



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

## Item No. 4.2

Halifax Regional Council  
June 18, 2019  
July 15, 2019

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

**SUBMITTED BY:** Original Signed  
\_\_\_\_\_  
Councillor Stephen D. Adams, Chair, Halifax and West Community Council

**DATE:** June 12, 2019

**SUBJECT:** **Case 20761: Amendments to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Peninsula for lands fronting Robie Street, College Street, and Carlton Street, Halifax**

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### **ORIGIN**

- June 5, 2019 meeting of the Heritage Advisory Committee, Item 9.4:
- June 11, 2019 meeting of Halifax and West Community Council, Item 13.2.3.

### **LEGISLATIVE AUTHORITY**

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

### **RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Peninsula, as set out in Attachments A and B of the staff report dated May 24, 2019, to permit by development agreement, a mixed-use development on lands fronting Robie Street, College Street and Carlton Street, Halifax, and schedule a public hearing; and
2. Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law, as set out in Attachments A and B of the staff report dated May 24, 2019.

## **BACKGROUND**

At their June 11, 2019 meeting, Halifax and West Community Council considered a recommendation report from the Heritage Advisory Committee dated June 6, 2019, with attached staff report dated May 24, 2019 regarding Case 20218: Amendments to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Peninsula for lands fronting Spring Garden Road, Robie Street and Carlton Street, Halifax.

For further information, refer to the staff report dated May 24, 2019. (Attachment 1)

## **DISCUSSION**

Halifax and West Community Council considered the staff report dated May 24, 2019 and approved a recommendation to forward to Halifax Regional Council, as outlined in the 'Recommendation' section of this report.

For further discussion on this item, refer to the staff report dated May 24, 2019. (Attachment 1)

## **FINANCIAL IMPLICATIONS**

For information on the financial implications relating to this item, refer to the staff report dated May 24, 2019. (Attachment 1)

## **RISK CONSIDERATION**

For information on the risk considerations relating to this item, refer to the staff report dated May 24, 2019. (Attachment 1)

## **COMMUNITY ENGAGEMENT**

Meetings of Halifax and West Community Council are open to the public and live-streamed on Halifax.ca. The agenda, reports, and minutes for the meeting are posted on Halifax.ca as well.

For further information on Community Engagement as it relates to this item, refer to the staff report dated May 24, 2019. (Attachment 1)

## **ENVIRONMENTAL IMPLICATIONS**

For information on the environmental implications relating to this item, refer to the staff report dated May 24, 2019. (Attachment 1)

## **ALTERNATIVES**

Halifax and West Community Council did not provide alternatives.

Refer to the staff report dated May 24, 2019. (Attachment 1) for alternatives.

## **ATTACHMENTS**

**Attachment 1** – Recommendation report from the Chair of the Heritage Advisory Committee dated June 6, 2019, with attached staff report dated May 24, 2019.

**Attachment 2** - Halifax Peninsula Planning Advisory Committee Memo dated September 24, 2018.

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

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

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P.O. Box 1749  
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**Item No. 13.2.3**  
**Halifax and West Community Council**  
**June 11, 2019**

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

**SUBMITTED BY:** *-Original Signed-*  
\_\_\_\_\_  
For Jenny Lugar, Chair, Heritage Advisory Committee

**DATE:** June 6, 2019

**SUBJECT:** **Case 20761: Amendments to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Peninsula for lands fronting Robie Street, College Street, and Carlton Street, Halifax**

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**ORIGIN**

- Application by ZZap Consulting Incorporated, on behalf of 3088962 Nova Scotia Limited., to enable a high-density mixed-use development at 1377 and 1389 Robie Street, PID 00473009, PID 00472993, 5949, 5963, 5969, 5977, 5989, 5991 and 5993 College Street, 1452 and 1456 Carlton Street, Halifax.
- Motion from the June 5, 2019 meeting of the Heritage Advisory Committee, Item 9.4.

**LEGISLATIVE AUTHORITY**

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

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

**RECOMMENDATION**

It is recommended that Halifax and West Community Council recommend that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Peninsula, as set out in Attachments A and B of the staff report dated May 24, 2019, to permit by development agreement, a mixed-use development on lands fronting Robie Street, College Street and Carlton Street, Halifax, and schedule a public hearing; and

**Recommendation Continues on second page.**

2. Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law, as set out in Attachments A and B of the staff report dated May 24, 2019.

### **BACKGROUND**

The Heritage Advisory Committee received a staff recommendation report dated May 24, 2019, and a staff presentation on Case 20761, at their June 5, 2019 meeting.

For further information on the background of this item, refer to the staff report dated May 24, 2019 (Attachment 1).

### **DISCUSSION**

The Heritage Advisory Committee considered the May 24, 2019 staff report at their June 5, 2019 meeting. Following a discussion with members and staff, the Committee approved a motion to forward the recommendation to Halifax and West Community Council, as outlined in the 'Recommendation' section of this report.

For further information, please refer to the staff report dated May 24, 2019 (Attachment 1).

### **FINANCIAL IMPLICATIONS**

Refer to the May 24, 2019 staff report (Attachment 1) for information on financial implications.

### **RISK CONSIDERATION**

Refer to the May 24, 2019 staff report (Attachment 1) for information on risk consideration.

### **COMMUNITY ENGAGEMENT**

Meetings of the Heritage Advisory Committee are open to the public. The agenda, reports, and minutes of the Committee are posted online at Halifax.ca.

For further information on Community Engagement as it relates to Case 20761, refer to the staff report dated May 24, 2019 (Attachment 1)

### **ENVIRONMENTAL IMPLICATIONS**

None identified.

### **ALTERNATIVES**

The Committee did not provide alternatives.

Refer to the May 24, 2019 staff report (Attachment 1) for further information on alternatives.

### **ATTACHMENTS**

**Attachment 1** – Staff recommendation report dated May 24, 2019

Report Prepared by: David Perusse, Legislative Assistant, Office of the Municipal Clerk 902-490-6732

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P.O. Box 1749  
Halifax, Nova Scotia  
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**Item No. 9.4**  
**Heritage Advisory Committee**  
**June 5, 2019**

**TO:** Chair and Members of Heritage Advisory Committee

**-Original Signed-**

**SUBMITTED BY:**

\_\_\_\_\_  
Kelly Denty, Director of Planning and Development

**-Original Signed-**

\_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** May 24, 2019

**SUBJECT:** **Case 20761: Amendments to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Peninsula for lands fronting Robie Street, College Street, and Carlton Street, Halifax**

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**ORIGIN**

- Application by ZZap Consulting Incorporated, on behalf of 3088962 Nova Scotia Limited.
- August 1, 2017, Regional Council direction to continue to process this request for site-specific municipal planning strategy amendments, subject to the proposal:
  - a) Generally aligning with the June 2017 Centre Plan document relative to Urban Structure, Height and Floor Area Ratio, and
  - b) Addressing the planning principles of transition, pedestrian-orientation, human-scale, building design, and context-sensitive as noted in Table 2 of the staff report dated July 26, 2017.

**LEGISLATIVE AUTHORITY**

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

**RECOMMENDATION**

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

1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Peninsula, as set out in Attachments A and B of this report, to permit by development agreement, a mixed-use development on lands fronting Robie Street, College Street and Carlton Street, Halifax, and schedule a public hearing; and
2. Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law, as set out in Attachments A and B of this report.

**BACKGROUND**

ZZap Consulting Incorporated is applying to enable a high-density mixed-use development at 1377 and 1389 Robie Street, PID 00473009, PID 00472993, 5949, 5963, 5969, 5977, 5989, 5991 and 5993 College Street, 1452 and 1456 Carlton Street, Halifax. The applicant's working proposal, which cannot be considered under existing policy and regulations, includes the following features:

- A 26-storey tower facing Robie Street and a 20-storey tower facing College Street;
- 4-storey streetwall facing Robie Street;
- 3-to-4-storey streetwall facing College Street;
- Alteration of 3 heritage properties (5969 College Street, 1452 Carlton Street and 1456 Carlton Street) and 1 Victorian home (5963 College Street) through lot subdivision and restoration of existing structures;
- Relocation of 2 buildings (5969 and 5963 College Street) to the rear yards of 1452 and 1456 Carlton Street;
- Approximately 2973 square metres (32,000 square feet) of ground floor commercial space;
- Approximately 400 residential units; and
- Approximately 384 underground parking spaces.

**Subject Property Details**

<i>Location</i>	Robie Street, College Street and Carlton Street.
<i>Subject Site</i>	Lands fronting Robie Street, College Street and Carlton Street as shown on Maps 1 and 2.
<i>Regional Plan Designation</i>	Urban Settlement
<i>Community Plan Designation (Map 1)</i>	HDR (High-Density Residential) along Robie and College Streets MDR (Medium-Density Residential) along Carlton Street and a portion of College Street
<i>Zoning (Map 2)</i>	R-3 (Multiple Dwelling Zone) along Robie and College Streets & R-2 (General Residential) along Carlton Street
<i>Size of Site</i>	Approximately 5901.2 square metres (63,520 square feet).
<i>Street Frontage</i>	Approximately 71 metres (233 feet) on Robie Street; 122 metres (400 feet) on College Street; and 20 metres (65.6 feet) on Carlton Street.
<i>Current Land Use(s)</i>	<ul style="list-style-type: none"> <li>- 1389 Robie Street is a 24-unit residential building;</li> <li>- 1377 Robie Street is a residential building;</li> <li>- 5977 College Street is a 12-unit residential building;</li> <li>- 5969 College Street is a 17-unit residential building, a registered heritage property, and under Development Agreement for a mixed-use residential office building;</li> <li>- 6962 College Street is a 4-unit residential building;</li> <li>- 1452 Carlton Street/5949 College Street is a 3-unit dwelling with an Architects Office and a registered heritage property; and</li> <li>- 1456 Carlton Street is a licensed rooming house and a registered heritage property.</li> </ul>

**Existing Site Context**

The proposed development site comprises of approximately 5,901.2 square metres (63,520 square feet) and is bounded by Robie Street to the west, College Street to the south, and Carlton Street to the east. The development site includes 8 separate properties (plus 2 small parcels in front of 1389 Robie Street) as shown on Map 1. The existing buildings are all multi-unit residential buildings ranging from 2-to-4 storeys in height. There are 3 municipally registered heritage properties, 1 along College Street (5969 College Street) and 2 along Carlton Street (1452 and 1456 Carlton Street) which form part of the Carlton Early

Victorian Streetscape.

### **Surrounding Context**

While many of the properties within the development site and in the surrounding area contain 2 or 3-storey residential or mixed-use buildings in the Victorian or Edwardian architectural style, there are also several large high-rise buildings nearby ranging from 10 to 21 storeys in height. These buildings include the Spring Garden Professional Centre, Dalhousie Tupper Building, Spring Garden Terrace, Summer Gardens and Embassy Towers. The area has a mix of residential apartments, single-family homes, commercial and institutional uses at varying scales.

### **Surrounding Heritage Properties and Streetscape**

The site abuts 2 heritage properties to the east (1460 and 1466 Carlton Street) which form part of the Carlton Street Early Victorian Streetscape. The Carlton Early Victorian Streetscape is located on Carlton Street between Spring Garden Road and College Street. The Streetscape is valued as an excellent example of a Victorian era residential street and is comprised of 18 registered heritage properties. Carlton Street was originally part of the South Commons. Prior to 1818 this area was divided into four large lots that were purchased by merchants Richard Tremaine and John Staynor. The lots were again subdivided and homes were constructed between 1860 and 1906. During this period construction materials and labour were inexpensive resulting in the construction of lavish homes, such as those on Carlton Street.

Following the end of World War I the cost of building supplies increased and there was a shortage of labour, both of which slowed the construction of elaborate and large homes. In addition, Victorian homes, such as those on Carlton Street, became too costly to maintain and were often converted to rooming houses or hotels. Some were demolished and replaced by smaller, less adorned dwellings. Today, the Carlton Early Victorian Streetscape is a rare example of an intact Victorian era street.

Architecturally, the Carlton Victorian Streetscape is valued for its sense of unity in scale, materials, and detail. These homes incorporate and blend elements of the Greek Revival, Modified Gothic, and Second Empire styles. The houses and townhomes range between two and three storeys, which allows for the human element and a sense of community to flourish. All of the houses are of wood frame construction. There is a variety in the pitch and type of roof lines, placement of the buildings, and an array of dormers, windows, bays, decoration, porches, and verandas. Each house commands its own attention while complementing its abutting, opposite, or adjacent structure.

### **Role of the Heritage Advisory Committee**

The proposed development site consists of 3 municipal heritage properties (5969 College Street, 1452 Carlton Street and 1456 Carlton Street). The site also abuts the Carlton Street Early Victoria Streetscape to the east. Regional Plan Policy CH-16, regarding Development Abutting Registered Heritage Properties, addresses the compatibility of a proposal which abuts a heritage resource. The HAC must make a recommendation to Regional Council based on interpretation of the proposed Halifax Municipal Planning Strategy (MPS) policy (Attachment A) and its merits when evaluated against the criteria of Policy CH-16. Staff have conducted an evaluation of Regional Plan Policy CH-16. A copy of the evaluation is provided as Attachment C.

Should the proposed changes to the MPS and the Halifax Peninsula Land Use By-law (LUB) be approved, a separate application for development of the subject site, by development agreement, will be subject to consideration of Regional Plan Policy CH-16, regarding development abutting registered heritage properties. At that time, the HAC will make a recommendation to Community Council based on interpretation of the development proposal's merits when evaluated against the criteria of Policy CH-16.

