



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

## Item No. 12.1

Halifax Regional Council  
June 18, 2019  
July 16, 2019

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

ORIGINAL SIGNED

**SUBMITTED BY:**

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

**DATE:** June 12, 2019

**SUBJECT:** **Case 20520: Amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law for 6330 and 6324 Quinpool Road, between Oxford Street and Preston Street**

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### **ORIGIN**

June 11, 2019 meeting of Halifax and West Community Council, Item 13.1.3.

### **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 revised Attachment A, included as Attachment 2 of the committee report dated June 12, 2019 and Attachment B of the staff report dated May 11, 2019, to permit by development agreement an 8-storey (plus penthouse), mixed-use building at 6330 and 6324 Quinpool Road, with a 3-storey portion (plus penthouse) facing Pepperell Street, with up to a 3-storey street wall, and schedule a public hearing; and
2. Approve the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Peninsula, as set out in revised Attachment A, included as Attachment 2 of the committee report dated June 12, 2019 to restrict development to 3 storeys (plus penthouse) on the part of the site closer to Pepperell Street, with up to a 3-storey street wall and Attachment B of the staff report dated May 11, 2019.

## **BACKGROUND**

At their June 11, 2019 meeting, Halifax and West Community Council considered the staff report dated May 11, 2019 regarding Case 20520: Amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law for 6330 and 6324 Quinpool Road, between Oxford Street and Preston Street.

For further information, refer to the staff report dated May 11, 2019. (Attachment 1)

## **DISCUSSION**

Halifax and West Community Council considered the staff report dated May 11, 2019. Following a discussion amongst Community Council, an amendment was approved adding a 3-storey portion facing Pepperell Street, with up to a 3-storey street wall. The amended recommendation was then approved as outlined in the "Recommendation" section of this report.

For further discussion on this item, refer to the staff report dated May 11, 2019. (Attachment 1)

## **FINANCIAL IMPLICATIONS**

For information on the financial implications relating to this item, refer to the staff report dated May 11, 2019. (Attachment 1)

## **RISK CONSIDERATION**

For information on the risk considerations relating to this item, refer to the staff report dated May 11, 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 11, 2019. (Attachment 1)

## **ENVIRONMENTAL IMPLICATIONS**

For information on the environmental implications relating to this item, refer to the staff report dated May 11, 2019. (Attachment 1)

## **ALTERNATIVES**

Halifax and West Community Council did not provide alternatives.

Refer to the staff report dated May 11, 2019. (Attachment 1) for alternatives.

## **ATTACHMENTS**

**Attachment 1** - Staff report dated May 11, 2019.

Attachment 2 – Revised Attachment A

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

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

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

**Item No. 13.1.3**  
**Halifax and West Community Council**  
**June 11, 2019**

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

***-Original Signed-***

**SUBMITTED BY:**

\_\_\_\_\_  
Steve Higgins, Acting Director of Planning and Development

***-Original Signed-***

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Jacques Dubé, Chief Administrative Officer

**DATE:** May 11, 2019

**SUBJECT:** **Case 20520: Amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law for 6330 and 6324 Quinpool Road, between Oxford Street and Preston Street**

**ORIGIN**

- Application by Dixel Developments Ltd.
- January 16, 2018, Regional Council direction to continue processing 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 Attachment D of the staff report presented to Regional Council on January 16, 2018 as Item 14.1.4.

**LEGISLATIVE AUTHORITY**

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

**RECOMMENDATION**

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

1. Give First Reading to consider the proposed amendments to the 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 an 8-storey (plus penthouse), mixed-use building at 6330 and 6324 Quinpool Road, with a 4-storey portion facing Pepperell Street, and schedule a public hearing; and

2. Approve 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.

## **BACKGROUND**

### **Proposal Details**

Dexel Developments Ltd. is applying to enable a mid-rise, mixed-use development at 6330 and 6324 Quinpool Road. The proposed building has an 8-storey portion facing Quinpool Road (with a habitable penthouse on the 9<sup>th</sup> floor) and a 4-storey section facing Pepperell Street; it cannot be built under existing MPS policy.

