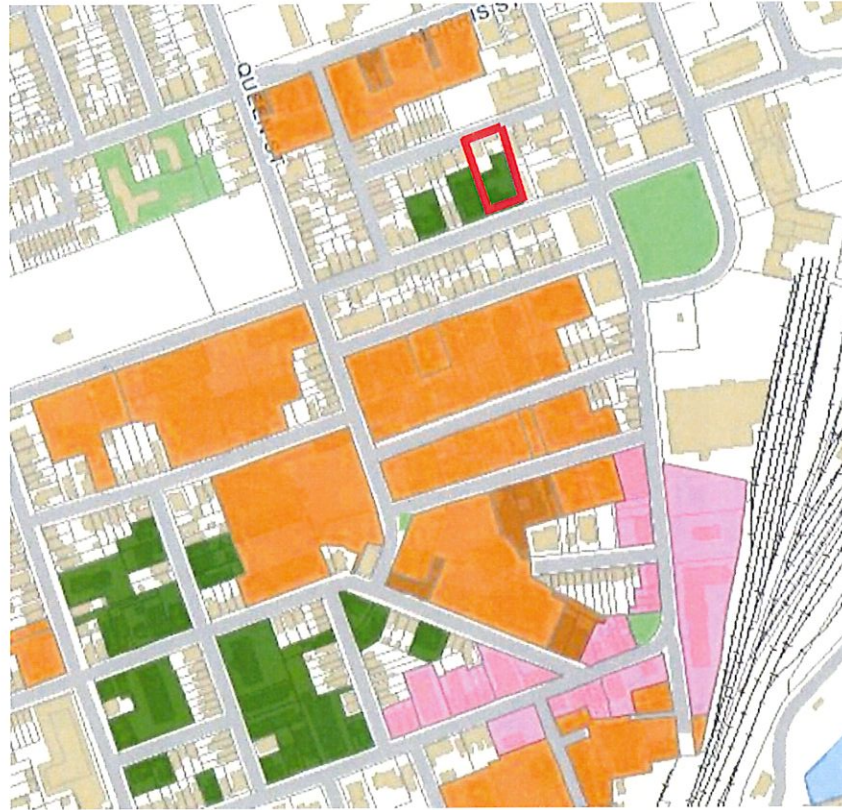
2. Continue to engage with the proponents of the requests for site-specific amendments as outlined in Attachment B of the staff report dated January 5, 2018 to amend their proposals to better align with the draft Centre Plan policies and regulations, and return to Council to seek further direction on these proposals following the release of the Centre Plan Package 'A' draft to the Community Design Advisory Community in February 2018.

3. Include in the upcoming Centre Plan review, consideration for enabling higher order residential development in the area between Fenwick, Queen, Victoria, Inglis, and South Park, South, Harvey, Church and Barrington and where lots in existence prior to January 1, 2018 exceeded 6,000 square feet in area.

'PACKAGE A' CENTRE PLAN REGULATIONS

As per Council's direction, under Draft Centre Plan 'Package A' the property is designated Higher Order (Under Consideration) – See Figure 1 below. As this site offers an opportunity for appropriate infill (due to its size) and it could also support the retention and restoration of a heritage asset, we feel that the Higher Order designation is appropriate for this site. The properties along Harvey Street are currently considered as 'Established Residential.' It has been practice under the Centre Plan process to apply the same zone and designation on through lots. As these lots are under one ownership and the intention is to develop the site as one parcel, we feel the Harvey Street properties should be given the same designation and zone. In doing so, it would be possible to have the density that could support retention and restoration of the historic Stairs House, while appropriately respecting and transitioning to the neighbouring properties.

Figure 1: Higher Order (Under Consideration) parcels in dark green



Source: HRM’s Centre Plan Interactive Map, 2018

‘PACKAGE A’ CENTRE PLAN REGULATIONS – HERITAGE BUILDINGS

The draft SMPS places importance on the preservation of and investment in heritage buildings. Under Section 5 of the draft SMPS, one of the objectives is:

Establish incentives to encourage public and private sector investments in heritage conservation and stewardship of cultural resources.

The draft SMPS Section 5.4 speaks to alterations and adaptive reuse of heritage properties and states:

The Municipality recognizes that alterations and changes to heritage properties may be needed to maintain their economic viability. The challenge is to do so in a manner that maintains and possibly enhances the heritage value. Incentives and provisions under the Land Use By-law will enhance provisions for adaptive re-use under the Regional Plan.



The Draft SMPS contains policy which allows for a development agreement for *any development or change in use* for any lot which contains a registered heritage property based on certain considerations. Policy 78 states:

In any building, part of a building, or on any lot on which a registered heritage building is situated, a development agreement for any development or change in use not otherwise permitted by the land use designation and zone may be considered subject to the following:

- a. any registered heritage building covered by the agreement shall not be altered in any way to diminish its heritage value;*
- b. any development must maintain the integrity of any registered heritage property, streetscape or conservation area of which it is part;*
- c. any adjacent uses, particularly residential use are not unduly disrupted as a result of traffic generation, noise, hours of operation, parking requirements and such other land use impacts as may be required as part of a development; and*
- d. any development substantially complies with the policies of this plan and, in particular, the objectives and policies as they relate to heritage resources, and conforms with all regulations and guidelines adopted under the Heritage Property Act.*

HRM has prepared a Design Manual that represents the built form expectations for the Regional Centre. Section 4 of the Design Manual discusses heritage design and contains design objectives to maintain the character of the heritage resource through restoration of historic built form elements. It outlines the following objectives that relate to the proposed restoration of the Stairs building:

1. Renovating or retaining heritage adornments to the existing heritage property,
2. The use of materials and colour that matches original articulation.
3. Ensuring that the final development is visually consistent with abutting heritage buildings. This includes standards for streetwalls, step backs, appropriate colour palettes.
4. Integration of new development with heritage resources.

Having a DA policy within the Centre Plan is beneficial and conducive to protecting heritage properties. However, we feel there are limitations to this policy, which should be addressed within the Final Centre Plan. These limitations include:

- the challenge of extending the DA to neighbouring properties
- the limits under draft policy of negotiating an increased FAR through the DA

We feel allowing for these two factors will greatly support the retention and restoration of existing heritage buildings.



DRAFT CENTRE PLAN REGULATION PRELIMINARY MASSING STUDY

Rough massing models for the subject properties have been created based on draft regulations for similar properties in the area. Two drawings have been created:

- (1) The first massing considers only setbacks, setbacks and height information that can be assumed based on information available for similar parcels currently designated 'Higher Order' under the draft Plan.
- (2) The second massing is the result of also applying the 50% lot coverage requirement, which reduces the building footprint.

Both options have a rather low GFAR. As height is not shown on the draft Centre Plan maps for these properties, the massing shows 11 m and 14 m (colour coding). As this is a heritage property, likely 11 m will be applied, however, it is our understanding that the option through the Heritage DA would allow for more height. The massing models assume that the Harvey Street properties will be zoned 'Established Residential'. As Established Residential is not included in Package A, the proposed regulations are unknown. We've shown three storey townhouses on these properties. We haven't created one contiguous development across the properties, as HRM's past practice is not to extend the Heritage DA to adjacent parcels through consolidation.

The resulting massing does not allow for development in a form that supports retention and restoration of the existing heritage building. Restrictions such as the lot coverage maximums and height limits are contributing to this issue. It is possible to place appropriate controls on development which would respect neighbouring properties through the use of FAR, setbacks, and setbacks.

Should the Higher Order Residential designation and zone (HR-2) be extended to all three properties, the original proposal compares to the what is known of the Higher Order development regulations in the follow ways:

	EXISTING PROPOSAL	DRAFT LUB HR-2
Height	8 storeys	4 to 8 storeys
Streetwall height	1 – ½ storeys South Street 3 storeys Harvey Street	Typically 2 to 4 storeys
Front Yard Setback	2.7 m Harvey Street (consistent with existing streetwall)	1.5 to 3.0 m
Front Yard Stepback	2.7 m on Harvey	2.5 m
Side Yard Setback	0 m and 5 m east side 1.4 m and 4 m on westside	No requirement, except 3 m adjacent Established Residential (Transition)
Side Stepbacks	5 m east side 2.6 m on westside	3.5 m adjacent Established Residential (Transition)
GFAR	4.12	2.25 to 4.25



CONCLUSION

Based on the above provided information, we request that HRM:

1. Designate parcel PID 00093146 along South Street as Higher Order Residential as this site is of a size that can support higher density
2. Extend the Higher Order designation to parcels PID 00093278 and PID 00093286 along Harvey Street as these properties are under one ownership, and the intention is to consolidate the lots. This is consistent with the draft Centre Plan, which has applied one designation and zones across 'through-lot' properties rather than having 'split zones.'
3. Remove or increase the lot coverage maximum clause. We feel this is too restrictive for development in an urban context; this is especially true if the intent is to incentivise retention of heritage assets.
4. Consider how best to encourage retention and restoration of Heritage Buildings:
 - o Allow for increases in FAR through the DA process for heritage properties.
 - o Allow for the extension of the heritage DA to neighbouring parcels and through lot consolidation, with appropriate implementation policies to ensure good development.

We would like to thank you for taking the time to review this letter. We ask that you consider our feedback and requests and respond directly.

If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact the undersigned.

Yours sincerely,

Original Signed

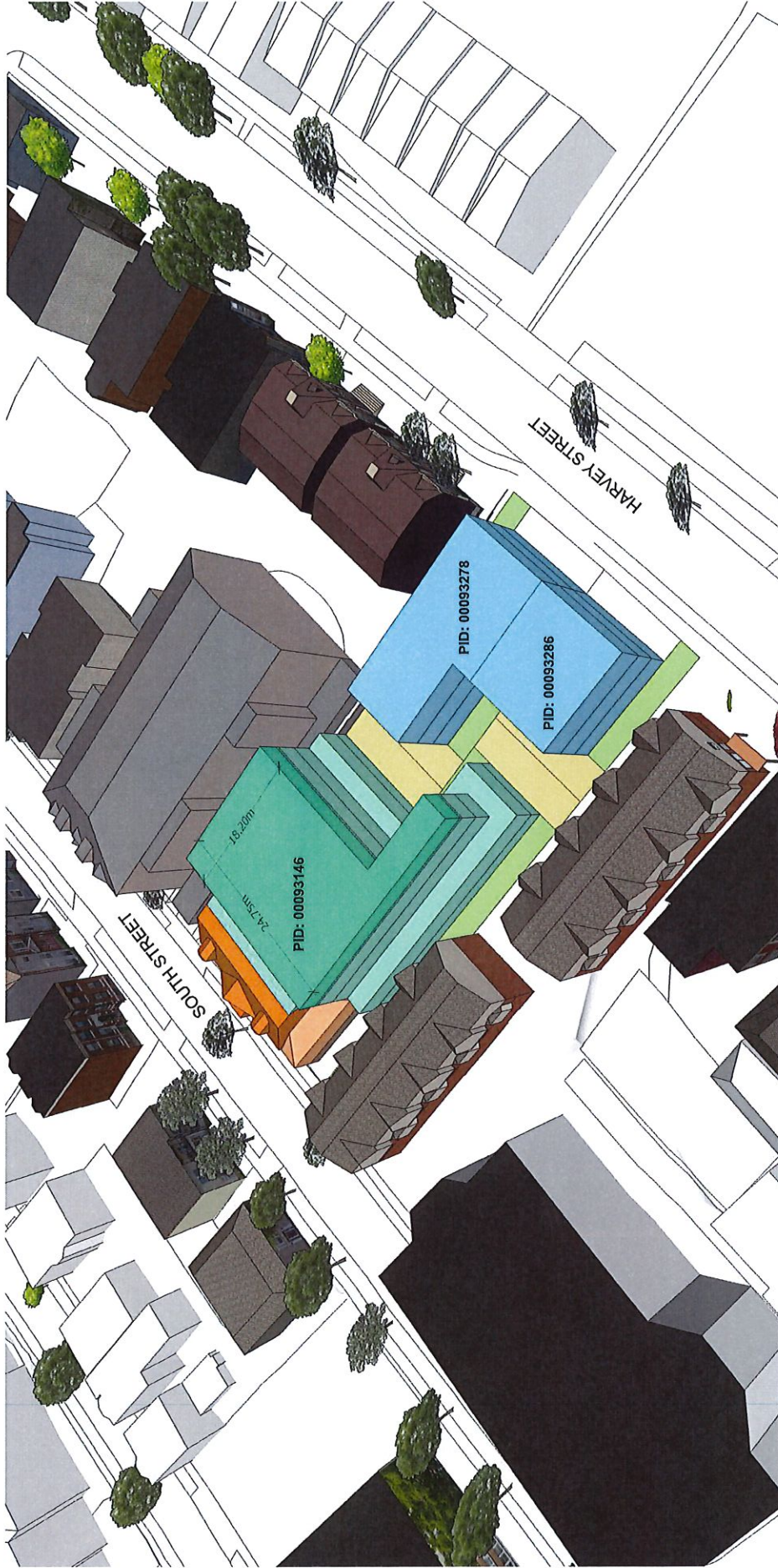
Original Signed

Ms. Christina Lovitt, MCIP, LPP
Senior Planner, WSP Canada Inc.

Mr. Eric Burchill
Southwest Properties

CL/hd

Encl.
WSP ref.: 151-14201-00



- Massing (11 m max. height)
- Massing (14 m max. height)
- Side Yard Setback (3.00 m)
- Rear Yard Setback (4.50 m)

PID: 00093146
 Lot Area: 1999.3 m² ±
 Building Footprint (Existing+New Massing): 930.5 m² ±
 Lot Coverage: 66.50 % ±
 Massing GFA (Existing+New Massing): 3330 m² ±
 GFAR: 2.38 : 1

PID: 00093286
 Lot Area: 321.5 m² ±
 Building Footprint: 162.1 m² ±
 Lot Coverage: 50.42 %
 Massing GFA (assume 3 floors): 486.3 m² ±
 GFAR: 1.51 : 1

PID: 00093278
 Lot Area: 489.7 m² ±
 Building Footprint: 272.7 m² ±
 Lot Coverage: 55.69 %
 Massing GFA (assume 3 floors): 818.1 m² ±
 GFAR: 1.67 : 1

Stairs House

Centre Plan Massing Study - Setbacks & Stepbacks Only

151-14201-00
 2018-04-24



- Massing (11 m max. height)
- Massing (14 m max. height)
- Side Yard Setback (3,00 m)
- Rear Yard Setback (4,50 m)

PID: 00093146
 Lot Area: 1399.3 m² ±
 Building Footprint (Existing+New Massing): 699.7 m² ±
 Lot Coverage: 50 %
 Massing GFA (Existing+New Massing): 2400 m² ±
 GFAR: 1.72 : 1

PID: 00093278
 Lot Area: 489.7 m² ±
 Building Footprint: 272.7 m² ±
 Lot Coverage: 55.69 %
 Massing GFA (assume 3 floors): 818.1 m² ±
 GFAR: 1.67 : 1

PID: 00093286
 Lot Area: 321.5 m² ±
 Building Footprint: 162.1 m² ±
 Lot Coverage: 50.42 %
 Massing GFA (assume 3 floors): 486.3 m² ±
 GFAR: 1.51 : 1

PID: 00093278
 Lot Area: 489.7 m² ±
 Building Footprint: 272.7 m² ±
 Lot Coverage: 55.69 %
 Massing GFA (assume 3 floors): 818.1 m² ±
 GFAR: 1.67 : 1

Stairs House

Centre Plan Massing Study - Setbacks & Stepbacks + 50% Lot Coverage (for Higher Order Residential)

151-14201-00
 2018-04-24



May 4th, 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
Alderney Landing, 40 Alderney Drive
Dartmouth, NS, B3J 3A5

Subject: Centre Plan 'Package A' Public Consultation Period Submission – Tobin Street

Dear Mr. Ritchie,

On behalf of our client, Southwest Properties., WSP Canada Inc. (WSP) would like to submit comments with regards to the Draft Centre Plan 'Package A' released in February 2018. Southwest Properties currently owns properties 5278 & 5288 on Tobin Street in Halifax. The two properties total 2,305 sq. m. and are currently zoned R-3 under Halifax Peninsula Land Use By-law. There is an existing municipally registered heritage property on 5288 Tobin (the John Silver House) and it is crucial that planning regulations are created in a way that support the retention and rehabilitation of this asset.

The following paragraphs outline pertinent clauses of Draft Centre Plan 'Package A,' and the requested amendments for consideration.

EXISTING PROPOSAL

Southwest's proposed development for the properties consists of a new multi-unit residential building on a site, while retaining the existing John Silver House. On January 31, 2017, WSP Canada Inc. and Architecture49 prepared a building massing for 5278 & 5288 Tobin Street. A Heritage Impact Statement was previously completed by Architecture49. The massing looked to respect the existing heritage building, while increasing the development density of the two properties making restoration of the heritage building viable.

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'PACKAGE A' CENTRE PLAN REGULATIONS

GFAR, MAXIMUM LOT COVERAGE, AND MAXIMUM HEIGHT

The draft Centre Plan 'Package A' places the follow regulations on the subject properties:

REGULATION 5278 TOBIN STREET 5288 TOBIN STREET

Maximum Lot Coverage	50%	50%
Maximum Building Height	11 m	14 m
Maximum Gross Floor Area Ratio	1.75 GFAR	2.25 GFAR

We believe the regulations regarding Lot Coverage and Height are too restrictive to allow for the desired development within higher order residential properties. There are other mechanisms within the draft regulations (such as stepbacks, setbacks and GFAR) which can appropriately regulate the density of development. With regards to the proposed GFARs, there needs to be a mechanism to negotiate an increase through the DA process. Absence of this possibility will result in a lack of investment and restoration of existing heritage properties.

HERITAGE BUILDINGS

The draft SMPS places importance on the preservation of and investment in heritage buildings. Section 5 of the draft SMPS states an objective to:

Establish incentives to encourage public and private sector investments in heritage conservation and stewardship of cultural resources.

The draft SMPS Section 5.4 speaks to alterations and adaptive reuse of heritage properties and states:

The Municipality recognizes that alterations and changes to heritage properties may be needed to maintain their economic viability. The challenge is to do so in a manner that maintains and possibly enhances the heritage value. Incentives and provisions under the Land Use By-law will enhance provisions for adaptive re-use under the Regional Plan.

The Draft SMPS contains policy which allows for a development agreement for *any development or change in use* for any lot which contains a registered heritage property based on certain considerations.