### **Substantial Alterations, Subdivision and Deregistration of Resulting Parcels**

On January 29, 2019, Halifax Regional Council approved substantial alterations for the 3 registered heritage properties (5969 College Street, 1452 Carlton Street and 1456 Carlton Street) associated with the proposed development site. The substantial alterations included the following:

- Moving the Gold Cure Institute building (5969 College Street) from its current foundation and relocating it to a new foundation at the rear of 1452-56 Carlton Street;
- Removing an addition to 1452 Carlton Street and the rear ell of 1456 Carlton Street, and rehabilitating the rear walls and connecting the buildings by a glass stairway;
- Removing a 1990's addition to the Gold Cure Institute building, and rehabilitating its rear wall; and
- Moving the McCoy Building (5963 College Street) onto a foundation with sunken terraces within the rear yard of 1452-56 Carlton Street and connecting the building to the Gold Cure Institute building in the form of a glass stairway.

The applicant is proposing to consolidate the lots at 1452 and 1456 Carlton Street. Once consolidated, the rear yard will accommodate the relocated Gold Cure Institute and McCoy building. Upon relocation of the Gold Cure Institute building, the municipality will consider the deregistration of the lot at 5969 College Street and a registration application for the Gold Cure Institute building and the unregistered McCoy Building as a municipal heritage property at its new location. Subsections 1(c) and 1(d) of the proposed MPS policy requires that the proposed substantial alterations and deregistration (following consolidation and relocation) be completed as part of a development agreement.

### **MPS and LUB Context**

The subject site is zoned R-2 (General Residential) and R-3 (Multiple Dwelling) under the Halifax Peninsula Land Use By-law (LUB). The R-2 Zone permits single-detached dwellings, semi-detached dwellings, and residential buildings with a maximum of 4 units. The R-3 Zone permits R-1, R-2, and R-2T uses, as well as apartment houses, lodging or rooming houses, and boarding houses. As such, the applicant's proposed development is not permitted as an as-of-right use.

The site has 2 designations under the Peninsula Centre Secondary Planning Strategy (SPS): High-Density Residential along Robie and College Streets, and Medium-Density Residential along Carlton Street and a portion of College Street. The proposed development site also falls under the Spring Garden Road Sub Area. Both the Sub Area and the Peninsula Centre SPS contain no enabling policy to consider the proposed development.

Maximum permitted heights are 35 feet along the 2 heritage properties (1452 and 1456 Carlton Street) fronting on Carlton Street and are measured between the highest point of the building, exclusive of any non-habitable roof, and the mean grade of the finished ground adjoining the building. The remaining properties, fronting College Street and Robie Street are restricted to a height of 50 feet and a small portion fronting Robie Street is restricted to 35 feet. However, in this case, height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street.

### **Regional Plan & Centre Plan**

The Halifax Regional Municipal Planning Strategy (Regional Plan) identifies the Halifax Peninsula and Dartmouth (between Halifax Harbour and the Circumferential Highway) as the Regional Centre. A central goal of the Regional Plan is to grow the population of the Regional Centre. The Regional Plan expresses a clear objective to adopt a Regional Centre Plan. The process to adopt the Regional Centre Plan is well underway and is commonly known as the Centre Plan.

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

### **Regional Council Direction for this Application**

On August 1, 2017, Regional Council determined that 14 requests for site specific MPS amendments inside the Regional Centre area should proceed, subject to considerations related to the June 2017 Centre Plan document. Specifically, Regional Council directed staff to continue to process this application, subject to the proposal:

- (a) Generally aligning with the June 2017 Centre Plan document, relative to Urban Structure, Height and Floor Area Ratio, and
- (b) Addressing the planning principles of transition, pedestrian-orientation, human-scale, building design, and context-sensitive.

The June 2017 Centre Plan document classifies the majority of the subject site (approximately 80%) as part of the Spring Garden Road Centre. The Centre classification applies to areas with significant redevelopment potential. The June 2017 Centre Plan document identified the subject site with a 16 to 20 storey height range but did not set specific Floor Area Ratios for Centres. The remaining portion of the subject site (approximately 20%) is classified as an Established Residential Area. These areas have lower densities and are largely characterized by detached homes. Unlike Centres, Established Residential Areas will accommodate growth through gentle density, which means the addition of housing forms, such as garden suites and secondary suites, which do not significantly change community appearance and built character.

The planning principles noted in Regional Council's August 1, 2017 direction are further described and reviewed in the Discussion section of this report.

### **Incentive or Bonus Zoning**

Incentive or bonus zoning is a process that provides additional public benefits for additional development rights such as additional height. This tool is currently used through the Downtown Halifax Secondary Municipal Planning Strategy. The HRM Charter enables the Municipality to use the incentive or bonus zoning tool to allow an increase in built area in exchange for public amenities or benefits. While originally limited to Downtown Halifax, in 2014 the Province extended HRM's ability to use this tool in the Regional Centre. At the time, the Province also required a portion of the bonus (outside of Downtown Halifax) to be provided in the form of affordable housing. In December 2016, Regional Council considered this tool and directed staff to develop an incentive or bonus zoning program for the Regional Centre, to capture affordable housing benefits. This includes policies, planning document amendments, and financial tools. This work is underway as part of the Centre Plan.

To date, Regional Council has not directed the use of incentive or bonus zoning for site specific MPS amendments, except for the MPS amendment proposal by APL Properties at the corner of Robie Street and Quinpool Road (Case 18966). Regional Council also directed staff to consider the use of incentive or bonus zoning for an active site-specific amendment application at the corner of Bedford Highway and Flamingo Drive (Case 21730). When Council initiated the subject application, it did not direct staff to consider incentive or bonus zoning.

### **Approval Process**

The remaining process for this proposal involves three steps:

- a) First, subject to a public hearing process, Regional Council must consider and, if deemed appropriate, approve proposed amendments to the MPS and LUB;
- b) Second, staff will negotiate a development agreement based on the approved MPS and LUB amendments; and
- c) Third, when the MPS and LUB amendments are in effect, subject to a public hearing process, Halifax and West Community Council may consider and, if deemed appropriate, approve a development agreement.

A decision on proposed MPS and LUB amendments is not appealable to the Nova Scotia Utility and Review Board (Board). However, any future decision on a development agreement is appealable to the Board.

## **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the HRM Charter, and the Public Participation Program approved by Council for this application on August 1, 2017. The level of community engagement was consultation, which was achieved by providing information through the HRM website, by posting signs on the subject property, by mailing letters to residents within the notification area and by hosting a public meeting on June 4<sup>th</sup>, 2018. Attachment C contains a copy of the minutes from the meeting. The public comments included the following:

- A few attendees expressed support for the proposed development;
- A few attendees want HRM to consider this application and the abutting application (20218) on Robie Street, College Street, and Carlton Street in tandem;
- Many attendees stated that the building is too large (in terms of height, massing, and residential density) for the subject site and surrounding neighbourhood;
- Several attendees believed that the proposal offers an insufficient transition to the existing low-density dwellings north of the subject site. Further, many attendees indicated that the proposal lacks context-sensitive design features and therefore, will have a detrimental impact on the neighbourhood's established character;
- Several attendees expressed frustration by the number of developments being considered that do not align with HRM's existing policies and regulations;
- A few attendees were concerned about infrastructure capacity; and
- A few attendees spoke to specific concerns such as wind, preserving the character of the neighbourhood, height, and the lack of human scale.

Additionally, since this application falls within the Regional Centre, it was part of an Open House held on December 7, 2016. Planning staff held this meeting to seek public feedback on 18 MPS amendment proposals, as part of the analysis for those proposals and as part of the Centre Plan process. An overview of Open House comments was provided as part of the staff report presented to Regional Council on August 1, 2017. An overview of Open House comments as they relate directly to this proposal are as follows:

- **Form** - Several respondents commented that the building is too tall and out of scale with the homes on Carleton and College Streets. Many identified that the design lacks architectural interest, and that the towers are too wide and monolithic. Concerns were raised about the quality of the building materials. Some respondents were in favour of the design and noted the modern street appeal. The 4-storey streetwall was identified as positive.
- **Character** - Participants noted that the proposed development does not fit with the character of the surrounding neighbourhood and has potential to eliminate small-scale affordable housing options. Several comments expressed concern for the impact on heritage properties in the area.
- **Impact on Neighbours** - Some participants noted that this development may have a negative impact on the neighbourhood through shadows and wind tunnels. A handful of respondents mentioned their concerns about increased traffic in the area resulting from this proposal.
- **Process** - Comments urge that Council wait for the Centre Plan and stick to the height rules. Respondents are concerned that this proposal benefits the developer and not the surrounding community. Several respondents felt this proposal should be considered together with the proposal for Robie Street and Spring Garden Road (Case 20218).

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

The proposal will potentially impact residents, property owners, and local businesses.

### **Halifax Peninsula Planning Advisory Committee**

On September 24<sup>th</sup>, 2018, the Halifax Peninsula Planning Advisory Committee (PAC) considered this proposal. The PAC recommended Council continue with the approval of this proposal, subject to considerations. Comments included that PAC:

- Values increased density development in this area;
- Has concerns about the 26-storey tower height and the overall visual mass of the building, and recommends the tower heights conform to current and emerging Centre Plan guidelines;
- Believes the proposal is an improvement on the existing streetscape;
- Appreciates promised effort to maintain and/or restore heritage buildings along the College/Carlton street corner;
- Has concerns about the preservation of character elements of the heritage buildings (i.e. detached homes and below grade elements);
- Encourages additional efforts to improve pedestrian experience and protection of heritage properties along the College/Carlton street corner;
- Encourages at-grade bicycle parking storage be incorporated into design;
- Recommends that additional amenity space for residents be incorporated into the building design and landscaping;
- Recommends the 4-storey street wall along Robie and College Streets be reduced to 3 storeys to better suit neighbourhood context;
- Recommends the gazebo design element on the Robie/Spring Garden corner be modified to improve building aesthetic;
- Encourages the construction of two proposals (case 20761 and case 20218) be coordinated and happen together if both are approved;
- Recommends a quantitative wind study and joint shadow and traffic study be done for impacts of both proposals (case 20761 and case 20218) combined, and additional proposals or existing buildings in the vicinity, as appropriate;
- Would value a more complete access plan for resident pick-up and drop-off, and active transportation use;
- Encourages efforts to move utilities and wiring underground during construction;
- Recommends that the CH-16 elements be considered by Heritage Advisory Committee; and
- Encourages planning staff to use all available tools to maximize affordable housing within the development.

A report from the HPPAC to Community Council is provided under separate cover.

### **Revisions**

There have been few changes to the working proposal since first presented at the Open House held on December 7, 2016. Some of the notable changes include the following:

- There has been a reduction in streetwall height from 4 storeys to 3 storeys along College Street in an effort to better align with Regional Council's planning principles;
- The McCoy Building (5963 College Street) is proposed to be relocated in place of 1377 Robie Street in an effort to maintain the relationship between 5969 and 5963 College Street; and
- An analysis of Citadel Rampart requirements has also been conducted which identifies that no portion of the proposed development would be visible from any of the applicable sightlines identified in the Halifax Peninsula LUB.

## **DISCUSSION**

The MPS is a strategic policy document that sets out the goals, objectives and direction for long-term growth and development in the municipality. Amendments to an MPS are significant undertakings. Council is under no obligation to consider such requests. In this case, staff recommend that amendments to the MPS are warranted. The following subsections review the rationale and content of the proposed MPS and LUB amendments.

### **Applicant's Rationale**

The applicant has provided reasons they believe the proposed development should be considered, which are summarized as follows:

- The proposed development is located in an area that is favourably positioned for high density development, with a wide range of employment, educational, shopping and recreational opportunities within a 15-minute walk of the site; and
- The site is included in 1 of the 5 Centres identified in the Centre Plan, and has been deemed appropriate for high density multi-unit residential development. The land assembly is large enough to accommodate two residential towers with appropriate siting, step backs and separation distances.

Attachment E contains a copy of the applicant's rationale letter.

### **Staff Review**

#### **Regional Plan Context**

As noted in the Background section of this report, the Regional Plan expresses a clear objective to adopt a Regional Centre Plan. The process to adopt the Regional Centre Plan is well underway, and is commonly known as the Centre Plan. A focus of the Centre Plan is 'growth and change', which is identified in the Regional Plan as a guiding principle for the purposes of adopting a Regional Centre Plan. The Regional Plan's growth and change principle directs change and intensification to areas that will benefit from growth.

#### **Centre Plan 2017 Context**

In keeping with the Regional Plan, the June 2017 Centre Plan document outlined a vision for strategic growth. It outlined how and where the Regional Centre should grow through the land use and form classification shown on the Urban Structure Map, including Downtowns, Centres, Corridors and Future Growth Nodes.

The June 2017 Centre Plan document identified 5 Centres (Gottingen, Spring Garden, Wyse, Young, and Quinpool). It envisioned these Centres playing an important role in managing growth in the Regional Centre, and proposed that Centres accommodate 28% of new Regional Centre residents. Medium to high density development is appropriate for growth areas. This concentrates people, jobs, and services. New development can add vitality to these areas, but must transition well to existing residential and commercial areas. The overall, long-term framework for new development in the Regional Centre will be finalized through adoption of a Regional Centre Secondary Municipal Planning Strategy and a Land Use By-law.

The June 2017 Centre Plan document identifies the Spring Garden Centre as the smallest of the five Centres, running along Spring Garden Road from Robie to Cathedral Lane. The area is characterized by apartment buildings setback from the street, and 2-3 storey single detached buildings with residential and commercial uses. A number of heritage properties along Carlton Street are not included in the Centre.

When situated appropriately, additional moderate and tall infill buildings can be accommodated that are in

keeping with the apartment style character of this Centre. Redevelopment along Robie Street should also include at-grade commercial storefronts to draw additional pedestrian activity and active uses into the Centre. The June 2017 Centre Plan document proposes building heights up to 20 storeys within all portions of the Spring Garden Centre. Regional Council will also review an MPS amendment for a 30-storey and 20-storey mixed-use development on the same block as this proposal (Case 20218).