<b>Subject Property</b>	6330 and 6324 Quinpool Road (PID 00165878)
<b>Location</b>	A through lot from Quinpool Road to Pepperell Street, on the block between Oxford Street and Preston Street
<b>Regional Plan Designation</b>	Urban Settlement
<b>Community Plan Designation (Map 1)</b>	Commercial under the Quinpool Road Commercial Plan Area and Medium Density Residential (MDR) under the Peninsula Centre Area Plan
<b>Zoning (Map 2)</b>	C-2C (Minor Commercial – Quinpool Road) and C-2 (General Business Zone)
<b>Size of Property</b>	3,340 square metres (35,954 square feet)
<b>Street Frontage</b>	72 metres (236 feet) on Quinpool Road and 38 metres (125 feet) on Pepperell Street
<b>Current Land Use(s)</b>	Low-rise commercial buildings and a parking lot
<b>Surrounding Use(s)</b>	Low-rise commercial buildings on Quinpool Road, houses on Pepperell Street, and a synagogue on the corner of Pepperell and Oxford Streets

### **Surrounding Uses and Context**

The subject property is a through lot between Quinpool Road and Pepperell Street, on the block between Preston and Oxford Streets. Quinpool Road is a major east-west street on the Halifax Peninsula. It is the commercial main street for the west end of Halifax. Quinpool has many small shops and restaurants. It is a major thoroughfare carrying cars and buses from the west end and from Halifax Mainland into Downtown Halifax. Pepperell Street is a residential side-street. This block of Pepperell Street is mostly houses, many with more than one unit.

The neighbourhood is walkable, with shops, restaurants, a grocery store and schools within a 5-minute walk. Dalhousie University's main campus and the Halifax Infirmary are within a 10-minute walk. Side streets have low traffic volumes and are flat, making the area bikeable and walkable. Additionally, HRM has built a bike-boulevard on Vernon and Seymour Streets. The bike-boulevard connects the neighbourhood with Dalhousie University via a safe, all ages and abilities (AAA) cycling route. Frequent bus service is available all-day, each weekday on Quinpool Road and Oxford Street, providing service to Halifax Shopping Centre, Dalhousie University, Spring Garden Road and Downtown Halifax. The property is central and has good transportation options.

### **Municipal Planning Strategy (MPS) and Land Use By-law (LUB) Context**

The MPS designates half of the subject property (facing Pepperell Street) as Medium Density Residential under the Peninsula Centre Area Plan. The Medium Density Residential designation provides a clear goal – maintaining areas designated Medium Density Residential as low-rise residential. The zoning facing Pepperell Street is C-2, General Commercial Zone, a mismatch with the residential designation. The C-2 Zone permits commercial and residential uses. The Pepperell Street side of the property is in a 35-foot

maximum height precinct, measured from grade to the start of the upper storey. Under the C-2 Zone, residential buildings are also subject to R-3 Zone requirements, including angle controls. Angle controls limit the width and height of buildings.

The half of the property facing Quinpool Road is designated Commercial under the Quinpool Road Commercial Area Plan. The purpose of this Area Plan is to encourage a wide range of commercial uses serving a large portion of Halifax. The Commercial designation establishes a 45-foot height precinct along Quinpool Road between Oxford Street and Robie Street. The C-2C Zone permits commercial uses and permits residential uses as per the R-3 (Multiple Dwelling) Zone. Residential uses must meet both the 45-foot height limit and the R-3 Zone angle controls. The C-2C Zone permits a 5-storey building on this property.

Under the existing zoning, the applicant has an approved development permit for a 5-storey (plus penthouse) mixed commercial and residential building.

### **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 fourteen requests for site specific MPS amendments inside the Regional Centre area should proceed, subject to considerations related to the June 2017 Centre Plan document. Eight other applications were not given specific direction. This application is one of the eight which received no direction.

Following Regional Council's meeting, the applicant revised their original proposal by lowering the building height. On January 16, 2018, Regional Council initiated three requests, including this proposal, for site specific MPS amendments. Council directed these amendments to proceed, subject to the same considerations given in August 2017. Specifically, Regional Council directed staff to continue processing this application, subject to:

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

The June 2017 Centre Plan document classified the subject site as part of the Quinpool Centre. The Centre classification applies to areas with significant redevelopment potential. The June 2017 Centre Plan document identified the subject site with a 4 to 6 storey height range but did not set specific Floor Area Ratios for Centres.