Policy 78 states:

In any building, part of a building, or on any lot on which a registered heritage building is situated, a development agreement for any development or change in use not otherwise permitted by the land use designation and zone may be considered subject to the following:

- a. any registered heritage building covered by the agreement shall not be altered in any way to diminish its heritage value;*
- b. any development must maintain the integrity of any registered heritage property, streetscape or conservation area of which it is part;*
- c. any adjacent uses, particularly residential use are not unduly disrupted as a result of traffic generation, noise, hours of operation, parking requirements and such other land use impacts as may be required as part of a development; and*
- d. any development substantially complies with the policies of this plan and, in particular, the objectives and policies as they relate to heritage resources, and conforms with all regulations and guidelines adopted under the Heritage Property Act.*

HRM has prepared a Design Manual that represents the built form expectations for the Regional Centre. Section 4 of the Design Manual discusses heritage design and contains design objectives to maintain the character of the heritage resource through restoration of historic built form elements. It outlines the following objectives that relate to the proposed restoration of the Stairs building:

1. Renovating or retaining heritage adornments to the existing heritage property,
2. The use of materials and colour that matches original articulation.
3. Ensuring that the final development is visually consistent with abutting heritage buildings. This includes standards for streetwalls, stepbacks, and appropriate colour palettes.
4. Integration of new development with heritage resources.

Having a DA policy within the Centre Plan is beneficial and conducive to protecting heritage properties. However, we feel there are limitations to this policy, which should be addressed within the Final Centre Plan. These limitations include:

- The challenge of extending the DA to neighbouring properties
- The limits under draft policy of negotiating an increased FAR through the DA

We feel addressing these two factors will greatly support the retention and restoration of existing heritage buildings.



CONCLUSION

Based on the above provided information, we request that HRM:

1. Remove or increase the lot coverage maximum clause. We feel this is too restrictive for development in an urban context; this is especially true if the intent is to incentivise retention of heritage assets.
2. Consider how best to encourage retention and restoration of Heritage Buildings:
 - o Allow for increases in FAR through the DA process for heritage properties.
 - o Allow for the extension of the heritage DA to neighbouring parcels and through lot consolidation, with appropriate implementation policies to ensure good development.

We would like to thank you for taking the time to review this letter. We ask that you consider our feedback and requests and respond directly.

If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact the undersigned.

Yours sincerely,

Original Signed

Ms. Christina Lovitt, MCIP, LPP
Senior Planner, WSP Canada Inc.

CL/hd

WSP ref.: 161-15366-00

Original Signed

Mr. Eric Burchill
Southwest Properties

United Gulf Developments Limited

May 4th, 2018

Dear Mr. Ritchie,

Congratulations to you and your team on the progress to date on the Centre Plan project. It is exciting to see the HRM taking a proactive approach to development in the regional centre. Overall, the draft documents present a vision I believe streamlines development approvals yet promotes building designs that contribute positively to the community. There is no doubt in my mind that approval of Centre Plan will usher in an era of quality reinvestment in the regional centre.

Nevertheless, I must highlight concerns regarding the draft of Package A, especially related to our property at PID 00209361 (the former Dartmouth YMCA). While the draft Centre Plan improves development prospects throughout most of the regional centre, it actually creates further disincentives to quality development on the former YMCA property. This site is located in a park-like setting on the shores of Lake Banook and includes a portion of the public trail around the lake. I believe development on this site should improve the park and trail experience both for residents, and the general public; however, the draft as presented creates barriers to this goal.

The current Dartmouth Plan requires a development agreement for development on the site, but the criteria (Policy IP-5) are fairly flexible for what form of building can be considered. Development on the site has been, to date, prevented by the height maximum of 35 feet. The draft of Package A maintains this 35-foot height limit *and* keeps the protracted and risk-filled process of a development agreement (Policy 24), while also *adding* strict design criteria that make development very challenging. Instead of making development here more feasible, the draft of Package A has in fact moved feasibility in the other direction. Specifically:

Development Agreement Requirement

Development agreements can provide a reasonable approach to development when they create a flexible situation where development can respond to the site conditions; in these cases, the lengthy timeline and risk can be worth it. However, Package A proposes using the development agreement process to add further requirements on top of all of the other design requirements proposed to be required by the Land Use By-law. I believe that the HRM should either require a development agreement and leave the building and site design flexible (subject to the development agreement process), or be specific in the design requirements and streamline the process with the removal of the development agreement requirement.

United Gulf Developments Limited

Maximum Height

Buildings around Lake Banook are limited to a maximum height of 35 feet to prevent wind impacts on the canoe/kayak course. This is an overly-conservative approach and prevents the possibility of good development that both contributes to the surrounding area and respects the canoe/kayak course. Limiting height to 35 feet guarantees lot coverage will be maximized and prevents underground parking as a feasible option. This will mean a loss of park area and increased runoff from buildings and surface parking. Instead, buildings over 35 feet should be permitted, with a requirement for quantitative wind tunnel testing. Specific mention of the canoe/kayak course could be added to the wind study criteria.

Floor Area Ratio

The maximum floor area ratio (FAR) on the site is 1.75. I do appreciate the flexibility of using FAR as a development control, and this value is on the threshold of being reasonable. However, once other development requirements are applied, this flexibility becomes meaningless. The only way to actually achieve anywhere close to 1.75 is to build a big box to the full 35 feet height at the maximum 50% lot coverage. Increasing the permitted height on the site, while maintaining the FAR approach, would promote creativity in arranging the building(s) to best suit the site.

Street Wall

The draft of Package A requires a *minimum* street wall height of 8 metres. It also specifies a *maximum* street wall height of 8 metres on our site. In other words, the street wall must be *exactly* 8 metres high on our site. This is almost impossible to achieve, and these requirements should be reviewed.

Please consider this correspondence as my formal comments on Package A of Centre Plan. Thank you for your work to date on this important project. I look forward to seeing future versions of the documents, and I trust that my comments will be given serious consideration.

Original Signed

Nayid Saberi
President
United Gulf Developments



May 4th, 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
Alderney Landing, 40 Alderney Drive
Dartmouth, NS, B3J 3A5

Subject: Centre Plan 'Package A' Public Consultation Period Submission – Quinpool Centre

Dear Mr. Ritchie,

On behalf of our client, Façade Investments Limited, WSP Canada Inc. (WSP) would like to submit comments with regards to the Draft Centre Plan 'Package A' released in February 2018. Façade currently owns properties 6290 & 6298 Quinpool Road and 6331 & 6325 Pepperell Street that are being consider for a mixed-use development (Case 21115).

DISCUSSION

Façade is currently undergoing a Plan Amendment and Development Agreement process for their properties along Quinpool Road and Pepperell Street (PIDs 00165936, 00165928, 00165845, and 00165845). This project has been initiated by Council and will be going to a Public Information Meeting Monday, May 7th. Under the draft Centre Plan these sites are zoned CEN-2 along Quinpool and CEN-1 along Pepperell. The sites are under one ownership and the intention is to develop the site as one comprehensive development. Based on these considerations, it is reasonable to consider these sites in the same capacity as a through lot. It has been practice under the draft Centre Plan to have one zone across through lots, rather than split zones. We feel that based on the common ownership and development intentions for this site, these lots should all be zoned CEN-2.

Similarly, it has been practice under the draft Centre Plan to have one GFAR across through lots. The subject properties currently have a maximum GFAR of 3.5 and 2.25. As this is essentially creating a 'split' GFAR area, we ask that you have one FAR across all four properties, with the higher FAR being applied. There may also be no need of having height maximums, seeing that FAR, appropriate setbacks and stepbacks (transition requirements) could appropriately regulate development.

In general, we are of the opinion that increased FAR and heights should be permitted along Quinpool Road than is currently shown under draft Centre Plan 'Package A'. Increased FAR and heights will allow for more density along the street, which will contribute to it becoming the world class living, working, shopping, and entertainment district it has the potential to become.



REQUESTS

Based on the above provided information, we request that HRM:

1. Extend CEN-2 zoning to 6331 & 6325 Pepperell Street (PID 00165845 and 00165845).
2. Have a common FAR across all four properties with the higher FAR being applied.
3. Support Quinpool in becoming a world class mixed-use district. Increase all heights and FARs along Quinpool Road (especially between Vernon St. and Beech St.), while maintaining appropriate transitions to the residential neighbourhoods. Further consider if height maximums are required at all, seeing that FAR, setbacks and stepbacks could appropriately regulate development.
4. Consider using net FAR rather than gross FAR as to not penalize things such as more energy efficient wall thickness, etc.

We would like to thank you for taking the time to review this letter. We ask that you consider our feedback and requests, and respond directly. If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact me to discuss.

Yours sincerely,

Original Signed

Ms. Christina Lovitt, MCIP, LPP
Senior Planner, WSP Canada Inc.

CL/mg

Cc: Joe Nahas and Mark Nahas, Façade Investments Limited

WSP ref.: 161-02034-00

Attachment 64: DEV113

May 4th, 2018

CENTRE PLAN COMMENTS

Devin McCarthy

Ref: Centre, Corridor, High-Order Res. Zone handouts (from open house sessions)

General

These handouts are strong on detail at the block and building scales. What is missing is an illustration of the urban vision: a visual synthesis of the neighbourhood/district forms these zones will create within the existing fabric.

A bird's eye view of an area on the peninsula where all zones interact would go a long way to present the potential and intentions of this plan. It could be located in the vision section of the Regional Centre SMPS. This would help answer one of the more relevant questions at the Halifax Forum open house: what urban planning model(s)/precedent(s) is the plan inspired from? A

A high-street urban model is a strong precedent for the centre plan. It would jive with the intention behind the Centre and Corridor zones and allow for smaller, residential areas between to blend with the majority of existing fabric. The 3D synthesis noted above would help test/prove this and provide an a great tool for evaluation and critique.

Questions for consideration: Has the maximum build-out/growth potential of this plan been calculated? How might that inform where development is prioritized? Is density alone sufficient to encourage development in the areas HRM has prioritized?

Specific

- Articulation breaks: I recommend noting these as 6-12m. For instance, if you look at Barrington Street, the dominant building bay rhythm is approx 12m. This dimension is suitable for Centre, Corridor, and potentially certain High-Order Res. zones.
- Is a 2-storey streetwall is justified anywhere. Seems low. Recommend 3 as a lower limit for density and better proportions, as all elements of a building don't need to align to adjacent fabric to be comfortable contextually.
- The 4.5m height req. should be req'd at Centre and Corridor streets only. Halifax is not large enough to justify commercial space throughout; it ought to be focused, not dispersed.

Ref: Appendix 1 - Design Manual

General

This version is a big improvement on the Design Manual in the Downtown Plan. The Objective/Rational/Method structure is strong and clear.

That said, I am extremely concerned that the Method section is currently prescriptive and not suggestive/instructive. I believe HRM's role should be to create the framework for responsible, beautiful development, not prescribe it. We need to let design professionals achieve the objectives through their expertise and imagination. The Methods could remain and be re-titled 'Suggested Methods' or 'Methods to Consider', etc.

With this in mind, under the 'Flexibility' section I suggest wording at the beginning change. For example:

"Alternative methods will be considered when applicants provide detailed and convincing arguments for their inclusion. Such practices must meet the intentions of the Design Objectives and support the overall urban design goals of the centre plan."

Specific

- Many of the objectives are actually combinations of an objective with methods. For instance, SD1: the objective is to design fine-grained urban fabric. Building orientation, Open space, and Connections are means to achieve this objective and should move to the Methods section. By making objectives as precise as possible, more room is left for their application and interpretation.
- Objectives BD2, BD3, and BD4 all concern human-scaled design. For clarity, these can be collapsed into one objective (as written, BD3 and BD4 are methods not objectives).
- BD1 - Method 4: Studies show the ideal percentage of glazing at ground level to be approx 60-75% to provide transparency and a border between storefronts so that they can be easily and quickly distinguishable, and prevent long, mundane expanses of glass. Perhaps this can be included as a reference.
- BD3 - Methods 1 & 6: these are overly prescriptive, mainly the second sentence in 6. (If this section is relaxed to 'Suggested Methods' than a revision is less important)
- HD4: Why should a heritage building take precedence as opposed to simply not being overwhelmed/obscured/competed with? We need to be able to create our own heritage too for future generations; after all, that's what our heritage buildings did in their own time. I understand the intent but on a philosophical level I find this requirement limiting and overly sentimental w.r.t. the past.

Ref: Site Plan Approval Process & Requirements

General

As discussed in the industry design sessions, we need a two-part process. The first part would concern reaching consensus and agreement on building concept, mass, and urban strategies (relation to context, adjacent properties, streets, public space, etc.). The second would be more focused on materials, articulation, entrances, facade elements, utilities, etc.

This will enable the design to evolve naturally with less risk to both developers and designers, and likely result in less confrontation. In addition, the city needs to provide a mechanism so that changes that occur during the design process (they happen on every project) do not require re-starting the approval process. Staff should be given room to use their judgement to quickly approve evolutions as they happen that do not concern the major design moves agreed in the first part of approvals.

END OF COMMENTS



May 4, 2018

Mr. Jacob Ritchie
Urban Design Program Manager – HRM Planning & Development
40 Alderney Drive
P.O. Box 1749
Dartmouth, NS
B3J 3A5

Dear Mr. Ritchie,

Re: Draft RCSMPS/RCSLUB Package A Documents

WSP Canada Inc. (WSP) is pleased to submit this letter on behalf of Canada Lands Company CLC Limited (CLC) regarding the Draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Secondary Land Use By-law Package A released in February of 2018. This letter is specifically relates to the draft planning documents and CLC's properties located in Shannon Park, Dartmouth and the former RCMP properties at 3139/3151 Oxford Street, Halifax.

CLC has monitored the Community Design Advisory Committee process in the preparation of the draft documents, has attended various public engagement sessions, responded to numerous questionnaires circulated throughout the public engagement process and most recently participated in the round of workshops which have been provided to the development industry.

It is noted here that CLC has previously submitted comments relating to the 2017 Centre Plan (now referred to as the "Purple Document") to the Community Design Advisory Committee (C. Millier to F. Morely, CDAC Chair, April 22, 2017, copy attached). This submission has never been acknowledged or any response provided to CLC by either the Committee or staff. A number of the issues and concerns identified in the April 22, 2017 letter remain in the draft "Package A" documents. These matters are reiterated here. However issues and comments relating to the "Purple Document" itself remain a concern to CLC. As has been indicated, a number of provisions as they relate to CLC lands are inaccurate, vague and/or inappropriate.



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The status of the “Purple Document’ is unclear. Staff has indicated that the “Purple Document” has been used to provide directions for policies contained in the Package A documents. If the “Purple Document” is to be referenced going forward as part of the policy framework for planning decisions within the regional centre CLC is again requesting that the issues previously raised by CLC should be reviewed and addressed.

In relation to the draft RCSMPS and RCCLUB we offer the following comments for your review and consideration.

RCSMPS

Chapter 1, Interpretation

1. Part 1.5.1. definition of “mid-rise” and “high-rise”
The draft documents contribute to an unhealthy, unrealistic, and what at times can sound almost “phobic” fear of height of development. Defining “mid-rise” as a maximum of 6-storeys and anything over 6-storeys as high-rise is inappropriate. In the Halifax context it would be appropriate to define “mid-rise” up to 10-storeys and “high-rise” as 11-storeys or greater.
2. As an alternative to having a single definition of mid-rise and high-rise for the entire plan area consideration could be given to differentiating definitions for various designations. High-rise in the context of the Centre Designation could be considered/defined separately from high-rise in the Corridor Designation. The implications for mid-rise and high-rise development in the Future Growth Node Designation are significantly different than designations where existing development must be a primary consideration when addressing compatibility with existing development and the impact of new development on the character of an area.

Chapter 2, Vision and Principle

Part 2.4, Strategic Growth

3. Future Growth Nodes should be identified with “Downtown Halifax, Downtown Dartmouth and Centres” as locations where high-rise can be located to support strategic growth objectives.



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Chapter 3, Urban Structure

4. PID 41402934 should be included in Package A and be designated Future Growth Node and be zoned Comprehensive Development District CDD.
5. PID 41394016 should be included in Package A and be designated Future Growth Node and be zoned Comprehensive Development District CDD.
6. PID 41429275 should be included in Package A and be designated Corridor and be zoned Corridor COR.
7. PID 41429267 should be included in Package A and be designated Corridor and be zoned Corridor COR.
8. Policy 50, in addition to making all proposed zones possible for application in a Future Growth Node at the discharge of a Development Agreement, should provide for the ability to create and apply a new zone for a specific Future Growth Node which incorporates provisions identified in the Neighbourhood Design Guidelines or other urban design guidelines that may be prepared in conjunction with the comprehensive planning for the site. While CLC supports the allocation of the CEN-2 Zone within the Shannon Park site as the zone most closely aligns with the vision to develop a compact mixed-use community, alternative zone structures could also be appropriate.

Chapter 4, Built Form Framework

4.1, Gross Floor Area and Height

9. The proposed use of GFAR is a progressive and effective development regulation tool and a significant improvement over the current approaches to regulating density. The potential benefits from the use of GFAR in the draft documents is however undermined by the inclusion of height limits. One or the other should be used, but not both.



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10. The proposed use of a uniform GFAR (3.5) within the plan area for the purposes of density bonusing is not appropriate. Areas where higher density is recognized as being appropriate, and the document makes numerous reference to Future Growth Nodes being such areas, should have corresponding higher “pre-bonus” GFAR – similar to the Downtown Halifax Secondary MPS “pre-density bonus” and “post-density bonus” height regimes which are prescribed on a block by block basis.

4.2, Building Envelopes and Streetwalls

11. Consideration should be given to deleting Policy 6.1(j) – prohibiting certain building materials is arbitrary and not consistent with policy objectives to encourage design innovation.

12. Requirement for all “new multi-unit commercial, residential and mixed use developments” is arbitrary and overkill. Areas which are subject to known flight paths, roosting areas and bird habitat may be appropriate for specific design consideration. This policy appears to apply to all new development in all designations.

Appendix 1, FGN.1, Neighbourhood Design Guidelines for the Shannon Park Lands

13. It is noted that the RCSMPS has deliberately moved away from establishing density target in terms of number of units or persons per acre and has rather adopted a Gross Floor Area Ratio approach to density/built form so it is questioned why any specific number of units is being referenced with respect Shannon Park. The documents do not contain separate policies for establishing densities within Future Growth Nodes other than it should “support achieving density targets of the Plan” (Policy 51(h)).

Per Policy 54, Appendix 1 of the Draft RCSMPS indicates that Shannon Park is intended to be developed as a mixed use community of approximately 2,600 residential units.

As outlined in CLC’s 2016 development submission, the preferred concept for Shannon Park is intended to accommodate 3,000 residential units. This is further re-iterated within Planning Staff’s 2017 Draft Policy Direction. This total unit allocation was generated through an extensive community consultation process and all technical studies that were included with the 2016 development submission were modelled around this total unit count.



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If a specific number of units is to be established for Shannon Park, and CLC would support removal of any reference to a unit maximum number, Appendix 1 should be revised to align the total amount of residential units with what has previously been discussed, which is 3,000 Residential Units.

14. Policies and supporting provisions in Appendix 1 do not provide details or clarity with respect to how density bonusing will be applied to Future Growth Nodes. Although the Shannon Park Masterplan work will be completed by Canada Lands, development of individual building blocks will be undertaken by private development companies. We believe a consistent application of the density bonusing provisions will benefit the overall project.