#### Centre Plan Package A

On April 10, 2019, Centre Plan Package A was presented to the Community Design Advisory Committee (CDAC) for review. Package A includes a draft Secondary MPS and LUB for Centres, Corridors, Higher Order Residential, and Future Growth Node classifications in the Regional Centre. Package A proposes the following regulations for portions of the property which are classified as a Centre:

- FAR (floor area ratio): 8.0;
- Maximum building height: 90 metres (295 feet), subject to floor area ratios;
- Maximum streetwall height of 11 metres (36.1 feet);
- Stepback above streetwall: 4.5 metres (14.76 feet);
- Minimum separation distance between towers: 25 metres (82 feet);
- Maximum building dimension: 64 metres (210 feet) by 64 metres (210 feet);
- Minimum building setback from Transition Lines<sup>1</sup>: 6.0 metres; (19.7 feet); and
- Minimum stepback from a building wall facing a Transition Line: 6.0 metres (19.7 feet).

Package A does not include draft Secondary MPS policy and LUB regulations for Established Residential Areas. These areas will be addressed in the future release of Package B. As such, no further direction is provided for portions of the subject site which are classified as Established Residential Areas. These areas include the 2 properties fronting Carlton Street (1452 and 1456 Carlton Street).

#### Regional Council Direction

Regional Council directed staff to process this application, subject to it generally aligning with the June 2017 Centre Plan document, relative to urban structure, height and floor area ratio. The subject property is placed mostly within a Centre classification (Spring Garden Road Centre). The June 2017 Centre Plan places the property in a 16 to 20-storey height range (for the portion within the Centre classification). The June 2017 Centre Plan document did not set specific floor area ratios for Centres. Staff advise the applicant's working proposal of a 26-storey tower and 20-storey tower on a 4-storey streetwall/building podium aligns with the urban structure and is reasonably aligned with heights outlined in the June 2017 Centre Plan document.

#### Proposed Site-Specific MPS Policy

Staff are proposing a site-specific MPS policy (Attachment A) that generally aligns with the June 2017 Centre Plan and emerging Centre Plan guidelines for the Spring Garden Road Centre. As proposed, the development is in general alignment with Regional Council's direction, however it does not meet all the requirements of the proposed MPS policy. As such, the applicant's working proposal and shown in Attachment E will require revisions to satisfy the proposed MPS policy. Further detail on building elements that still require adjustment can be found in the sections that follow.

#### Urban Structure

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<sup>1</sup> Centre Plan Package A has proposed the use of Transition Lines as a means of ensuring adequate transition is provided between mid-rise/high-rise developments and adjacent low-rise residential areas. This is accomplished through the use of established regulations for transitions to lower heights. Centre Plan Package A identifies a Transition Line on the subject site which generally follows the rear lot lines of each heritage property located along the western side of Carlton Street.

The June 2017 Centre Plan document states that *Centres* are targeted for significant growth, with an emphasis on creating mixed-use main streets and accommodating moderate-to-tall buildings that provide appropriate transitions. *Centres* are the preferred destination for growth due to their: proximity to major streets, existing commercial uses, varying residential density, and underutilized land, and ability to create complete communities and enhance transit ridership.

The proposed MPS policy ensures that a mixed-use building, which requires ground-floor commercial uses, will be developed along Robie Street, which is identified as an HRM transit priority corridor under the Integrated Mobility Plan. The policy states that any proposed development shall have a maximum height of 90 metres (295 feet), and a maximum FAR value of 8.0, which provides ample opportunity to increase residential density and transit ridership near the development site. The policy also requires that any proposed development shall adhere to minimum streetwall, setback, and stepback requirements to facilitate an effective transition to abutting lower scale development (see Planning Principles subsection).

The registered heritage properties fronting on Carlton Street that form part of the proposed development site (1452 and 1456 Carlton Street) are classified under the Centre Plan as an *Established Residential Area* and are intended to support low-density residential uses (e.g., detached dwellings, duplexes, townhouses, etc.). These registered heritage properties support building typologies that are compatible with the *Established Residential Area* designation. Subsection 1(c) of the proposed MPS Policy (Attachment A) requires that these buildings be altered as outlined in the staff report dated November 9, 2018, titled *Case H00461: Substantial Alteration to municipally registered heritage properties at 1478, 1480, 1484 and 1494 Carlton Street, Halifax, and as approved by Regional Council on January 29, 2019*. This will ensure the existing properties are restored, maintained and remain compatible with the *Established Residential* designation.

#### Height

The June 2017 Centre Plan document identifies a height range of 16 to 20-storeys for development located within the Spring Garden Road *Centre*, provided that appropriate transitions to the neighbouring context, especially to low scale established residential areas, is provided. Subsection 1(e) of the proposed policy permits a maximum building height of 90 metres (or approximately 26 to 29-storeys). While this maximum exceeds the document's height framework, subsections 1(m) and 1(n) of the proposed policy ensure that any proposed development's podium and streetwall heights are a maximum of 13 and 16 metres (42.7 and 52.5 feet), thus facilitating a natural step down to established residential properties. Further, subsections 1(h) and 1(i) require minimum building setbacks and stepbacks that provide adequate separation distance between any proposed development and abutting development.

The June 2017 Centre Plan document does not specify a desired height for *Established Residential Areas*, though detached, semi-detached, and townhouse dwellings typically range between 1 and 3-storeys. As previously noted, clause 1(c) requires that the registered heritage properties, which contain 2 to 3-storey buildings, are maintained in accordance with the substantial alterations approved by Regional Council on January 29, 2019.

#### Floor Area Ratio (FAR)

The June 2017 Centre Plan document states that within a *Centre*, density shall be controlled through the use of maximum building envelope and FAR regulations; however, no specific FAR values were provided in *Centres* to guide the development of said regulations. Further, there is no FAR direction for *Established Residential Areas*. The proposed policy offers a maximum building envelope for the site's future development, and utilizes the Centre Plan – Package A's maximum FAR requirement (8.0) for the *Centre* portion of the subject site.

#### **Planning Principles**

The second evaluative criteria for the proposed MPS amendment are the planning principles of transition, pedestrian-oriented, human-scale, building design and context-sensitive, which are outlined in Table 1:

**Table 1. Planning Principles**

Planning Principles	Description
<b>Transition</b>	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</b>	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.
<b>Human-Scale</b>	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 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.
<b>Building Design</b>	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.
<b>Context-sensitive</b>	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.

### Analysis of the Planning Principles

The proposed MPS and LUB amendment is generally consistent with the planning principles set out above.

#### Transition

The proposed policy limits streetwalls heights along Robie Street and College Street, in an effort to reinforce traditional building heights/rooflines. The policy also incorporates requirements that ensure an effective transition between new development and existing properties along College and Carlton Street. These include that: the east facing building podium shall be setback at least 6 metres (19.7 feet) from the eastern lot line; the building podium shall have a maximum height of 13 metres (42.7 feet) abutting the eastern lot line; above the podium, the building shall have a minimum stepback of 6.5 metres (21.3 feet); and a landscape buffer and fencing shall be provided along the eastern lot line or any property boundary which abuts a registered heritage property. Further, the building podium shall be limited to a maximum height of 16 metres (52.5 feet) facing the northern lot line and above the podium, the building shall be setback at least 11.5 metres (37.7 feet) from the northern lot line.

As shown in the applicant's working proposal, the development includes a 4-storey streetwall along Robie Street and a portion of College Street. Subsection 1(m)(iii) of the proposed MPS policy permits a streetwall

not exceeding 16 metres (52.5 feet), for a total distance of 18.5 metres (60.7 feet) travelling east from Robie Street. This allows the proposed 4-storey streetwall to continue around the corner of Robie and College Street before stepping down to a maximum height of 13 metres (42.7 feet). This lower streetwall height is consistent with the existing low-scale residential character of College and Carlton Street. To ensure compliance with the proposed MPS policy, the proposed streetwall height and distance from Robie Street, as shown in the working drawings provided by the applicant (Attachment E), will require adjustments at the development agreement stage.

#### Pedestrian-Oriented

The proposed MPS policy requires that development is orientated towards both Robie Street and College Street. The building will be setback at least 1.5 metres (4.9 feet) from streetlines in an effort to widen the area next to the sidewalk and reduce the streetwalls' impact on the pedestrian environment. Subsection 1(r) of the proposed MPS policy (Attachment A) requires that ground-floor commercial uses are provided, while subsection 1(s) ensures that external building design, at-grade features, signage, etc. are regulated within the development agreement. The tandem of Subsection 1(s) and 1(e) will produce a ground-floor design that is inviting and active, thus facilitating a positive interface between people and the future building. Additionally, subsection 2(g) requires consideration of shadow and wind studies as part of the development agreement process.

#### Human-Scale

The proposed MPS policy accommodates a building that is larger than its immediate surroundings, however, several subsections reduce the building's potential impacts on the pedestrian environment. A maximum streetwall height of 16 metres (52.5 feet) must be followed along Robie Street and above the streetwall, a minimum setback of 4.5 metres (14.7 feet) must be provided. The College Street elevation must have a maximum streetwall height of 13 metres (42.7 feet) and utilize the same 4.5 metre (14.7 feet) setback. The proposed MPS policy also limits the size and placement of on-site towers to reduce the development's presence on sidewalks and abutting streets. As a result, towers will be separated by at least 23 metres (75.5 feet) and have a maximum area of 750 square metres (8,072.9 square feet) per floor. As shown on the applicant's working drawings, the development consists of two towers, which exceed the maximum area requirement of 750 square metres (8,072.9 square feet) per floor. As such, to satisfy the requirements of the proposed MPS policy, the proposed tower elements will require adjustments at the development agreement stage.

#### Building Design

The proposed MPS policy effectively provides a building envelope to guide the subject site's future development. As such, staff note that the building design principle cannot be accurately assessed at this time because numerous design options are possible. Additionally, the design details defined in subsection 1(s) can only be regulated by a development agreement. In light of this consideration, the proposed MPS policy states that Council shall assess all principles, including building design, further when considering a development agreement for the subject site.

#### Context-Sensitive

The policy incorporates measures to ensure future development respects the surrounding context. The policy's inclusion of maximum building podium heights along the northern and eastern lot lines provides a transition to abutting properties. These requirements, in addition to minimum setback and setback requirements, directs building mass towards Robie Street and College Street. The building podium and setback requirements will sufficiently protect the abutting heritage properties.

#### **Proposed MPS and LUB Amendments**

To draft the proposed MPS and LUB amendments, staff considered Regional Plan policy, public feedback and the proposed direction from the June 2017 Regional Centre Plan. Staff also note that Centre Plan – Package A was also utilized as a general guideline in some instances. Attachments A and B contain the proposed MPS and LUB amendments. A summary of the proposed MPS amendments are as follows:

- requires a development agreement;

- enables mixed-use buildings with residential, commercial, and institutional uses;
- limits building height to a maximum of 90 metres;
- limits development of the subject site to a maximum Floor Area Ratio of 8.0;
- requires a mix of residential unit types;
- limits streetwall height and requires setbacks above the streetwall/building podium;
- requires the development agreement to regulate setbacks, signage, amenity space and landscaping; and
- requires that substantial alterations to heritage properties be carried out in accordance with approvals provided by Regional Council on January 29, 2019.

The proposed amendments enable mixed-use, high density development on a main street in the Regional Centre. Robie Street is walkable, contains many services and has frequent, all-day transit service on weekdays. Increasing density on the subject site supports Regional Plan policy by directing growth to the Regional Centre. Increasing density also supports the goals of the Integrated Mobility Plan by directing growth to an area with sustainable transportation options.

The proposed MPS policy will enable a building that meets the 5 planning principles. Staff recommends regulating the proposed building through a development agreement. Based on the policy presented in this report, staff is finalizing a development agreement for this proposal. A decision on the development agreement may be considered by Halifax and West Community Council after MPS and LUB amendments come into effect. If Community Council approves the development agreement before Centre Plan Package A is adopted, those development rights will continue after the existing MPS is replaced.

Centre Plan Package A contains Policy 10.25. As proposed, this policy would allow Regional Council to consider completed development agreement applications under the MPS policy in place before Council's first notice of intention to adopt Package A. In other words, Council would be able to consider completed development agreement applications using MPS policy that predates Centre Plan. The applicant has submitted a complete application.

A development agreement will allow development rights to continue should the existing MPS be replaced by a new MPS as part of Centre Plan.

### **Conclusion**

Staff have followed Council's direction provided when initiating this MPS amendment, by considering the request against the policies of the Regional Plan and against the June 2017 Centre Plan document. Staff advises that the proposed MPS policy is generally consistent with Regional Council's direction for this application, relative to height and urban structure. The building also meets the 5 planning principles of pedestrian-oriented, transition, human-scale, building design and context-sensitive. Staff recommends new MPS and LUB policy to enable, by development agreement, a mixed-use development on Robie Street and College Street, along with the retention of existing registered heritage properties located along Carlton Street.

### **FINANCIAL IMPLICATIONS**

There are no financial implications. The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred to satisfy the terms of a development agreement. The administration of a development agreement can be carried out within the approved 2019-20 budget with existing resources.

## **RISK CONSIDERATION**

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

## **ENVIRONMENTAL IMPLICATIONS**

No additional concerns were identified beyond those raised in this report.

