

# **ATTACHMENT I**

## **PROPOSED AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY FOR HALIFAX**

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

1. Amend “SECTION 1: BASIC APPROACH AND OVERALL OBJECTIVE” by adding a new paragraph after the paragraph starting “the enhancement of” as shown in **bold**:

**The Municipal Planning Strategy for Halifax shall not apply to the lands located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns, as shown on Map 1: Urban Structure - Secondary Municipal Planning Strategy for Regional Centre.**

2. All maps and schedules of the Municipal Planning Strategy for Halifax are amended to remove those areas located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes and Downtowns, as shown on Map 1: Urban Structure - Secondary Municipal Planning Strategy for Regional Centre.

3. Amend the “TABLE OF CONTENTS”, as shown below in ~~strikeout~~, by:

- (a) deleting the words and numbers “Map 9Gb: Peninsula North Planning – Area 1”, under “SECTION XI: PENINSULA NORTH SECONDARY PLANNING STRATEGY”;
- (b) deleting the words and numbers “Map 9Gh: Peninsula North Planning – Area 8”, under “SECTION XI: PENINSULA NORTH SECONDARY PLANNING STRATEGY”;
- (c) deleting the words and roman numerals “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”;
- (d) deleting the words and number “Map 1: Quinpool Road Commercial Area Plan Boundary”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”;
- (e) deleting the words “AREA DEFINITION”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”;
- (f) deleting the words “OVERALL OBJECTIVE”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”;
- (g) deleting the words and number “1. RESIDENTIAL ENVIRONMENTS”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”;
- (h) deleting the words and number “2. COMMERCIAL FACILITIES”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”;
- (i) deleting the words and number “3. COMMUNITY FACILITIES”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”;
- (j) deleting the words and number “4. GENERALIZED FUTURE LAND USE MAP”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”; and
- (k) deleting the words and number “Map 9H: Generalized Future Land Use - Quinpool Road”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”.

4. Amend the “INTRODUCTION” of Part II by:

- (a) deleting the word “ten” in the second paragraph, and replacing it with the word, number, and brackets “nine (9)”, after the words “there are” and before the words “detailed policy”; and

- (b) deleting the words, roman numerals, brackets, and comma “the Quinpool Road Commercial Area (Section XII),” in the second paragraph, after the words, roman numerals, and brackets “(Section XI)” and before the words “the Western Common”;

as shown below in **bold** and ~~strikeout~~,

## “INTRODUCTION

Part II constitutes the Municipal Planning Strategy for a portion of the area formerly known as the City of Halifax. It sets forth statements of policy with respect to present and future land use, transportation facilities, service facilities (schools, parks, open spaces), budgeting and citizen participation. The geographic implications of these policies are shown in map form. The framework for the control of land use is addressed through statements of policy dealing with land use regulations and a statement of policy (in map and text form) dealing with generalized future land use.

In accordance with the planning process described in Part I of this document, there are ~~ten~~ **nine (9)** detailed policy sections in this part which set out statements of policy for the South End Area (Section V), the Peninsula Centre Area (Section VI), the Fairview Area (Section VII), the Bedford Highway Area (Section VIII), the Mainland South Area (Section X), the Peninsula North Area (Section XI), ~~the Quinpool Road Commercial Area (Section XII)~~, the Western Common Area (Section XIII), the Wentworth Area (Section XIV) and the Bedford West Area (Section XV) respectively. These area plans are enabled by city-wide policies in Part II, Section II and define the detailed policy directions which the Halifax Regional Municipality will employ in decision-making for these specific areas.

Under the provisions of the Halifax Regional Municipality Charter, a municipality cannot regulate directly from a Municipal Planning Strategy; rather, it must regulate from a Zoning By-law adopted by the municipality to carry out the intent of the Plan. It should, therefore, be noted that there is an essential distinction in the policies of the Plan as they relate to this point, such distinction being defined by the use of the words "should" or "shall" in the policies. Where "shall" is used in a policy relating to a land use matter, it points to implementation of that policy through zoning regulations. Similarly, where "should" is used, the policy, for the purposes of land use control, will apply to any decision on a development application, rezoning, or zoning amendment made by Council.”

- 5. Repeal Policy 2.5.2 in Section II of Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.5.2 For the areas identified below and on Map 3, the City should prepare detailed area plans, adopt them and submit them to the Minister as amendments to this Plan.~~

~~9. Simpson's/Eaton's Shopping Area~~

- 6. Repeal Policy 2.5.3 in Section II of Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.5.3 Detailed area plans may deviate from the boundaries shown on Map 3 when justified to accommodate a neighbourhood's characteristics or at the request of the residents of the area.~~

- 7. Repeal Policies 2.14 and 2.14.1 in Section II of Part II, in their entirety, as shown below in ~~strikeout~~.

~~2.14 For the property at 6955 Bayers Road (PID # 40824005) the Municipality may permit the development of multiple unit residential buildings by development agreement.~~

~~2.14.1 Any development permitted pursuant to Policy 2.14 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, and shall include:~~

- ~~(a) the adequacy of the servicing capacity of the site;~~

- ~~(b) the architectural design of the building including building materials;~~
- ~~(c) the adequacy of parking facilities;~~
- ~~(d) preservation and/or enhancement of the function of the larger site which includes the existing Cemetery and Community Centre;~~
- ~~(e) provide opportunities for public access to the existing indoor and outdoor components of the larger site;~~
- ~~(f) provision for vehicular and pedestrian access and egress patterns from the surrounding area;~~
- ~~(g) the provision of open space; and~~
- ~~(h) adequate site landscaping and buffering; and~~
- ~~(i) scale, height and massing of the buildings.~~

8. Repeal Policy 2.15 in Section II of Part II, in its entirety, as shown below in ~~strikeout~~.

~~2.15 Pursuant to policies 2.4 and 2.6, residential development may be considered on the former Petro Canada lands between Kencrest Avenue and Barrington Street (LIMS No. 34058) in accordance with the development agreement provisions of the Municipal Government Act. When deciding whether to enter into such an agreement, consideration shall be given to the following matters:~~

- ~~1. A mix of housing types is provided for varying accommodation needs;~~
- ~~2. The development can be integrated with the surrounding neighbourhood, without causing any unreasonable loss of enjoyment or convenience;~~
- ~~3. The development will not adversely affect municipal service levels in the surrounding neighbourhood and or cause the need for upgrading existing municipal infrastructure.~~

9. Amend "SCHEDULE II.1 – SOFT AREAS OUTSIDE AREAS DESIGNATED FOR DETAILED PLANNING" in Section II of Part II, as shown below in ~~strikeout~~, by:

- (a) deleting the number and words "5. Area bounded by Container Port and existing residential development adjacent to Young Avenue and Ogilvie Street.";
- (b) deleting the number and words "6. Area lying on west side of Robie Street between the boundaries of Peninsula Centre and Peninsula North designated areas for detailed planning.";
- (c) deleting the number and words "8. Area bounded by Simpson's and Eaton's shopping areas for detailed planning, Quinpool Road, Dutch Village Road and Olivet Street.";
- (d) deleting the number and words "9. Area fronting Chebucto Road between Poplar and Elm Streets and Peninsula North area for detailed planning.";
- (e) deleting the number and words "10. Area bounded by west side of Windsor Street, London Street, and Chebucto Road.";
- (f) deleting the number and words "11. Area fronting south side of Bayers Road and both sides of Oxford Street between Connaught Avenue and Liverpool Street.";
- (g) deleting the number, words and brackets "12. Area within the curtilage of Civic Number 6450 Young Street (presently occupied by Hoyt's Moving and Storage Limited).";
- (h) deleting the number and words "13. Area bounded by Richmond and Barrington Streets, and Devonshire Avenue.";
- (i) deleting the number and words "14. Area bounded by Young Street, Isleville Street, Columbus Street, Agricola Street, Kane Street and Robie Street.";
- (j) deleting the number and words "15. Area bounded by Bayers Road, Howe Avenue, Scot Street and Desmond Avenue.";
- (k) deleting the number and words "16. Area bounded by northeast side of Windsor Street, between Strawberry Hill and Hood Street.";
- (l) deleting the number and words "17. Triangular area bounded by Lady Hammond Road, Robie Street connector and existing developed properties.";
- (m) deleting the number and words "18. Area fronting Lady Hammond Road between Memorial Drive and Duffus Street.";

- (n) deleting the number and words “19. Northwest corner of Duffus Street and Gottingen Street.”; and
- (o) deleting the number and words “20. Area bounded by west side of Lynch Street between Duffus Street and Rector Street.”

SCHEDULE II.1

SOFT AREAS OUTSIDE

AREAS DESIGNATED FOR DETAILED PLANNING

1. Geizer Hill area bounded by Bicentennial Highway and western boundaries of existing development of Fairview, Clayton Park, Bridgeview, Sherwood Park, Wedgewood Park, and Mount St. Vincent University.
  2. Kearney Lake area bounded by Bicentennial Highway and City limits
  3. Hemlock Ravine margins bounded by City lands of Hemlock Ravine, Bedford Highway, City limits, Bicentennial Highway and Grosvenor-Wentworth developed area.
  4. Area bounded by Dunbrack Street, St. Margaret's Bay Road, Crown Drive, thence following a line from Crown Drive to the S.E. corner of Springvale subdivision and following the southern boundary of Springvale subdivision itself.
  - ~~5. Area bounded by Container Port and existing residential development adjacent to Young Avenue and Ogilvie Street.~~
  - ~~6. Area lying on west side of Robie Street between the boundaries of Peninsula Centre and Peninsula North designated areas for detailed planning.~~
  7. Deleted
  - ~~8. Area bounded by Simpson's and Eaton's shopping areas for detailed planning, Quinpool Road, Dutch Village Road and Olivet Street.~~
  - ~~9. Area fronting Chebucto Road between Poplar and Elm Streets and Peninsula North area for detailed planning.~~
  - ~~10. Area bounded by west side of Windsor Street, London Street, and Chebucto Road.~~
  - ~~11. Area fronting south side of Bayers Road and both sides of Oxford Street between Connaught Avenue and Liverpool Street.~~
  - ~~12. Area within the curtilage of Civic Number 6450 Young Street (presently occupied by Hoyt's Moving and Storage Limited).~~
  - ~~13. Area bounded by Richmond and Barrington Streets, and Devonshire Avenue.~~
  - ~~14. Area bounded by Young Street, Isleville Street, Columbus Street, Agricola Street, Kane Street and Robie Street.~~
  - ~~15. Area bounded by Bayers Road, Howe Avenue, Scot Street and Desmond Avenue.~~
  - ~~16. Area bounded by northeast side of Windsor Street, between Strawberry Hill and Hood Street.~~
  - ~~17. Triangular area bounded by Lady Hammond Road, Robie Street connector and existing developed properties.~~
  - ~~18. Area fronting Lady Hammond Road between Memorial Drive and Duffus Street.~~
  - ~~19. Northwest corner of Duffus Street and Gottingen Street.~~
  - ~~20. Area bounded by west side of Lynch Street between Duffus Street and Rector Street.~~
10. Repeal Policy 5.4 in Section II of Part II, in its entirety, as shown below in ~~strikeout~~.
- ~~5.4 The property at the northern corner of Windsor Street, Young Street and Bayers Road (PID # 00153106) was formerly part of the CFB Halifax - Willow Park. The site forms a unique opportunity for commercial and high density residential development as it is outside an established residential neighbourhood but an appropriate site for high density residential development. Notwithstanding the policies 5.1 through 5.3, a mix of residential and commercial uses shall be considered by Development Agreement in accordance with the *Halifax Regional Municipality Charter*.~~
11. Repeal Policy 5.5 in Section II of Part II, in its entirety, as shown below in ~~strikeout~~.