15. Part 1.2(b), Neighbourhood Form, should provide for employment uses including office, commercial service, professional service and a range of commercial uses in addition to “local commercial” use.

In addition to being “primarily clustered along a central transit route” commercial and employment uses have been identified as being appropriate adjacent to the bridge/Hwy.111 as well as adjacent to the existing CN rail right-of-way. Commercial and employment uses, as well as high density residential forms, in these areas can assist in transitioning from the adjacent non-residential uses/areas to the residential neighbourhood identified for the interior of the site.

16. Part 1.4(a), Transportation, should be revised to delete the reference to “direct” transit route between Windmill Road and Baffin Boulevard. CLC’s Preferred Development Concept does provide for a primary circulation connection between Windmill Road and Baffin Boulevard. The proposed connection is however integrated into a grid road pattern. The grid road pattern, which is explicitly supported in Part 2.3 of the planning document, will enable transit and more importantly supports pedestrian orient street principles and reduces the potential for encouragement of short cutting through the new development to facilitate access to the BIO property.

17. Part 1.5 refers specifically to the potential impacts of future sea level rise and storm surge as it relates to the design and location of buildings and infrastructure at Shannon Park. The Policy should note that CLC has undertaken to incorporate virtually all of the property's waterfrontage as public parkland. CLC's waterfrontage is primarily located adjacent to the narrows/Norris Point and the elevation of these lands is substantially higher than the 3.2 meter elevation specified in the RCLUB Chapter 4 provisions.

Waterfrontage on Tuft's Cove which may be below the 3.2 meter elevation are located on the adjacent lands intended to be conveyed to the Millbrook First Nation.

18. Part 1.6(b), Culture and Heritage, makes reference to "historic connections to the...Shubenacadie Canal". To our knowledge there is no such a "connection" and the reference as it specifically relates to the development of the Shannon Park lands appears to be an error.

It is also noted that an archaeological impact study has been conducted for the Shannon Park property and no sites of potential archaeological significance relating to the site as a "traditional gathering place" have been identified. This reference may be applicable to the adjacent property intended for conveyance to the Millbrook First Nation but it is not applicable to the CLC lands.

19. Part 1.7(e), CLC has considered the potential for district energy for Shannon Park. Discussions with NSP have not identified options for source heat supply and it is noted that HRM has not enacted enabling legislation for district energy regulation/operation and management.

20. Part 1.7(f), reference regarding "adequate buffer" relating to development adjacent to the bridge is vague and should be clarified. We are not aware of "public health issues" relating to development adjacent to bridge structures and this language should be deleted. The Halifax Dartmouth Bridge Commission was been involved in all stakeholder engagement leading up to the preparation of CLC's Preferred Development Concept. At no point during the planning process was it identified to CLC that the provision of "sufficient space" would be required from CLC lands in order to provide for "the bridge's eventual refurbishment or replacement."

The language in Part 1.7(f) is vague and problematic and should be clarified or deleted.



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RCSLUB

Pat XI, Incentive or Bonus Zoning

21. See comment #9 regarding: GFAR and height; uniform GFAR vs the Downtown Halifax Secondary MPS/LUB “pre” and “post” bonus structure
22. Table 10, Density Bonus Rates and Districts, figures for District 4 Shannon Park are not consistent with assessment for base year and must be reviewed/revised.
23. The assumed “capture” rate/bonus density rate of 66% is excessive and should be reduced – 25 – 30 would be more realistic and appropriate. This is especially relevant to comprehensively planned development which will be approved in Future Growth Nodes by development agreement where HRM will be negotiating levels of parkland and public amenities above minimum requirements of the Subdivision By-law.

Part XII, Development Agreements

24. No provision is made in Part 206 for lots larger than 1.0 hectare in the Corridor Zone.
25. Table 7 of the Draft LUB includes parking requirements for a variety of uses within the CDD zone. As indicated in the bullet point above, it is CLC’s desire to allocate the CEN-2 zone to the Shannon Park Lands, which currently does not include any parking requirements. Therefore, we request that Table 7 of the Draft LUB be updated to indicate parking as TBD for the CDD zone, that way once a zone is applied to the property through Policy 50, the parking requirements for that zone would come into effect as well. For the case of Shannon Park, it is desired to zone the lands as CEN-2 and have no parking requirements in the LUB.
26. Schedule 9 of the Draft Land Use By-law (LUB) allocates a 20m building height to the entire Shannon Park site. The SMPS and LUB further indicate that a CDD zone would be applied to the property and that a Development Agreement shall be required for the comprehensive development of the lands. This height allocation should be removed from the LUB and that the required DA process be used as the tool to determine specific building heights throughout the site.



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CLOSING

We would like to thank you for taking the time to review this letter. We ask that you consider our comments and requests and respond directly. We look forward to continuing dialog with the Planning and Development staff in an effort to align future planning documents with CLC's vision for the future development of Shannon Park.

If you have any questions or clarifications regarding any of the content within this letter, please do not hesitate to contact the undersigned.

Yours sincerely,

Original Signed

Greg Zwicker
Director – Planning,
Landscape Architecture
and Urban Design

Original Signed

Chris Millier
Director, Real Estate
Canada Lands Company
CLC Limited



April 21, 2017

Mr. F. Morely, Chair, and Members
Community Design Advisory Committee
PO Box 1749,
Halifax, NS
B3J 3A5

Dear Mr. Morely and CDAC Members,

Re: Draft Centre Plan

Canada Land Company CLC Limited is mandated to acquire and redevelop federal properties which have been declared surplus to federal needs and which are deemed to be strategic relative to their locations, development potential and the ability for reintegration into the adjacent community fabric.

CLC's portfolio includes properties across the country, within the Halifax Regional Municipality CLC owns two sites which are located within the boundaries of the "Regional Centre", the area to be included in the proposed Centre Plan. CLC has monitored and participated in the Centre Plan process since its inception, attending CDAC and CPED meetings, participating in public and stakeholder engagement opportunities as well as making direct presentations to planning staff. CLC has also maintained ongoing communications with district councilors and the community regarding CLC's intentions and efforts relating to our properties.

The purpose of this letter is to provide comment relating to the draft Centre Plan document tabled with the CDAC at its March 29, 2017 meeting as it relates to 2 specific CLC sites: the former CFB Halifax Shannon Park lands; and the former RCMP on Oxford Street at Bayers Road. The underlined text in this letter includes specific requests for changes to the current draft Centre Plan document. The text in *italic* presents comments and/or general suggestions which CLC believes CDAC and planning staff should address.

Shannon Park

In March 2014 CLC acquired from DND approximately 89 acres of land at Shannon Park (PIDs 41404104, 41402942, 41402934 and 41394016). These lands included the Shannon Park Arena, the Shannon Park School, a Canex, a gymnasium and pool,

a variety of CFB Halifax administration buildings as well as 81 multiple unit residential structures containing approximately 421 dwelling units (“Private Married Quarters/PMQs”).

In May 2015 CLC initiated a comprehensive planning process to prepare a concept for the redevelopment of the entire property. This process included extensive public and stakeholder engagement efforts. HRM staff were consulted and included throughout the planning and consultation process. From the outset it was recognized that an opportunity existed to integrate CLC’s development planning efforts into the Centre Plan process, aligning CLC’s efforts with the new development framework for the Regional Centre. In April 2016 CLC presented a “preferred development concept” for the property to the public. The concept was submitted to HRM planning staff in December 2016 for formal review following the completion of preliminary engineering and traffic impact analysis.

Comments relating to draft Centre Plan provisions

Part 3.1 Urban Structure Map

1. Designation of PID 41402934

PID 41402934 is owned by CLC and is designated as Parks and Public Spaces in the current draft – **PID 414029334 should be designated Future Growth Node**, similar to the abutting 2 CLC properties. PID 41402934 includes the existing Shannon Park School. The Halifax Regional School Board has confirmed its intention to acquire the school but timing and actual lot boundaries have not been confirmed. School uses (as well as a range of other community and public uses) should be a permitted uses in a Future Growth Node and this property does not need to be designated separately. Planning for the integration of the Shannon Park School into the preferred development concept has been part of CLC comprehensive planning process.

2. Designation of PID 41394016

PID 414394016 is owned by CLC and is designated as Intensive Employment in the current draft – **PID 41394016 should be designated Future Growth Node**, similar to the other Shannon Park properties. This PID is Nootka Avenue (a private road) located between the CN right-of-way and Windmill Road. These lands have been included in CLC’s comprehensive planning process.

Part 3.5 Future Growth Nodes

3.5.1, General

3. The “Future Growth Nodes” designation is applied to a variety of differing types of areas – shopping centres, underutilized commercial lands, a large scale mixed used residential area and the CLC property at Shannon Park. While the character of these areas varies significantly, ***provisions in Section 5. 3 should explicitly recognize CLC’s Shannon Park lands as being distinct from other Future Growth Node lands.***

It is recognized that development of Future Growth Nodes “will not be immediate and may take several years to fully evolve into the desired form”. It is suggested that development of these areas may in fact take decades. In contrast, ***comprehensive redevelopment planning for Shannon Park has been underway since early 2016 and a preferred development concept has been submitted to HRM for review and approval. This fact should be acknowledged in the proposed policies.***

4. ***Part 3.5.1(b) should make reference to comprehensive planning efforts relating to Shannon Park being substantially completed.***
5. Part 3.5.1(c) requires Future Growth Nodes to include a “transit hub”, however confirmation of transit requirements would be part of the comprehensive planning approvals process. ***It is unclear how the provision of transit hub as a mandatory requirement can be confirmed in advance of liaison with appropriate agencies and the completion of planning approvals process.***
6. Part 3.5.1(d)(ii) suggests that a “Community Renewable Energy Plan” be included in comprehensive planning studies for Future Growth Nodes. No cross reference for this requirement is included in Part 2.7.4, Sustainability, Energy, and no description provided for the nature/scope for this type of study. ***Further details relating to the requirements relating to Community Renewable Energy Plans should be included in Part 3.5.1 or Part 2.7.4.***

Note

Reference is made in the introductory text to “Graham’s Grove” being included as a Future Growth Node. There are no corresponding lands designated as Future Growth Node on the Urban Structure Map. Lands at Graham’s Grove do generally not possess any of the characteristics present in other lands included in the designation.

Part 3.5.2, Land Use

Part 3.5.2(f)(g), Density Bonusing

7. The HRM October 2015 Density Bonusing Study Part 5, Deriving the Value of Density in the Regional Centre, makes specific reference to Shannon Park. ***The Density Bonus Study and draft policy directions contained in the Centre Plan, as they related to the redevelopment of Shannon Park, have not been prepared with input from or consultation with CLC.***

Density bonusing as envisioned in the Density Bonusing Study is primarily structured on an infill /individual development site basis and does not adequately address comprehensively planning development sites like Shannon Park. ***The Centre Plan should provide a greater level of detail regarding how the tool is anticipated to be used in the Future Growth Node context and specifically how pre-bonus/post-bonus threshold will be established.***

Part 2.2 Culture & Heritage

Part 2.2.1(d), Tufts Cove Archaeological Investigations

8. CLC has undertaken an Archaeological Screening and Reconnaissance Study for the Shannon Park lands (PIDs 41404104, 41402942, 41402934). The study was prepared pursuant to a Nova Scotia Department of Communities, Culture and Heritage Permit (Permit A2015NS052) issued through the Nova Scotia Special Places Program to CLC's consultant Cultural Resource Management Group Ltd. The Study has been submitted and accepted by the a Nova Scotia Department of Communities, Culture and Heritage and it has been submitted to HRM as supporting documentation relating to CLC proposed development.

The Study contains 9 recommendations, 6 of which relate to recommended archaeological monitoring during any construction-related ground disturbance at 14 specifically identified sites of archaeological interest. The study also recommends archaeological monitoring of lands within 50 meters of Tufts Cove where excavation extends below the depth of the pre-1950 original grade. Notwithstanding the recommended monitoring at identified sites of interest, ***the 2015 Cultural Resource Management Group Ltd. Archaeological Screening and Reconnaissance Study for the Shannon Park Lands clears the requirements for any further archaeological investigation on the Shannon Park lands.***

Policy 2.2.1(d) requires that “archaeological investigation and monitoring should be conducted, by the developer, where any excavation or disturbance of the ground plane is to be undertaken on areas controlled by Canada Lands Company”.

This policy is not consistent with the recommendations of the approved Cultural Resource Management Ltd. Archaeological Screening and Reconnaissance Study and reference to CLC lands should be removed from policy 2.2.1(d).

It must also be noted that *this policy does not recognize that the existing “ground plane” of the Shannon Park lands was substantially altered through circa 1950 site preparation.* Grade at the southern portion of the property, adjacent to the harbours’ edge contains on average 10 – 14 meters of fill, the depth of fill reduces as the site transitions to the north. Virtually the entire surface of the actively utilized portions of the Shannon Park site has been altered. Original unaltered grade exists in very limited area, primarily at the waters edge. ***With respect to the Shannon Park lands the CRM study makes specific reference to general archaeological monitoring being recommended only where pre-1950 grades are disturbed by future site development.***

The drafting of this policy was not done in consultation with CLC, and together with the Tufts Cove Potential Cultural Landscape designation this policy has not appeared in previously circulated versions of the draft Plan. This policy is not consistent with documentation provided to HRM relating to archaeological considerations incorporated into the comprehensive planning process for the redevelopment of the Shannon Park property.

3139/3151 Oxford Street

In December 2016 CLC acquired PID 41429275, civic 3151 Oxford Street. The property contains the former RCMP forensics lab building. CLC is in the process of closing the acquisition of PID 41429267, civic 3139 Oxford Street, the former RCMP Headquarters building at the intersection of Oxford Street and Bayers Road.

Between the 2 properties CLC will hold approximately 5 acres of land, strategically located at the intersection of Oxford Street and Bayers Road, flanked on the north and east by the CFB Halifax Willow Park complex. The properties became surplus to RCMP needs with the construction of new headquarters facilities in Burnside. CLC has acquired the properties for redevelopment.

Part 3.1 Urban Structure Map

9. Designation of PID 41429275 and PID 41429267

PID 41429275 is owned by CLC and PID 41429267 is currently being acquired by CLC. The properties are designated as Institutional Employment in the current draft – **PID 41429275 and PID 41429267 should be designated as Corridor.** CLC does not own or develop properties for institutional purposes.

CLC acquisition activities and intensions regarding development of the Oxford Street properties have been disclosed to and discussed with HRM planning, this information has not however been acknowledged or reflected in the current draft document.

The CLC properties provide for a logical connection between the “Oxford Street Corridor” and the “Bayers Road Corridor”. In the respective Corridor designations, properties on the east side of Oxford Street (between Bayers Road and Liverpool Street) and the north side of Bayers Road (between Oxford Street and Connaught Avenue) are designated Corridor and envisioned for redevelopment. Lots within both of these designations are small and relatively shallow and all abut “Established Residential Areas”. ***The location, size, configuration and adjacency to non-residential uses make CLC’s Oxford Street properties suitable for larger scale higher density mixed use redevelopment.***

CLC looks forward to having these matters addressed through the Committee’s efforts and participating in the process to see the work on the Centre Plan successfully concluded.

On behalf of Canada Lands Company CLC Limited,

Original Signed

Chris Millier
Director, Real Estate

May 4, 2018

Eric Burchill Vice-President - Planning and Development
Southwest Properties Limited
1475 Lower Water Street, Suite 100
Halifax, Nova Scotia B3J 3Z2
Direct | 902.423.4145

1 Starr Lane, Dartmouth, NS
B2Y 4V7

CONTACT
Rob LeBlanc
president
t 902 461 2525

Re: Lucknow Planning Summary April 2018 : Case 20898

Dear Eric;

A development agreement submission was originally submitted by Southwest Properties for 1027-1037 Lucknow Street back in Dec 2016. The project was reviewed by HRM as part of the 22 individual applications for site-specific Secondary Municipal Planning Strategy Amendments to enable various development proposals in the Regional Centre back in July of 2017. The Lucknow project was classified in attachment C (Site-Specific SMPS Amendments that will be discontinued) as part of the initial review. The rationale for not advancing the DA was “Greater mass than envisioned under the existing policy or the Established Residential classification under the Centre Plan”. Essentially at the originally proposed 9 storeys it exceeded the height and the FAR proposed in the draft Centre Plan. The current draft of the centre plan (March 2018) has the lands designated as “Higher Order Residential Under Consideration”. If designated as a HR-2, the draft bylaw allows 4-8 storeys, 2.25-4.25 FAR, 4.5m rear yard, 2-4 storey streetwall height, max building length of 35m and floor plate dimension of 750 sq.m., and a max lot coverage of 50%.

In response to the site specific SMPS review for Lucknow, the developer to reduce the height of the building from 9-storeys to 8-storeys to conform more closely to the Higher Order Residential draft bylaw. The updated plans are now closer to the draft bylaws for the area as outlined in the table below, however, the developer would like to still proceed with a development agreement application process rather than wait for the Centre Plan (which could still be more than a year away).

Policy	Draft HR-2 Zone	Proposed 2018 Change
Height	4-8 storeys	8-storeys
FAR	2.25-4.25	4.3
Lot Coverage	50%	75%
Max Building Dimension below Streetwall	40m	41m
Max Building Dimension above Streetwall	35m (750 sq.m.)	30m (1,100 sq.m.)
Rear Yard	4.5m	6.4m
Street Yard	1.5 - 3m	2.6m
Max Streetwall	2-4 storeys	3 storeys
Parking minimum	1 per 3 units	1 per 1 units

Another option which Jacob Ritchie asked us to explore was going with 750 sq.m. footprint but going up to 10-storeys. This option would provide about the same density but it would contravene the 8-storey height limit from the draft bylaw. In our experience, the neighbours are more likely to prefer a bulkier midrise form over a taller height but either way, both options would be acceptable.

Landscape Architecture

Planning

Architecture

Civil/Transportation Engineering

Going through a DA today, the proposed plan would need to straddle the existing Peninsular bylaw zoning (R-3) and the proposed zoning of the draft bylaw. The following summary gives an overview of some of the issues relating to the what might be allowable through a DA process under the current bylaw.

- » *Currently zoned as R-3 (Multiple Unit Dwelling), with a maximum height of 35' (which would necessitate a DA to build above 35).*
- » *Angle controls (80 degree from the street, 60 degrees from lot lines, 85 degree between external walls).*
- » *250 persons per acre*
- » *Generally 1 to 1 parking ratio.*

Looking at the angle controls and street width, this site could support an 8 storey building with a 5-storey street wall. So, the proposed development is generally consistent with what might be allowable using the current R-3 zoning taken through a DA process.

Based on this analysis and our understanding of other similar sites in the area, this site should be designated higher order residential, and the allowable FAR and Lot Coverage factors adjusted to allow for this type of strategic intensification.