## **ALTERNATIVES**

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

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

## **ATTACHMENTS**

Map 1	Generalized Future Land Use Map
Map 2	Zoning Map and Notification Area
Attachment A	Proposed Amendments to the Municipal Planning Strategy for Halifax
Attachment B	Proposed Amendments to the Land Use By-law for Halifax Peninsula
Attachment C	Policy Evaluation of CH-16 Development Abutting Heritage Properties
Attachment D	Public Meeting Minutes June 4, 2018
Attachment E	Applicant's Rationale Letter

## **RELATED REPORTS**

**Initiation Report:** August 1, 2017, Regional Council, Item 14.1.10. [Site-Specific Secondary Municipal Planning Strategy \(SMPS\) Amendment Requests within the Regional Centre Boundary.](#)

Substantial Alteration Report: January 29, 2019, Regional Council Item 9.1 [Case H00456 – Substantial Alterations to municipally registered heritage properties at 5969 College Street and 1452 and 1456 Carlton Street, Halifax.](#)

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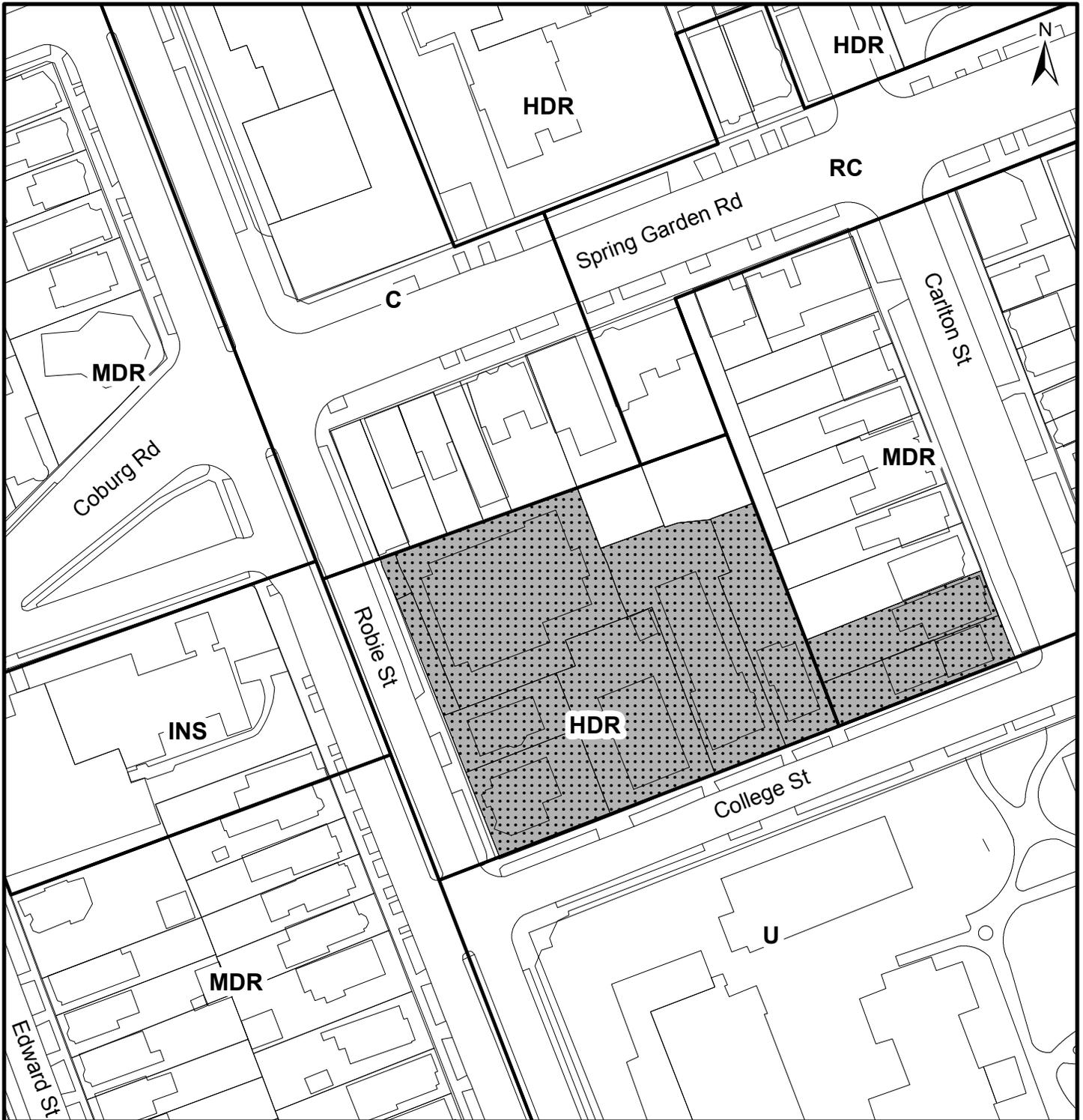
A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Tyson Simms, Planner III, 902.490.6983

***-Original Signed-***

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

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**Map 1 - Generalized Future Land Use**

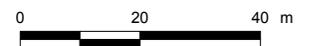
Robie, College and Carlton Streets  
Halifax

**HALIFAX**

 Subject Properties

**Designation**

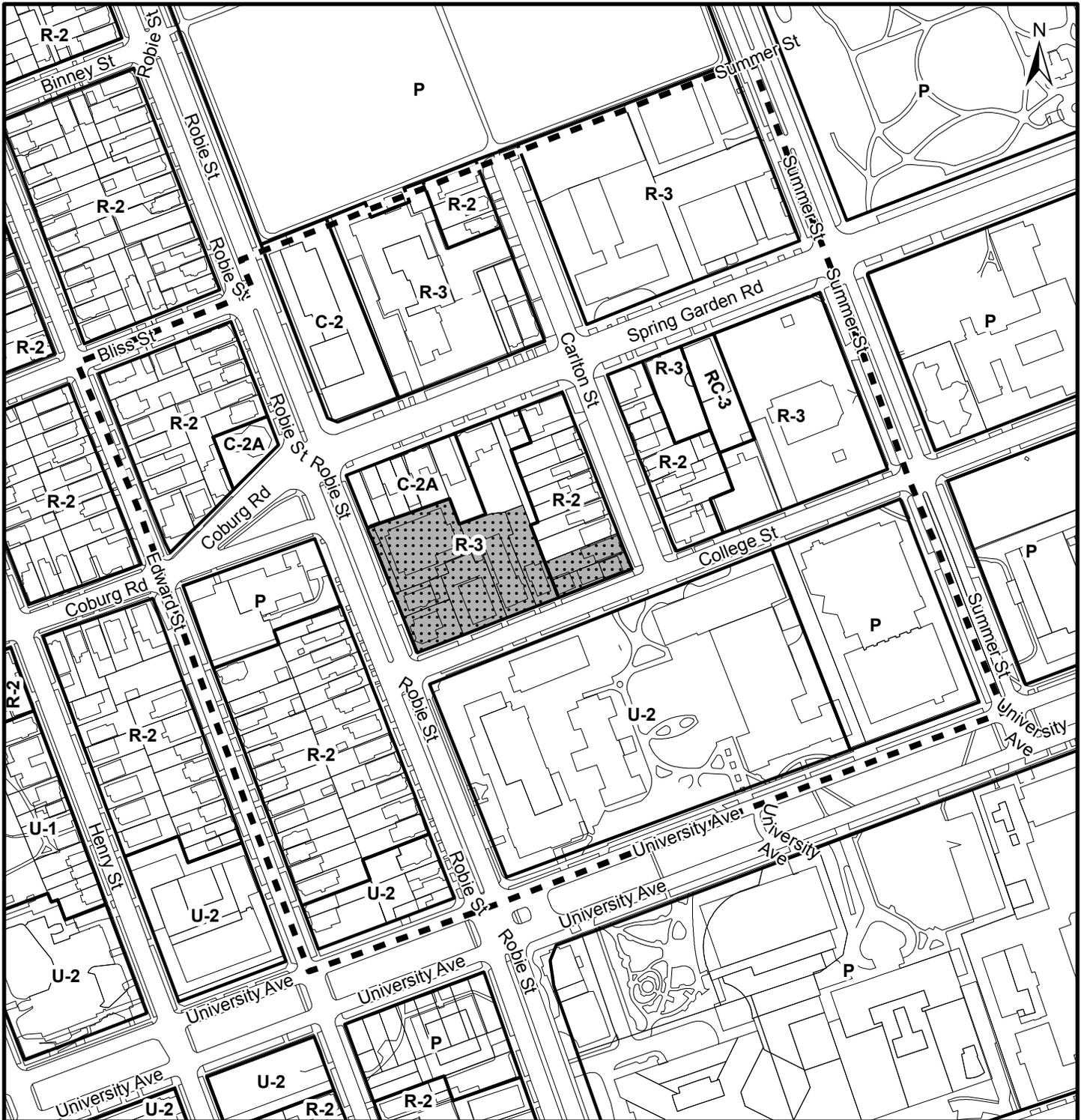
- MDR Medium Density Residential
- HDR High Density Residential
- INS Institutional
- C Commercial
- RC Residential - Commercial Mix
- U University



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

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

Halifax  
Plan Area



**Map 2 - Zoning**

Robie, College and Carlton Streets  
Halifax



-  Subject Properties
-  Area of Notification

- Zone**
- R-2 General Residential
  - R-3 Multiple Dwelling
  - C-2 General Business
  - C-2A Minor Commercial
  - U-2 High-Density University
  - P Park and Institutional



Halifax Peninsula Land  
Use By-Law Area

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.  
  
The accuracy of any representation on this plan is not guaranteed.

**ATTACHMENT A:**  
**Proposed Amendments to the Municipal Planning Strategy for Halifax**

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

1. By amending the TABLE OF CONTENTS to add the following text shown in bold immediately before the text "IMPLEMENTATION POLICIES", and renumbering the page numbers for the TABLE OF CONTENTS as applicable:

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

1. Background
2. The Planning Principles
3. Development at Robie Street / Pepperell Street / Shirley Street
4. Development at Chebucto Road / Elm Street / Beech Street
- 13. Development at Robie Street / College Street / Carlton Street**

2. By amending Section XVI, to add the following text shown in bold and delete the text shown in ~~strikeout~~ as follows:

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

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;
- b) Development at Chebucto Road / Elm Street / Beech Street, as identified in Section 4;
- k) Development at Robie Street / College Street / Carlton Street as identified in Section 13.**

These planning principles are described as:

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

Planning Principles	Description
	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. By amending Section XVI to add the following text shown in bold after Subsection 4.2.1:

**4. DEVELOPMENT AT CHEBUCTO ROAD / ELM STREET / BEECH STREET**

The properties having street frontage on Chebucto Road, Elm Street, and Beech Street (6482 Chebucto Road, 2586 Beech Street and 2585 Elm Street) is the subject site of a proposal for site-specific planning policy amendments to allow for a 5-storey mixed-use building. This proposal is one of the twelve policy requests noted in Section 1. On August 1, 2017, Regional Council chose to continue processing the 5-storey proposal subject to specific considerations.

**4.1 Specific Considerations**

The June 2017 Centre Plan Document identifies this property as a Corridor, which is envisioned to support approximately 21% of new Regional Centre residents. Corridors are an appropriate destination for low (three storey) to moderate (four-to-six storey) development that, depending on local conditions, should include ground floor commercial spaces. Specifically, building heights shall only exceed 4-storeys if there is sufficient lot depth to accommodate up to 6-storeys through appropriate design transitions to adjacent buildings.

The Chebucto Road / Elm Street / Beech Street 5-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. Regional Council also directed the 5-storey proposal to address the planning principles noted in Section 2.

#### 4.2 Regulating Development

To achieve a development form on the Chebucto Road / Elm Street / Beech Street site that generally aligns with the urban structure and heights identified in the June 2017 Centre Plan Document, and ensure the five planning principles noted in Section 2 are addressed, development will be permitted by development agreement, as described below.

##### 4.2.1 Development Agreement Provisions

The Land Use By-law for Halifax Peninsula shall be amended to identify that mixed-use development may be considered by development agreement for the properties located at the intersections of Chebucto Road, Elm Street, and Beech Street.

- (1) Notwithstanding other policies of this Municipal Planning Strategy except 4.2.1(2), a development agreement for the property located at the intersections of Chebucto Road, Elm Street, and Beech Street shall:
  - (a) permit a mixed-used (residential and commercial) building;
  - (b) permit a range of commercial uses, including, cultural, daycare, office, restaurant, retail, and work-live uses;
  - (c) require a mix of residential unit types;
  - (d) restrict building height to a maximum of 5 storeys, plus penthouse(s);
  - (e) require that the 4<sup>th</sup> and 5<sup>th</sup> storeys and penthouse(s) are orientated towards Chebucto Road;
  - (f) restrict streetwall height to a maximum of 4 storeys along Chebucto Road;
  - (g) restrict streetwall height to a maximum of 3 storeys along both Elm Street and Beech Street;
  - (h) restrict the building's podium height to a maximum of 3 storeys along the southern lot line;
  - (i) restrict development to a minimum setback, both above and below grade, of 1.5 metres from the Chebucto Road lot line;
  - (j) require a landscaped buffer and fencing along the rear lot line;
  - (k) require indoor and outdoor amenity space for on-site residents;
  - (l) regulate streetwall massing, external building design, cladding materials, design of at-grade residential units, landscaping, outdoor storage, signage, and the planting and retention of vegetation; and
  - (m) permit underground parking.
- (2) In addition to meeting the requirements of Policy 4.2.1(1) a) to m) inclusive, when considering a development agreement for the property located at the intersections of Chebucto Road, Elm Street, and Beech Street, Halifax, Council shall consider:
  - (a) the planning principles of transition, pedestrian-oriented, human-scale, building design and context sensitive, as described in Section 2; and
  - (b) the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding built forms.

### **13. DEVELOPMENT AT ROBIE STREET / COLLEGE STREET / CARLTON STREET**

**The properties identified as: at 1377 Robie Street, 1389 Robie Street, PID 00473009, PID 00472993, 5949 College Street, 5963 College Street, 5969 College Street, 5977 College Street, 5989 College Street, 5991 College Street, 5993 College Street, 1452 Carlton Street and 1456**

Carlton Street, Halifax, are subject to a site-specific planning policy request to allow high density mixed-use development. This proposal is one of the twelve policy requests noted in Section 1. On August 1, 2017, Regional Council chose to continue processing this proposal subject to specific considerations.