5.5—Any development permitted pursuant to Policy 5.4 shall be achieved by attention to a variety of factors for which conditions may be set out in the Development Agreement, such as but not limited to:

- ~~(a) that the proposal is a comprehensive plan for the development of the lands in their entirety and may include construction phasing;~~
- ~~(b) that the development is comprised of a mixture of residential and compatible commercial uses;~~
- ~~(c) that the proposal shall contain three above ground buildings which transitions in height from low to high rise, with the lowest building at Young Street (five storeys maximum), and providing a transition to the northern and western corners of the site. The tallest building shall be located in the norther portion of the site with a maximum height of twentyfive storeys;~~
- ~~(d) that a combined (residential/commercial) floor area ratio (FAR) of 4.38 for the site shall not be exceeded and a maximum floorplate width of 32m above the seventh floor not be exceeded;~~
- ~~(e) that a minimum building spacing of 22.86m be maintained between the two tallest buildings and that the building at Young Street be a minimum of 15.24m from the two tallest buildings.~~
- ~~(f) ground floor land uses facing Windsor Street and Young Streets shall be primarily commercial and that the building fronting on Young Street contain a minimum of 50 percent of the gross floor area of the building;~~
- ~~(g) to promote pedestrian interest and create a high quality design attention, ground floor uses shall have a high level of transparency and include frequent prominent entryways to adjacent public streets where there are multiple occupancies. Site landscaping, appropriate lighting and coordinated signage shall be considered;~~
- ~~(h) the appropriate scale and massing of the building(s) for the lot area and configuration;~~
- ~~(i) the architectural design of the building including a high quality design using durable exterior building materials, variations in the facade and mass of the building shall be provided to provide visual interest;~~
- ~~(j) the integration of underground parking and buildings so that the ground floor of all buildings facing a public street are at or near the grade of the adjacent sidewalk;~~
- ~~(k) the size and visual impact of utility features such as garage doors, service entries, and storage areas, shall be minimized and that mechanical equipment shall be concealed;~~
- ~~(l) the creation of high quality design detail at pedestrian level through attention to such matters as site landscaping, fencing, minimal surface, parking, prominent building entrances, appropriate lighting and coordinated signage;~~
- ~~(m) that residential dwelling unit types have a minimum of 50% of the dwelling units are a minimum of two bedrooms and have a minimum area of 92.9 sq. m. and that they are located throughout the development;~~
- ~~(n) safe and appropriate vehicular and pedestrian access and egress is achieved through a complete network of pedestrian walkways and driveway including an east-west pedestrian linkage;~~
- ~~(o) that vehicular parking is primarily provided within an interior parking garage that has access from both Young Street and Windsor Streets;~~
- ~~(p) that there is an adequate supply of vehicular and bicycle parking;~~
- ~~(q) that rooftop areas include landscaped outdoor amenity space;~~
- ~~(r) the provision of useable on-site amenity space and recreational amenities of a size and type adequate for the resident population;~~
- ~~(s) that environmental factors, including sun/shadow and wind conditions are suitable;~~
- ~~(t) there are suitable onsite solid waste facilities; and~~
- ~~(u) the adequacy of sewer and water servicing capacity for the site.~~

12. Repeal Policy 2.3.4 in Section V of Part II in its entirety, as shown below in strike-out.

~~2.3.4—The area bounded by Barrington Street, 1075 Barrington Street, the VIA railway corridor, and~~

~~1015 Barrington Street is positioned between Downtown Halifax and existing multi-unit residential development in the South End Area Plan. In order to better reflect the transitional nature of this area, the Halifax Peninsula Land Use By-law shall be amended to introduce an area-specific zone titled RC-4 (South Barrington Residential/Minor Commercial Zone). The RC-4 Zone shall require pedestrian-oriented commercial uses on a portion of the ground floor facing the public street and residential uses within the remainder of a building. RC-4 Zone provisions shall regulate overall height, streetwall height, setbacks, amenity space, landscaping, buffering adjacent to the railway corridor, and signage. The RC-4 Zone shall require each building to contain a minimum number of residential units with two or more bedrooms, and shall require vehicular parking to be located below grade and inside a building.~~

13. Repealing Policy 2.5 in Section V of Part II, in its entirety, as shown below in ~~strikeout~~.

~~2.5 — The City shall revise its Zoning By-law to provide that, under the provisions of Section 33(2)(b) of the Planning Act, the commercial uses existing at the date of adoption of this Plan in the areas designated as "High-Density Residential" or "Residential-Commercial", specifically those uses on the properties identified as 5450 Inglis Street, 990 Barrington Street, 5620 South Street, and 5230 Tobin Street, if destroyed by fire or otherwise, may be reconstructed to their original size and use, notwithstanding the provisions of the Zoning By-law which may apply to the properties.~~

14. Repealing Policy 2.6 in Section V of Part II, in its entirety, as shown below in ~~strikeout~~.

~~2.6 — For those commercial uses identified in Policies 2.5 and 2.6.1, Implementation Policy 3.14 shall not apply; but the City may consider applications for building or site improvements for those properties by development agreement, provided that:~~

- ~~(a) the use existed on the date of adoption of this Plan;~~
- ~~(b) the use is not proposed to change to another commercial use, and, in the case of service stations, accessory uses such as a carwash, or a retail use not directly associated with the servicing of vehicles, shall not be permitted;~~
- ~~(c) the proposed building or site improvements do not have undue negative impacts on adjacent residential uses with respect to scale, traffic, noise and lighting; and~~
- ~~(d) the intended improvement where such an improvement is of a technological nature is not inappropriate to location in a residential area by reason of possible nuisance or safety hazards to residents of the area.~~

15. Repeal Policy 2.6.1 in Section V of Part II, in its entirety, as shown below in ~~strikeout~~.

~~2.6.1 — Pursuant to Policy 2.6, the City may consider an application for a redevelopment or conversion of the existing building on the property identified as 5750 Spring Garden Road to a minor-commercial use under the provisions of Section 33(2)(b) of the Planning Act, and shall amend its Zoning By-law accordingly.~~

16. Amend Policy 4.5.5.1 in Section V of Part II, by deleting the words "the entirety of the Technical University of Nova Scotia Campus", and replacing them with the words "portions of Dalhousie University, Sexton Campus that are within the South End Area Plan", as shown below in **bold** and ~~strikeout~~:

4.5.5.1 Pursuant to Policy 4.5.5, the City shall apply such zones as follows:

- (i) the low-density zone to the periphery of the St. Mary's University Campus and to the entirety of the Pine Hill Divinity College Campus; and
- (ii) the high-density zone to the interior of the St. Mary's University Campus and to the **entirety of the Technical University of Nova Scotia Campus portions of Dalhousie University, Sexton Campus that are within the South End Area Plan.**

17. Repeal Policy 7.5.2.1 in Section V of Part II, in its entirety, as shown below in ~~strikeout~~.

~~7.5.2.1 — The City may consider an application under the provisions of Section 33(2)(b) of the Planning Act for a development which would exceed the height precinct so established through Policy 7.5.2 above, and, in so doing, the City shall have regard for the amount of shadow cast on the Public Gardens and the potential negative impacts which may arise therefrom.~~

18. Repeal Policy 7.5.6 in Section V of Part II, in its entirety, as shown below in ~~strikeout~~.

~~7.5.6 — The property known as the south lawn of the Cathedral Church of All Saints, Tower Road shall be designated "Residential-Commercial Mix" on the Generalized Future Land Use Map. The property shall remain zoned as a park and institutional zone. Council may consider applications for a mixed-use multiple residential and commercial building through development agreement.~~

19. Repeal Policy 7.5.7 in Section V of Part II, in its entirety, as shown below in ~~strikeout~~.

~~7.5.7 — Any development permitted pursuant to Policy 7.5.6 shall be compatible with the surrounding area especially the adjacent Cathedral Church of All Saints and Victoria Park and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:~~

- ~~a. — The adequacy of the servicing available to the site;~~
- ~~b. — The scale, height and massing of the building and the building shall not contain more than 50 dwelling units;~~
- ~~c. — Architectural design compatible with the adjacent building;~~
- ~~d. — Appropriate vehicle and pedestrian access and egress;~~
- ~~e. — Site landscaping and buffering;~~
- ~~f. — The location and amount of parking provided;~~
- ~~g. — Building materials appropriate to the context; and~~
- ~~h. — The commercial component shall be limited to the ground floor and the types of commercial shall be limited to uses which would be compatible with the residential component of the building and the adjacent church.~~

20. Repeal Policy 7.6.2 in Section V of Part II, in its entirety, as shown below in ~~strikeout~~.

~~7.6.2 — For those properties designated "High Density Residential" fronting on South Street between the Gorsebrook lands and Tower Road, Council may permit, by development agreement, an office of a nonprofit medical or medical and rehabilitative organization to be located at or below the ground floor of a residential structure.~~

21. Repeal Policy 7.6.3 in Section V of Part II, in its entirety, as shown below in ~~strikeout~~.

~~7.6.3 — Proposals under Policy 7.6.2 shall be evaluated against the following criteria:~~

- ~~(a) — that parking is adequate for both the residential use and the office use;~~
- ~~(b) — that adjacent residential uses are not unduly effected as a results of hours of operation, location, parking, and lighting.~~

22. Repeal Policies 7.6.4 and 7.6.4.1 in Section V of Part II, in their entirety, as shown below in ~~strikeout~~.

~~7.6.4 — Pursuant to Policies 1.1 and 1.3 a multi-unit building may be considered at 5515/17/19 and 5523 Inglis Street (PID 00065706 and PID 00065698) by development agreement.~~

~~7.6.4.1 — Pursuant to Policy 7.6.4, the building shall be designed so that it is compatible with and enhances the surrounding neighbourhood and does not cause the unreasonable loss of~~

~~enjoyment to neighbouring properties. When deciding whether to enter into such an agreement, consideration shall be given to the following matters:~~

- ~~a. the adequacy of the servicing capacity of the site;~~
- ~~b. the scale and massing of the building;~~
- ~~c. the location and amount of parking provided;~~
- ~~d. vehicular and pedestrian access and egress patterns from the surrounding area;~~
- ~~e. location and form of open space and recreational amenity space;~~
- ~~f. landscaping including buffering;~~
- ~~g. the architectural design of the building including heritage elements and exterior materials;~~
- ~~h. the height of the building shall not exceed 5 storeys;~~
- ~~i. the number of units and the percentage of family type units;~~

23. Repeal Policies 7.6.5 and 7.6.5.1 in Section V of Part II, in their entirety, as shown below in ~~strikeout~~.

~~7.6.5 — Pursuant to Policy 1.1 a multi-unit building may be considered for civic number 5251 South Street (LRIS PID No. 00093153) by development agreement.~~

~~7.6.5.1 — Any development permitted pursuant to Policy 7.6.5 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:~~

- ~~(a) the adequacy of the servicing capacity of the site;~~
- ~~(b) architectural design of the building including heritage elements and exterior building materials;~~
- ~~(c) the scale, height, and massing of the building;~~
- ~~(d) the adequacy of parking provided;~~
- ~~(e) safe accesses to the site and building;~~
- ~~(f) site landscaping including buffering;~~
- ~~(g) location, form and function of open space~~

24. Repeal Policies 7.6.6, 7.6.6.1 and 7.6.6.2 in Section V of Part II, in their entirety, as shown below in ~~strikeout~~.