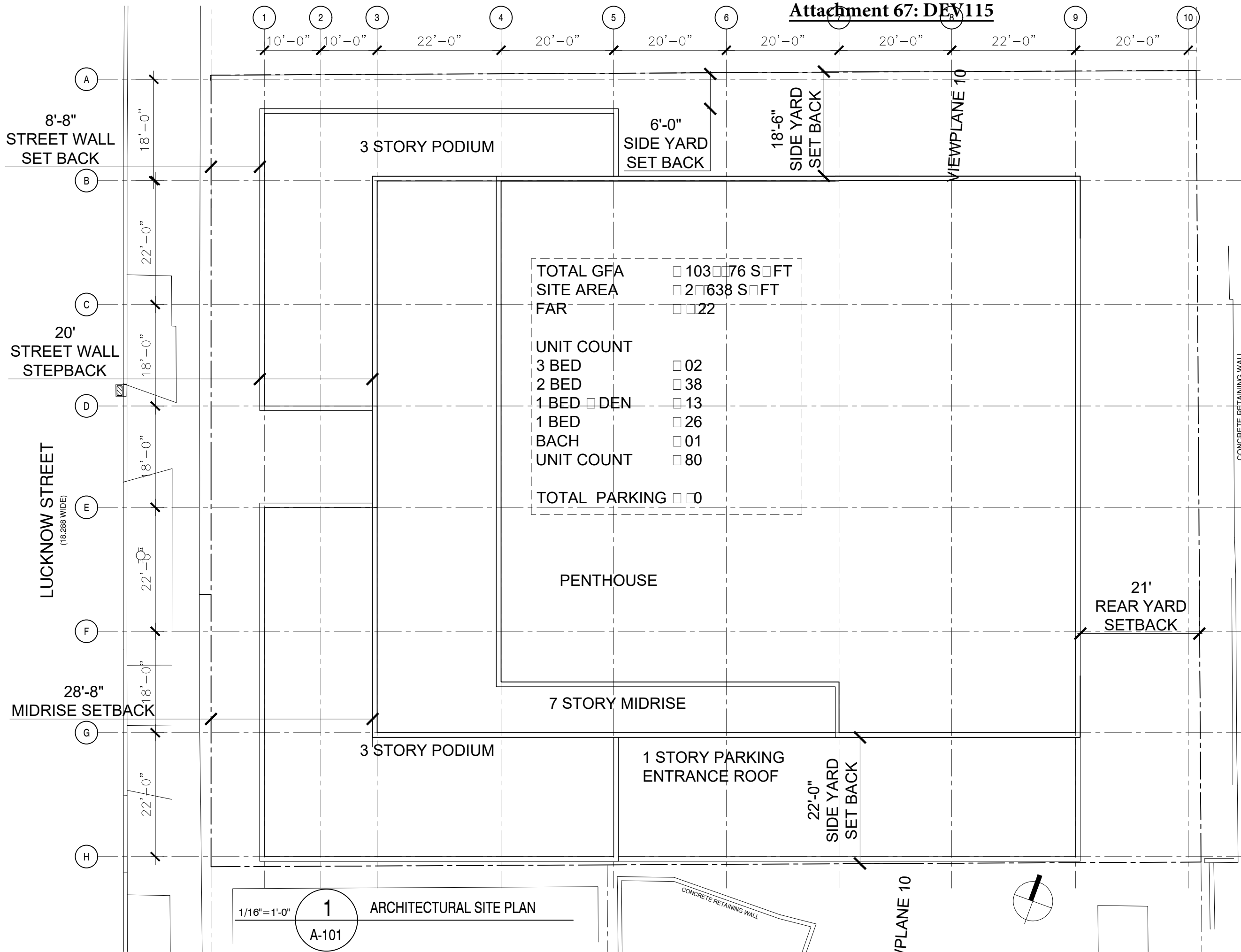
The proposed April 2018 version of Southwest's plan for Lucknow Street is generally consistent with both the existing bylaw provisions and the proposed draft centre plan bylaw provisions (which are still subject to change in the next 3-4 months before the release of the next draft).

Sincerely,

Original Signed

Rob LeBlanc

President, Ekistics Plan + Design



TOTAL GFA	103,076 SQ FT
SITE AREA	2,638 SQ FT
FAR	22
UNIT COUNT	
3 BED	02
2 BED	38
1 BED DEN	13
1 BED	26
BACH	01
UNIT COUNT	80
TOTAL PARKING	00

KEY PLAN

NO.	REVISIONS	DATE
03	INITIAL DA APPLICATION	2016.11.02
02	PRELIMINARY HRM REVIEW	2016.10.18
01	ISSUE FOR REVIEW	2016.10.11

PROJECT
 1027-1037 LUCKNOW STREET
 DEVELOPMENT AGREEMENT
 PLANNING APPLICATION

CLIENT
 SOUTHWEST PROPERTIES

SCALE
 1/16"=1'-0"
 DATE
 2016.10.11

DRAWN BY
 CC/JB
 CHECKED
 REVIEWED

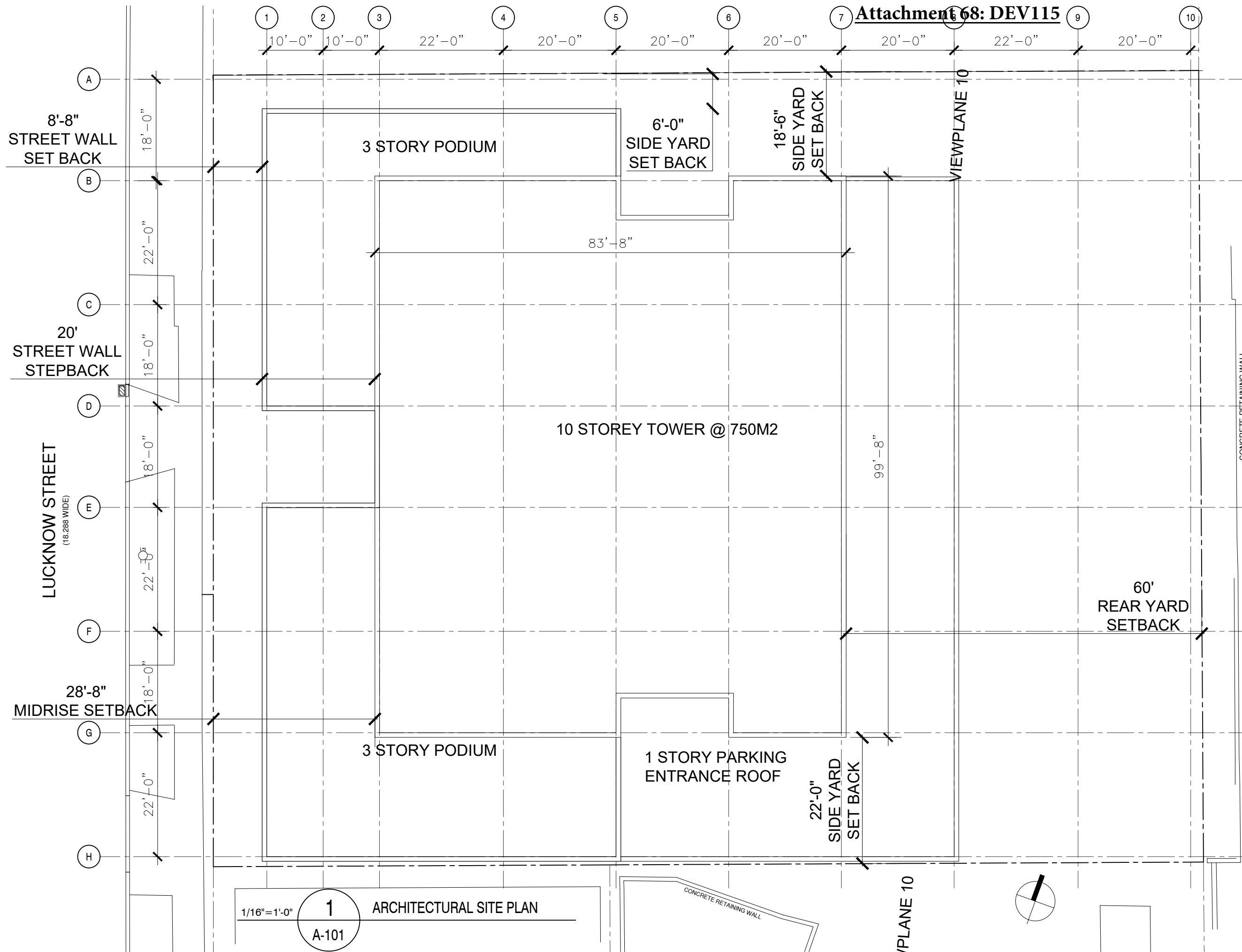
APPROVED
 CC

SEAL
**NOT FOR
 CONSTRUCTION**

DRAWING
 ARCHITECTURAL_SITE_PLAN

DRAWING NO.
A-101

1/16"=1'-0" **1** ARCHITECTURAL SITE PLAN
 A-101



KEY PLAN

NO.	REVISIONS	DATE
03	INITIAL DA APPLICATION	2016.11.02
02	PRELIMINARY HRM REVIEW	2016.10.18
01	ISSUE FOR REVIEW	2016.10.11

PROJECT
1027-1037 LUCKNOW STREET
 DEVELOPMENT AGREEMENT
 PLANNING APPLICATION

CLIENT
 SOUTHWEST PROPERTIES

SCALE
 1/16"=1'-0"

DATE
 2016.10.11

DRAWN BY
 CC/JB

CHECKED

REVIEWED

APPROVED
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**NOT FOR
 CONSTRUCTION**

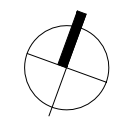
DRAWING
 ARCHITECTURAL_SITE_PLAN

DRAWING NO.
A-101

1/16"=1'-0" **1** ARCHITECTURAL SITE PLAN
 A-101

CONCRETE RETAINING WALL

PLANE 10



CONCRETE RETAINING WALL

CONCRETE RETAINING WALL

10-Storey (750 sq.m. plate)



8-Storey (1,100 sq.m. plate)



216 Cobequid Rd.
Lower Sackville
NS B4C 2N4

Mr Jacob Ritchie
Urban Design Program Manager - HRM Planning & Development
40 Alderney Drive
P.O. Box 1749
Dartmouth NS B3J 3AE

May 3,2018

Dear Jacob,

Response to Draft Center Plan Package 'A'

Having studied the Draft Center Plan Package 'A' released on February of this year we have the following comments.

We particularly refer to the North End city block encompassed by Gottingen, Bilby, Almond and Isleville Streets on which we own a parcel of vacant land identified as PID # 00161430 zoned C2. Current proposals in the Draft Center Plan Package 'A' show development on Gottingen Street at 6 floors (20m) high. The parcel of land immediately adjacent to us on Bilby Street received approval for an 8 story building.

Whilst the Draft Center Plan Package 'A' does not indicate any change for our site (PID # 00161430) it would be our intention to pursue the construction of a multi story building on that site of 8 stories high (as per the adjacent site on Bilby) and as permitted under the current C2 zoning. Accordingly we would like to see this reflected in the new center package plan.

Yours truly

Original Signed

— Faisal Al Hammadi



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May 4, 2018

Centre Plan Team
Halifax Regional Municipality

Attn:

Jacob Ritchie
Kasia Tota
Luc Ouellett

Dear Jacob and Kasia:

This letter is submitted on behalf of Starfish Properties to recommend amendments to the draft Centre Plan Regulations regarding their property at 18 Highfield Park Drive (PID 40414054) and also a shared interest in the adjacent Highfield Park properties owned by Highfield Park Residential Inc.. The intent of the following recommendations is to support these parcels achieving the Plans proposed Floor Area Ratio (FAR).

Context

18 Highfield Park and adjacent properties is a large parcel subdivision at the edge of the Regional Centre. The site's area is just over 1.6 hectare (ha), or 4.03 acres. Its location supports public transit through its proximity to the Highfield Bus terminal, a major transit node. It is directly adjacent to the Burnside employment centre which is underserved by nearby housing.

Mr. Reznick is dedicated to redevelopment of this site. To support this goal, in 2018, a Development Agreement for the site was approved to permit a third storey being added to the existing hotel. A tower being added to the existing building is now being explored in design. A tower would support new residential growth in the area and intends to be a catalyst for future redevelopment in the area.

Supporting Centre Plan

The goals of the Centre Plan to make the regulations less complex, simplify the approvals process, improve community design, support economic development and align growth with mobility and transportation are supporting and laudable.

We appreciate you meeting with us at the Centre Plan Storefront on April 20, 2018 to discuss our recommendations to the draft Regulations. The key items listed below were discussed with you then and we respect your continued consideration.

The recommendations speaks to the draft regulations. In considering 18 Highfield Park, the development team respected the nature of the exercise and therefore did



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not just speak to the needs of one single parcel, but rather how the regulations may be applied to it and others in a similar context. The intent of the following recommendations is support the goals of the Centre Plan and make their implementation successful.

As part of the investigation to realize a new development achieving a 3.5 FAR on a large parcel site a series of test-fit exercises was completed for 18 Highfield Park. Illustrations of this investigation is attached.

New Higher Order Residential Zone

It is accepted the draft Policy designated these lands as Higher Order Residential. On page 22 of the draft Policy states these are, “generally under-utilized lands which can accommodate the addition of mid-rise and high-rise buildings” and, “*can accommodate some additional growth that supports better transit and pedestrian environment.*”

Where to use HR Zone specific to large parcels

Applying an HR-2 Zone to parcels like 18 Highfield Park limits them from meeting the Higher Residential Policy’s goals. The HR-2 zone supports a typology for redevelopment directly interfacing with a mature inner-city neighbourhood – one with a finer grain street and parcel configuration.

An initial inventory of HR-2 zone parcels shows there are approximately 35 which are over one-hectare and are not under a condominium structure. When you remove those located in central/mature areas (such as Ogilvie Tower), and/or adjacent to fine-grained parcels (such as Mont Blanc Apartments) this leaves a total of 14 – each located in Dartmouth. Some of these parcels are located on Highfield Park Drive backing onto the Highway of Heroes as the attached aerial images show.

It is recommended that to acknowledge the unique nature of these larger lots and to encourage new development on them which improves community form a new zone should be applied. For the purposes of this letter this new zone will be referred to as Higher Order Residential Large Lot, or HR-LL. The HR-LL would have the following characteristics:

- High density multi-dwelling zone.
- Maximum size of buildings regulated by floor area ratio (FAR).
- Allowed housing is characterized by medium to high height
- Types of new housing development will be low, medium, and high-rise apartments and condominiums.
- Be well served by transit facilities, or be near areas with supportive commercial services.



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Design Parameters for HR-LL

Streetwall

Proposed streetwall of 8.0 metres seems lacking in justification. Presently there is no existing streetwall in the Highfield area. **It is recommended** a streetwall supporting pedestrian activity should be encouraged, so an HR-LL should establish a streetwall with a maximum height between 14.0 to 18.5 metres

FAR and Height

The proposed FAR of 3.5 is accepted. However, the height in the Highfield Park parcels do not support meeting this FAR in combination with a lot coverage maximum of 50%. To promote meeting a site's FAR in a manner that supports open space elements and community interaction **it is recommended** the HR-LL not have a height assigned. This permits maximising design response enabling point towers, reduced shadow impact and enclosed parking. If a height is necessary, then a maximum of 66.0 metres is recommended.

Maximum Building Dimensions

The proposed maximum building dimension of 40.0 metres seems lacking in justification. Was the intent to prevent massive continuous street walls with little articulation, if so there are other ways to achieve this without limiting dimensions. **It is recommended** this be addressed though the existing rules in the design manual requiring articulation.

Pathways and Circulation

Considering the configuration of larger parcels, **it is recommended** that the HR-LL support pedestrian movement by accommodating paths to adjacent parcels and the public sidewalks at the parcels frontage.

Ground Floor Height

A minimum ground floor height should not be required. The Plan encourages retail nodes in centres and parts of corridors. So, is there justification for a "retail ready" 4.5 metre floor plate separation being required in Higher Order Residential areas. **It is recommended** there be no minimum ground floor height for the HR-LL zone. When retail is being used along a Higher Order Residential parcel's frontage the design team will work at achieving the height needed for the use.

Approvals

Policy 63 of the draft Secondary Municipal Planning Strategy (SMPS) requires approvals for redevelopment on a parcel larger than 1 Ha be considered through a Development Agreement. In mature central areas a DA offers the benefit of a process that can considering a more complex relationship of urban patterns and reduce conflict between community and developers. For the HR-LL the condition is not as complex. **It is recommended** the HR-LL applications be accommodated through the Site Plan Approval process with input from a Design Review Committee and the Development Officer.



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Height on the HR-2 Highfield Park parcels

Of the 52 parcels in Highfield Park area only a few meet the proposed conditions to have the HR-LL Zone applied. It is accepted the remaining parcels are generally proposed to have a HR-2 Zone, an FAR of 2.25 and 50% lot coverage. However, the 14.0 metre height applied on the parcels does not support meeting this FAR. Therefore, **it is recommended** on these parcels the height be amended to be 20.0 metres. As with the HR-LL this permits maximising design response to a sites unique context.

Please find attached an illustration showing the FAR and heights of the draft Regulations and this letters recommended amendments.

Conclusion

We thank you for your review of the above recommendations and trust they will be incorporated into the final draft Regulations for Regional Council to consider. Should you have any questions and would like to have additional conversations on these items, please contact the undersigned. Thank you for your thoughtful consideration and continued hard work on the Centre Plan initiative.

Sincerely,

Original Signed

Planning Lead
haggett@fbm.ca
902.329.2559

Attachments

Illustration showing the FAR and heights of the existing proposed and the recommended amendments.