The planning principles noted in Regional Council's January 2018 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 for 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, 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, 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 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 on February 25, 1997. 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 information meeting on October 11, 2018. Attachment C contains a copy of the minutes from the meeting. The public comments included the following:

- Business owners in the area would like to see more density and redevelopment on Quinpool Road; Traffic was a concern, as was parking overflow onto side streets; and
- Some speakers stated that increased development on Quinpool Road would overwhelm neighbouring properties, although other speakers disagreed.

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 is provided below. At the December 2016 Open House, the applicant was proposing a 10-storey building.

- Form – Many participants consider this proposal too tall and would prefer to see a height of 4-6 storeys for this property. Some noted that the design is blocky and dated.
- Character – Some participants identified that the proposed development does not fit with the character of the surrounding neighbourhood. Others noted that this development will revitalize the area and is a welcome improvement to the current buildings on the property.
- Streetscape – Many comments suggested that the development needs more articulation along Quinpool Road to maintain the small storefront feel. Some respondents mentioned an enhanced streetscape is needed here with more green space incorporated.
- Process – Comments urge that Council wait for the Centre Plan and stick to the height rules.

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 businesses on Quinpool Road.

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

On December 10, 2018, the Halifax Peninsula Planning Advisory Committee (PAC) considered this proposal. At their meeting, PAC considered an 8-storey building, with the proposed parking garage access off Quinpool Road. The PAC recommended Council continue with the approval of this proposal, subject to considerations. Comments included:

- PAC recommends reducing the Quinpool Road street wall to 2-storeys to be more consistent with other developments in the area and improve pedestrian experience;
- PAC appreciates street wall height on Pepperell Street as an appropriate transition to the surrounding neighbourhood;
- PAC appreciates the increase in square footage of the units and increased step-backs on Pepperell Street;
- PAC supports additional density on the Quinpool Road corridor; and
- PAC recommends consideration of additional landscaping along Quinpool Road.

A report from the HPPAC to Community Council is provided separately.

#### **Revisions**

The applicant first proposed a 10-storey building, which Regional Council considered on August 1, 2017. At that time, Council did not initiate the MPS amendment process for the 10-storey proposal. In response, the applicant submitted an 8-storey proposal, which was initiated by Regional Council on January 16, 2018. There have been few changes to the 8-storey proposal, although the version shown at the public information meeting and HPPAC showed the parking garage entrance off Quinpool Road. The garage entrance has since been moved to Pepperell Street.

#### **DISCUSSION**

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



## **Applicant's Rationale**

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

- Quinpool Road is classified as a Centre in the Centre Plan Framework. Centres should accommodate significant growth; and
- The proposed building generally meets the requirements of the Centre Plan.

## **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 process. 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 the 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 Quinpool Centre as the heart of the Regional Centre's West End neighbourhood, which includes a scale of buildings that transition from taller buildings at the eastern end to low buildings at the more residential end of the street. Based on the general transition of the existing building heights, the June 2017 Centre Plan document proposed the tallest buildings (up to 20-storeys) at the eastern edge of the Quinpool Centre. Halifax and West Community Council will also review an MPS amendment for a 9-storey building on the same block as this proposal (Case 21115). In the Quinpool Centre, Council has recently approved MPS amendments to enable:

- a 14-storey (plus penthouse) building on Robie Street, between Pepperell Street and Shirley Street;
- a 10-storey building facing Quinpool Road at the former Ben's Bakery site; and
- a 25-storey building at the intersection of Quinpool Road and Robie Street (at the Willow Tree).

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 Municipal Planning Strategy and Land Use By-law for Centres, Corridors, Higher Order Residential, and Future Growth Node classifications in the Regional Centre. Package A proposes the following regulations for the property:

- FAR (floor area ratio): 3.5 facing Quinpool Road; 2.25 facing Pepperell Street
- Maximum building height: 90 metres, subject to floor area ratios
- Maximum streetwall height: 11 metres (3-storeys)
- Stepback above streetwall: 3.0 metres
- Maximum building dimension: 64 metres (210 feet)

Regional Council Direction on this Application

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 within a Centre classification (Quinpool Centre). The June 2017 Centre Plan places the property in a 4 to 6-storey height range. The June 2017 Centre Plan document did not set specific floor area ratios for Centres. Staff advise the proposed 8-storey building (plus penthouse) strongly aligns with the urban structure and is reasonably aligned with heights outlined in the June 2017 Centre Plan document.