~~7.6.6 — For the property designated as High Density Residential known as LRIS PID No. 41030727 South Street, the Municipality may permit a maximum of three apartment buildings by development agreement.~~

~~7.6.6.1 — Any development permitted pursuant to Policy 7.6.6 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:~~

- ~~(a) the adequacy of the servicing capacity of the site;~~
- ~~(b) architectural design of both the exterior and interior~~
- ~~(c) the scale, and massing of the building;~~
- ~~(d) the location and amount of parking provided;~~
- ~~(e) accesses to the site and building~~
- ~~(f) site landscaping including buffering;~~
- ~~(g) building materials~~

~~7.6.6.2 — Notwithstanding the generality of Policy 7.6.6.1, any development permitted pursuant to Policy 7.6.6 shall not:~~

- ~~(a) be higher than View Plane 10~~
- ~~(b) penetrate a view plane~~
- ~~(c) contain more than 210 habitable rooms provided that, if the property is subdivided, each building shall not exceed a density of 250 persons per acre.~~



25. Repeal Policies 7.7A and 7.7A.1 in Section V of Part II, in their entirety, as shown below in ~~strikeout~~:

~~7.7A Notwithstanding the High Density Residential designation applied to PID 41030735, the Fenwick Tower lands, and other policies of this Municipal Planning Strategy, Council may consider a redevelopment proposal for the entirety of these lands by development agreement.~~

~~7.7A.1 In considering a development agreement proposal pursuant to policy 7.7A, Council shall have regard for the following:~~

- ~~(a) that a proposal is a comprehensive plan for the development of the lands in their entirety and includes construction phasing;~~
- ~~(b) that the development conforms with the Citadel Rampart and View Plane requirements;~~
- ~~(c) that the development is comprised of a mixture of residential dwelling unit types, with a minimum of 50% of the dwelling units that are comprised of a minimum of two bedrooms and that are spread throughout the development, and commercial uses that are compatible with residential uses;~~
- ~~(d) that there is an adequate supply of vehicular and bicycle parking;~~
- ~~(e) that vehicular parking is exclusively provided within an interior parking garage that has access from both South Street and Fenwick Street;~~
- ~~(f) that the proposal is a single building with an underground parking garage, above which the form and land use of individual building elements is consistent with the following:
  - ~~i. the existing Fenwick Tower may be enlarged towards Fenwick Street and its existing exterior cladding shall be replaced, along with the addition of a new penthouse;~~
  - ~~ii. Fenwick Tower shall contain commercial uses within its first three levels, residential uses throughout the remainder of the building element, with an option for commercial uses upon top level of the building;~~
  - ~~iii. at the base of Fenwick Tower, along Fenwick Street, there shall be Townhouse style dwelling units with an option for at grade commercial uses;~~
  - ~~iv. to the north-west of Fenwick Tower, there may be a building element that is a maximum of 8 storeys and a maximum of 85 feet above the level of the parking garage rooftop, that shall be comprised of ground floor commercial uses and either residential dwelling units or office uses;~~
  - ~~v. upon South Street, there may be a building element that is a maximum of 10 storeys from South Street and in conformity with the Citadel View Plane requirements, that shall be comprised of ground floor commercial uses and upper storey residential uses;~~
  - ~~vi. connecting South Street and Fenwick Street, there shall be a pedestrian passageway that is accessible to the general public and that may have one and two storey building elements along it, above the level of the parking garage rooftop, that shall have ground floor commercial uses and either second floor commercial or residential uses;~~~~
- ~~(g) that rooftop areas around the base of the building elements described above and the pedestrian passageway, are comprised of landscaping;~~
- ~~(h) that mechanical equipment and other utilitarian features are concealed;~~
- ~~(i) that environmental factors, including sun/shadow and wind conditions are suitable for in the intended use of the site; and~~
- ~~(j) that the form of the development is of a high quality and that the development and its land uses are suitable with surrounding properties.~~

26. Repeal Policies 7.7B.1 and 7.7B.2 in Section V of Part II, in their entirety, as shown below in ~~strikeout~~:

~~7.7B.1 For the properties designated as Medium Density Residential located at 1034, 1042,~~

~~1050, and 1056 Wellington Street, and notwithstanding policies 1.1.1.1, 1.4.2, and 1.4.2.3, Council may consider a redevelopment proposal for the entirety of these lands by development agreement for a comprehensively designed residential multi-unit development which would not exceed 30.5 metres in height or ten storeys whichever is less not including rooftop amenity space access and mechanical space, and with to a maximum total of 141,000 square feet of Gross Floor Area.~~

~~7.7B.2 — In considering a development agreement proposal pursuant to policy 1.4.2.4, Council shall have regard for the following:~~

- ~~a) the adequacy of servicing to the site;~~
- ~~b) the required parking being wholly contained within an enclosed structure and architecturally integrated into the residential building;~~
- ~~c) adequate building height transition from a high point at the north end of the site to a low point at the south end of the site in recognition of the surrounding context;~~
- ~~d) access and egress patterns which minimize the impact of vehicle access on the public realm;~~
- ~~e) a building design which utilizes appropriately durable and high-quality finishing materials; and~~
- ~~f) that the development is comprised of a mixture of residential dwelling unit types, with a minimum of 50% of the dwelling units that are comprised of a minimum of two bedrooms and that are spread throughout the development.~~

27. Repeal Policies 1.14 and 1.14.1 in Section VI of Part II, in their entirety, as shown below in ~~strikeout~~:

~~1.14 — Notwithstanding the Mid Density Residential Designation of the southern portion of the property known as 6112 Quinpool Road bounded by Quinpool Road, Vernon Street and Pepperell Street, and in conjunction with Policy 2.9 of Section XII of this Municipal Planning Strategy, the Municipality shall permit a mixed use residential and commercial building by development agreement.~~

~~1.14.1 — Any development permitted pursuant to Policy 1.14 shall be achieved through attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to the criteria found in Policy 2.9 and 2.9.1 of Section XII of this Municipal Planning Strategy.~~

28. Repeal Policy 1.15 in Section VI of Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.15 — Notwithstanding the Medium Density Residential Designation of the south-west corner of Coburg Road and Seymour Street, the Municipality shall consider a residential or mixed use residential and commercial building by development agreement. In considering such development agreements, Council shall consider the following:~~

- ~~(a) appropriate scale, massing and setbacks from neighbouring properties and uses;~~
- ~~(b) reduced building setbacks of up to 1.8 metres (6 feet) from shared property lines provided design features and step-backs are incorporated to mitigate potential impacts on neighbouring properties;~~
- ~~(c) appropriate transition of the building with respect to the lower rise buildings along Seymour Street;~~
- ~~(d) no portion of the building, including mechanical equipment and penthouses, shall exceed 20.1 metres (66 feet) in height;~~
- ~~(e) the building shall be constructed of high quality durable materials;~~
- ~~(f) commercial uses intended to serve the local neighbourhood, such as grocery store uses, drug store uses, and personal service uses may be permitted at the ground level;~~
- ~~(g) underground monthly or yearly commercial parking may be permitted provided parking is also provided to a minimum of 1/3 of the residential units;~~

- ~~(h) to promote pedestrian interest, where commercial uses are located at the ground level, the ground level shall have a high level of transparency and there shall be frequent entryways where there are multiple occupancies;~~
- ~~(i) to promote a mix in residential units, a minimum of one third of the residential units shall be 74 square metres (800 square feet) or larger;~~
- ~~(j) all vehicular parking shall be located underground;~~
- ~~(k) no vehicular or service access points shall be located on Coburg Road;~~
- ~~(l) the size and visual impact of utilitarian features such as garage doors, service entries, and storage areas, shall be minimized; and adequate water and sewer capacity to service the development.~~

29. Repeal Policies 1.16 and 1.16.1 in Section VI of Part II, in their entirety, as shown below in ~~strikeout~~:

~~1.16 — The property located at 6345 Coburg Road, the northeast corner of Coburg Road and Larch Street (PID 00048397), comprised of a dwelling house, has been identified as a site for comprehensive multi-unit residential re-development.~~

~~The surrounding Coburg Road context features a development fabric of multi-unit mixed residential built form with an adjacent 16-storey building to the west, a four-storey building to the east and is located opposite the University of Kings College campus.~~

~~Thus, given that the site provides proximity to Halifax peninsula employment, shopping and institutional amenities, is accessible via active transportation and serviced by high frequency public transit, and notwithstanding the residential objective and policies of this Section, a multi-unit residential use by development agreement shall be enabled in accordance with the *Halifax Regional Municipality Charter*.~~

~~1.16.1 — Any redevelopment permitted pursuant to Policy 1.16 shall be achieved by consideration of a variety of factors for which conditions may be set out in the development agreement, such as, but not limited to, the following:~~

- ~~(a) Appropriate scale and massing of the building for the lot area and configuration.~~
- ~~(b) An overall building height which does not exceed the following:
 
  - ~~i. Maximum building height of 17.5 metres, to a maximum of five storeys;~~
  - ~~ii. Maximum streetwall height of 14 metres, to a maximum of four storeys;~~
  - ~~iii. A maximum height of 10.5 metres to a maximum of three storeys for all portions of the building within 12 metres of the north property boundary; and~~
  - ~~iv. Required building setbacks a minimum of 2.43 metres in depth on Larch Street and Coburg Road.~~~~
- ~~(c) Building elevations which face the street should include complimentary streetscaping elements reflecting the characteristics of the low density built form of the existing surrounding neighbourhood. More specifically, the building should ensure the streetscape accomplishes the following:
 