### **13.1 Specific Considerations**

The June 2017 Centre Plan Document identifies these properties as a Centre and Established Residential. Centres are identified for targeted growth and play an important role in managing growth within the Regional Centre. These areas are envisioned to support approximately 28% of new residents within the Regional Centre. A number of heritage properties along Carlton Street, which form part of the Carlton Street Heritage Streetscape, are not included in the Centre. These heritage properties are identified as Established Residential and are characterized by detached homes and lower density development.

This 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 and height. Regional Council also directed the proposals to address the planning principles noted in Section 2. Also, given the proposal includes, and abuts, municipally registered heritage properties, the proposal must address applicable heritage policies in the Regional Plan.

### **13.2 Early Victorian Streetscape (Carlton)**

The Carlton Street Early Victorian Streetscape is an area comprised of seventeen registered heritage buildings constructed between 1860 and 1906 that include examples of a variety of Victorian styles. This area lies on what was once part of the South Common which was subdivided in 1818 into lease holds, and subsequently sold as smaller lots for residential development in 1871. The streetscape is located on Carlton Street between Spring Garden Road and College Street.

#### **13.2.1 Heritage Value of Carlton Early Victorian Streetscape**

The Carlton Early Victorian Streetscape is valued as an excellent example of a Victorian era residential street. Originally Carlton Street was part of the South Commons in Halifax. Prior to 1818 this area was divided into four large lots that were purchased by merchants Richard Tremaine and John Staynor. The lots were again subdivided and houses began to be built in 1860 and continued until 1906. During this period construction materials and labour was inexpensive. Those who had money built lavish houses, such as those on Carlton Street, employing many workers.

Following the end of World War I the cost of building supplies increased and there was a shortage of labour, both of which slowed the construction of elaborate and large homes. In addition, Victorian homes, such as those on Carlton Street, became too costly to maintain and were often converted to rooming houses or hotels. Some were demolished and replaced by smaller, less adorned dwellings. Today, the Carlton Early Victorian Streetscape is a rare example of an intact Victorian era street, consisting of seventeen large and lavish homes.

Architecturally, the Carlton Early Victorian Streetscape is valued for its sense of unity in scale, materials, and detail. These homes incorporate and blend elements of the Greek Revival, Modified Gothic, and Second Empire styles. The houses and townhomes range between two and three storeys, which allows for the human element and sense of community to flourish. All of the houses are of wood frame construction. There is a variety in the pitch and type of roof lines, placement of the buildings offer a vast array of dormers,

windows, and bays, decoration, porches, and verandas. Each house commands its own attention while complementing its abutting, opposite, or adjacent structure.

### 13.3 Regulating Development

Given the Carlton Street / Robie Street / College Street area contains the Carlton Early Victorian Streetscape, and one other municipally registered heritage property on College Street (5969 College Street), the development agreement process provides the most appropriate planning tool to protect heritage value while also allowing for new development. The development agreement process also allows for development to be regulated on Carlton Street, Robie Street and College Street in keeping with applicable heritage policies in the Regional Plan. Lastly, the development agreement process allows for development to be regulated in a detailed manner, to ensure development 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.

#### 13.3.1 Development Agreement Provisions

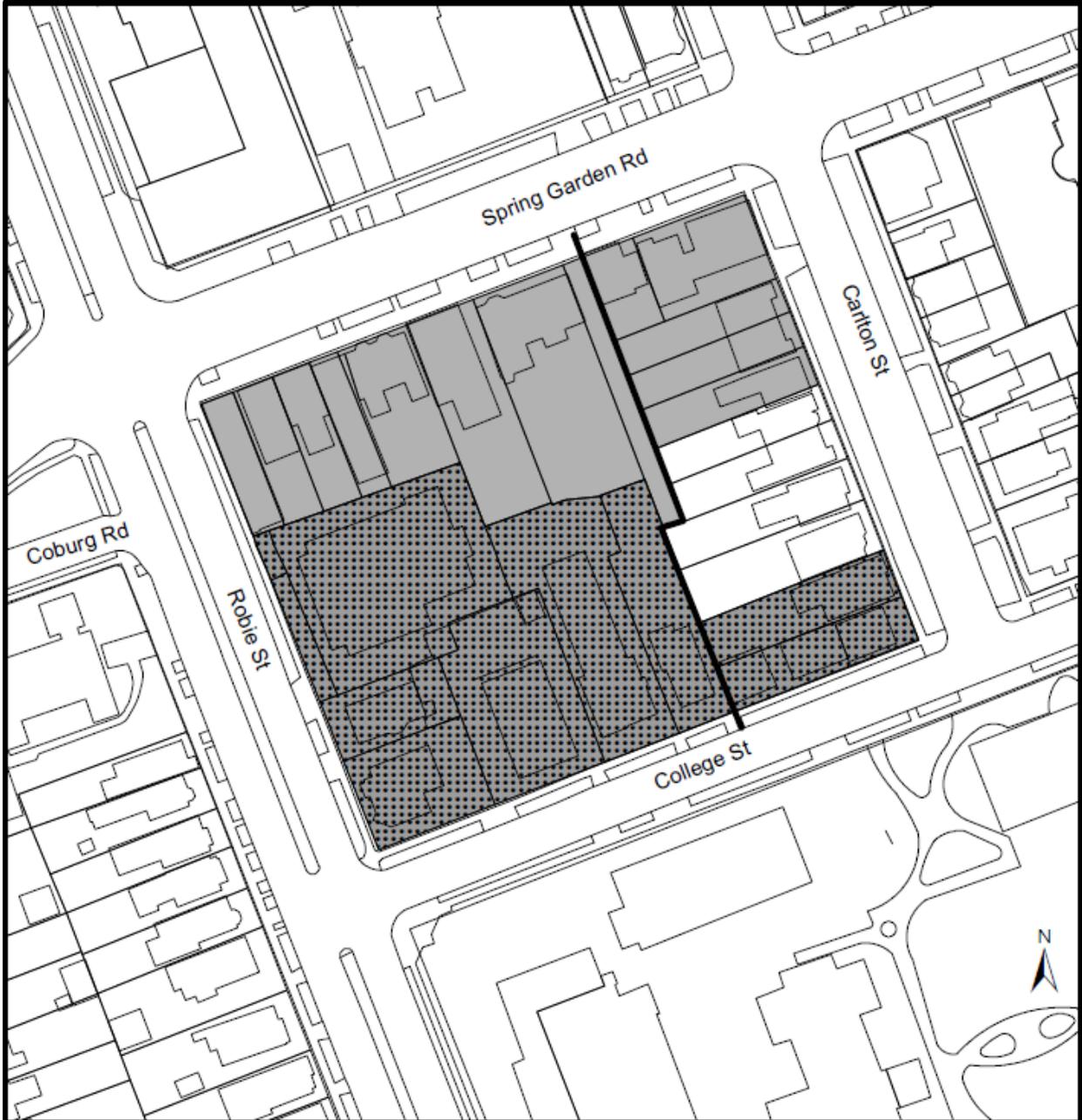
The Land Use By-law for Halifax Peninsula shall be amended to identify that mixed-use development may be considered by development agreement for the properties on Robie Street, College Street and Carlton Street, that are shown on Site B of Map A of this Section.

- (1) Notwithstanding other policies of this Municipal Planning Strategy except 13.3.1(2), a development agreement, for the lands identifies as Site B on Map A of this Section, shall:
  - (a) permit a mixed-used (residential, commercial) building;
  - (b) require that a proposal is a comprehensive plan for the development of all lands identified as Site B (Case 20761), as shown on Map A, and includes phasing of the development;
  - (c) in accordance with the approval of substantial alterations granted by Regional Council on January 29, 2019, the properties identified as 1452 Carlton Street, 1456 Carlton Street, 5969 College Street and 5963 College Street, shall be altered, relocated and registered, as proposed in the staff report dated November 9, 2018, titled *Case H00456: Substantial Alterations to municipally registered heritage properties at 5969 College Street and 1452 & 1456 Carlton Street, Halifax*;
  - (d) restrict development located west of the Heritage Line (as shown on Map A) to a maximum Floor Area Ratio of 8.0. Lot area(s) associated with 1452 Carlton Street and 1456 Carlton Street, or any lands located east of the Heritage Line (as identified on Map A), shall not be included as part of the total lot area calculation;
  - (e) restrict building height to a maximum of 90 metres, excluding rooftop features;
  - (f) notwithstanding Policy 13.3.1(1)(e), require that the development conforms with the Citadel Rampart requirements;
  - (g) restrict the height, coverage and setback of building rooftop features;
  - (h) require that the proposed building podium be setback a minimum of:
    - i. 6 metres from any registered heritage property or any property boundary facing East (Carlton Street); and
    - ii. 1.5 metres from any streetline.
  - (i) require that any portion of the mixed-use development, located above the streetwall or building podium, be stepback a minimum of:

- i. 6.5 metres from the edge of the building podium facing East (Carlton Street); and
    - ii. 4.5 metres from the edge of any streetwall;
  - (j) require that any portion of the mixed-use development, located above the streetwall or building podium, be setback a minimum of 11.5 metres from the north property line;
  - (k) require a minimum separation distance of 23 metres between any towers;
  - (l) restrict the floor area of any tower to a maximum of 750 square metres per floor;
  - (m) restrict streetwall height to a maximum of:
    - i. 16 metres along Robie Street;
    - ii. 13 metres along College Street; and
    - iii. Notwithstanding Policy 13.3.1(1)(m)(ii), 16 metres along College Street, for a total distance of 18.5 metres travelling east from Robie Street;
  - (n) restrict building podium heights to a maximum of:
    - (i) 13 metres facing East (Carlton Street); and
    - (ii) 16 metres facing North (Spring Garden Road);
  - (o) require a mix of residential unit types;
  - (p) require a landscaped buffer and fencing along the East lot line or any property boundaries which abut a registered heritage property;
  - (q) require indoor and outdoor amenity space for on-site residents;
  - (r) permit ground floor commercial uses along Robie Street and College Street however, ground floor commercial uses along College Street shall only be located in close proximity (within 18.5 metres) to Robie Street;
  - (s) regulate streetwall massing, external building design, cladding materials, design of at-grade residential units, front yard landscaping, outdoor storage, signage, and the planting of vegetation; and
  - (t) permit indoor / underground parking.
- (2) In addition to meeting the requirements of Policy 13.3.1(1) a) to t) inclusive, when considering a development agreement for the property located on Robie Street, College Street and Carlton Street, Halifax, Council shall consider:
  - (a) the planning principles of transition, pedestrian-oriented, human-scale, building design and context sensitive, as described in Section 2; and
  - (b) the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding built forms.
  - (c) the design of at-grade residential units that balance residents' privacy with the desire for attractive and transparent streetwalls;
  - (d) that the proposed development is oriented toward Robie Street and College Street;
  - (e) that the design of ground floor commercial units along Robie Street and a portion of College Street complement a commercial streetscape, through the provision of commercial units with large, transparent windows and at-grade entrances opening onto the sidewalk;
  - (f) that the design of driveways and garage entrances minimizes their impact on pedestrians and on the streetscape, by minimizing their size, by setting garage doors back from the street and by using screening or architectural finishes as appropriate.
  - (g) consider environmental factors, including sun/shadow and wind conditions are suitable for in the intended use of the site;

- (h) consider the implementation of controls to reduce conflict with any adjacent or nearby land use(s) by reason of traffic generation, access to and egress from the site and parking; and**
- (i) Policy CH-16 of the Regional Municipal Planning Strategy, which provides guidance for development abutting heritage properties, and all applicable heritage policies as may be amended from time to time.**

4. By amending Section XVI to add the following Map A immediately after Subsection 13.3.1(2):



**Map A**

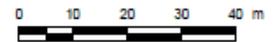
Spring Garden Road, Robie Street, College Street and Carlton Street, Halifax

**HALIFAX**

 Site B (Case 20761)

 Site A (Case 20218)

 Heritage Line



Halifax Peninsula Land Use By-Law Area

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

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the [INSERT COUNCIL NAME] held on [DATE], 201[#].

---

Kevin Arjoon  
Municipal Clerk

**ATTACHMENT B:**  
**Proposed Amendments to the Land Use By-law for Halifax Peninsula**

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

1. Amend the section under the heading PENINSULA CENTRE - DEVELOPMENT AGREEMENTS by inserting the following sub-heading and subsection 95(10) immediately following Subsection 95(9):

**Robie Street, College Street and Carlton Street**

**95(10) Council may, by development agreement, pursuant to Policy 13.3.1 Section XVI of the Halifax Municipal Planning Strategy, permit a mixed use development at 1377 Robie Street, 1389 Robie Street, PID 00473009, PID 00472993, 5949 College Street, 5963 College Street, 5969 College Street, 5977 College Street, 5989 College Street, 5991 College Street, 5993 College Street, 1452 Carlton Street and 1456 Carlton Street, Halifax**

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the [INSERT COUNCIL NAME] held on [DATE], 201[#].