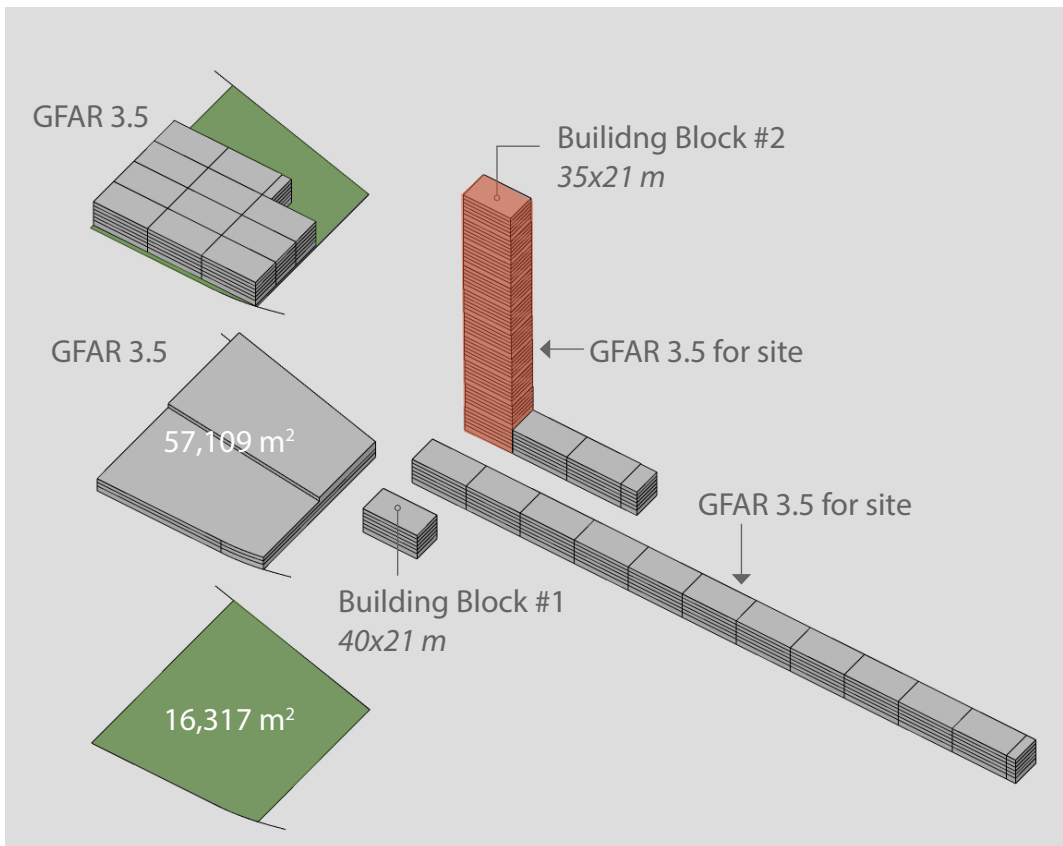
Highfield Park | Proposed FAR and Heights in February 2018 Draft



Highfield Park | Proposed Amendments for HR-LL Zone, FAR and Heights

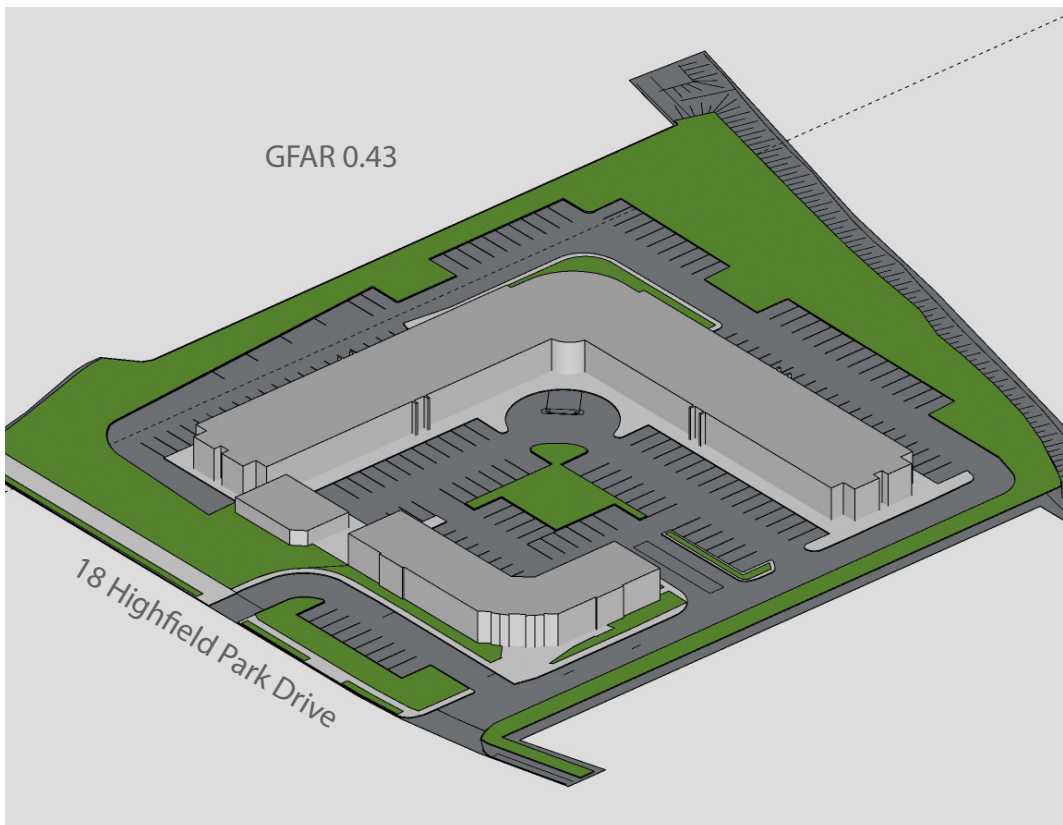


Building blocks required to achieve GFAR of 3.5 on 18 Highfield Park Drive

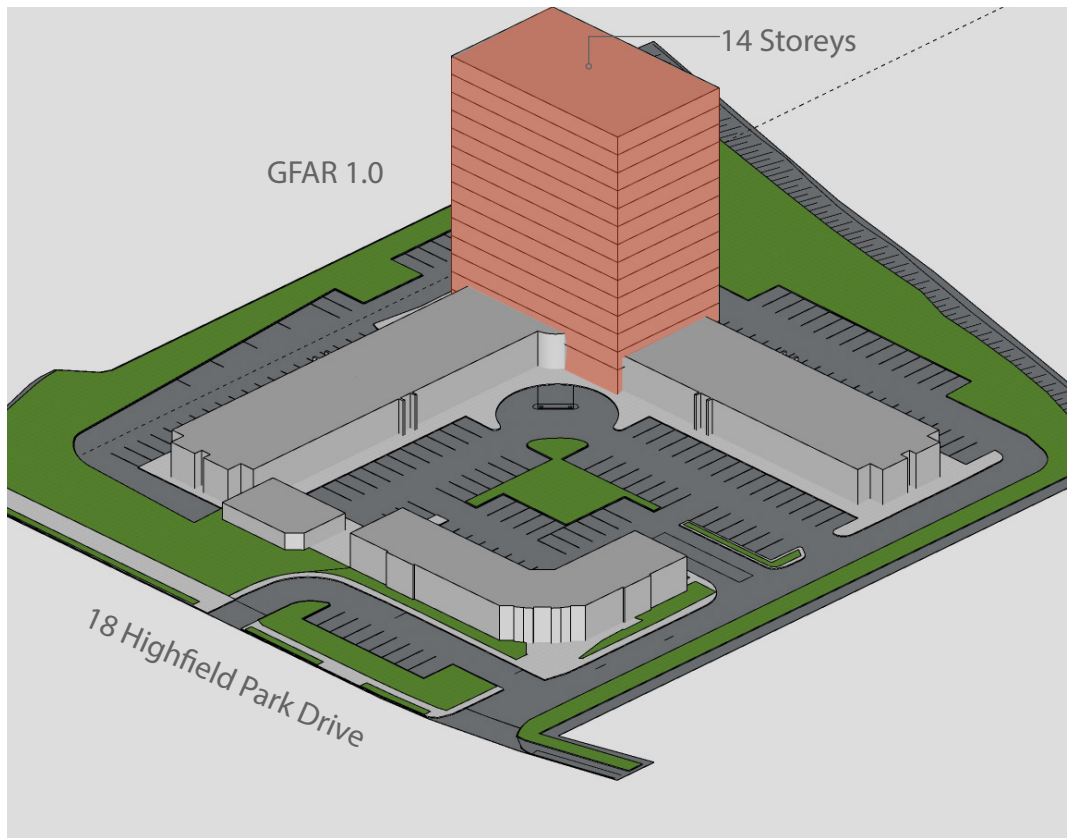


Note: Mathematically cannot achieve GFAR of 3.5 with 6 storey height and 50% lot coverage limits.

Existing Building

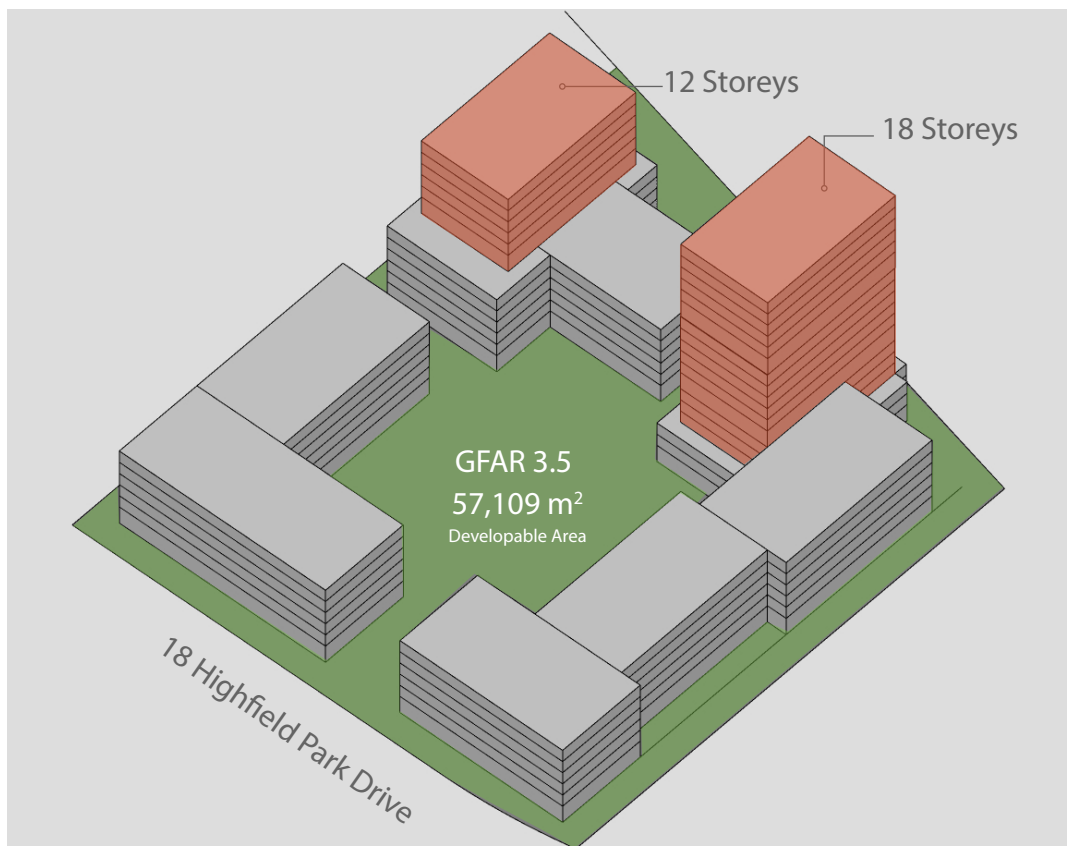


Option 1: Retaining existing structure and adding 14 storey tower



With 14 storey tower addition

Option 2: Courtyard Option | Total redevelopment of site



Regional Centre Secondary Municipal Planning Strategy Package A Review, Halifax

May 4th, 2018

Jennifer Keesmaat
MCIP, RPP



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Regional Centre Secondary Municipal Planning Strategy Review, Halifax

JENNIFER KEESMAAT
MCIP, RPP

Introduction

A REGIONAL CENTRE SECONDARY Plan review is a once in a generation opportunity to reset the vision and align policies to deliver on that vision. The stakes are high in terms of getting it right. The land economics of a region are tied to, although not only determined by, land use planning policy. Market realities ebb and flow as interest rates, or government incentives for affordable housing, wax and wane. A complex web of variables come together to generate, in just the right conditions, outcomes that are consistent with a clear vision.

History has shown that reactionary frameworks can stifle growth and ones that are too permissive can result in regretful outcomes that are impossible to undo. Overdevelopment that compromises quality of life or the natural systems required for people to flourish in the Regional Centre is not in the public interest. But underdevelopment is not in the public interest, either. A critical mass of people and uses are required to deliver walkable scaled communities, where it is possible to shop for groceries, on foot, within close proximity to home. Without density, without a concentration of people to frequent the shops and cafes and other amenities needed for daily life, it becomes necessary to drive. The draft Plan acknowledges this at the outset: ‘enabling more people to walk, cycle, and take transit and use other sustainable modes of transportation requires rethinking not only the design of our transportation system, but also the redesign of our communities.’

The question is this: does this plan deliver the growth framework and density necessary to create a liveable city?

The review is presented in four parts.

Overview and Strategic Considerations outlines the approach to the review, and identifies a series of strategic considerations that underpin the plan and warrant reconsideration. **Foundational Issues** outlines a series of broad themes that are the foundation upon which the more detailed work rests. In this section, I raise some observations and concerns that are central to the overall integrity of the planning framework. **Secondary Plan Content** review is a section by section analysis of the content within the Secondary Plan. **The Land Use By Law Review** is a high level commentary on the technical and detailed Land Use Bylaw, and it reads less like a narrative than the other sections, and more like a list of considerations. References to the Design Manual are made throughout.

I. OVERVIEW AND STRATEGIC CONSIDERATIONS

A1. Key Objective and Process of the Review

The intent of this review is provide a constructive contribution to the work undertaken by HRM Planning and Development, Halifax, as represented in the public materials released in three parts in April of 2018 for comment. The aim, on the part of the Municipality, is to make refinements to the policy framework following a public comment period. While this review has been commissioned by the Urban Development Institute of Nova Scotia, in partnership with Waterfront Development, the Downtown Halifax Business Commission, and the Halifax Chamber of Commerce, it has also been undertaken in co-operation with a broad array of technical stakeholders who were interviewed to provide contextual input, and some of whom submitted written comments (a full list of stakeholders consulted is provided in Appendix A). However, the comments herein are my own, and are humbly presented to solely advance the public interest in designing and building a liveable city, in Halifax.

Methodology

This is an independent, professional technical review, and may or may not represent the views of the sponsoring agencies.

While not a subject matter expert in the Halifax context, I have extensive urban design and policy planning experience in HRM having acted as the lead engagement and policy consultant as a partner in the firm Office for Urbanism developing HRMbyDesign from 2005 to 2008. I was also the Keynote Speaker at the Art of City Building Conference in Halifax in October 2017. To inform this review, I undertook tours and conducted stakeholder consultations with technical experts on two separate occasions in recent months. In addition, I have had detailed conversations with the authors of the Regional Centre Plan, prominent and small scale developers, a number of engineering, planning and design consultants, representatives of non-for-profit organizations, and other related individuals and companies. In the absence of a Steering Committee for this short study,

I requested the creation of a Leaders Table that included the following individuals, whom I met with on three occasions:

- MP Andy Fillmore
- Mr. Robert Richardson
- Mr. Louie Lawen
- Ms. Kelly Denty
- Mr. Steve Higgins

A2. Review of Document Structure

The overall document has a strong and coherent structure that ensures it is easy to navigate. However, the logic behind the level of detail in various parts of the document is unclear. For example, little meaningful description or analysis is provided with respect to the character of the Centres and Corridors, and yet significant time is dedicated to a detailed and prescriptive policy framework for designing individual building's bicycle amenities area.

In addition, there are a series of themes that warrant extrapolation throughout the document. It is easy to lose sight of the vision given that it is not reiterated or expanded throughout the various sections of the document. For example, while 'complete communities' are identified as a goal of the Plan, there is no connection made in the Heritage and Culture Section, or in the Mobility section, with respect to how the proposed policy framework in these sections both links to and delivers on creating 'complete communities'. And yet, a central foundation of the Integrated Mobility Plan is the need to design complete communities where residents have more choice with respect to their mobility needs. Complete Streets, and Transportation Demand Management, are fundamentally entwined with land use planning and design, and yet the linkages in the Regional Centre Plan are not made.

There is a strong emphasis on urban design and built form measures, but little emphasis on the broader livability objectives and framework. The Regional Centre Plan should seek to create distinct places with

clear cultural, heritage and design features that are unique to any given centre or corridor, and yet the emphasis in the framework is less on the character of overall areas and is mostly weighted to the design of specific buildings. The one, and important, exception relates to Heritage Conservation Districts. Advancing these districts as a key priority is an essential first step to ensuring the uniqueness of the Regional Centre is reinforced as it changes, evolves and accommodates additional growth.

A3. Mitigating Unintended Consequences

There are tensions with respect to the level of detail that ought to be included in a planning policy framework. It's clear that in preparing this draft for public review, city planners struggled to find the right balance – as planners always do. On the one hand, the city and residents and to some extent developers would like certainty, and the proposed framework seeks to eliminate the discretionary nature of current approvals in favour of a more predictable, streamlined process that is shaped through better definitions related to use, built form, and development yield. More certainty is also seen as a key means of dampening land speculation, which unnecessarily drives up costs. On the other hand, in an infill context, every site is subject to contextual factors that are limiting and unique – adjacent heritage assets, slope conditions, irregular lot depths and widths. It is difficult to create a framework that both establishes the intent of development review moving forward while also rigidly prescribing outcomes on a site by site basis, without a site by site analysis. Certainty cannot be achieved in broad strokes. It can only be achieved through an analysis that is granular and place specific – a level of detail that does not underpin this Plan. The risk of creating a framework that is prescriptive and yet broadly applied is that every site tends to require exceptions, which in turn means the planning approach once again becomes ad hoc and loses the certainty that was the objective at the outset.

This is a tension that will be apparent in the analysis that follows. By applying a detailed policy framework broadly, unintended outcomes will result. Some sites may be downzoned as a result of the application of the Design Manual: was this the intent? Larger

developments will be easier to execute than smaller projects, as the burden of the guidelines as proposed with respect to affordable housing, for example, may be challenging to absorb on smaller projects. Again, was this the intent? It will be essential to have more clarity with respect to the intent of the policy framework and the guiding principles to which new development ought to adhere to ensure that proposed projects are in keeping with a larger vision for the Centre as a dense, walkable place. In at least some instances the outcomes that arise when the Design Manual policies are applied are in conflict with the intent of the plan (to create a dense, walkable urban centre).

A4. Municipal Responsibilities and Obligations

The overall Plan places great emphasis on the obligations of private development to deliver on the vision and principles outlined. And yet, coordination of private with public sector investment will be necessary to truly deliver. The document is silent, mostly, on the responsibilities of the public sector to both facilitate and deliver on investments in both the public realm and with respect to transit and transportation infrastructure. Whereas the guidelines focus on the development of private land and how new and heritage buildings will interface with public space and amenities, the document falls short of articulating the design of public streets and spaces, and amenity provision, to deliver on complete communities. The Integrated Mobility Plan makes it clear that the design of land – and the integration of land use planning with transportation planning - is fundamental to delivering more transportation choice in the Centre.

It is important that Municipal responsibilities are discharged across multiple departments, and all departments must have accountability in the corporate reporting structure for delivering on their responsibilities. Putting this simply, directors and managers in every department, from legal, traffic, parks, planning to finance (for incentives and annual budget) and even the CAO, must be evaluated in part on how they are achieving the Plan's objectives.

It is my understanding this approach was used to very good effect with the 2006 Regional Plan. It helps make the review process a guidebook for each director to make decisions by. The Centre Plan should be nothing less. It is also important to recognize that achieving the goals of the Plan are far more important than the work of the lawyers. Lawyers need to support and enable the planners rather than curtail or limit the planners' work.