  - ~~i. The primary residential entry shall be located on Coburg Road;~~
  - ~~ii. Main floor units facing Larch Street, the abutting property of Civic No. 1525 Larch Street and Coburg Road shall have individual unit entries; and~~
  - ~~iii. High quality and durable building materials shall be used to reflect the prominence of the site.~~~~
- ~~(d) Dwelling unit variation shall be required in the building in accordance with the following:
 
  - ~~i. A minimum 25% of units shall contain two or more bedrooms, with a minimum unit size of 83 square metres; and~~
  - ~~ii. Each floor of the building shall contain a mix of unit types per floor with a minimum of two 2 bedroom units per floor.~~~~
- ~~(e) High quality exterior building materials and variations in the façade and mass of the building to provide visual interest.~~

- ~~(f) Vehicular parking be provided underground, with no surface parking provided.~~
- ~~(g) The size and visual impact of utility features such as garage doors, service entries and storage areas shall be minimized and mechanical equipment is concealed.~~
- ~~(h) The creation of high quality design detail at the pedestrian level through attention to details including but not limited to entrance treatments, landscaping and lighting.~~
- ~~(i) Ground floor level features individual unit entry doors.~~
- ~~(j) The adequacy of sewer and water servicing for the site.~~

30. Repeal Policy 2.2.1, in Section VI of Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.2.1 — In areas east of Robie Street and north of Spring Garden Road designated as high density residential or in areas designated as residential-commercial mix on the Future Land Use Map of this Plan, the City may permit the ground floor of buildings to be occupied by office uses, in accordance with Policy 8.1.3 of this Plan.~~

31. Repeal Policy 3.4 in Section VI of Part II, in its entirety, as shown below in ~~strikeout~~:

~~3.4 — The City may, for the property identified as Civic Number 1350 Oxford Street, consider an application for high density residential development, pursuant to the authority of Section 33(2)(b) of the Planning Act. As part of that consideration, the City shall require conformity with the provisions of the Zoning By-law with respect to height.~~

32. Repeal Policies 3.5 and 3.5.1 in Section VI of Part II, in their entirety, as shown below in ~~strikeout~~:

~~3.5 — Notwithstanding the Institutional designation of 1270 Oxford Street, LRIS PID No. 78154, the Municipality may permit a multi-unit residential building by development agreement.~~

~~3.5.1 — Any development permitted pursuant to Policy 3.5 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:~~

- ~~(a) the architectural design of the building including building materials;~~
- ~~(b) the scale, height, and massing of the building;~~
- ~~(c) the adequacy of parking provided;~~
- ~~(d) safe accesses to the site and building;~~
- ~~(e) site landscaping and tree preservation;~~
- ~~(f) location, form and function of open space and recreational amenity space;~~
- ~~(g) provision of family-type units.~~

33. Repeal Policy 8.1 – SPRING GARDEN ROAD SUB-AREA, inclusive of Policies 8.1.1, 8.1.2, 8.1.3 and 8.1.4, in Section VI of Part II, in their entirety, as shown below in ~~strikeout~~:

~~8.1 — SPRING GARDEN ROAD SUB-AREA~~

~~8.1.1 — The City shall amend its zoning by-laws to include a height restriction on development in the vicinity of the Public Gardens so as to ensure a minimum of shadow casting on the Public Gardens.~~

~~8.1.2 — The City shall consider an application under the provisions of Section 33(2)(b) of the Planning Act for a development in the Spring Garden Road Sub-Area north of Spring Garden Road which would exceed the height precinct so established through Policy 8.1.1 above, and, in so doing, the City shall require that any proposed development not cast a significant amount of shadow on the Public Gardens during that period of the year during which the Public Gardens is open to the public.~~

~~8.1.3 The City shall consider an application under the provisions of Section 33(2)(b) of the Planning Act for inclusion of office uses in an apartment building, provided that:~~

- ~~(i) the said uses are located on the ground floor of the building;~~
- ~~(ii) access is separately accessible to the said use; and~~
- ~~(iii) parking spaces associated with said uses are separately accessible for spaces associated with the apartment uses.~~

~~8.1.4 For the area designated "High-Density Residential" on the southwest intersection of Spring Garden Road and Summer Street and extending to College Street, the City may consider applications for residential developments under the development agreement provisions of the Planning Act beyond the height precincts established pursuant to Policy 8.1.1, provided that no development shall be permitted which would cast shadows on the Public Gardens any day between February 21 and October 21 each year.~~

34. Repeal Policy 8.3 – PEPPERELL STREET SUB-AREA, inclusive of Policy 8.3.1, Policy 8.3.2, and Policy 8.3.7, in Section VI of Part II, in their entirety, as shown below in ~~strikeout~~:

~~8.3~~ PEPPERELL STREET SUB-AREA

~~8.3.1 The City shall encourage the development of residential uses along Pepperell Street.~~

~~8.3.2 The City shall seek to gain authority which would enable restriction of access to commercial properties from Pepperell Street.~~

~~8.3.7 The City shall prohibit the development of additional parking lots or areas along the north side of Pepperell Street.~~

35. Repeal Policy 1.4.2 of Section XI in Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.4.2 In the high density residential area which is bounded by Welsford Street, Robie Street, Parker Street and the southern boundary of the Peninsula North Plan area, the land use by-law shall include a maximum height limit of 35 feet to maintain low rise development and to ensure that there is compatibility with the character of the surrounding neighbourhood.~~

36. Repeal Policy 1.4.3 of Section XI in Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.4.3 In order to maintain a low rise development which is compatible with the character of the surrounding neighbourhood, the land use by-law shall limit the height and density of the area known as Quinpool Court (Civic Numbers 2155 and 2225 Monastery Lane, and 2080 and 2070 Quingate Place; LRIS PID Numbers 40176570, 40176588 and 40176596) to that which is in existence on the date of approval of this Plan.~~

37. Repeal Policy 1.4.4 of Section XI in Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.4.4 In the high density residential area along Windsor Street between North Street and Young Street the land use by-law shall include a maximum height limit of 40 feet to maintain the existing low rise character and ensure compatibility with the surrounding neighbourhood.~~

38. Amend Policy 1.4.7 of Section XI in Part II, as shown below in ~~strikeout~~, by deleting the words "with the exception of 5885 Cunard Street and 5565 Cornwallis Street which are currently high-rise apartment developments", after the words "High Density Residential".

1.4.7 In Area 6 of this Section, the land use by-law shall include a height limit to maintain the existing low rise form and ensure compatibility with the character of surrounding

neighbourhoods, for any property designated High Density Residential ~~with the exception of 5885 Cunard Street and 5565 Cornwallis Street which are currently high rise apartment developments.~~

39. Repealing Policy 1.4.8 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.4.8 In Area 8 of this Section, the land use by law shall include a height limit to maintain and promote a medium rise form of residential and commercial development for properties designated High Density Residential and Major Commercial and located south of Prince William Street on the west side of Maitland Street.~~

40. Repealing Policy 1.4.9 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.4.9 Notwithstanding Policy 1.4 in Area 8 of this Section, existing parking lots and parking structures in the High Density Residential designation shall be permitted uses given their proximity to and history of use by the Gottingen Street Commercial Area. For greater clarity, this policy shall not permit new parking lots to be created nor allow additions of area to the parking lots existing on the date of adoption of this plan.~~

41. Repealing Policy 1.4.10 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.4.10 Notwithstanding the High Density Residential designation and Policy 1.4, the existing office building at 5450 Cornwallis Street shall be zoned for general business purposes.~~

42. Repealing Policies 1.5 and 1.5.1 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~1.5 At grade vehicular parking, loading, and unloading facilities may be permitted by development agreement for the following properties:~~

- ~~(i) Civic No. 6290 Yale Street (LRIS No. 177212)~~
- ~~(ii) Civic No. 6284-86 Yale Street (LRIS No. 177220)~~
- ~~(iii) Civic No. 6278 Yale Street (LRIS No. 177246)~~
- ~~(iv) Civic No. 6272 Yale Street (LRIS No. 177253)~~
- ~~(v) Civic No. 2021 Oxford Street (LRIS No. 24778)~~
- ~~(vi) Civic No. 2046 Robie Street (LRIS No. 140061)~~

~~1.5.1 Development agreements pursuant to Policy 1.5 shall provide that:~~

- ~~(a) the parking area shall be constructed and maintained with a stable surface such as asphalt or concrete and shall be drained in accordance with engineering standards of the City;~~
- ~~(b) no signs shall be erected except to indicate the operation and purpose of the lot;~~
- ~~(c) any illumination of such parking area shall be designed and placed to direct the light away from adjoining residential properties;~~
- ~~(d) the portion of the lot used for the parking of vehicles shall be bordered on all sides contiguous to a property used for residential purposes by a wall or opaque fence not less than five feet in height to visually screen the parking area from the residential properties;~~
- ~~(e) a minimum of a four foot wide area between the streetline and the parking surface along that part of the streetline not required for the curb cut or pedestrian entrance shall be landscaped, and the parking area visually screened from the street without obstructing the field of vision at the entrances and exits required for public safety;~~

- ~~(f) the parking lot shall be used only for at-grade vehicular parking, loading or unloading and the permitted residential use. Uses such as but not restricted to the sale, repair, servicing, or storage of motor vehicles, the storage of boxes, crates or any other accessory commercial uses including commercial refuse containers shall be prohibited;~~
- ~~(g) where the rear of the parking area is immediately adjacent to another parking area, and there is easy motor vehicle access from one to another, then an appropriate stationary traffic diverter or barrier, such as a low wall, planter, or landscaped area, shall be erected to channel the flow, reduce the speed of traffic, and inhibit the use of the lot as a through-vehicle route between City streets.~~

43. Repeal Policy 1.5.2 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.5.2 the City shall encourage the development of residential uses along the north side of Yale Street.~~

44. Repeal Policy 1.5.3 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.5.3 The City shall encourage the retention of the dwelling at 6318 Yale Street.~~

45. Repeal Policy 1.5.4 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~1.5.4 The City shall discourage the development of parking lots or areas additional to those identified in Policy 1.5 along Yale Street.~~

46. Repeal Policies 1.7 and 1.7.1 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~1.7 For the properties designated as High Density Residential known as LRIS PID Nos. 150425, 150433 and 40723462, at the intersections of Robie/West/Cunard Streets, the Municipality may permit an apartment building by development agreement.~~

~~1.7.1 Any development permitted pursuant to Policy 1.7 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:~~

- ~~(a) adequacy of the servicing capacity of the site;~~
- ~~(b) architectural design;~~
- ~~(c) the scale, height, and massing of the building;~~
- ~~(d) the location and amount of parking provided;~~
- ~~(e) accesses to the site and building;~~
- ~~(f) site landscaping including buffering;~~
- ~~(g) building materials.~~