---

Kevin Arjoon  
Municipal Clerk

## Attachment C

### Policy Evaluation of CH-16 Development Abutting Heritage Properties

**Policy CH-16:** *For lands abutting federally, provincially or municipally registered heritage properties, HRM shall, when reviewing applications for development agreements, rezonings and amendments pursuant to secondary planning strategies, or when reviewing the provision of utilities for said lands, consider a range of design solutions and architectural expressions that are compatible with the abutting federally, provincially or municipally registered heritage properties by considering the following:*

Policy Criteria	Comment
<p><i>(a) the careful use of materials, colour, proportion, and the rhythm established by surface and structural elements should reinforce those same aspects of the existing buildings;</i></p>	<p>Subsection 2(b) of the proposed MPS policy (Attachment A of this report) requires that Council consider, through a development agreement, the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding forms.</p>
<p><i>(b) ensuring that new development is visually compatible with yet distinguishable from the abutting registered heritage property. To accomplish this, an appropriate balance must be struck between mere imitation of the abutting building and pointed contrast, thus complementing the abutting registered heritage property in a manner that respects its heritage value;</i></p>	<p>Subsection 1(s) of the proposed MPS policy requires the regulation of streetwall massing, external building design, cladding materials, design of at-grade residential units, front yard landscaping, outdoor storage, signage and the planting and retention of vegetation so that it complements any abutting registered heritage property in a manner that respects its heritage value.</p>
<p><i>(c) ensuring that new developments respect the building scale, massing, proportions, profile and building character of abutting federally, provincially or municipally registered heritage structures by ensuring that they:</i></p> <ul style="list-style-type: none"> <li><i>(i) incorporate fine-scaled architectural detailing and human-scaled building elements.</i></li> <li><i>(ii) reinforce, the structural rhythm (i.e., expression of floor lines, structural bays, etc.) of abutting federally, provincially or municipally registered heritage properties; and</i></li> <li><i>(iii) any additional building height proposed above the pedestrian realm mitigate its impact upon the pedestrian realm and abutting registered heritage properties by incorporating design solutions, such as stepbacks from the street wall and abutting registered heritage properties, modulation of building massing, and other methods of massing articulation using horizontal or vertical recesses or projections,</i></li> </ul>	<p>Subsection 2(a) of the proposed MPS policy requires that any proposal for development of the subject site, by development agreement, consider the planning principles of transition, pedestrian-orientated, human-scale, building design and context sensitive. Consideration of the human-scale principle requires consideration of a building and site design which prioritizes the needs and comfort of pedestrians. The context-sensitive principle requires that consideration be given to the proposed building's design and that it respects the character of the surrounding neighbourhood. That the scale, form and materials used respond to the architectural character of the neighbourhood. Further, next to heritage buildings or streetscapes, that the proposed building complements and enhances the heritage features.</p> <p>Subsections 1(e) through 1(n) restricts: the maximum height of the proposed development; minimum setbacks for building podiums and streetwalls from the streetline; interior lot lines and heritage properties; minimum stepbacks for portions of the development located above the streetwall/podium; and maximum heights of streetwalls and podiums.</p>

<p><i>datum lines, and changes in material, texture or colour to help reduce its apparent scale;</i></p>	
<p><i>(d) the siting of new developments such that their footprints respect the existing development pattern by:</i></p> <p><i>(i) physically orienting new structures to the street in a similar fashion to existing federally, provincially or municipally registered heritage structures to preserve a consistent street wall; and</i></p> <p><i>(ii) respecting the existing front and side yard setbacks of the street or heritage conservation district including permitting exceptions to the front yard requirements of the applicable land use by-laws where existing front yard requirements would detract from the heritage values of the streetscape;</i></p>	<p>Subsection 2(d) requires that the proposed development be oriented towards Robie Street and College Street. Along Robie Street and a portion of College Street (in proximity to Robie Street), the design should complement a commercial streetscape, through the provision of commercial units with large, transparent windows and at-grade entrances opening onto the sidewalk. Subsection 1(m) restricts streetwall height to a maximum of 13 metres along College Street. This allows for consistency between the proposed streetwall and existing buildings along College Street.</p> <p>Section 1(h) of the proposed MPS policy requires a minimum streetwall setback of 1.50 metres from the Robie Street and College Street streetlines.</p>
<p><i>(e) not unreasonably creating shadowing effects on public spaces and heritage resources;</i></p>	<p>Subsection 2(g) of the proposed MPS policy requires that consideration be given to environmental factors, including sun/shadow and wind conditions and that such conditions are suitable for the intended use of the site.</p>
<p><i>(f) complementing historic fabric and open space qualities of the existing streetscape;</i></p>	<p>The proposed MPS policy does not permit new portions of the mixed-use development along Carlton Street. Subsection 1(c) of the proposed MPS policy requires that the properties identified as 1452 Carlton Street, 1456 Carlton Street, 5969 College Street and 5963 College Street, shall be altered, relocated and registered, as proposed in the staff report dated November 9, 2018. These alterations allow for the restoration of the subject heritage buildings and help to maintain qualities of the existing Carlton and College Streetscapes.</p>
<p><i>(g) minimizing the loss of landscaped open space;</i></p>	<p>The proposed MPS policy does not enable the loss of existing landscaped open space. Further, subsection 1(p) of the proposed MPS policy requires a landscape buffer along the east lot line or any property boundaries which abut a registered heritage property.</p>
<p><i>(h) ensuring that parking facilities (surface lots, residential garages, stand-alone parking and parking components as part of larger developments) are compatible with abutting federally, provincially or municipally registered heritage structures;</i></p>	<p>Subsection 1(t) permits indoor and/or underground parking as part of the development. As previously noted, subsection 1(p) of the proposed MPS policy also requires a landscape buffer along the east lot line or any property</p>

	boundaries which abut a registered heritage property.
<i>(i) placing utility equipment and devices such as metering equipment, transformer boxes, power lines, and conduit equipment boxes in locations which do not detract from the visual building character or architectural integrity of the heritage resource;</i>	Subjection 1(s) of the proposed MPS policy regulates external building design so that it complements abutting registered properties. As proposed, the policy allows future development whereby such equipment is required to be placed in locations which do not detract from the visual character or architectural integrity of the heritage resource.
<i>(j) having the proposal meet the heritage considerations of the appropriate Secondary Planning Strategy, as well as any applicable urban design guidelines; and</i>	<p>The objective of the Heritage Policies under the Halifax MPS is “<i>The preservation and enhancement of areas, sites, structures, streetscapes and conditions in Halifax which reflect the City’s past historically and/or architecturally.</i>” The policy criteria speaks to preserving heritage properties through heritage designation, and ensuring development that will impact heritage resources is sensitive and complementary.</p> <p>The anticipated impact of the proposed MPS policy on the heritage context is limited. The proposed MPS policy enables the protection of abutting heritage properties by: requiring appropriate separation between any proposed development; restricting overall building height; regulating streetwall massing, external building design, building materials, landscaping and buffering; and enabling the restoration, relocation and retention of heritage properties which form part of the proposed development site.</p> <p>There are no urban design guidelines for this area.</p>
<i>(k) any applicable matter as set out in Policy G-14 of this Plan.</i>	Policy G-14 (pertaining to Regional Plan amendments requiring subsequent amendments to other planning documents for consistency), does not apply in this case.

# Attachment D - Public Meeting Minutes June 4, 2018



## HALIFAX PENINSULA PLANNING ADVISORY COMMITTEE PUBLIC MEETING MINUTES June 4, 2018

PRESENT: Sarah MacDonald, Chair  
Grant Cooke  
Ashley Morton  
Margo Grant  
Houssam Elokda  
Matthew Novak  
Councillor Lindell Smith  
Deputy Mayor, Wayne Mason

REGRETS: Jason Cooke  
Jeana MacLeod, Vice Chair

STAFF: Tyson Simms, Planner II  
Seamus McGreal, Heritage Planner  
Alden Thurston, Planning Technician  
Hannah Forsyth, Legislative Support, Office of the Municipal Clerk

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

*The agenda, supporting documents, and information items circulated to the Committee are available online at [Halifax.ca](http://Halifax.ca)*

*The meeting was called to order at 7:00 p.m. and the Committee adjourned at 8:36 p.m.*

## **1. CALL TO ORDER**

The Chair called the meeting to order at 7:00pm pm at St. Andrews United Church 6036 Coburg Road, Halifax NS. The Chair introduced the Committee and outlined the schedule of the evening and the importance of the public feedback.

## **2. PUBLIC INFORMATION MEETING**

**2.1 Case 20761: Application by Kassner Goodspeed Architects to change the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law to allow two towers, 26 and 20 floors, on a shared base, with a mix of retail uses, commercial uses and residential units, at the corner of Robie and College Streets.**

**The following was before the Committee:**

- Correspondence received from: Lezlie Oler, Kristina McMillan, Peter Fillmore, Flint Schwartz, Friends of Halifax Common.

The Chair invited Tyson Simms, Planner, to present Case 20761. Simms outlined the planning process and application thus far. Simms explained that the committee will review the input collected today and incorporate it into their evaluation. Simms gave an overview of the context of the proposed development and surrounding area. The relevant land use by-laws and Centre Plan guidelines were explained. As were the Heritage buildings, the single dwellings and the heritage property in question that would be relocated. Simms outlined the existing municipal planning strategy for the area, and the site specific Municipal Planning Strategy amendment request.

The Chair invited the applicant to say a few words. The applicant spoke to the importance of his family's business and how the promenade will be a legacy project for the family.

The Chair invited architect Dan Goodspeed to speak. Goodspeed presented the building proposal and the heritage relocations. Goodspeed stated there will be a 20 and 26 storey tower, with approximately 400 residential units. There will be 32,000 feet of ground floor commercial space, and underground parking for approximately 384 vehicles.

The Chair clarified the rules of the question and answer and the format for a productive feedback session before opening the floor to comments from the public.

**Owen Kerrigan, Halifax**, questioned the Centre Plan's planning principals in relation to the proposal and noted that traffic and rodents come with the increased density.

**Hussien, Halifax**, stated their objection to the two different public information meetings and questioned the presence of proper infrastructure to support increased density. The sewer system, traffic implications and roads, should all be considered by the city. Hussien asked if more properties will be demolished.

**Beverley Miller, Halifax**, questioned the need for the development and noted various vacancy rates in Halifax. Miller explained the frustration in only hearing from one applicant at a time, instead of all applicants planning to develop in the area.

**Dan Campbell, Summer Gardens**, stated concerns regarding the overall height of the tower. Campbell noted that there is an insufficient setback in the development, and no human-scale in the proposal now.

**Susan Sundellman, Halifax**, stated that the density is too high and frustrations over considering one development out of four in the area. Sundellman noted concerns with the height but welcomes development and reasonable rents. Traffic and sewer will be issues. Sundellman was impressed with the representation of the drawings and liked the setback and architecture.

**Craig Meade, Halifax**, stated that the public should not be receiving proposals that are inappropriate to begin with regarding municipal planning strategies. Meade stated disappointment with architecture in Halifax and asked that future high rises not overwhelm the older sections of the city.

**Catherine Bent, Halifax**, asked to preserve the character of Halifax. Bent noted that there is no apparent place to “drop off” people, and no place for cars to pull in. The proposed parking lot entrance on College is a mistake as traffic is already bad on that street.

**Jen S, Halifax**, stated that the proposal is unnecessary. Height and the wind on College is bad because of the Tupper building, so no more wind tunnels should be created.

**Keenan T, Halifax**, noted that few pedestrians are on College, vacancy rates are high, and questioned the demand for this development and density.

**Edward Street**, stated that Halifax plans and by-laws are never adhered to, and developers always exceed the rules.

**Allan R, Halifax**, stated that multiple developers are trying to get their plans in before the Centre Plan is official. Allan noted that there are two major properties currently being discussed, not just one. Allan suggested a public hearing after the Centre Plan.

**Lucille Toon, Halifax**, stated that the purpose of government is to look out for the welfare of its citizens please do that.

**Henessey Towers**, preferred one meeting with all three developers to see the whole picture of development.

**Penelope Russell, Halifax**, noted that there are increasing winds in the city.

**Greg Bent, Summer Gardens**, noted that a separation of developments makes it difficult to gather public opinion and questioned the value of this feedback.

**Robert Fawcett, Cole Harbour**, admired the development and thought the applicant did a great job.

**Alice Chan Yu, Spring Garden**, noted that the development is in a good location and mixed the residential and commercial well. Yu did ask for reassurance that local property values will not be negatively affected.

Staff will look at the possibility of presenting all proposals at once in the future, given the close proximities.

The Chair clarified contact information and comment cards for feedback and thanked the community for attending the Public Information Meeting.

### **3. ADJOURNMENT**

The meeting adjourned at 8:36 p.m.

Hannah Forsyth  
Legislative Support



**Kassner Goodspeed Architects Ltd.**

**29 & State Street Developments Ltd.**

*The Promenade Robie South*

## **Case 20761: Final Application and Response to Halifax Peninsula Planning Advisory Committee (HPPAC) Recommendations**

The **Promenade Robie South** is pleased to present this Final Application for development of our project on College, Carlton and Robie Streets. This application incorporates feedback from the public, the HPPAC and city staff. As a result of this feedback, the **Promenade Robie South** now includes enhanced heritage elements, street level townhouses that provide an elegant transition to the heritage properties, lower streetwalls and laybys.

This document is comprised of a Project Overview; a synopsis of the project's Alignment with Centre Plan Parameters; a description of how **Promenade Robie South** respects the Centre Plan's five Design Principles; the project's relationship to adjacent developments, and our response to the comments of HPPAC in its approval of the project.

### **Project Overview**

The **Promenade Robie South** is an exciting development proposed for a prime location in Peninsular Halifax. The development would transform seven existing lots with 75 rental units into a marquee residential and retail community. All three registered heritage buildings on the properties will be renewed along with a fourth Victorian Home. Our development will respect and enhance the nationally recognized historic streetscape on Carleton Street.

The new construction will feature two slim residential towers, set back on a 3-4 storey streetwall which will accommodate residential suites and commercial retail space. Altogether the new development and historic buildings will have 400 units.

The land assembly is a 1.5- acre parcel located on the northeast corner of Robie and College Streets in Peninsular Halifax, immediately south of Spring Garden Road. The assembly includes 7 contiguous residential properties with frontage on three streets. The properties are currently regulated under the Peninsula Centre Area Plan. The five properties fronting on Robie and College Streets are zoned R-3, and the two properties fronting on Carlton Street are zoned R-2. There is currently a 50-foot height precinct applied over the properties. The front portion of 5969 College Street is a municipally registered heritage property in recognition of its Victorian character.