City building is a shared activity that makes demands of the private sector to ensure the public interest is maintained and enhanced as the city evolves. As part of this social contract, municipalities make provisions and investments to build confidence in the future trajectory of the city. Frequently, investments in public parks, for example, are used as a revitalization tool to attract private investment in regeneration areas. Throughout the document it is essential to make clear the municipal strategy related to infrastructure investments in water, energy, transit and community amenities such as schools, parks, recreation centres, libraries and social services to demonstrate the commitment of the municipality to uphold its responsibilities with respect to creating complete communities.

A great local example of private investment following public investment is the new Central Library. The level of well-considered public investment on that site has generated millions of private investments on adjacent sites. Beyond the monetary measures, the library has also injected confidence into the public and private sector alike.

II. FOUNDATIONAL ISSUES

B1. Ensuring the Vision of Neighbourhoods for Everyday Life Materializes

The Plan presents a vision of neighbourhoods for everyday life, with an emphasis on a mix of uses (Complete Communities), redesigned for people (Human Scaled and Pedestrian First), in a predominantly midrise typology (Strategic Growth). This is in many ways a 'livability framework,' that puts people at the heart of the planning process and is an excellent foundation for the future.

But a few key strategic questions emerge as to its deliverability. What is the alignment between built form and job growth, that will enable a mix of uses in various corridors and centres throughout the Regional Centre? While Package B will deal with specific areas dedicated to employment intensive uses, will specific sites within Package A be protected for employment uses moving forward – and if so, where is this locked down in policy? For example, can corridors sufficiently accommodate and absorb employment uses in midrise typologies, or should specific sites be recognized (due to their scale, or depth) for employment uses, and residential restricted?

If the objective is to achieve neighbourhoods where people can “shop, live, work and play” as well as “conveniently access the goods and services they need” how will this mix be secured? A market driven approach will likely result in the development of mostly residential. If residential uses begin to transform revitalizing corridors first, it will become difficult to obtain land for community amenities and employment uses later. This is where strategic planning on the part of government services and agencies, as well as incentives for employment uses, becomes essential to ensuring a mix in each neighbourhood in advance of new dense buildings appearing. In the absence of a specific and strategic framework to deliver this mix, it will not materialize.

B2. How Much Growth, and Where Should it Go?

It is well established in the Vision and Principles of the Plan that complete communities that are walkable are a desired outcome. Key Centres, Corridors and Future Growth Nodes have been identified to absorb significant growth towards this end. Having sufficient liquidity, or development reserves, is essential to ensuring flexibility in the event that some sites do not redevelop (which is likely) within the 13 year time frame of the Plan. Many variables influence whether or not a land owner is interested in redevelopment. A more permissive regulatory context enables redevelopment, but does not require it. Sometimes a profitable, stable, existing use and/or a long term tenant means a site with considerable redevelopment potential will remain 'as is' for an extended period of time. It is imperative to bear this in mind when linking the rationale for the height framework to the need for density to deliver complete communities to the need to absorb growth in the Regional Centre.

If the supply of developable sites becomes too constrained, land prices will escalate and the viability of redevelopment will become more challenging. Getting the balance right on the supply side, in combination with incentives where needed, is necessary to ensuring developers remain interested in investing in the city.

As a result, the rationale for the height and density framework as proposed in the Plan needs to be clearly articulated. Some municipalities, like Toronto, use performance measures to determine appropriate heights (such as mitigating shadows on parks and sidewalks). In Toronto, this materializes in a midrise typology between 6 – 11 stories, and the appropriate height is determined by the width of the right-of-way of the street. Others like Hamilton, use alignment with natural features (the Niagara Escarpment). For Hamilton, this has resulted in the adoption of a new policy framework wherein on tall building sites, all buildings are capped at 30 stories. Some cities, such as Paris, use historical context as the basis for their height rationale. Others use a more nuanced approach that is evaluated based on the impact to the overall sky line

of introducing new tall buildings. In the context of the Regional Plan, it is unclear as to what the basis of the rationale is for the heights proposed in the built form framework. In some instances, narrow and wide right-of-ways alike are capped at a midrise typology. On the narrow right-of-ways this may be too tall; on the wide right-of-ways this may represent a missed opportunity for more density. This requires clarity for a variety of reasons, but particularly so that the plan can potentially adapt to a higher growth scenario than anticipated, while still maintaining its livability objectives.

The Plan is adopting GFAR as a framework to managing growth, albeit in a manner that is, on the face of it, confusing. Developing through FAR has the potential to allow for creativity in design while controlling scale and density. However, there are some potential issues with the way FAR is used in the context of the Plan. First, using GFAR over FAR will penalize developers interested in providing more liveable buildings through indoor amenities such as larger bike rooms, play areas for children, and community rooms - as such uses will accrue towards the density calculations. It could also be argued that this approach penalizes green building practices, such as Passive House, that require thicker wall assemblies than standard buildings. Again, these areas are deducted from overall leasable space available within the building. Second, the modest GFARs provided in many of the areas appear to be handicapped through the use of overly restrictive height limits and city-wide stepbacks and setbacks. This results in many sites not achieving their full GFAR potential. Finally, the proposed blanket density bonusing regulations could further discourage redevelopment of sites identified for high density development. The Plan will fall short of achieving its growth targets if application of GFAR, or FAR, is not carefully analyzed and modeled. Case study analysis is required to understand the cumulative impact of these measures.

Given all the considerations of good urban design, neighbourhood character, adjacencies, and other good design principles are respected, a good guiding objective for height and density may be to allow for maximum envelope possible on each site.

The Design Manual introduces a higher expectation with respect to material quality, attention to detail, and contribution to the public realm than existed previously. Setting the expectation high for the Regional Centre is imperative to affirming the character and quality of the overall identity of the city for the future. At the same time, there is a risk that infill projects might become too difficult to pursue in relation to the opportunities elsewhere in the city. Could the Design Manual act as a disincentive to development in the core? HRM should want to encourage infill growth – as essential to addressing the sustainable growth imperative of the city and reducing its environmental footprint. One way to do so would be to expand the criteria in the Design Manual to the rest of the city, within reason. For example, the Sustainable Landscape Practices could easily be applied and embraced city-wide.

Key recent decisions, albeit at the Provincial decision-making table, reinforce suburban redevelopment, including the building of a regional hospital facility and significant capital allocations to building more highways. The risk is that by requiring a higher quality of development in the core, HRM unwittingly bumps and incentivizes development to the suburban fringes of the city. To mitigate this, serious consideration should be given to the infrastructure investments that ought to be advanced in the Regional Centre to rebalance and recognize the priority of development in existing areas, and consideration should be given to adjusting fees and taxes to act as an incentive for infill growth. Given the more complex nature of development on infill sites, a dedicated Planning Team should be assigned to assist in expediting redevelopment in the Regional Centre.

B3. Planning for Parks, Open Spaces and the Ecology of the City

A key building block for walkable cities is the open space vision and parks plan. The street network, ideally, is embedded within this larger vision of open space planning that becomes the fabric upon which urban life unfolds. As the Regional Centre becomes denser, the open space framework and the ecology of the city will become more critical to ensuring the long term livability of HRM. Not only is a clear vision required, but this vision is essential to generating the social license required to support adding more density to existing places. At the least, the Plan should outline a clear vision for the ecology of the future city, and how an open space framework will serve to enhance natural systems and access to nature for residents. A commitment should also be made to developing a bold plan that both capitalizes on existing parks and open spaces, outlines how they will be maintained and the mechanisms available for reinvestment, and draws a clear connection between open spaces, parks, street design and dense new neighbourhoods. The quality and character of the public realm presents an opportunity to link together existing uses and neighbourhoods, which is essential to building out a walkable urban fabric. Currently, in many areas of the Regional Centre, large roads act as barriers to pedestrian movement. The Plan should speak to the role that HRM will play in redesigning the public realm to deliver on Complete Communities and Pedestrians First using municipal infrastructure design.

Also essential to the livability of dense urban areas is the replenishing and maintaining of the mature tree canopy, particularly as redevelopment takes place. While in historical neighbourhoods the tree canopy is a defining feature, in other areas it is non-existent (Wyse Road), and in others it is declining as trees reach the end of their life span. While Halifax's Urban Forest Master Plan addresses such issues, a commitment to this plan through Centre Plan policies, by-laws and design guidelines is required.

III. SECONDARY PLAN CONTENT REVIEW

This is a section by section review of the content in the Secondary Plan.

a. Introduction

Plan's Section 1.4 Opportunities and Challenges: The logic of the Urban Structure rests on assumptions as they pertain to growth in the centre. If these assumptions prove to be unsound, the overall structure would require reconsideration. Setting a target of 40% of HRM's growth to be directed to infill sites is laudable, ambitious and necessary. But the timeframe identified is constrained – the Urban Structure Plan anticipates absorbing a significant amount of the 'upzoned' growth by 2031, only 13 years out. A framework over a longer time frame would allow for more overall flexibility with less emphasis on specific sites and more of a focus on performance criteria in keeping with the overall Plan vision (and would seek to absorb more units). Even as an academic exercise, it is essential for HRM to consider where 30, 50 and 100 years of densification in the corridor could be accommodated, to ensure that over the long-term the Regional Centre will continue to urbanize.

As such, this is a short-term planning framework and it is yet to be seen how it will reshape the business model of development in the Regional Centre. There will be market adjustments that will require constant monitoring in order to understand the implications of this policy. Understanding how longer-term growth can be accommodated is essential.

There are many scenarios that could unfold and warrant attention – and even modeling - but I will outline two for consideration.

In the high growth 'perfect' situation scenario, new development is built on the sites identified primarily in the centers and corridors as per the policy framework, and these sites undergo a significant transformation in a relatively short period of time. In this timeframe, growth is accommodated precisely where it is expected. But a new problem quickly emerges. Where does the next wave of growth go beyond the 13 year timeframe? The risk,

as I see it, is that by painting the strokes quite broadly and assuming that the vast majority of new development will be midrise, within a 20-30 year period existing residential neighbourhoods will experience development pressure. In the short term, accommodating more growth in some areas where adjacencies allow and performance standards can be readily achieved will ensure that underdevelopment in corridors does not, in the near future, compromise the integrity of heritage neighbourhoods or stymie growth.

In the second scenario, there is a perception of scarcity with respect to developable land and/or developers decide it is infeasible to redevelop smaller scale sites in keeping with the design guidelines as prescribed. It's critical to note that this is a real probability. The design guidelines as articulated do have greater impacts on smaller sites, thereby making it more difficult to accommodate smaller scale developments. Although some sites on corridors have been upzoned from two or three stories to six, the development proforma might not work (particularly if there is a viable existing use) and these sites will either be assembled over a longish period of time to create a larger parcel or they will remain as is. For this reason, the growth targeted areas need to include some generous assumptions to ensure that growth is not hindered by a limited number of truly developable sites. A site by site analysis could be the basis of an analytic approach wherein the risk of 'no-growth' in the near term is assessed. Once 'slow-growth' sites are identified, the remaining sites in the Regional Centre could then be evaluated against slow, medium and high scenarios to better understand the capacity for absorption, and to ensure that there is a reasonable basis for assuming that proposed heights and densities align with a desirable pace of construction, population growth, and employment growth.

With respect to large sites, one of the challenges to untangle is the relationship between current uses (and therefore value) on larger sites that have been identified for redevelopment and the time/trigger that might precipitate redevelopment. While some sites that are identified as underdeveloped will, through this planning framework, see a liberalizing

of development rights, this does not mean that in the short term the viability of redevelopment is imminent. For example, despite creating a new road and block structure for the Scarborough Town Centre in Toronto (where a large mall now sits), and the advancement of a subway extension to this centre, the strength of the current mall function means the land owner has no intention of redeveloping the centre within a 20-30 year time frame. While the City of Toronto would like to see the site redeveloped in the near future as a means towards urbanizing the centre, the business case for the land owner is not favourable to do so. These market considerations are also relevant for corridors. Whereas the policy framework for Wyse Road assumes high rise, it is my understanding from the industry that wood construction is what the market currently supports. As such, in the short-term I would recommend either incentivizing high rise development along Wyse Road (knowing that market drivers are not in place), or remove from the absorption projections the Wyse Road sites. If the desired typology is high rise, it would be best *not* to accommodate midrise in the short-term, as this would represent an under development of the area.

The issue here is planning for the difference between what is zoned for redevelopment versus what can reasonably be expected to be developed in the short/medium term. Determining this is not scientific, but is contingent on a myriad of variables. However, we do know that upzoning alone will not act as the impetus for change. On top of the land value, the particulars of the ownership structure of the land/site, as well as the owner's individual income tax position and overall financial position [debt/mortgage], will have an impact. On many of the sites identified as key areas to absorb growth, it is possible that within the 13 year time horizon, the land value as a development site will not exceed the land value with its current, existing use. This, of course, will make the risk associated with redevelopment untenable to owners.

The development of 18,000 units would be a 70% build out of the areas covered by the Plan. As such, an assumption herein is that over the next 13 years 70% of the frontages of the streets in the Plan that have

been given higher designations would be built out. That is a ratio of 3:2 in which out of every 3 properties zoned for development, 2 is assumed to be developed by 2031. This assumption included large sites like Halifax Shopping Centre and the Canada Post Lands, among others. As a basis for the inventory analysis for the Plan, this is problematic. That the majority of these properties will be deemed redevelopment sites, and that the owners will want to sell/develop all of these sites within the next ten years, is unlikely, even in a high growth scenario. In light of viable existing uses on many of the sites identified for redevelopment (remember the Scarborough Town Centre example above), a more realistic ratio is 10:1 or even 20:1, meaning, a land inventory of 10 or 20 sites approved with zoning criteria would be required to meet the development targets above.

Plan's Section 1.4.2 Sea Level Rise: Whereas Sea Level rise is identified within the opening section of the plan, there is no subsequent section that reveals the infrastructure strategy, or the built form implications, of rising water levels.

b. Vision and Principles

Whereas the vision articulates 'Complete Communities' as the foundation of the urban structure, there is no analysis to demonstrate how this will be achieved. What planning tools and metrics will be used to ensure that the amenities and social services required for a walkable centre will be delivered? At what scale is a complete community defined? How will HRM provide an integrated approach to service delivery to provide amenities to local communities? For example, local libraries, recreation centres and health services are a critical overlay to ensuring complete communities. Local schools are necessary also, and ought to be promoted through the Regional Centre Plan, and policy should identify the need for collaborations with other levels of government to ensure an alignment of strategies. Mapping of existing facilities combined with an identification of the gaps in this infrastructure should be tied to densification. Ideally, densification should also be tied to areas where there is existing capacity, first. Policy tools should be utilized to link

together new developments with the provision of amenities that are deficient (such as daycare spaces). The plan requires an additional **Character Area Plan** (which could be included in this section, Vision and Principles) that identifies the various neighbourhoods, the walksheds for them, and outlines a strategy for ensuring that local health facilities, daycares, recreation centers and educational facilities will be provided within a walkable neighbourhood. To do so, coordination is required with the Ministry of Health and the Ministry of Education, in addition to municipal service providers. This exercise will also raise questions about density. The risk, of course, is that under achieving with respect to density makes it difficult to provide neighbourhood amenities. Densities should be measured within these Character Areas to ensure sufficient catchment areas to deliver on the objective of **Complete Communities**. The Urban Structure might require revisiting if densities are consistently too low to deliver amenities within dense, walkable neighbourhoods.

The focus of the Regional Centre Plan with respect to **Pedestrians First** in policy pertains primarily to 'human scaled' building design. And yet the interface between this Plan and the Integrated Mobility Plan should be about the integration of land use planning and transit corridors, at the outset. It is unclear how the transit corridors have informed the Urban Structure, and the extent to which the promotion of transit-oriented development has been a key driver in the Growth Nodes. A strong cross-referencing is required, particularly since the Integrated Mobility Plan identifies as a key pillar the integration of land use planning with transit planning. As per the Integrated Mobility Plan, specific strategies are required to identify how the Growth Nodes will be integrated into the public transit infrastructure of the city. At the moment, the Mobility Plan leaves this to be further resolved through planning policy, and this planning policy leaves it open ended.

In addition, there is a gap between the Integrated Mobility Plan and the Regional Centre Secondary Plan with respect to street design. Key to creating a walkable community is the redesign of streets

as places of pedestrian priority that provide a safe environment for cyclists and pedestrians. Particularly along the corridors, which are intended to absorb significant growth, the Regional Centre Plan must speak to the required redesign of road right-of-ways, sidewalk widths, and street design (such as bump-outs at wide corners) to promote a safe walking environment. Reference to the Complete Streets policies in the Integrated Mobility Plan is essential.

c. Urban Structure

Policy 3.2.2 Large Lots: Consideration should be given to adding an affordability requirement for large sites that differs from the system established in the Land Use By-Law. Criteria should include a requirement to reintegrate these sites into the existing urban fabric through urban design and landscaping considerations, as well as through street and pedestrian connections, as identified.

There is a clear logic to the eleven land use designations, however consideration should be given to adding a sub-layer of designations to the corridors, which might speak to either their built form or their transportation function. For example, Gottingen and Robie are fundamentally different in character than Quinpool and Wyse Road, and ought to be governed by fundamentally different design - and even development - principles.

Policy 11: Some flexibility should be considered with respect to requiring commercial uses where buildings face designated Pedestrian Oriented Commercial Streets. One option might be to link this requirement to the scale of a site. The risk is that this requirement acts as a disincentive to redevelopment, if commercial vacancies are high. It is my understanding that commercial vacancy is at its highest point likely since WWII. Downtown Halifax Class A market has a commercial vacancy rate of 22% and the rest of the city is 15%. The capacity to absorb commercial at the ground floor will be challenging in light of this, and particularly given that retail is currently undergoing a significant transition as a result of the uptake in on-line shopping. The objective should be pleasant

and welcoming streetscapes. Well-designed amenity space or residential at-grade, or live-work space at-grade, can serve to animate the public realm in an appealing way for pedestrians. Design guidelines specific to this treatment should be prepared to ensure acceptable setbacks and landscaping to maintain privacy for the at-grade residences while also recognizing the interface with the public realm.

3-3.2.7 Centres: The Regional Centre Plan requires further detail in describing the distinguishing features that define the character of the centres. Whereas the Plan indicates that development standards shall be established, each of these areas requires a much more fine grained analysis in advance of adopting the height framework, that also takes into account a broader neighbourhood analysis. For example, in some areas where a narrow road right-of-way exists, prioritizing midrise development might be too aggressive. In other areas, where the road right-of-way is significantly wider and the existing character is less distinct, midrise typology might be underwhelming. Given the primary role that these corridors will play in absorbing growth, addressing the vision of creating complete communities and transit-oriented development, and the special character of Quinpool and Gottingen, a site by site planning framework is required that adheres to a higher level set of principles.

3.3 Corridors: Critical to the success of the corridors will be the character of the street. A street section should be provided that responds to a variety of different street widths, and recognizes the need for cycling facilities and wider sidewalks. The interface of buildings along this corridor with the public realm will determine the quality of the walking environment, and street life. Emphasis should be placed, in the planning framework, on delivering high quality public spaces through partnerships between developers and the public sector.

d. Culture and Heritage

Narrative should be added at the outset of this section that both illuminates and acknowledges the First Nations, African Nova Scotian and Acadian stories of the HRM.