47. Repeal Policies 1.8, 1.8.1, and 1.8.2 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~1.8 For the properties designated as Medium Density Residential known as LRIS PID No. 00150631 Cunard Street and 40267916, 00150573 and 40267908 June Street, the Municipality may permit an apartment building by development agreement. LRIS PID No. 00150631 Cunard Street and 40267916, 00150573 and 40267908 June Street may be subdivided so that portions of the apartment building are located on separate lots.~~

~~1.8.1 Any development permitted pursuant to Policy 1.8 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:~~

- ~~(a) the adequacy of the servicing capacity of the site;~~
- ~~(b) architectural design of both the exterior and interior;~~
- ~~(c) the scale, and massing of the building;~~
- ~~(d) the location and amount of parking provided;~~
- ~~(e) accesses to the site and building;~~
- ~~(f) site landscaping including buffering;~~
- ~~(g) building materials~~

~~1.8.2 Notwithstanding the generality of Policy 1.8.1, any development permitted pursuant to Policy 1.8 shall not:~~

- ~~(a) exceed 105 feet in height (exclusive of the mechanical penthouse) above the elevation of the Cunard Street street line where it is intersected by the east boundary of LRIS PID No. 00150631~~
- ~~(b) contain more than 306 habitable rooms~~

48. Repeal Policies 1.9 and 1.9.1 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~1.9 For the properties known as Civic No. 5784 Charles Street (Dave's Bottle Exchange PID No. 00151431, 00151449, 00151662 and 00151670), notwithstanding the Medium Density Residential designation, the Municipality may permit a multiple-unit residential building with commercial space which is not permitted by the land use designation and zone (LUB) requirements by development agreement.~~

~~1.9.1 Any development permitted pursuant to Policy 1.9 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:~~

- ~~(a) the adequacy of the servicing capacity of the site;~~
- ~~(b) the architectural design of the building including building materials and colour;~~
- ~~(c) the scale of the building in relation to the scale of those on John Street and the surrounding neighborhood;~~
- ~~(d) safe access to the site and building;~~
- ~~(e) the adequacy of combined vehicular and bicycle parking facilities; and~~
- ~~(f) the provision of above-grade recreational open spaces for the residents.~~

49. Repeal Policy 2.1 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.1 Minor commercial centres shall be medium-scale commercial areas within walking or easy vehicular distance to several neighbourhoods, offering a variety of retail goods, services and activities to the surrounding neighbourhoods.~~

50. Repeal Policy 2.2.2 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.2.2 Notwithstanding the medium density residential designation and Policy 1.3 the property at the southwest corner of North and Windsor Streets, zoned commercial immediately prior to the adoption of this Section, shall be zoned to a local business zone in order to limit the intensity of commercial development.~~

51. Repeal Policies 2.3, 2.3.1, 2.3.2, and 2.3.3. of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:



~~2.3 — In areas designated major commercial, uses consistent with Section II, Policy 3.1.3 shall be permitted.~~

~~2.3.1 — In order to promote investment in commercial and residential redevelopment and to prevent conflict between new and existing uses the city may, through the land use by-law, identify areas that provide an opportunity for and will benefit from comprehensive site planning.~~

~~2.3.2 — In those areas identified in the land use by-law pursuant to Policy 2.3.1 all residential and mixed residential-commercial development over four units shall be by agreement.~~

~~2.3.3 — In considering agreements pursuant to Policy 2.3.2, Council shall consider the following:~~

- ~~(i) — the relationship of new development to adjacent properties and uses; and, the mitigation of impacts on the amenity, convenience and development potential of adjacent properties through effective urban design and landscape treatment;~~
- ~~(ii) — the appropriate integration of the development into the traditional grid street system of the Peninsula;~~
- ~~(iii) — the design and layout of the development should encourage vehicular traffic to use Principal Streets and discourage traffic from infiltrating through existing neighbourhoods;~~
- ~~(iv) — the creation of high quality design detail at street level through attention to such matters as landscaping, signs, building entrances, and vehicle layby areas;~~
- ~~(v) — the provision of high quality open space and leisure areas of a size and type adequate for the resident population;~~
- ~~(vi) — residential and commercial densities consistent with municipal services;~~
- ~~(vii) — encouraging high quality exterior construction materials such as masonry; and~~
- ~~(viii) — other relevant land use considerations which are based on the policy guidance of this Section.~~

52. Repeal Policy 2.4 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.4 — In the major commercial area along the east side of Agricola Street from North Street to a point approximately midblock between Russell and Macara Streets, the land use by-law shall include a maximum height limit of 35 feet to maintain the existing low rise character of this street and to ensure compatibility with the existing residential areas to the east~~

53. Repeal Policies 2.6 and 2.6.1 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~2.6 — The major commercial area of Gottingen Street (the commercial core) is one of the primary commercial areas serving Peninsula North. Infill commercial development on vacant portions of the street and the development of a full range of uses for the existing commercial properties is permitted.~~

~~2.6.1 — Major commercial uses which would strengthen and enhance the commercial function of Gottingen Street should be focused in the commercial core.~~

54. Repealing Policy 2.7 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.7 — To promote commercial redevelopment in the major commercial area and the residential/commercial mix areas along Gottingen Street which continue the existing commercial form of Gottingen Street, the land use by-law shall include regulations related to the provision of direct sidewalk access to buildings, and design considerations for buildings with larger street frontage to create pedestrian interest and interaction at street level.~~

55. Repeal Policies 2.8, 2.8.1, and 2.8.2 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~2.8 — Parking requirements for larger commercial lots in the major commercial and the residential/commercial mix area along Gottingen Street shall be established in the land use by-law so that major new commercial development, or major additions to existing developments add to the supply of parking spaces in the Gottingen Street area.~~

~~2.8.1 — All parking areas for Gottingen Street commercial or industrial development shall be of high quality and shall be visually buffered from adjacent properties with residential zoning, and landscaping shall be provided for any parking area bordering a street.~~

~~2.8.2 — Additional short-term on-street parking on Gottingen Street will help to promote the development of Area 8 as a commercial and mixed use area serving the municipality. Therefore, an investigation of increasing the number of on-street parking spaces on Gottingen Street shall be initiated when long-term changes in the overall traffic patterns of Gottingen Street, prompted by improvements such as the widening of the MacDonald Bridge, are established.~~

56. Repeal Policy 2.9 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.9 — In Area 8 of this Section, a height limit shall be established for the Major Commercial area of Gottingen Street and for the Residential/Commercial mix area along Gottingen Street to maintain a medium-rise building form and to ensure compatibility with surrounding residential properties.~~

57. Repeal Policy 2.10 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.10 — In order to encourage the development and the conversion of existing buildings for residential purposes in the major commercial area of Gottingen Street, residential uses shall be permitted in the Major Commercial designation of Area 8 which meet commercial requirements related to building form, size, placement, parking standards, and open space.~~

58. Repeal Policies 2.11 and 2.11.1 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~2.11 — The property located at the northeast corner of Gottingen and Cogswell Streets is the entrance to the Gottingen Street commercial core and has unique site characteristics related to its location and orientation. To encourage and facilitate innovative development which addresses the unique characteristics of this site, any development which does not meet applicable land use by-law regulations may be permitted by development agreement.~~

~~2.11.1 — In considering agreements pursuant to Policy 2.11, Council shall consider the following and may include such provisions in the agreement:~~

~~(i) — The design of any building or buildings located on this corner lot shall recognize and address the transition on this site between the pedestrian-oriented commercial focus of Gottingen Street, and the traffic movement function of Cogswell Street.~~

~~(ii) — The height of any development shall be compatible with commercial and institutional uses on Gottingen and Cogswell Streets, but in no case shall any development protrude through a viewplane nor shall any development exceed the height precincts established for the commercial core.~~

~~(iii) — The design of any portions of building or the site facing Gottingen Street or the corner of Cogswell and Gottingen shall be of high quality and shall be pedestrian-oriented through attention to such matters as building materials, building details including windows, landscaping, fencing, walls, lighting, building entrances, and pedestrian walkways.~~

- ~~(iv) The design of any portions of building or the site facing Cogswell Street shall be high quality through attention to such matters as building materials, building details, landscaping, fencing, walls, lighting, and building entrances.~~
- ~~(v) Parking, vehicular access and loading areas, if provided, shall be located, sized, and designed in a manner which ensures the safe and efficient movement of vehicles to and from the site, and the safe movement of pedestrians to and from the development as well as pedestrians travelling between Cogswell and Gottingen Streets.~~
- ~~(vi) The size, design and placement of both free standing and fascia signs for any development on this lot shall not impede the safety or comfort of pedestrians or of automobile traffic shall enhance the image of the development as a component of the entrance to Gottingen Street.~~

59. Repeal Policy 2.12 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.12 Properties which are within predominately residential areas but which border major commercial areas of Area 8, and have developed a mix of residential and commercial uses, shall be designated as "Residential-Commercial Mix" on the Generalized Future Land Use Map (Map 9Gh) of this Plan. This designation recognizes the existence of commercial uses, parking lots and parking structure serving the Gottingen Street area, while promoting the redevelopment and infill of these areas for a range of residential uses.~~

60. Repeal Policy 2.13 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~2.13 Properties in Area 8 fronting on the west side of Gottingen Street but which are outside of the existing commercial core area as denoted by the Major Commercial Designation, shall be designated as "Residential-Commercial Mix" on the Generalized Future Land Use Map (Map 9Gh) of this Plan.~~

61. Repeal Policies 2.14, 2.14.1, and 2.14.2 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~2.14 In areas designated as "Residential-Commercial Mix", the following uses shall be permitted:~~

- ~~(a) residential uses;~~
- ~~(b) new buildings, residential uses with minor commercial uses occupying the ground floor or below grade, or minor commercial uses on the ground floor or below grade;~~
- ~~(c) in existing buildings, minor commercial uses and mix of minor commercial and residential uses, including existing minor commercial uses located above the ground floor;~~
- ~~(d) existing parking lots and parking structures;~~
- ~~(e) lounges in association with restaurants for properties fronting on Gottingen Street, provided that the intensity of use shall be controlled through limitations on the size of such lounges and ensuring that they are subordinate to the restaurant use.~~

~~2.14.1 To ensure compatibility of these Residential-Commercial Mix areas with the surrounding residential areas, the land use by-law shall include provisions to restrict height.~~

~~2.14.2 To promote the conversion or redevelopment of buildings in areas designated Residential-Commercial Mix, which on the date of adoption of this Section contained a mix of residential and minor commercial uses; minor commercial uses shall not be permitted to expand within the building.~~

62. Repeal Policies 2.15 and 2.15.1 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~2.15 The Area referred to in Policy 2.13 above contains a large amount of vacant land and is outside of the established commercial core of Gottingen Street. To encourage and facilitate innovative commercial and residential development, or a mixture of these uses, a development which does not meet applicable land use by-law regulations may be permitted by development agreement.~~

~~2.15.1 In considering agreements pursuant to Policy 2.15, Council shall consider the following and may include such provisions in the agreement:~~