To the north, the land abuts the west end of the Spring Garden Road district. Immediately south across College Street is the medical sub-campus of Dalhousie University, with the hospital district to the southeast and the main campus to the south west. This location in Central Halifax is favorably positioned for high density development, with a wide range of employment, educational, shopping and recreational

opportunities within a 15-minute walk of the site. The site has immediate access to the major street and transit networks. It is located in close proximity to a number of existing high-rise structures of up to 23 storeys.

The owners are seeking an SMPS/LUB Amendments and Development Agreement with the municipality to permit re-development of the properties. The proposal includes the removal of some existing residential structures, relocation and conservation of the existing registered heritage building, relocation of an unregistered Victorian era house, renewal of two existing registered Carlton Street houses and construction of a new mixed-use structure fronting on College and Robie Streets.

The proposal includes a low rise stepped streetwall structure incorporating ground floor commercial/retail space with residential suites above. The roof of the streetwall will be used for resident amenities. Above this level, two independently accessed residential towers are set back from the streetwall. As currently envisioned, the Robie Tower rises 22 floors above the 4-storey streetwall for a total of 26 storeys and the College Tower rises 17 floors above the 3-storey streetwall for a total of 20 storeys. The towers are carefully positioned to maintain appropriate separation distance and allow light and air penetration to adjacent properties. Approximately 400 residential suites and up to 32,000 square feet of ground level commercial and retail space are proposed. The structure would be constructed atop a underground parking facility for 384 cars.

### **Alignment with Centre Plan Parameters**

The **Promenade Robie South** has been designed to respect the principles and in recognition of the spirit of the Centre Plan:

#### *Urban Structure*

This site is included in one of the five Centres identified in the Centre Plan, and has been deemed appropriate for high density multi-unit residential development. The land assembly is large enough to accommodate two residential towers with appropriate siting, step backs and separation distances.

The building form incorporates a streetwall mass with two slim residential towers stepped back from the streetwall line. The mixed-use project incorporates active and pedestrian oriented ground floor uses combined with residential apartments of varying sizes.

#### *Height*

The draft Centre Plan identifies a building height of 16 to 20 floors. Economically, the design requires approximately 400 residential suites to finance conservation of the heritage buildings, replace the existing 75 units and accommodate the new construction. In this proposal we have incorporated two towers. In studying various massing options for the two towers, it became obvious that a slim profile for the towers was the most desirable strategy to maintain appropriate separation distances between towers and maximize daylight penetration and sky view from the surrounding areas. Our project thus features a 26-storey tower facing Robie Street and a 20-storey tower on the College Street frontage. Both slim towers are set back from the line of the streetwall.



### *Floor Area Ratio*

Although the Centre Plan draft anticipates the use of Floor Area Ratios (FAR) to control building size, it is silent on specific FAR numbers and the method of calculation. If the calculation is based on the total gross floor area above grade, this proposal has a FAR of 7.4

## **Response to Design Principles**

### *Transition*

This site abuts the west end of the Spring Garden Road district to the north, the Robie Street corridor to the west, Dalhousie University Medical Campus to the south and the registered Carlton Victorian Streetscape to the east.

The streetwall mass is the primary means of establishing an appropriate transition in the neighborhood. The residential towers above are stepped back from the line of the streetwall.

The 4-storey Robie streetwall is an appropriate height to face this wide boulevard. At the northern end of the Robie frontage, the streetwall steps down to 3 floors and is set back.

The principal commercial entrance is expressed as an archway set in a chamfered corner element to mark both the intersection and the transition to the university campus.

Along the College Street frontage, the streetwall height reduces to 3 storeys, reflecting the height of the adjacent heritage structures and the Carlton streetscape. By introducing a small mezzanine level into the first storey facing College Street, townhouse style units accessible from the sidewalk are integrated into the College Street façade. The vertical proportions expressed in the townhouse blocks recall the fine-grained scale and rhythm of the Carlton Victorian Streetscape.

The residential space is accessed from two separate residential lobbies, expressed as columned porticos on the Robie and College frontages.

The vehicle entrance provides an interruption in the College streetscape, effectively highlighting the Victorian homes sited at the Carlton Street corner.

### *Pedestrian Orientation*

The project is located in an area with significant pedestrian traffic to and from the university and hospital districts and the residential and commercial areas to the north and east. The Promenade design seeks to enliven the pedestrian



experience with a variety of forms and setbacks and enhanced pedestrian infrastructure supporting spill out uses, bicycles and transit access.

The plan features an interactive ground floor, with pedestrian oriented commercial space at street level. The commercial storefronts on both Robie and College Streets are set back from the property line, providing space for increased sidewalk width. This creates the potential for spill out uses, especially attractive on the south facing College St frontage.

### *Human Scale*

The human scale of the project is established by its streetwall massing, with the residential towers stepped back from the street line to reduce the sense of presence. The step back varies with the College Street tower set back further. The streetwall is designed using vertically proportioned openings. The masonry construction reinforces the sense of human scale.

The streetwall mass is articulated with varying heights and setbacks, with different exterior treatments to express the residential entrances, commercial entrance and townhouse elements. The widened sidewalks promote spill out uses from the adjacent commercial spaces. This human scaled elements provide for a variety of experiences as one moves along the frontages of the project.

### *Building Design*

The building form follows the principles established in the Downtown Halifax Plan. It features streetwall massing with minimal setbacks, and significant step-backs for the relatively slim towers above.

The ground floor, covering most of the site, provides space for a major commercial use, serviced from the College Street entry. This same location is used for the entry to the underground parking garage.

The streetwall mass is located to address the street frontages, with commercial/retail space on the ground level and residential uses above. The open roof area of the streetwall mass is used to provide outdoor amenity space for both residential towers, accessible from common rooms located on the 5<sup>th</sup> floor of each tower.

The streetwall mass is enclosed with an articulated stone masonry cladding with vertically proportioned punched window openings. The masonry detail contributes a sense of human scale at the sidewalk level while responding to the adjacent university buildings.

The residential towers are clad in two tones of modular cladding with areas of glass curtain wall. These materials express the tower masses as an aggregation of smaller structures. This is intended to add visual interest, contribute to a sense of scale and to create a level of surface 'roughness' to aid in wind control.



### *Context Sensitivity*

This high-density development is located in an established high-rise residential area, focussed on the west end of Spring Garden Road. The area is one of the 'Centres' identified in the draft Center Plan as locations for the highest density residential use.

The project abuts the Carlton Victorian Streetscape, recognized nationally as a rare example of the type. Two of the Victorian houses at the west end are included in the land assembly for the project. Our proposal to conserve these two structures and to relocate two additional houses, including the municipally registered Gold Cure Institute, aims to rejuvenate and reinforce the Heritage assets of the area.

Our College Street frontage faces the Medical Campus of Dalhousie University across the street. The university buildings are reflected in the reduced streetwall height and the masonry construction.

The main commercial entrance is established in an archway in a chamfered corner at the intersection of College and Robie Streets. This marks the intersection as a prominent node in the neighborhood and reflects the chamfered podium at the entrance to the Dalhousie Medical Campus.

Approval of this project will require amendments to the SPMS to modify or remove the height precinct, to allow for mixed use and to permit the increase in residential density. A Development Agreement will be required to allow the streetwall configuration and to modify the current setback and open space requirements.

### **Adjacencies to Future Development**

Simultaneous with this application, HRM is considering a development proposal for the abutting lands to north, incorporating new construction on all the remaining lands on the block, with the exception of the properties forming the west side of the Carlton Victorian Streetscape.

The proposal currently includes an 8-storey mid-rise structure with two towers above. The main tower, sited midway along the Spring Garden frontage, rises to 30 storeys. The shorter tower is located at the Spring Garden/Robie intersection and rises to 16 storeys.

At 27 metres and 35 metres, the separation distances between the 30-storey tower and the two Promenade towers exceed the 23 metre requirement of the downtown bylaw and the 25m separation proposed for the Centre Plan.

At 20 metres, the separation distance between the 16-storey tower and Promenade A is less than the 25 metres proposed in the draft Centre Plan. This separation is further reduced to 12 metres below the 8-storey level.



### **HPPAC Recommends Approval**

At its 24 September 2018, HPPAC recommended that Halifax & West Community Council approve this project.

In response to their additional comments, we offer the following:

1. **Values increased density development in this area.**

*We have long recognized the suitability of these particular lands for high density development.*

2. **Has concerns about the 26-storey tower height and the overall visual mass of the building, and recommends the tower heights conform to current and emerging Centre Plan guidelines:**

*While the Centre Plan guidelines specify a maximum height of 20 floors, they also place value on slim massing, significant step-backs, and separations that would reinforce the streetwall, increase daylight penetration, and open up sky views from the streets. Our vision seeks to exploit slim towers with multiple step-backs, but requires height above the proposed design targets. Importantly, the development has an FAR of 7.4 which is within the draft Centre Plan parameters.*

3. **Believes the proposal is an improvement on the existing streetscape.**

*We agree. Appropriate design of the streetscape and the quality of the pedestrian experience were key drivers in our design process.*

4. **Appreciates promised effort to improve pedestrian experience and protection of heritage properties along College-Carlton Street corner.**

*The owner urged us to make Heritage conservation a key element in the design. The challenge was to preserve the registered heritage structures in the context of a modern, fully-serviced residential complex. We believe we have developed a viable and appropriate solution.*

5. **Encourages at-grade bicycle parking storage be incorporated into the design.**

*Bicycle parking will be provided, including secure indoor storage and outside racks in appropriate locations.*

6. **Recommends that additional amenity space for residents be incorporated into the building design and landscaping.**

*We have provided considerable amenity space in this design. Exterior amenities include the extensive landscaped roof at level 5, the large accessible green roof at level 2, private balconies and/or terraces for each suite, and the expanded sidewalk area. Interior amenities include a spacious furnished lobby and a large tenant common room at level 5 in each residential tower. The common rooms open directly onto the landscaped roof area.*

7. **Recommends the 4-storey streetwall along Robie and College Streets be reduced to 3 storeys to better suit neighbourhood context.**



*To establish the transition from our Heritage corner, the design already features a 3-storey streetwall on College Street, stepping up to four storeys at the corner and along most of the Robie frontage and stepping down to three storeys as it approaches Spring Garden. Robie Street is a wide right of way with a boulevard. We believe four storeys is an appropriate streetwall height for the high-density side of a major corridor street.*

- 8. Recommend a gazebo design element on the Robie College corner be modified to improve building aesthetic.**

*We are exploring alternative designs for the feature element to better demarcate the corner entry at the Robie/College intersection.*

- 9. Encourages the construction of two proposals (case 20761 and case 20218) be co-ordinated and happen together if both are approved.**

*We are ready to proceed with construction and are not in a position to comment on the coordination or timing of the adjacent project.*

- 10. Recommends a quantitative wind study and joint shadow and traffic study be done for impacts of both proposals (case 20761 and case 20218) combined, and additional proposals and buildings in the vicinity, as appropriate.**

*We are in discussion with staff on the parameters for wind, shadow and traffic studies.*

- 11. Would value a more complete access plan for resident pickup and drop off, and active transportation use.**

*Providing better accommodation for resident pick-up and drop-off would be an improvement. Given that we have incorporated wider sidewalks on both principal frontages, we propose to provide lay-bys, approximately 40-feet long in front of each residential entrance.*

- 12. Encourages efforts to move utilities and wiring underground during construction.**

*Our intention is to bury the street wiring underground to the greatest extent possible. Detailed design is required to fully assess the feasibility of this idea.*

- 13. Recommends that the CH-16 elements be considered by the Heritage Advisory Committee.**

*We have filed an application for substantial alterations before the Heritage Advisory Committee.*

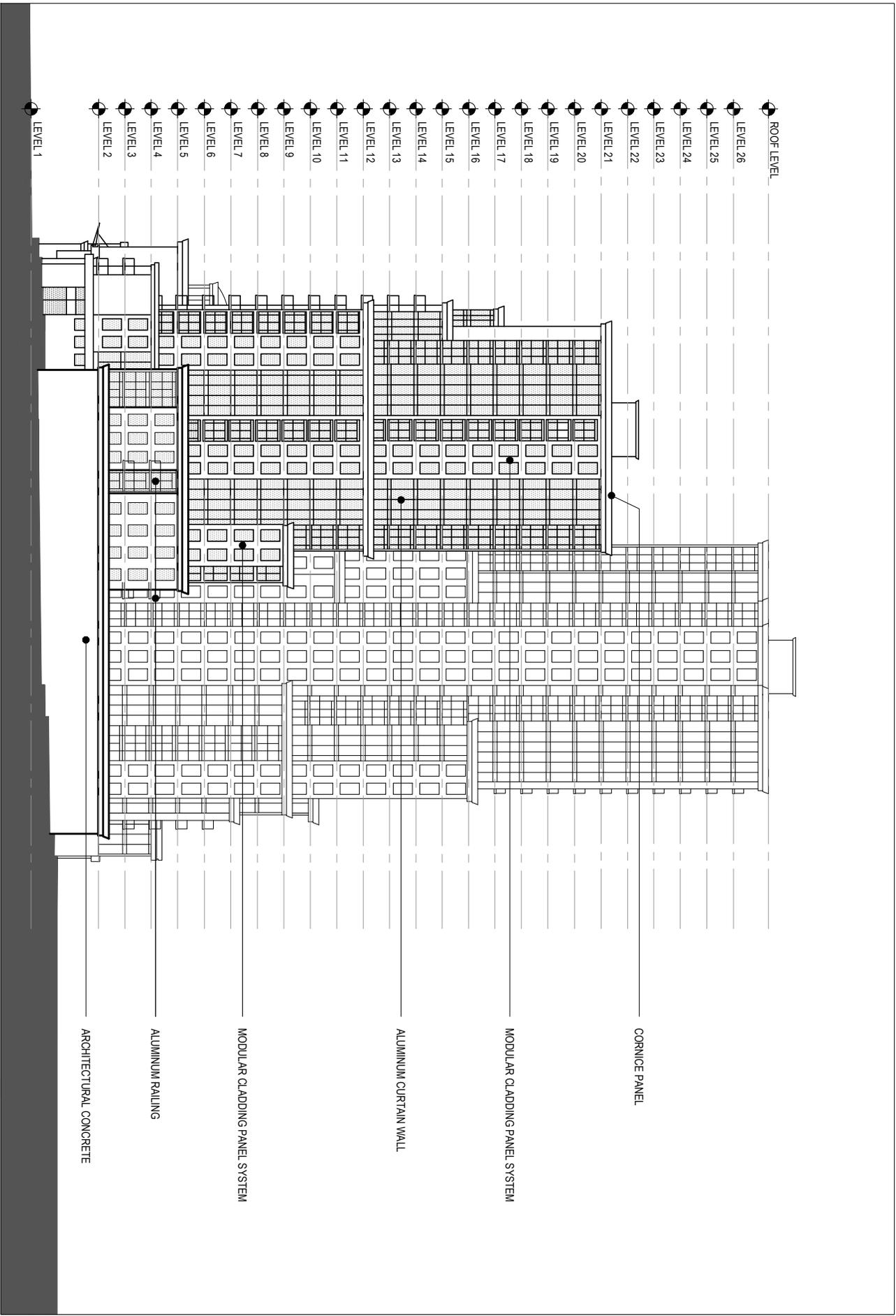
- 14. Encourages planning staff to use all available tools to maximize affordable housing within the development.**