A much stronger policy statement is required that recognizes the culture and heritage and history of HRM, while at the same time acknowledging that it is the objective of HRM to ensure that as change takes place, the cultural and built heritage will be better enhanced, protected and advanced. Given historic tensions in HRM pertaining to historic preservation, the Regional Centre Plan should be used as a tool to affirm the importance of better investing in, and preserving, heritage resources. In addition, a clear role should be articulated for the municipality in facilitating heritage preservation as the Regional Centre enters a high growth period. It is a missed opportunity not to do so.

A significant number of Future Potential Heritage Conservation Districts are identified. Much stronger language is required in Policy 76 to establish the importance and priority of advancing these districts in an expedited, strategic manner. The risk is that new development pressures materialize, as facilitated by the vision of this Plan, and heritage assets are not acknowledged as a critical component to developing place-specific Complete Communities.

There is an opportunity to potentially expand the Historic Properties proposed district to the Merrill's block, and potentially to Province House, Dennis Building.

e. Housing

A broad and sweeping liberalization of housing policies to permit a variety of new types including rooming houses and secondary units is proposed. This ambitious change could facilitate a gentle form of densification which should be measured and evaluated to determine whether the impact results in more demand for community services. There is an opportunity to link these proposed changes back to the vision for creating Complete Communities, and a diversity of housing types in all neighbourhoods.

Policy 80 The requirement for three bedroom units in every multi-unit building to accommodate different household sizes might be prohibitive for some smaller scale redevelopments, if demand for these units

due to price point is low. This building requirement adds additional carrying costs for the developer if market absorption is slower for this unit type, and the requirement should be forgiven on smaller development projects with less overall units. However, on large scale projects, a specific requirement of 5 – 7% three bedroom units may not be onerous, but should be assessed based on market conditions, and added in as a requirement on a project by project basis. In addition, incentives should be put in place to enable more larger units in larger projects at an affordable price point to ensure access to multi-unit housing for families.

A section should be added under **Policy 80e** that speaks to the design of multi-unit buildings to ensure indoor amenities such as craft and play rooms for families and children, and in particular stroller parking, are included as well as the outdoor amenities highlighted.

Policy 82 specifies that the municipality ‘may’ provide incentives to encourage infill housing through the Land Use Bylaw. At the same time, in the Land Use Bylaw, new requirements to build affordable housing have been conjoined with new bonusing requirements. Policy 82 recognizes that incentives may be required to facilitate infill housing in some locations; in the LUB, 198 (1) affordable housing is required to be at least 75% of the total value of a required public benefit achieved through bonus zoning. There is a misalignment between these two objectives. One is positioned in such a way as the municipality is making a contribution to infill housing, the other is demanding the developer contribute affordable housing in exchange for density in infill housing.

Policy 83 indicates that the municipality ‘may’ monitor the rate of housing stock change. In light of the proposed policy changes, the municipality ‘should’ monitor the rate of housing stock change and should provide this data on an annual basis in a public report.

Policy 84 A more direct policy statement is required with respect to the municipal role anticipated in facilitating affordable non-market housing. Policy 84 indicates that the municipality ‘may’ consider the use of surplus lands for affordable housing. A more progressive approach that will truly yield outcomes would be to develop a ‘housing first’ policy whereby all surplus lands are first considered for affordable housing prior to disposition by the municipality. In addition, a strategy should be developed to proactively identify key sites and areas of the city where strategic land holdings could be acquired by the municipality for partnerships with both private and public sector agencies, to develop affordable housing. In particular, the municipality should pursue acquiring lands adjacent to key community amenities like schools and rapid transit stations.

f. Economic Development

This section of the Plan does not articulate what the economic development strategy for the Regional Centre is, and the role that this planning framework will play in advancing it. It is necessary to do so. For example, if manufacturing or port uses are expected to shrink or to expand, in both instances there are land use planning implications that ought to be accounted for in this strategy. Given that a level playing field does not exist for manufacturing, industrial, institution or employment growth in relation to competing for residential land, it behooves HRM to have clarity as to how the demand in each of these areas will be sufficiently accommodated in the long term. In addition, increases in density will increase demands for health care services. How is this accounted for in the plan? Is the possibility of expansion for large scale employment uses – like an Amazon HQ – anticipated for the Regional Centre, and if so, where can these strategic investments be located in a way that advances Complete Communities? Some analysis ought to be incorporated into this section that anticipates changes within various sectors (including military, financial and logistics) and identifies the implications of these changes from a land use planning perspective.

g. Mobility

The first objective in this section pertains to prioritizing pedestrians ‘first’ in all transportation decisions. Further detail is required to determine how this will materialize. The Design Manual clearly articulates built form priorities that seek to create a positive walking environment for pedestrians. And yet the document is silent on the most important elements necessary to creating a safe city for pedestrians – controlling speeds, introducing bump outs and widening sidewalks, redesigning of right-of-ways to prioritize those on foot.

This section would benefit from a map of the Regional Centre that establishes the planning walkshed for each community, the high street of those communities, and a hierarchy of streets within each complete community. Each of these areas should then have specific street typologies that reveal how the street will be used for pedestrian life. New street typologies that cater to pedestrian activity, such as shared streets and woonerfs, should be introduced into community design and linked to areas where higher density development is anticipated.

Policy 96 There is an opportunity within this policy to speak specifically to the priority of ensuring that cyclists have the infrastructure they require in a network of separated cycling facilities. Consideration should be given to adding a ‘minimum standard’ of cycling facilities that are required within a relatively short time frame to deliver this infrastructure in a concerted way and to enable safe cycling as a real choice.

Policy 97 establishes that the municipality ‘may’ carry out traffic calming and diversion projects to improve conditions for walking and bicycling. A stronger statement is required. If pedestrians are truly the priority, in many areas of the Regional Center immediate interventions are required – such as the slowing of speeds through a reduction in speed limits – to demonstrate this to the public. Street redesigns should be pursued in highly visible corridors to signal the shift in priorities and to provide a visual clue to cyclists that they are valued, welcomed, safe and encouraged in

the road space. Examples of what is intended as traffic calming interventions should be provided given that different approaches fit with different kinds of contexts, and this should be specified. HRM should consider referencing and embracing Vision Zero if the intent is to prioritize pedestrians, and their safety.

h. Environment

While increasing the tree canopy coverage is identified as an objective in this section, there are no policies that demonstrate how the tree canopy will be safeguarded and expanded.

Policies should be added pertaining to run-off and the importance of creating porous surfaces as a part of all new developments. Incentives, in the form of fee reductions, should be provided for developments that limit.

Policies should be added pertaining to requiring green roofs on all new buildings.

Policy 103 Further detail is required to demonstrate the role the municipality expects to play in advancing more sustainable design. Will a Green Standard be created? If so, this policy should outline its scope.

Whereas an open space network is identified as desired in **Policy 105**, one is not proposed, nor is a process put in place to ensure that the open space framework is tied to densification and creating complete communities. This is a fundamental oversight, and required to ensure new populations have excellent access to open space.

Policies related to managing impacts on infrastructure and planning for increasing water levels, as a result of rising sea levels, must be added and implications must be considered for new developments and infrastructure investments.

i. Implementation

Policy 10.1 It is suggested that the 2008 Community Engagement Strategy will guide consultations on amendments to the Plan moving forward. Given the weight of the potential impact of the Plan, and the variables which surround land use planning (the market economy, shifts in the workforce), it is essential to have a clear and regular process for review. Within this section, a framework that both mandates and governs how the Plan will be both monitored and adjusted must be explicit, to build the confidence of stakeholders that what is positioned as a 13 year plan does not, inadvertently, become a 40 year planning framework. The municipality has an obligation to provide this clarity, indicating a regular review period, and the expected scope of that review.

The Centre Plan should become a guide for the annual capital budget. And conversely, the annual budget should embed the Plan. One should be able to read the annual budget and “see” the Centre Plan implementation.

Policy 10.7 The policies pertaining to Investing For Growth identify a critical risk to the proposed planning framework, that is, that the investments required from the public sector to deliver on the overall vision do not materialize, or only materialize in part. Greater confidence must be built, in this section, in the probability that the public sector will advance both the planning and capital investments required to manage the growth proposed, and to accommodate a denser approach to urban development. Each of the **Policies 121-125** should be reworked with stronger language which commits the municipality to both develop the more detailed programs required, and to implement them within a timeframe that aligns with the growth framework in this plan.

Policy 124 Following the development of Character Area Plans for the Regional Centre that will identify the ‘walksheds’ for each Complete Community (as suggested earlier in this document), criteria should be established to determine the areas that will be first in the queue for local urban design plans and

capital investments. The first suite of projects should be identified and brought forward with the Regional Centre Plan, to ensure that a commitment to their advancement is fully integrated with Plan approval. The municipality has investment obligations to ensure complete communities evolve in a manner that is comprehensive, replete with requisite infrastructure needs, just as the private sector has obligations to the public interest, as articulated and enshrined in this document.

Policy 123 Similarly, an Implementation Plan designed to expedite the development of multiple Heritage Conservation Districts at once should be brought forth as a companion document to this Plan. Doing so will build public trust that as significant change is permitted and advances in a relatively short period of time as a result of this policy framework, the protection of heritage assets will be secured in policy. Heritage incentive programs, alluded to as a possibility in **Policy 123**, should also be advanced as part of the Plan, for similar reasons.

It is my understanding that Staff has historically been unable to keep up with demand for the creation of Districts. The Downtown Plan created one immediately (Barrington) and identified two more for rapid implementation. The Downtown Plan was adopted 9 years ago, and neither of the other two have been implemented. This points to a serious need for a bigger and an enhanced heritage department. Halifax is a city of heritage, one of Canada’s and North America’s oldest cities – the need for a heritage planning department, supported by new hiring and massive incentives for property owners to reinvest, is necessary.

IV. THE LAND USE BY LAW REVIEW

Following are detailed technical considerations based on a review of the Land Use By Law.

Part One

Appeal of Decision (pg 20): Consideration should be given to defining under what circumstances an appeal will be considered. As it stands in 29, anyone can appeal any approval regardless of type, size, location or for any reason.

Non-Conforming Structures (pg 21): Clarification is required to the statement, “if the non-conformance is not made worse.”

Part Two

Pedestrian-Oriented Commercial Streets (pg 28): add, (p) other uses as deemed appropriate by the Development Officer

Part Three

Dwelling Unit Mix (pg 36): Policy 58 (2) (b); consider amending this requirement, as per earlier comments, to be applicable in projects of a certain scale, so as not to deter smaller scaled developments.

Amenity Space (pg 36): Consider amending, or adding, criteria with respect to the quality and the character of publicly accessible amenity space, frequently referred to as POPS – Privately Owned Publicly Accessible Space.

Part Four

Minimum Lot Area (pg 46): It is unclear why “any other zone” is included, and it is recommended to take this zone out of the policy (in both sections).

Part Five

Number of Buildings on a Lot (pg 49): It is unclear as to why a maximum of one main building is permitted on a lot, particularly recognizing many irregularities with respect to lot size in the Regional Centre.

Viewing Triangles (pg 50): This regulation appears to

be a requirement by traffic engineers to provide better viewing corridors for vehicular traffic in suburban communities. This requirement does not have any added benefit in an urban context and will undermine other urban design objectives related to activating ground levels.

Prohibited External Cladding Materials (pg 50): In some instances, and for some design elements, plywood or concrete block could be utilized as a design element and should be qualified within this list.

Features Exempt from Maximum Height Requirements (pg 53): Pitched roofs of 6-7 metres should be considered as exemptions, and therefore added to Table 4.

Maximum Lot Coverage (pg 57): Policy 106 (1) (b) (c) The rationale for the maximum coverage of 80% and 50% is unclear.

Ground Floor Requirements (pg 58): It is unclear why at least 60% of the buildings total ground floor frontage along all streetlines shall consist of clear glass glazing. This may be inconsistent with the existing character of the street, and the character of the street should be used as the guiding determinant.

Streetwall Height, Streetwall Stepbacks, Side and Rear Setbacks and Stepbacks (pg 59 + 60): the bylaw is too broad to be applied across different zones and street right-of-ways, without consideration for the character of the street, lot depths, and the urban room that is created. These guidelines need to be designed on a street by street basis, also taking into account existing conditions, adjacencies, rear lot conditions, and heritage assets that may be a part of the streetscape.

Part Eight

General Landscaping Requirements (pg 79): Policy (3) is specific, and may be too constraining on small sites and/or smaller scale developments. An exception may be required to qualify the requirement.

Requirement to Submit a Landscape Plan (pg 86): Consideration should be given to an exemption to the

requirement of having a registered landscape architect prepare the plan, for small scale projects.

Part Nine

General Parking Requirements (pg 89): Policy 149 (1) (a) Porous materials should be encouraged, in place of asphalt and concrete. (7) Landscaping materials and lot design should be encouraged to facilitate ease of pedestrian movement. Ramps to address slope seems onerous on the Peninsula.

Required Number of Motor Vehicle Spaces by Zone and Use (pg 91): Consideration should be given to less space requirements for Multi-unit dwellings, or a market demand based approach. In very urban areas, 1 space for every 3 units might constitute an over building of parking, as would one space for every classroom, and 1 space for every 75 sq m of GFA of office space.

Bicycle Parking (pg 96): This section contains considerable detail that seems to be out of scale with the level of detail throughout the rest of the by law.

Class A Bicycle Parking Requirements (pg 99): Shower facilities at the rate of one shower for every 10 cyclists represents an overbuilding of such facilities.

Part Eleven

Density Bonus Regulations (pg 114): There are some potentially significant issues related to the density bonus framework proposed in the plan. The only way to investigate the implications of the proposal is to apply the provisions on a site by site basis and to use the case study analysis to extrapolate more broadly the implications. This testing must be undertaken by the municipality in partnership with the industry and CMHC to identify refinements that are required, and this analysis should be made available to the public to deepen understanding of what appears to be a complex system of development.

The approach to integrating affordable housing into density bonusing is unconventional in a market of this scale, and that is primarily building rental supply, as is. Consideration should be given as to whether the

fact that at least 75% of the total value of the required benefit must be allocated to affordable housing will act as a disincentive to achieving more significant densities (i.e. the bonus is not an incentive for additional development in the context of the overall development proforma). It would be an unintended and unfortunate outcome if less housing is built over all due to an overly onerous affordable housing requirement. It is also unclear as to whether the municipality has a role to play in financing the development, or operating, of these units in some way. In the Toronto context, affordable units that are secured through development review and built by private developers are supported by the municipality and the province through granting programs, as a means to achieving affordability. A cash-in-lieu program that is funneled to non-profit housing developers as identified through an open process by the municipality might be a better means of developing a critical mass of affordable rental housing, particularly if there is little uptake on bonusing due to the affordable housing requirement.

Careful economic analysis and detailed neighbourhood-based needs assessments should be undertaken to support the viability of integrating affordable housing into new projects over a certain scale. Density bonusing requirements must be designed to hit a relatively small sweet spot wherein the developer sees enough value creation to be incentivized to build the additional units. Consideration should be given to alternative approaches.

Public Benefit Requirements: Public Art (pg 120): Given that public art is a part of a long list of other public benefits that account for only 25% (after affordable housing requirements are met) of the public benefit value achieved through bonusing, the extent to which this system will result in the provision of public art is questionable. A better system would be to require 1% of capital construction costs to be allocated to public art on all projects over a certain scale, as a means to beginning to investing in, and develop, a substantial public gallery of art.

Appendix A: Participants

I would like to thank the following individuals and organizations who generously shared their perspective on the Centre Plan documents with me:

- Abigail MacEachern, Architect, Architecture49
- Andrew Giles, Brunello Estates
- Andy Fillmore, Urban Planner, Member of the Parliament
- Ben Young, Southwest Properties
- Carl Purvis, Planner, Halifax Regional Municipality
- Cesar Saleh, P.Eng, WM Fares
- Chris Crawford, Architect, Ekistics
- Dale Godsoe
- Dan Goodspeed, Architect, Kassner Goodspeed Architect
- David Quilichini, PM, Fusion Halifax
- Eric Burchill, Planner, Southwest Properties
- Eugene Pieczonka, Architect, Lydon Lynch
- Fred Morley
- Greg Johnston, Architect, Paul Skerry Associates
- Jeffrey Haggett, Planner, FBM
- Jacob Jebailey, Architect, WM Fares
- Jacob Ritchie, Planner, Halifax Regional Municipality
- Jenny Lugar, Our HRM Alliance
- Joe Gnemmi, Planner, Fusion Halifax
- Kathleen MacEachern, Halifax Chamber of Commerce
- Kelly Denty, Planner, Halifax Regional Municipality
- Kourosh Rad, Planner, Compass Commercial Realty
- Louis Lawen, Developer, Paramount Management
- Matt Neville, Planner, EDM
- Michael Napier, Architect, MNA
- Mike Christian, Intern Architect, Architecture49
- Mitch Dickey, Planner
- Neil Lovitt, Planner, TurnerDrake
- Nicole Babineau, Paramount Management
- Paul MacKinnon, Downtown Business Commission
- Peter Bigelow, Planner, Waterfront Development Corporation
- Peter Polley, Developer, Polycorp
- Rob LeBlanc, Planner + Landscape Architect, Ekistics
- Robert Richardson, Compass Commercial Realty
- Ron Smith, Architect, Studioworks International
- Ross Cantwell, Developer and Real Estate Consultant, HRM Apartments
- Steffen Käubler, Planner, Upland
- Steve Higgins, Planner, Halifax Regional Municipality
- Sue Sirrs, Landscape Architect, Outside Planning & Design
- Tony Maskine, Developer, Blue Basin Group
- Tristen Cleveland, Planner, Dalhousie PhD Candidate

Appendix B: Jennifer Keesmaat's Key Recommendations on Centre Plan Package A

Correlation of Plan's Vision and Policies: Whereas the vision articulates 'Complete Communities' as the foundation of the urban structure, there is no analysis to demonstrate how this will be achieved. How will HRM provide an integrated approach to service delivery to provide amenities to local communities? For example, local libraries, recreation centres and health services are a critical overlay to ensuring complete communities.

- **Recommendation One:** Expand and extrapolate the vision throughout the document to connect policy recommendations to larger planning themes.
- **Recommendation Two:** Identify collaborations required with other levels of government to ensure an alignment of strategies to deliver complete communities. Require Infrastructure Plans within HRM divisions to align with anticipated redevelopment areas. Incentivize development in areas that have infrastructure capacity.
- **Recommendation Three:** Re-evaluate the level of detail throughout the framework to ensure alignment between policy requirements and existing conditions. Ensure sites are not unintentionally downzoned.
- **Recommendation Four:** In partnership with industry and design professionals, develop site specific case studies to test the framework and build confidence in its applicability.