- ~~(i) The focus of any development shall be for medium to high density residential uses of limited height, and may include minor commercial uses which serve the needs of the neighbourhoods of Peninsula North;~~
- ~~(ii) Minor commercial uses may be permitted above the ground floor of a commercial or mixed use development, if the development of these uses in both type and concentration, is not contrary to the goals for the commercial core as stated specifically in Policy 2.6.1 of this Section;~~
- ~~(iii) Any development shall be compatible in scale, form and function with residential and commercial development fronting on Gottingen, Gerrish or Creighton Streets, and in no case shall the height of any development exceed the height limits established by the applicable height precinct;~~
- ~~(iv) High quality of design detail at street level shall be ensured through attention to such matters as building materials, landscaping, fencing, signs, building entrances, and open space areas;~~
- ~~(v) Parking or loading areas, vehicle access points, and site or building lighting shall be located, sized and designed to reduce the impact on adjacent residential areas, and on both vehicular and pedestrian traffic on Gottingen Street.~~
- ~~(vi) Appropriate and safe pedestrian links between Gottingen Street and the Creighton Street residential area shall be encouraged.~~
- ~~(vii) Other relevant land use considerations based on the policy guidance of this Section.~~

63. Repeal Policies 2.16 and 2.16.1 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~2.16 Notwithstanding the Major Commercial Designation of 2594 Agricola Street, LRIS PID No. 00169276, the Municipality may permit a mixed use building, commercial and residential, by development agreement.~~

~~2.16.1 Any development permitted pursuant to Policy 2.16 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:~~

- ~~(a) the adequacy of the servicing capacity of the site;~~
- ~~(b) the architectural design of the building including building materials;~~
- ~~(c) the scale of the building;~~
- ~~(d) safe access to the site and building;~~
- ~~(e) the adequacy of parking facilities;~~
- ~~(f) the provision of amenity or open space for the residents; and~~
- ~~(g) the provision of affordable and accessible residential units.~~

64. Repeal Policy 3.2 of Section XI, Part II, in its entirety, as shown below in ~~strikeout~~:

~~3.2 The City shall encourage the retention of the day care centre located in Quinpool Court at 2155 Monastery Lane.~~

65. Repealing Policies 3.4, 3.4.1, 3.4.2, 3.4.3, 3.4.4, 3.4.5, 3.4.6, 3.4.7, 3.4.8, 3.4.9, 3.4.10, 3.4.11, 3.4.12, 3.4.13 and 3.4.14, of Section XI, Part II, in their entirety as shown below in ~~strikeout~~:

- ~~3.4 On the eastern side of Gottingen Street, between Russell Street and Kaye Street (PID # 40850463), the Municipality may permit, by development agreement, a mid-rise, mixed-use residential and commercial building of up to 33 m in height.~~
- ~~3.4.1 In considering an application under Policy 3.4, Council shall pay particular attention to the building's design to ensure that the building creates an animated streetscape through active ground floor uses with frequent entries and pedestrian scaled design features.~~
- ~~3.4.2 Without limiting the generalities of Subsection 3.4.1, Council should encourage retail uses, individually accessed residential units, or a combination of both uses to occupy most of the street frontage of the building's base.~~
- ~~3.4.3 If individually accessed residential units are proposed, they should have front doors on the street, with appropriate front yard privacy measures such as setbacks and landscaping. Front entrances and first floor slabs for individually accessed residential units should also be raised above grade level for privacy, and should be accessed through means such as steps, stoeps and porches.~~
- ~~3.4.4 In considering an application under Policy 3.4, Council may permit commercial uses to occupy both the ground floor and the second floor.~~
- ~~3.4.5 In considering an application under Policy 3.4, Council shall pay particular attention to the building's interface with the existing sloping street conditions.~~
- ~~3.4.6 In order to break up the massing of the building, Council shall require that the building's design be articulated into three separate and distinguishable sections: a base section, a middle section, and a top section.~~
- ~~3.4.7 In order to ensure visual interest in the building, Council should encourage other opportunities to articulate the massing of the building by including vertical and horizontal recesses or projections, datum lines, and changes in material, texture or colour.~~
- ~~3.4.8 Any development permitted pursuant to Policy 3.4 shall be exempt from the angle control requirements of the R-3 (Multiple Dwelling) Zone of the Land Use By-law.~~
- ~~3.4.9 Any development permitted pursuant to Policy 3.4 shall be exempt from the open space requirements of the R-3 (Multiple Dwelling) Zone of the Land Use By-law.~~
- ~~3.4.10 Any development permitted pursuant to Policy 3.4 shall not exceed a population of 200 persons on the site.~~
- ~~3.4.11 For the purpose of calculating population density for any development permitted pursuant to Policy 3.4, the following population counts shall apply:~~
- ~~(i) bachelor units shall be assigned one (1) person per unit;~~
  - ~~(ii) one-bedroom units shall be assigned two (2) persons per unit; and,~~
  - ~~(iii) all other dwelling units, including townhouse-style dwelling units, shall be assigned 2.25 persons per unit.~~
- ~~3.4.12 For the purpose of determining the amount of parking to be provided for any development permitted pursuant to Policy 3.4, each dwelling unit shall be assigned one (1) parking space, while the commercial portion of the development will not require the provision of parking.~~
- ~~3.4.13 Further to Subsection 3.4.12, any parking to be provided on site shall be located underground.~~

~~3.4.14 In considering an application under Policy 3.4, Council shall ensure that vehicular and service access to the building has minimal impact on the streetscape by minimizing the width of the frontage it occupies, and by requiring a design that integrates both functions.~~

66. Repealing Policies 9.7, 9.7.1 and 9.7.2 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:

~~9.7 The area designated as the Brunswick Comprehensive Development District on the Generalized Use Future Land Use Map, which is the district bounded by Brunswick Street, Cornwallis Street, Maitland Street and Portland Place shall be a residential area planned and developed as a whole or in phases based on detailed site development criteria and providing a mixture of forms and designs of residential uses with limited community open space and selected commercial uses.~~

~~9.7.1 The Brunswick Comprehensive Development District shall be developed in a manner which (1) maintains or enhances the quality of life for the existing neighbourhood and community, (2) complements the existing residential uses in the neighbourhood in design, form and function, (3) complements the surrounding heritage buildings and the heritage streetscape of Brunswick Street and (4) promotes a variety of building forms and designs.~~

~~9.7.2 Pursuant to Policies 9.7 and 9.7.1 above, the Land Use By-law shall include a new zone, the Brunswick Comprehensive Development District zone within which any development shall be permitted only by development agreement which shall conform to the following. In these sections an existing building refers to a building existing on the date of adoption of this policy.~~

~~A. Open Space/Landscaping:~~

- ~~(i) A limited amount of community open space may be permitted on the site as appropriate. If provided this shall be located at the corner of Brunswick and Cornwallis Street and shall be designed and sized in a manner which enhances the view of Saint George's Church from Brunswick Street.~~
- ~~(ii) Adequate private open space areas shall be provided for any residential development. The proximity to public open space areas within this neighbourhood shall be considered in determining the amount of private open space required. Overall, a minimum of thirty-five (35) percent of any lot shall be used for private open space and landscaped areas.~~
- ~~(iii) A landscaping plan shall be provided for each development project. The majority of the landscaped area should be planted, and these landscaped areas should enhance the design of individual buildings and the heritage character of the district.~~

~~B. Site Development~~

- ~~(i) The density of residential development shall not exceed the servicing (sewer and water) capacity of the district.~~
- ~~(ii) The maximum site coverage for buildings, including accessory buildings, on any lot, shall be forty (40) percent.~~
- ~~(iii) The maximum building footprint for any apartment house or townhouse building shall be seventy-five hundred (7500) square feet.~~
- ~~(iv) All townhouse buildings shall be limited to ten (10) individual dwellings units.~~
- ~~(v) Any existing residential building may be internally converted to any number of individual dwelling units.~~
- ~~(vi) The maximum height of any portion of a building shall be forty (40) feet from natural grade.~~
- ~~(vii) Notwithstanding (vi) no building shall be constructed so as to protrude through Viewplane #1.~~
- ~~(viii) Notwithstanding (vi) no building shall be constructed so as to exceed the height of the base of the cupola of the Parish Church of St. George located at 2222 Brunswick Street.~~

- ~~(ix) Notwithstanding (vi) buildings along Brunswick Street between 2146 Brunswick Street and Cornwallis Street shall be similar in height to the existing residential dwellings at 2138-2146 Brunswick Street.~~
- ~~(x) The maximum height of any portion of a building which does not front directly on an existing street surrounding the district, shall be (thirty-five) 35 feet from natural grade, unless it can be adequately demonstrated that a height of up to forty (40) feet from natural grade would not create undue shadowing impacts on existing dwellings in the district.~~
- ~~(xi) Any multiple dwelling residential development of three (3) units or more, including townhouse buildings, shall contain a minimum of (one-third) 1/3 of family-type units, which shall either be a minimum of 800 square feet in area or shall contain at least two bedrooms.~~

~~C. Building Placement:~~

- ~~(i) The street setback of any building fronting on or abutting Brunswick Street shall generally maintain the setback established by the registered heritage buildings at 2138-2146 Brunswick Street.~~
- ~~(ii) The street setback of any building fronting on or abutting Portland Place shall generally maintain the setback established by the registered heritage building at 5419-25 Portland Place.~~
- ~~(iii) The street setback of any building fronting on or abutting Cornwallis Street shall be similar to the existing setback of the Akins Court townhouse development located on the south side of Cornwallis Street between Brunswick and Barrington Streets at 5230-5238 Cornwallis Street.~~
- ~~(iv) The street setback of any building fronting on or abutting Maitland Street shall not be any closer to the existing or new streetline than the existing registered heritage building at 2085-2099 Maitland Street.~~
- ~~(v) The side and rear yard setbacks of individual buildings shall be similar in size to those of existing residential buildings, particularly registered buildings, located in the district.~~

~~D. Parking:~~

- ~~(i) Adequate parking shall be provided for all dwelling units. Consideration shall be given to alternative parking opportunities in the immediate area and the proximity of this district to the downtown core and to transit opportunities. However, no more than twenty-five (25) percent of the total area of any development parcel shall be used for above-ground parking purposes including driveway and manoeuvring areas.~~
- ~~(ii) Any parking or driveway area, adjacent to any existing residential use in this district, shall be suitably buffered from this residential use through appropriately designed fences or landscaping.~~
- ~~(iii) Parking lot areas shall generally be located in the interior of the district and shall not border directly on any surrounding streets. A limited amount of front yard parking may be considered in the front yard setback area of individual residential units with street frontage on any of the existing streets surrounding the district, it can be adequately demonstrated that this will not negatively impact on the heritage quality of these streetscapes.~~