Regional Council also directed staff to continue processing this application, subject to it addressing the planning principles of transition, pedestrian-oriented, human-scale, building design, and context-sensitive. These planning principles are further described in Table 1 below.

**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 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.
<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 meet the planning principles set out above. The policy limits the building's height to 8-storeys plus a penthouse near Quinpool Road and 4-storeys facing Pepperell Street. This change in massing allows the building to transition from Quinpool, the commercial main street, to Pepperell, the residential street. Transition is also achieved by limiting the types of commercial uses on Pepperell Street. This transition ensures that the proposed building is appropriate for both the Quinpool Road context and the Pepperell Street context.

The proposed MPS policy requires commercial units facing Quinpool Road, the main commercial street in Halifax's west end. Pedestrian-oriented design is critical on Quinpool Road. The proposal is to locate the main building entrance on Quinpool Road and create several storefronts. The MPS policy requires storefronts to have large windows and entrances that open onto the sidewalk. The policy provides guidance so that ground floors create an inviting place to walk past or stand near. The streetwall facing Quinpool Road is 3-storeys, appropriate for pedestrian comfort. Based on the shadow and wind studies, staff advises that the shadow and wind impacts from an 8-storey building are acceptable for pedestrians.

Facing Pepperell Street, residential entrances connect directly to the sidewalk, via outdoor stairways. The first floor of each residential unit is raised above sidewalk level and the windows are set back from the street. This provides a balance between residents' privacy and visual connections between the sidewalk and the townhouses. Visual connections – being able to see into units – increase the comfort of pedestrians.

The proposed MPS policy will enable a human-scaled building, especially at the sidewalk level. Streetwall heights are modest, and the streetwalls must have prominent doors and windows. Doors and windows are sized to human dimensions, creating a link between the human scale and the larger building scale. Through the main building masses, balconies and windows also provide a link between human scale and the larger scale of the building.

### **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. 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 an 8-storey plus penthouse height limit next to Quinpool Road, and a 4-storey plus penthouse height limit next to Pepperell Street;
- enables mixed-use buildings with residential, commercial, institutional and entertainment uses;
- permits licensed establishments on Quinpool Road;
- limits commercial uses fronting on Pepperell Street;
- requires a mix of residential unit types;
- limits streetwall height and requires side setbacks above the streetwall height; and
- requires the development agreement to regulate setbacks, signs, amenity space and landscaping.

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

The proposed MPS policy is reasonably consistent with Regional Council's direction for this proposal. The June 2017 Centre Plan document identified this area for at most a 6-storey mid-rise building; the proposed MPS policy permits an 8-storey building, plus penthouse. While the building's height is taller than the 6-

storeys proposed for the site in the June 2017 Centre Plan document, the primary difference is in the building's appearance, not in the building form or the impact on its surroundings.

The proposed MPS policy will enable a building that meets the five planning principles. The building's design mitigates impacts on surrounding properties. For instance, the streetwall height facing Quinpool Road is 3-storeys, which will reduce the wind impacts; the building height is reduced to 4-storeys facing Pepperell Street to transition to the lower density residential street.

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 after the existing MPS is 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 advise that the proposed MPS policy is reasonably consistent with Regional Council's direction for this proposal, relative to height and urban structure. The building also meets the five 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, an 8-storey (plus penthouse), mixed-use development on Quinpool Road, along with a 4-storey (plus penthouse) building height next to Pepperell 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 the development agreement can be carried out within the approved 2019-2020 budget with existing resources.

### **RISK CONSIDERATION**

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

### **ENVIRONMENTAL IMPLICATIONS**

No environmental implications are identified.

## **ALTERNATIVES**

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

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

## **ATTACHMENTS**

Map 1:	Generalized Future Land Use
Map 2:	Zoning and Notification Area
Attachment A:	Proposed MPS Amendments
Attachment B:	Proposed LUB Amendments
Attachment C:	Public Information Meeting (PIM) Notes

## **RELATED REPORTS**

**Initiation Report:** January 16, 2018, Regional Council, Item 14.1.4. [Site-specific Secondary Municipal Planning Strategy Amendment Requests within the Regional Centre Boundary \(Supplementary Report\)](#).