Municipal Responsibilities and Obligations: City building is a shared activity that makes demands of the private sector to ensure the public interest is maintained and enhanced as the city evolves. The overall Plan places great emphasis on the obligations of private development to deliver on the vision and principles outlined. The document is silent, mostly, on the responsibilities of the public sector to both facilitate and deliver on investments in both the public realm and with respect to transit and transportation infrastructure.

- **Recommendation Five:** Identify municipal obligations and a process for developing required Infrastructure Plans that will ensure new growth can be accommodated without undue burden.
- **Recommendation Six:** Be bold on committing to delivering higher quality of living in Halifax. While demanding high standards from the private sector through obligatory words such as 'shall' and 'should', hold the Municipality to the same high standards. When committing to goals such as affordable housing on Municipal-owned properties and providing safe walkable streets, consider replacing the voluntarily language of 'may' with 'shall' and 'should'.
- **Recommendation Seven:** Ensure Municipal responsibilities are discharged across multiple departments, and all departments must have accountability in the corporate reporting structure for delivering on their responsibilities.

Height and Density: It is unclear as to what the basis of the rationale is for the heights and densities proposed in the built form framework.

- **Recommendation Eight:** Identify an appropriate rationale and framework for height and density. Ensure Plan does not unnecessarily downzone sites.

Neighbourhood Level Analysis: By applying a detailed policy framework broadly, unintended outcomes will result. The Plan provides prescriptive measures in areas that may not be necessary, and lacks recognition of specific character areas.

- **Recommendation Nine:** Conduct neighbourhood-specific analysis and create appropriate policies, by-laws and design guidelines that would support and enhance the unique character of each neighbourhood.

Level the Playing Field: The Design Manual introduces a higher expectation with respect to material quality, attention to detail, and contribution to the public realm than existed previously. At the same time, there is a risk that infill projects might become too difficult to pursue in relation to the opportunities elsewhere in the city.

- **Recommendation Ten:** Level the playing field between suburban and urban development by providing more resources to Regional Centre projects. Also, place similar design and development requirements on suburban development.

Planning for parks, open spaces and the ecology of the city: A key building block for walkable cities is the open space vision and parks plan. The Plan should speak to the role that HRM will play in redesigning the public realm to deliver on Complete Communities and Pedestrians First using municipal infrastructure design.

- **Recommendation Eleven:** Prepare and embed a detailed parks, open space and city ecology plan into Centre Plan's policies, by-laws and design guidelines.

Recognizing neighbourhood needs: Creating Complete Communities requires a commitment from the private sector, the Municipality and the Province.

- **Recommendation Twelve:** The plan requires an additional **Character Area Plan** (which could be included in this section, Vision and Principles) that identifies the various neighbourhoods, the walksheds for them, and outlines a strategy for ensuring that local health facilities, daycares, recreation centers and educational facilities will be provided within a walkable neighbourhood.

Culture and Heritage: A much stronger policy statement is required that recognizes the culture and heritage and history of HRM, while at the same time acknowledging that it is the objective of HRM to ensure that as change takes place, the cultural and built heritage will be better enhanced, protected and advanced.

- **Recommendation Thirteen:** Narrative should be added at the outset of this section that both illuminates and acknowledges the First Nations, African Nova Scotian and Acadian stories of the HRM. Plan should also be used as a tool to affirm the importance of better investing in, and preserving, heritage resources. In addition, a clear role should be articulated for the municipality in facilitating heritage preservation as the Regional Centre enters a high growth period.
- **Recommendation Fourteen:** Develop a strategy to expedite the creation of Heritage Conservation Districts.
- **Recommendation Fifteen:** Halifax is a city of heritage, one of Canada's and North America's oldest cities – the need for a larger and enhanced heritage planning department, supported by new hiring and massive incentives for property owners to reinvest, is required.

Housing: The Plan indicates that the municipality 'may' provide incentives to encourage infill housing through the Land Use Bylaw. Also, the Plan indicates that the municipality 'may' consider the use of surplus lands for affordable housing.

- **Recommendation Sixteen:** A more progressive approach that will truly yield outcomes would be to develop a 'housing first' policy whereby all surplus lands are first considered for affordable housing prior to disposition by the municipality. In addition, a strategy should be developed to proactively identify key sites and areas of the city where strategic land holdings could be acquired by the municipality for partnerships with both private and public sector agencies, to develop affordable housing.

Mobility: The document is silent on the most important elements necessary to creating a safe city for pedestrians – controlling speeds, introducing bump outs and widening sidewalks, and redesigning of right-of-ways to prioritize those one foot.

- **Recommendation Seventeen:** Map the planning walkshed for each community, the high street of those communities, and a hierarchy of streets within each Complete Community. Each of these areas should then have specific street typologies that reveal how the street will be used for pedestrian life. New street typologies that cater to pedestrian activity, such as shared streets and woonerfs, should be introduced into community design and linked to areas where higher density development is anticipated.
- **Recommendation Eighteen:** Identify the strategy for expediting the creation of cycling facilities throughout the Regional Centre.

Public Art: Given that public art is a part of a long list of other public benefits that account for only 25% of the public benefit value achieved through bonusing, it may or may not materialize.

- **Recommendation Nineteen:** A better system would be to require 1% of capital construction costs to be allocated to public art on all projects over a certain scale, as a means to beginning to investing in, and developing, a substantial public gallery of art.

Balancing Certainty and Flexibility: On the one hand, the city and residents would like certainty, and the proposed framework seeks to eliminate the discretionary nature of current approvals. On the other hand, in an infill context, every site is subject to contextual factors that are limiting and unique. Balancing this certainty in the process while providing flexibility is an essential task of the Plan.

- **Recommendation Twenty:** Reevaluate the approach to development review. Recognizing the complexity of infill development, create a highly trained specialized Regional Centre development review team dedicated to expediting approvals and creative problem solving.
- **Recommendation Twenty-One:** Default to overarching intent of each chapter, not to the minutiae of the regulations.

Planning beyond the 2031 horizon: The Plan currently assumes one growth scenario until 2031. How will the plan adapt to a slow (or negative) growth, or faster-than-expected growth? What will happen to established neighbourhoods and the heritage assets beyond 2031?

- **Recommendation Twenty-Two:** Extend the planning timeframe beyond 2031 and consider different growth scenarios (high, medium and low). Consider a slow growth, or worse, decline scenario and ensure the Plan can respond to such scenarios.

Achieving Plan's Growth Targets: The development of 18,000 units would be a 70% build out of the areas covered by the Plan. As such, an assumption herein is that over the next 13 years 70% of the frontages of the streets in the Plan that have been given higher designations would be build out. That is a ratio of 3:2 in which out of every 3 properties zoned for development, 2 is assumed to be developed by 2031. This assumption included large sites like Halifax Shopping Centre, West End Mall, and the Canada Post Lands, among others. As a basis for the inventory analysis for the Plan, this is problematic.

- **Recommendation Twenty-Three:** Consider a more realistic ratio of 10:1 or even 20:1, meaning, a land inventory of 10 or 20 sites approved with zoning criteria would be required to meet the development targets above.

Closing the gap between HRM’s existing plans:

The focus of the Regional Centre Plan with respect to **Pedestrians First** in policy pertains primarily to ‘human scaled’ building design. It is unclear how the transit corridors and the Integrated Mobility Plan have informed the Urban Structure, and the extent to which the promotion of transit-oriented development has been a key driver in the Growth Nodes.

- **Recommendation Twenty-Four:** A strong cross-referencing is required, particularly since the Integrated Mobility Plan identifies as a key pillar the integration of land use planning with transit planning. Also, direct references to the Complete Streets policies in the Integrated Mobility Plan is essential.

Economic Development: the Plan does not articulate what the economic development strategy for the Regional Centre is, and the role that this planning framework will play in advancing it.

- **Recommendation Twenty-Five:** Develop a comprehensive, data driven analysis of economic development opportunities. Collaborate with key partners to facilitate and incentivize growth.

Devil’s in the Details: This review is a high level analysis of the Centre Plan documents. There needs to be much more elaboration on the details of every policy, by-law and design guidelines. As an example, through industry consultations, it was identified that even modest GFARs provided are not achievable on many of the sites due to height, setback, stepback and other design requirements.

- **Recommendation Twenty-Six:** Work closely with the industry, designers, planners, economists, and other professionals to model and test the guidelines for unintended outcomes, and modify as needed.

Environment: While increasing the tree canopy coverage is identified as an objective in this section, there are no policies that demonstrate how the tree canopy will be safeguarded and expanded. The Urban Forest Master Plan provides the necessary tools to address such issues.

- **Recommendation Twenty-Seven:** Consistent with Urban Forest Master Plan, policies should be added pertaining to run-off and the importance of creating porous surfaces as a part of all new developments. Incentives, in the form of fee reductions, should be provided for developments that limit non-porous surfaces.
- **Recommendation Twenty-Eight:** Consistent with Urban Forest Master Plan, develop recommendations related to protecting and enhancing the tree canopy.

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04 May 2018

Centre Plan Project Team
Centre Plan Advisory Committee
Halifax Regional Municipality, NS

Re: Proposed Reginal Centre Plan

I 'm writing to submit our comments on the proposed Centre Plan regulations, both in general terms and relative to how they affect our site at the corner of Prince Albert Road and Glenwood Avenue in Dartmouth.

The high level policy goals are good but also represent fairly generic motherhood statements that could reasonably apply to any city. More importantly, there are concerns with the details of the regulations that will actually discourage the intended redevelopment. Based on our review, the plan does not provide a balanced approach, effectively discouraging development in the core areas of the city while promoting development in areas outside of the Regional Centre.

Downzoning

The plan suggests that it will provide certainty and enable development in key areas with faster approval processes. However there are many areas that currently have generous zoning and development agreement rights where development has not happened. This is especially true in Dartmouth for areas such as Wyse Road, Windmill Road, and Pleasant Street where the economic case isn't yet viable even though there are no height or density limits. While the uncertainty of a DA process does discourage development to some degree, reducing allowable heights and imposing arbitrary GFAR that together slash achievable density will do nothing to spur development in such areas. Instead these areas will continue to underperform as land owners wait for rents to increase or for the rules to change. Where density bonusing is required to achieve maximum height, even less development will happen, especially in areas like Wyse Road where it is already possible under current zoning to develop these heights without having to pay the proposed density tax.

Heights

The proposed height framework is not appropriate. To consider that low rise buildings are no more than 11m and 3 floors, and that mid rise is only 4-6 floors, might make sense in a small town but not in a city trying to broaden its appeal and attract investment. A high rise building by any rational definition does not start at 7 floors. The existing downtown Halifax standards are more appropriate (low rise to 20m, mid rise to 33m) and for consistency's sake should be used throughout the Regional Centre. There are many homes taller than 11 m - are we intending to call these mid rise buildings? There have been no detailed, meaningful feasibility studies done by HRM that consider development economics, otherwise it would be clear that most sites simply cannot be developed under the proposed height rules. There also needs to be a provision for varied heights on large properties, which should be used to accommodate stepped mid to high rise buildings that transition to low rise forms on the same site. This approach provides flexibility, while guaranteeing protection for adjacent low density forms by providing greater separation to tallest buildings.

Built Form Framework

A built form framework is good if it provides for reasonable yield and design options. But unreasonably strict development standards that force small building footprints, building envelopes and floorplates with no flexibility are a problem. Given the wide variances in site size, shape and context throughout the Regional Centre, there should be the ability to adapt to unique conditions. An oddity is the prohibition of useable penthouse space, which will result in unsightly mechanical penthouses and reduce opportunity for rooftop amenity space.

GFAR

The use of Floor Area Ratios is a valid means of regulating development by tying allowable building envelope to lot size. However it is only effective when a net figure is used that factors out areas such as common circulation areas, elevator cores and stairways, areas of refuge, shared amenity space, above grade enclosed parking, lunch rooms & locker rooms in commercial buildings, and bike lockers. Using a gross number means that the building will contain as many small units as possible and the least permitted amount of common space. But to use FAR at all when there is a clear heights and built form framework is unnecessary and seems to be trying to find just one more way to limit and prohibit development. Use built form controls or net FAR, but not both.

Grandfathering of Development Agreements & Approved Development Permits

It's our understanding that development agreements already approved or those already in process, will be grandfathered for a period of three years and that changes to the design to approved applications may also be considered by Council. This seems appropriate given it recognizes the substantial investment made in acquiring lands and planning for development, a process that does not happen quickly.

Approved Development Permits, are however, subject to a different standard and are being dismissed / vacated entirely under the proposed Centre Plan. Given that Development permits are obtained as-of-right they should be afforded equal if not superior consideration under the new plan. Development Permit plans require submission of detailed designs consistent with submissions for development agreements. Development Permits have received approval that is similar to development agreements, so why can this fact not be recognized? One may argue that the development agreement is a contract which cannot be vacated while the development permit might be vacated as part of process. However common sense demands that the new Centre Plan respect the right afforded to as-of-right property owners that have clearly demonstrated their intent by way of obtaining a Development Permit. It is only fair that there be a clause in the new LUB which states that a DP issued under today's rules or that has been applied for by a certain date, will continue to be valid for a period of at least three years once Centre Plan is adopted.

307 Prince Albert Road / 5 Glenwood Site

This Property consists of two separate parcels which we are in the process of consolidating, to create a 25,707 square foot site. The property at 307 Prince Albert currently contains a funeral home and large parking lot, while 5 Glenwood contains a duplex. The funeral home site is zoned GC General Commercial while 5 Glenwood was recently rezoned by Harbour East Community Council to R4 High Density Residential. Our intent is to develop a mixed use, primarily residential building on the combined lot via an active development agreement application, however we must ensure that the proposed zoning and standards provide adequate development rights.

Impact of Centre Plan Rules on Our Site

Centre Plan is proposing a Corridor Zone that would allow mixed use development on a maximum lot coverage of 80%, with a 20m height limit and maximum GFAR of 3.5. These standards are only proposed for 307 Prince Albert while 5 Glenwood is to receive a low density zone. Given the recent decision by Council to rezone 5 Glenwood, the entire site should be placed within the corridor to avoid split zoning the consolidated property and to enable comprehensive development.

GFAR vs DA proposal - Based on lot size, Centre Plan only allows 65,825 square feet of gross floor area on the lot at 307 Prince Albert Road, resulting in a yield of only 40 to 45 units which is simply not viable. That GFA is substantially less than what the building envelope rules allow for, which

would be 80,000 square feet - Why have a set of standards seeming to allow one design be superseded by another standard? Just use one or the other without trying to create some hybrid system that conflicts with itself. With the zoning applied to the whole combined site, the maximum GFA of 3.5 would only allow 89,975 square feet and a yield of only 55 to 60 units. For the combined site, the building envelope rules would allow 110,000 square feet. By comparison, the development agreement application currently in process is for approximately 85 units, with gross floor area of 118,000 square feet and a GFAR of 4.6. We've been going through this process for several years and if it was viable to develop a 55 to 60 unit building we would already have proposed that under the DA, given some vocal opposition to any development on the site. This comparison demonstrates that the theoretical development capability allocated by Centre Plan simply does not provide enough real world incentive to redevelop, and that HRM has not undertaken a meaningful analysis of the impacts of its proposed limits.

Height Limits - The existing zoning on our site does not include any height limits, which enables unlimited height for commercial buildings while residential buildings are subject to DA, giving flexibility to determine what is appropriate given the unique characteristics and context of every site. Centre Plan however is now proposing to impose a 20m height limit that would only enable a 6 storey building, with no penthouses permitted. The site is at a major corner, at the intersection of 3 streets and where the primary street of Prince Albert Road is very wide. The abutting lands to the north contain a service station and hotel. The site is very deep, which allows for good transitions in scale from the front back to abutting low density. A large park is on the other side of Prince Albert. Such a site is logical candidate for greater height given just these factors. In addition to the aforementioned, a tall building can be developed on this site with no shadow impacts. But Centre Plan seems intent on giving in to the anti-development voices and favouring low rise forms that are more suburban in character and that (if even possible to be built) will waste development capacity by failing to capitalize on intensification and infrastructure opportunities. By contrast, Planning Applications staff most recently supported a 9 storey building on the site through the DA process and advised it was compatible with the area, and in 2012 staff made a case for 14 storeys on the same site. Why is another group of staff now saying that these forms aren't appropriate? The version of Centre Plan approved in principle in 2017 provided for the ability to have extra height on corner sites, where good transitions in scale could be provided. Our DA proposal substantially exceeds the proposed standards of Centre Plan relative to setbacks and stepbacks to abutting lands, and where this can be achieved there should be consideration for extra height. However the new version of Centre Plan has removed this ability, for unknown reasons. But on the basis of that now-removed corner provision, staff supports extra height for the site at Robie/Cunard in Halifax, and Centre Plan now provides for a 26m building on that corner instead of 20m as shown last year. This shows an inconsistent approach and demonstrates a lack of fairness, as the Prince Albert site is very similar to the Robie/Cunard one in terms of context to surrounding land uses. As such Centre Plan should show at least a 26 m height at the corner of Prince Albert/Glenwood, stepping down toward the back. The consideration for extra height, where appropriate transitions in scale can be provided, should be put back in Centre Plan as per Council's approval in 2017. That will allow design flexibility where the characteristics of a site make it appropriate and exemplary design and form can be provided that exceeds the minimums.

Summary

For most properties, the proposed land use rules with their restrictions on height and GFAR will be a strong disincentive to redevelop sites. To underline this point, in 2017 Jacob Ritchie said in a public presentation (in relation to the review of the Downtown Dartmouth MPS) that growth targets have not been met because the 7 storey height limit in that plan is too restrictive. And yet that mistake is now proposed to be compounded and extended to a wider area. Most large sites, except those that have already advanced in a DA process or MPS amendment, will remain in their current state and HRM will not achieve its stated growth goals. It has become abundantly clear in the HRM-held developer workshops that city staff have little appreciation of the factors that contribute to decision making and investment in moderate to large scale redevelopments. The details of Centre Plan therefore need to be rewritten especially in the following areas:

- Decouple built form standards from GFAR, and just use one or the other, in order to bring clarity to site and architectural design
- Provide for a realistic heights framework for low, mid and high rise buildings,
- Don't tax the development of taller buildings in an effort to seemingly favour buildings of 6 floors or less,
- Undertake some meaningful feasibility studies on key sites to understand development economics around what is feasible and what is not, to break the cycle of HRM proposing rules that won't enable reasonable degrees of development,
- Extend the proposed Corridor zoning to also include 5 Glenwood Avenue.
- Provide grandfathering provisions for development permits equivalent to development agreements, and

We support the goal of providing clear and up to date planning documents for the Regional Centre, but it is imperative that they be founded in a real understanding of land development, otherwise HRM will fall far short of its stated Centre growth goals with the result that development of new multi unit buildings will shift more strongly to the suburbs where there is a large land supply and fewer restrictions.

Yours truly,

Original Signed

Tony Maskine, M.A.Sc., P.Eng.
Blue Basin Group

cc: Chair and Members of Community Design Advisory Committee
Sam Austin, Councillor, District 5