~~E. Access and Circulation:~~

- ~~(i) Driveway access to internal district parking areas shall be permitted on each of the streets surrounding the district. These shall be located in a manner which minimizes the number of access points to any street, and limits the impact on existing residential uses.~~
- ~~(ii) New streets or private lanes shall be permitted within this district as long as these generally conform to historic development pattern as represented in the Hopkins Atlas of 1878 and the placement of such streets or private lanes is such that they do not border directly on existing residential properties.~~

F. Architectural Design:

- ~~(i) Development on the site shall complement the surrounding registered heritage properties and the heritage streetscape of Brunswick Street.~~
- ~~(ii) Any additions or additions to existing registered heritage properties shall enhance the heritage value of these structures.~~
- ~~(iii) Any additions to any existing building must be compatible to the specific building as well as to surrounding registered heritage properties.~~
- ~~(iv) New development on the site shall be in keeping with the Colonial, Georgian and Victorian styles of architecture found in the Peninsula North area of Halifax. Building constructed in any one of these design styles shall only contain elements common to this particular design. Such elements shall include but not be limited to roofs, windows, doors, dormers, porches, building materials and colours.~~
- ~~(v) The criteria set out in Sections B (ii), (iii), and (vi) may be exceeded by a minor amount if it can be shown that this is required to meet the requirements of this section for a specific building design.~~

G. Other:

- ~~(i) A change in use or an addition to any existing registered heritage property within this development district shall conform to the provisions of this policy. For greater clarity, the provisions of Policy 6.8 of Section II shall not apply to such properties within this district.~~
- ~~(ii) Accessory buildings including but not limited to garages and sheds shall be designed and located based on the provisions for main buildings found in Sections B, C and F of this policy.~~
- ~~(iii) Additions may be made to existing residential uses in this district, however, such additions shall meet the requirements of this policy.~~
- ~~(iv) All possible measures shall be taken to mitigate any negative stormwater drainage impacts of any new development or significant additions to any existing development on existing dwellings in the district.~~

67. Repealing Policy 10.4 of Section XI, Part II, in its entirety, as shown below in strikeout:

~~10.4 For the area designated Medium Density Residential on the north side of Windsor Street between North and Willow Streets, including civic numbers 2567-69, 2571, 2579, and 2581-83 Windsor Street, Council shall consider the alteration, replacement or expansion of existing structures provided the permitted uses shall be limited to office and residential uses by development agreement in accordance with the provisions of the *Halifax Regional Municipality Charter*. In considering such an agreement, or an amendment to an existing agreement, Council shall have regard for the following:~~

~~(a) The layout and design of the development shall be complementary to the existing character of the neighbourhood, through attention to factors including but not limited to:~~

- ~~(i) architectural design;~~
- ~~(ii) scale;~~
- ~~(iii) the size, location, and landscaping of courts, open spaces, and yards;~~
- ~~(iv) the location of primary and secondary entrances to the building;~~
- ~~(v) the size, location, and design of fences; and~~
- ~~(vi) the effects of any outdoor lighting or sign illumination on adjacent residential properties.~~

~~(b) Vehicular activity, particularly parking and loading, shall be controlled so as not to adversely affect the neighbourhood in terms of traffic flow and nuisance.~~



~~(c) Facilities for parking, refuse collection, loading and vehicular access shall be designed to avoid any adverse effects on adjacent properties and the street and to ameliorate existing problems, through attention to such factors as:~~

- ~~(i) loading;~~
- ~~(ii) surface treatment;~~
- ~~(iii) storm drainage; and~~
- ~~(iv) access from the street.~~

~~(d) Signage shall not create undue impact on the residential character of the neighbourhood.~~

~~(e) Landscaping, screening and buffering may be required to reduce impacts on residential uses.~~

~~(f) Hours of operation may be restricted to reduce impacts on residential uses.~~

68. Repeal Section XII of Part II, titled "QUINPOOL ROAD COMMERCIAL AREA PLAN OBJECTIVES AND POLICIES", in its entirety, as shown below in ~~strikeout~~:

~~SECTION XII  
QUINPOOL ROAD COMMERCIAL AREA PLAN  
OBJECTIVES AND POLICIES~~

~~AREA DEFINITION~~

~~For the purposes of this municipal planning strategy, the Quinpool Road Commercial Area Plan includes the area shown on Map 1.~~

~~OVERALL OBJECTIVE~~

~~The encouragement of commercial and mixed commercial/residential development which strengthens the community function of the Quinpool Road area, and is in keeping with the scale and character of the adjacent residential neighbourhoods.~~

~~1. RESIDENTIAL ENVIRONMENTS~~

~~1. The areas shown as Residential Environments on the Generalized Future Land Use Map (Map 9h) of this Section shall be governed by Section II, the Residential Environments Policy Set.~~

~~1.1 The City shall encourage the retention of the dwelling at 2018 Kline Street.~~

~~2. COMMERCIAL FACILITIES~~

~~Objective: The development and promotion of Quinpool Road as a general retail, office, personal service and business service area including mixed residential/commercial uses within the presently established commercial area.~~

~~2.1 The Quinpool Road Commercial area should service a market area comprising a large part of the City. Due to this extended market area, and its relative importance to the City as a focus of commercial activity, this centre shall be encouraged to offer a wider range of commercial activity than normally associated with a minor commercial centre as established in Policy 3.1.2 of Part II, Section II of the Commercial Policy Set.~~

~~2.1.1 In areas designated "Commercial" on the Generalized Future Land Use Map (Map 9h) of this Section, the City shall permit the following uses: retail shops and rental services, personal services, household repair shops, offices, parking structures,~~

~~parking lots, bakeries, service stations, restaurants, wholesale uses in conjunction with retail uses, institutions, commercial schools, business services, and residential uses in single-use or mixed-use buildings.~~

~~2.2 — The City shall establish a height precinct to regulate new development generally consistent with existing development in adjacent residential areas. This height shall be 35 feet to the west of Oxford Street and 45 feet to the east of Oxford Street.~~

~~2.2.1 — Notwithstanding Policy 2.1.1 and Policy 2.2 the properties known as the Holiday Inn and 6009 Quinpool Road shall be zoned in accordance with their present use and height of the buildings situated thereon the date of approval of this Section and the property known as the Eastland Centre shall be zoned for major commercial uses.~~

~~2.3 — Repealed.~~

~~2.4 — For any parking lot or area used for parking, the Land Use By-law shall require that:~~

- ~~(a) the parking area be provided and maintained with a hard surface of asphalt or concrete;~~
- ~~(b) the parking area be visually screened by walls or fences from adjacent residential properties;~~
- ~~(c) any lighting be directed away from adjacent residential properties;~~
- ~~(d) the parking surface be set back from the streetline and the intervening area be appropriately screened and landscaped to adequately buffer the parking lot from the street; and~~
- ~~(e) all commercial refuse containers be screened from adjacent residential properties and the street.~~

~~2.5 — For the area known as the "Quinpool Road Lands" namely Quinpool Centre and Quinpool Towers, the City shall permit only that amount of non-residential floorspace allowed by the Development Agreement of April, 1977.~~

~~2.5.1 — The City shall establish a height precinct over the Quinpool Centre and Quinpool Towers consistent with the existing height of the developments.~~

~~2.6 — For buildings with a total commercial floorspace greater than 2,500 square feet the Land Use By-law shall require that parking be provided at 1 space per 1,000 square feet of commercial floorspace.~~

~~2.7 — Property owners shall be encouraged to create pedestrian linkages between Quinpool Road and adjacent residential streets.~~

~~2.8 — Notwithstanding the provisions of Policy 2.1.1, a lounge in association with a restaurant may be considered by development agreement in areas designated "Commercial" on the Generalized Future Land Use Map (Map 9h) of this Section.~~

~~2.8.1 — Considering the proximity to a primarily residential area, any proposal for a lounge use must be carefully evaluated in order to minimize any negative impact on the residential area. Therefore, when determining whether to enter into a development agreement under Section 2.8, Council shall consider the following:~~

- ~~(a) the lounge use shall be secondary to a restaurant use;~~
- ~~(b) the maximum floor area dedicated to the lounge use shall not exceed 50% of the total seating area of the combined restaurant / lounge establishment;~~
- ~~(c) the hours of operation of the lounge shall be limited, and in no case shall the lounge be open later than midnight; and~~

~~(d) any outdoor features, such as outdoor seating, patios or music, shall only be permitted in locations where potential impacts on adjacent residential uses are minimized. (RC-Oct 19/10; E-Dec 11/10)~~

~~2.9 Notwithstanding Section 2.2 within the Commercial Facilities Section, for the property known as 6112 Quinpool Road bounded by Quinpool Road, Vernon Street and Pepperell Street and in conjunction with Policy 1.14 of Section VI of this Municipal Planning Strategy, the Municipality shall permit a mixed use residential and commercial building which exceeds 13.72 metres (45 feet) by development agreement. (RC-Jun 25/13; E-Aug 17/13)~~

~~2.9.1 Any development permitted pursuant to Policy 2.9 shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:~~

- ~~(a) the appropriate scale and massing of the building with respect to the low-rise neighbourhood along Pepperell Street;~~
- ~~(b) the height of the building shall transition from a maximum of height of 27.43 metres (90 feet) adjacent to Quinpool Road to a maximum height of 12.19 metres (40 feet) adjacent to Pepperell Street. Height shall be defined as the vertical distance of the highest point of the roof above the mean grade of the finished ground adjoining the building, but shall not include the placement of mechanical equipment;~~
- ~~(c) the building shall be constructed of high quality durable materials;~~
- ~~(d) to promote pedestrian interest, where commercial uses are located at the ground floor, the ground level shall have a high level of transparency and there shall be frequent entryways where there are multiple occupancies;~~
- ~~(e) the building's design shall be articulated into three separate and distinguishable sections; a base section, a middle section, and a top section in order to break up the massing of the building;~~
- ~~(f) to provide connectivity with the street, minimal setbacks from property lines shall be provided;~~
- ~~(g) a mixture of residential unit types and sizes shall be provided;~~
- ~~(h) commercial uses must be located on the ground floor of the building where it fronts Quinpool Road and Vernon Street. Commercial uses may be considered in other areas of the building, but shall not be considered at the 3<sup>rd</sup> level of a building or higher;~~
- ~~(i) all vehicular parking shall be located underground;~~
- ~~(j) no vehicular or service access points shall be located on Quinpool Road;~~
- ~~(k) the size and visual impact of utilitarian features such as garage doors, service entries, and storage areas, shall be minimized;~~
- ~~(l) the building shall include useable on-site landscaped open space and recreational amenities of a size and type adequate for the residential population;~~
- ~~(m) there shall be adequate water and sewer capacity to service the development; and~~
- ~~(n) there shall be controls put in place to reduce conflict with any adjacent or nearby land uses by reason of traffic generation, access to and egress from the site and parking. (RC-Jun 25/13; E-Aug 17/13)~~