*We will consult with planning staff on affordable housing policies and approaches.*





**Kassner Goodspeed Architects Ltd.**  
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**PROPOSED RESIDENTIAL DEVELOPMENT**

THE PROMENADE AT ROBIE SOUTH, HALIFAX, NS

**EAST ELEVATION**

Project # 1411

Scale: 1" = 50'-0"

Nov 05, 2018





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**Kassner Goodspeed Architects Ltd.**

**PROPOSED RESIDENTIAL DEVELOPMENT**

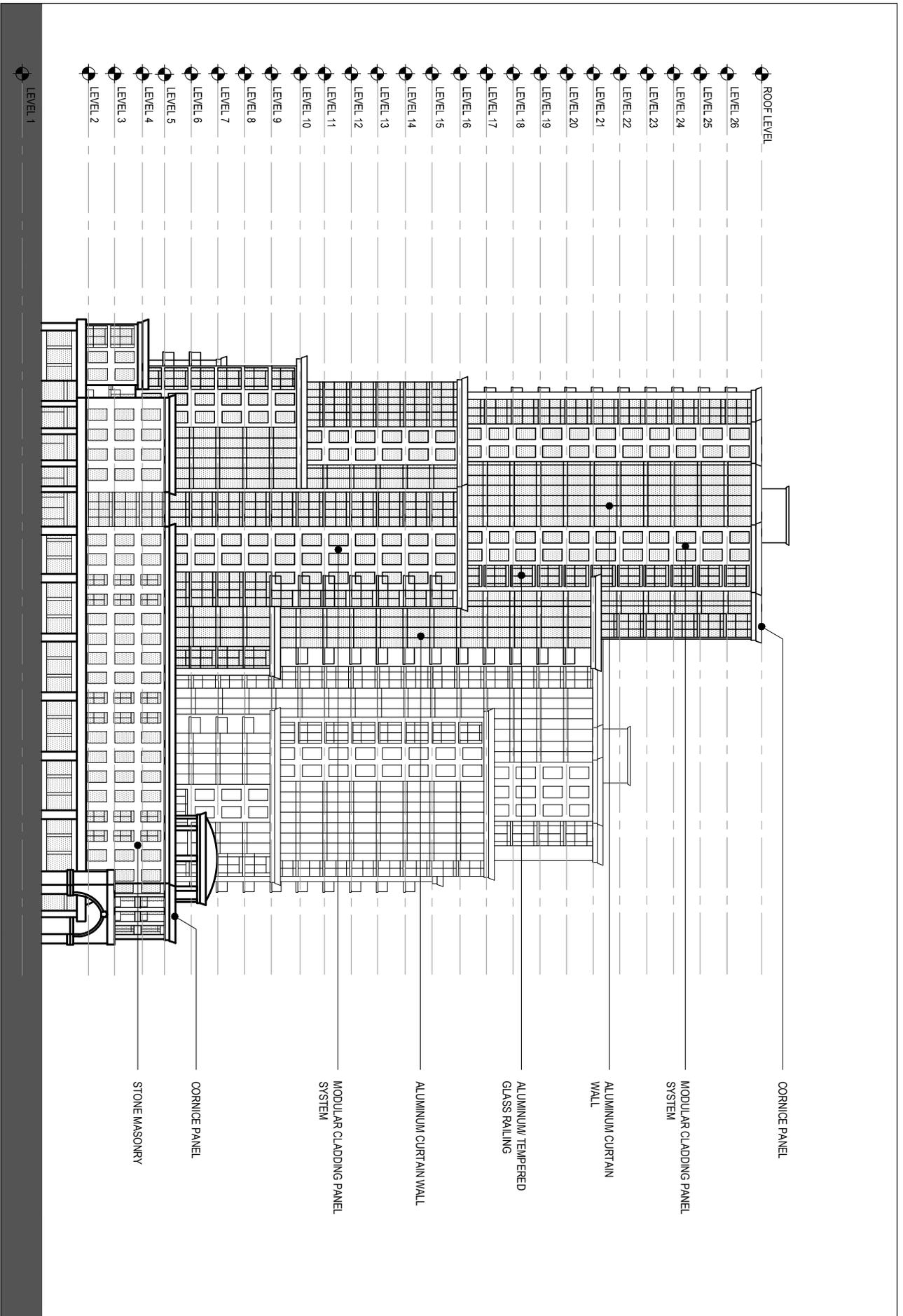
THE PROMENADE AT ROBIE SOUTH, HALIFAX, NS

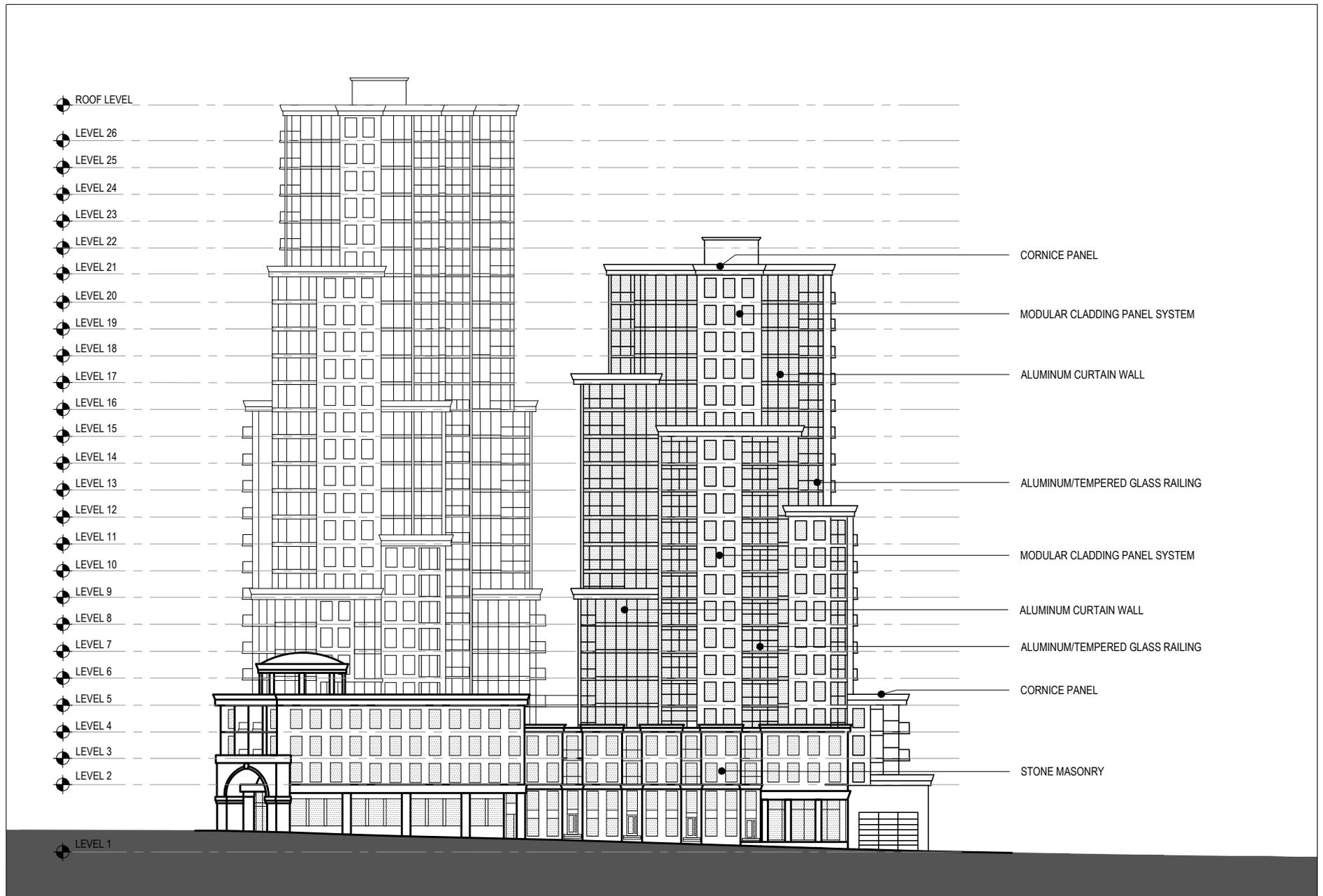
**WEST ELEVATION-ROBIE**

Project # 1411

Scale: 1" = 50'-0"

Nov 05, 2018





## PROPOSED RESIDENTIAL DEVELOPMENT

## SOUTH ELEVATION-COLLEGE

THE PROMENADE AT ROBIE SOUTH, HALIFAX, NS

Project # 1411

Scale: 1" = 50'-0"

Nov 05, 2018



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## PROPOSED RESIDENTIAL DEVELOPMENT

THE PROMENADE AT ROBIE SOUTH, HALIFAX, NS

## BASEMENT FLOOR PLAN

Project # 1411

Scale: 1" = 60'-0" (1:720)

Nov 05, 2018



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## PROPOSED RESIDENTIAL DEVELOPMENT

THE PROMENADE AT ROBIE SOUTH, HALIFAX, NS

## GROUND FLOOR PLAN

Project # 1411

Scale: 1" = 60'-0" (1:720)

Nov 05, 2018



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## PROPOSED RESIDENTIAL DEVELOPMENT

THE PROMENADE AT ROBIE SOUTH, HALIFAX, NS

## FLOOR PLAN LEVEL 2-4

Project # 1411

Scale: 1" = 60'-0" (1:720)

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## PROPOSED RESIDENTIAL DEVELOPMENT

## FLOOR PLAN LEVEL A:10-15 B:9-16

THE PROMENADE AT ROBIE SOUTH, HALIFAX, NS

Project # 1411



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Scale: 1" = 60'-0" (1:720)

Nov 05, 2018



## PROPOSED RESIDENTIAL DEVELOPMENT

## FLOOR PLAN LEVEL A:16-26 B:17-20

THE PROMENADE AT ROBIE SOUTH, HALIFAX, NS

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Scale: 1" = 60'-0" (1:720)

Nov 05, 2018



## PROPOSED RESIDENTIAL DEVELOPMENT

THE PROMENADE AT ROBIE SOUTH, HALIFAX, NS

## FLOOR PLAN LEVEL A:5-9 B:4-8

Project # 1411

Scale: 1" = 60'-0" (1:720)

Nov 05, 2018



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## MEMORANDUM

**TO:** Chair and Members of the Halifax and West Community Council  
**CC:** Tyson Simms, Planner II, Planning and Development  
**FROM:** Sarah MacDonald, Chair, Halifax Peninsula Planning Advisory Committee  
**DATE:** September 24, 2018

**SUBJECT:** Case 20761: Robie Street, College Street and Carlton Street, Halifax

The Halifax Peninsula Planning Advisory Committee considered Case 20761 at their September 24, 2018 meeting. The following motion was approved by the Committee:

**THAT** the Halifax Peninsula Planning Advisory Committee recommends that the Halifax & West Community Council proceed with the approval of Case 20761.

The committee also:

- Values increased density development in this area;
- Has concerns about the 26-storey tower height and the overall visual mass of the building, and recommends the tower heights conform to current and emerging Centre Plan guidelines;
- Believes the proposal is an improvement on the existing streetscape;
- Appreciates promised effort to maintain and/or restore heritage buildings along the College/Carlton street corner;
- Has concerns about the preservation of character elements of the heritage buildings (i.e. detached homes and below grade elements);
- Encourages additional efforts to improve pedestrian experience and protection of heritage properties along College/Carlton street corner;
- Encourages at-grade bicycle parking storage be incorporated into design;
- Recommends that additional amenity space for residents be incorporated into the building design and landscaping;
- Recommends the 4-storey street wall along Robie and College Streets be reduced to 3 stories to better suit neighbourhood context;
- Recommends the gazebo design element on the Robie/Spring Garden corner be modified to improve building aesthetic;
- Encourages the construction of two proposals (case 20761 and case 20218) be coordinated and happen together if both are approved;
- Recommends a quantitative wind study and joint shadow and traffic study be done for impacts of both proposals (case 20761 and case 20218) combined, and additional proposals or existing buildings in the vicinity, as appropriate;
- Would value a more complete access plan for resident pick-up and drop-off, and active transportation use;
- Encourages efforts to move utilities and wiring underground during construction;
- Recommends that the CH-16 elements be considered by Heritage Advisory Committee; and
- Encourages planning staff to use all available tools to maximize affordable housing within the development.

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Office of the Municipal Clerk

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