### 3. COMMUNITY FACILITIES

~~3. The area designated "Community Facilities" on the Generalized Future Land Use Map (Map 9h) of this Section shall be governed by Part II, Section II, the Community Facilities Policy Set.~~

#### 4. GENERALIZED FUTURE LAND USE MAP

- ~~4.1 The Generalized Future Land Use Map (Map 9h) shall be considered as the expression of intent of the City of Halifax for a future land use pattern, based on the policies outlined in this Section.~~
- ~~4.2 The areas of future land use shown on the Generalized Future Land Use Map (Map 9h) shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.~~
- ~~4.3 Notwithstanding any other provision of this Section, a Development Permit may be issued by the Development Officer for a project in respect of which approval was given by Council prior to the date of approval of this Section, and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement.~~

69. Repeal Section XVI of Part II, titled "SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT", in its entirety, as shown below in ~~strikeout~~:

#### ~~SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT~~

##### ~~1. BACKGROUND~~

~~The Regional Municipal Planning Strategy for the Municipality (Regional Plan) identifies the Halifax Peninsula and Dartmouth between Halifax Harbour and the Circumferential Highway as the Regional Centre. The Regional Plan expresses a clear objective to adopt a Regional Centre Plan.~~

~~In June of 2017, as part of the Centre Plan process, Regional Council authorized the direction contained in the June 2017 Centre Plan Document as a framework for amending existing planning documents and developing new planning documents.~~

~~On August 1, 2017, Regional Council directed nine requests for site-specific amendments to this Municipal Planning Strategy to proceed subject to specific considerations flowing from June 2017 Centre Plan Document. On January 16, 2018, Regional Council also directed three other site-specific amendments to this Municipal Planning Strategy proceed subject to the same considerations.~~

##### ~~2. THE PLANNING PRINCIPLES~~

~~Regional Council directed that five planning principles be used to evaluate the following requests for new Municipal Planning Strategy policy:~~

- ~~a) ——— Development at Robie Street / Pepperell Street / Shirley Street, as identified in Section 3.~~

~~C~~

~~Planning Principles~~

~~Description~~

- ~~a) Transition                      The proposed building design recognizes surrounding development, especially adjacent low-scale residential buildings, through built form and landscape transitions. This can include setting proposed buildings back from property lines and stepping down the height of proposed buildings as they approach low-rise buildings. Landscaping can be used as a buffer between properties and to soften building elements.~~

- b) Pedestrian-oriented Pedestrian-oriented means that the proposed building and site design prioritizes the needs and comfort of pedestrians. The intent is to create safe, comfortable, and more enjoyable environments for people of all ages and abilities. Pedestrian-oriented design elements include buildings that are oriented to the street, with safe and inviting pedestrian connections through larger sites. Streetwalls should respond to the rhythm and variety of walking speed. Buildings should provide frequent and prominent entrances, transparent windows, weather protection using awnings and recesses, and be designed to mitigate the impact of required parking accesses and utility features.
- c) Human-Scale Human scale means the impression of a building when seen in relation to its surroundings, or the size and proportion of parts of a building or its details in relation to its surroundings, that relates in a positive way to the visual and physical experience of a pedestrian. Moderately sized buildings, as well as taller buildings with lower scale podiums and architectural detailing, work together with narrow streets, plazas and small pocket parks to create an intimate environment and comfortable experience. Human scale design makes urban environments more interesting, encourages exploration and draws more people to local shops and services.
- d) Building Design Design means the overall architectural composition of a building and its orientation on the site. Proposed buildings should provide visual interest from all vantage points, and especially from the street. The building's façade should be articulated vertically and horizontally using a combination of windows, changes to materials and material treatments and other architectural façade elements. Coordinated building elements (like lighting and signage) and site elements (like landscaping) contribute to the overall quality of the design.
- e) Context-sensitive The proposed building's design respects the character of the surrounding neighbourhood. The scale, form, and materials used respond to the architectural character of the neighbourhood. Next to heritage buildings or streetscapes, the proposed building complements and enhances the heritage features.

### 3. DEVELOPMENT AT ROBIE STREET / PEPPERELL STREET / SHIRLEY STREET

An 'L' shaped property having street frontage on Robie Street, Pepperell Street, and Shirley Street is the subject site of a proposal for site-specific planning policy amendments to allow for a 14-storey building comprised mostly of residential dwelling units. This proposal is one of the twelve policy requests noted in Section 1. On August 1, 2017, Regional Council chose to continue processing the 14-storey proposal subject to specific considerations.

#### 3.1 Specific Considerations

The June 2017 Centre Plan Document identifies this property as part of the Quinpool Centre. The Quinpool Centre is the heart of the Regional Centre's West End Neighbourhood. It includes a scale of buildings that transition from taller buildings at the eastern end to low buildings in the more residentially focussed western end. Based on the general transition of existing building heights, the June 2017 Centre Plan Document proposed locating the tallest buildings at the eastern edge of the Quinpool Centre, including buildings between 11 and 15 storeys at the intersections of Robie Street and Pepperell Street, and Robie Street and Shirley Street.

~~The Robie/Pepperell/Shirley 14-storey proposal was given Regional Council direction to continue, subject to the proposal generally aligning with the June 2017 Centre Plan Document relative to urban structure, height, and floor area ratio. As noted, the June 2017 Centre Plan Document places the Robie/Pepperell/Shirley site within the Quinpool Centre. Further, the June 2017 Centre Plan Document identifies the portion of the site fronting Robie Street for heights between 11 and 15 storeys, with the remainder of the site identified for heights between 4 and 6 storeys. The June 2017 Centre Plan Document does not suggest a specific floor area target for Centres.~~

~~Regional Council also directed the 14-storey proposal to address the planning principles noted in Section 2.~~

### ~~3.2 Regulating Development~~

~~To achieve a development form on the Robie/Pepperell/Shirley site that generally aligns with the urban structure and heights identified in the June 2017 Centre Plan Document, and ensures the five planning principles noted in Section 2 are addressed, development will be permitted by development agreement, as described below.~~

#### ~~3.2.1 Development Agreement Provisions~~

~~The Land Use By-law for Halifax Peninsula shall be amended to identify that mixed-use, multi-unit residential development may be considered by development agreement for the property located at the intersections of Robie Street, Pepperell Street, and Shirley Street. Notwithstanding other policies of this Municipal Planning Strategy, a development agreement for the property located at the intersections of Robie Street, Pepperell Street, and Shirley Street (6030 Pepperell Street, Halifax), shall:~~

- ~~(a) permit mixed-used (residential and commercial) buildings;~~
- ~~(b) permit a range of uses that serve both a local and regional population, including: residential, office, retail, service, restaurants, establishments licensed to serve alcohol, institutional, cultural, and entertainment uses;~~
- ~~(c) require a mix of residential unit types;~~
- ~~(d) restrict development at the southwest corner of Robie Street and Pepperell Street to 14 storeys, plus a penthouse;~~
- ~~(e) restrict development fronting on the balance of Robie Street to 7 storeys;~~
- ~~(f) restrict development fronting on the balance of Shirley Street to between 4 and 5 storeys;~~
- ~~(g) restrict development fronting on Pepperell Street to 3 storeys, with the exception of a 7-storey portion next to the 14-storey plus penthouse portion at the southwest corner of Robie Street and Pepperell Street;~~
- ~~(h) restrict streetwall heights to 4 storeys, with provision for a 5-storey streetwall at the southwest corner of Robie Street and Pepperell Street;~~
- ~~(i) require indoor and outdoor amenity space for on-site residents;~~
- ~~(j) require regulations for signage and the external appearance of structures;~~
- ~~(k) regulate streetwall design and the design of at-grade residential units;~~
- ~~(l) regulate landscaping, fencing, outdoor storage, and the planting or retention of trees and vegetation;~~
- ~~(m) prohibit surface parking lots; and~~
- ~~(n) permit residential and commercial parking.~~

~~In addition to meeting the requirements of Policy 3.2.1 a) to n) inclusive, Council shall also have regard for the following when considering a development agreement for the property located at the intersections of Robie Street, Pepperell Street, and Shirley Street (6030 Pepperell Street, Halifax):~~

- ~~(o) the planning principles of transition, pedestrian-oriented, human-scale, building design and context sensitive, as described in Section 2; and~~
- ~~(p) the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding built forms.~~

70. Repealing Policies 3.2, 3.2.1, and 3.2.1.1 of IMPLEMENTATION POLICIES in Part II, in their entirety, as shown below in ~~strikeout~~:

~~3.2 — For those areas identified in Section II, Policy 2.5.2 of this Plan, the City shall, pursuant to the authority of Section 33(2)(b) of the Planning Act, establish such development control regulations as are necessary to implement the policies of this Plan.~~

~~3.2.1 — Further to Policy 3.2 above, the areas identified in Section II, Policy 2.5.2 and numbered 4, and 9 shall be identified on the zoning map, and within such areas no development permit for multiple unit residential development of over 50 feet in height or 25 units, or for a commercial or institutional development of over 35 feet in height or 5,000 square feet in floor area shall be issued, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.~~

~~3.2.1.1 Policy 3.2.1 above shall not apply to the area identified on Map 1 of Section XI.~~

71. Repealing Policy 3.2.4 of IMPLEMENTATION POLICIES in Part II, in its entirety, as shown below in ~~strikeout~~:

~~3.2.4 — In entering into agreements pursuant to Policies 3.2.1, and, above, Council shall be guided by the policies contained in Section II of this Plan, and shall not enter into agreements which are inconsistent with the policies of this Plan.~~

72. Repealing Policy 3.2.5 of IMPLEMENTATION POLICIES in Part II, in its entirety, as shown below in ~~strikeout~~:

~~3.2.5 — Prior to entering into any agreements pursuant to Policies 3.2.1, and, Council shall advertise its intention to do so and shall hold a public hearing at which time any objections shall be heard.~~

73. Repealing Policy 3.2.6 of IMPLEMENTATION POLICIES in Part II, in its entirety, as shown below in ~~strikeout~~:

~~3.2.6 — The City should amend this plan and accompanying zoning by laws as appropriate upon the completion of detailed area plans through the provisions of the Planning Act.~~

74. Repealing Policy 3.2.7 of IMPLEMENTATION POLICIES in Part II, in its entirety, as shown below in ~~strikeout~~:

~~3.2.7 — Notwithstanding Policy 3.1.4 of Section II of this Plan, Council may consider major office and hotel uses within shopping centres pursuant to Policies 3.2.1 to 3.2.6 of this section.~~

75. Repealing Policy 5.0 of “SUBDIVISION CONTROL”, IMPLEMENTATION POLICIES in Part II, in its entirety, as shown below in ~~strikeout~~:

~~5.0 — The City of Halifax shall apply the subdivision regulations and bylaw adopted by the City on June 16, 1977 as it may be amended from time to time in accordance with Section 49(8) of the Planning Act for all applications for subdivision in the context of this Plan.~~

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_\_.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_\_.

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