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

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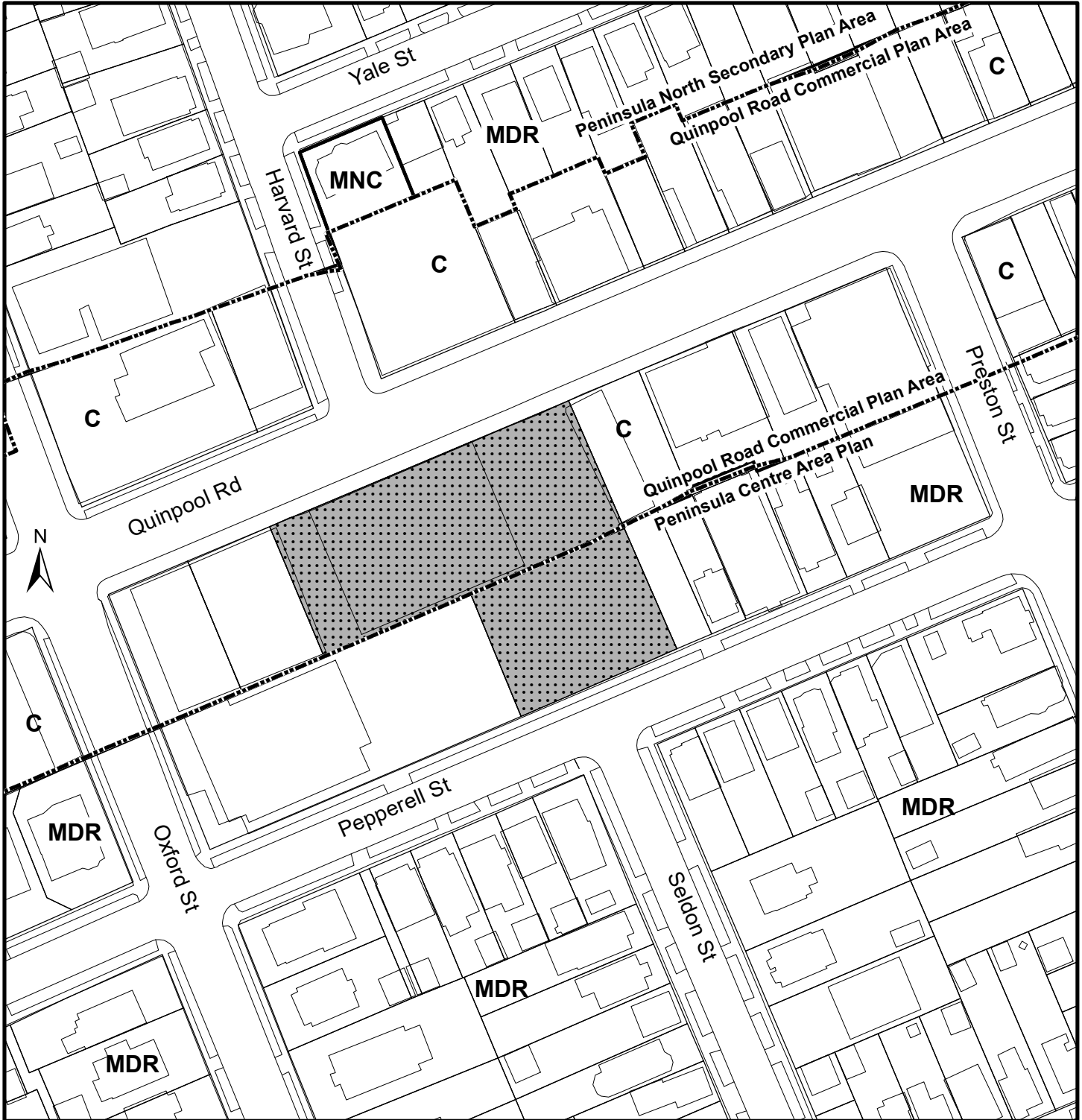
A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Sean Gillis, Planner II, 902.490.6357

***-Original Signed-***

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


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**Map 1 - Generalized Future Land Use**

Quinpool Road  
Halifax



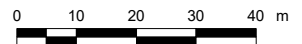
 Subject Properties

**Quinpool Road Commercial Designation**

C Commercial

**Peninsula North Secondary Designation**

MDR Medium Density Residential  
MNC Minor Commercial



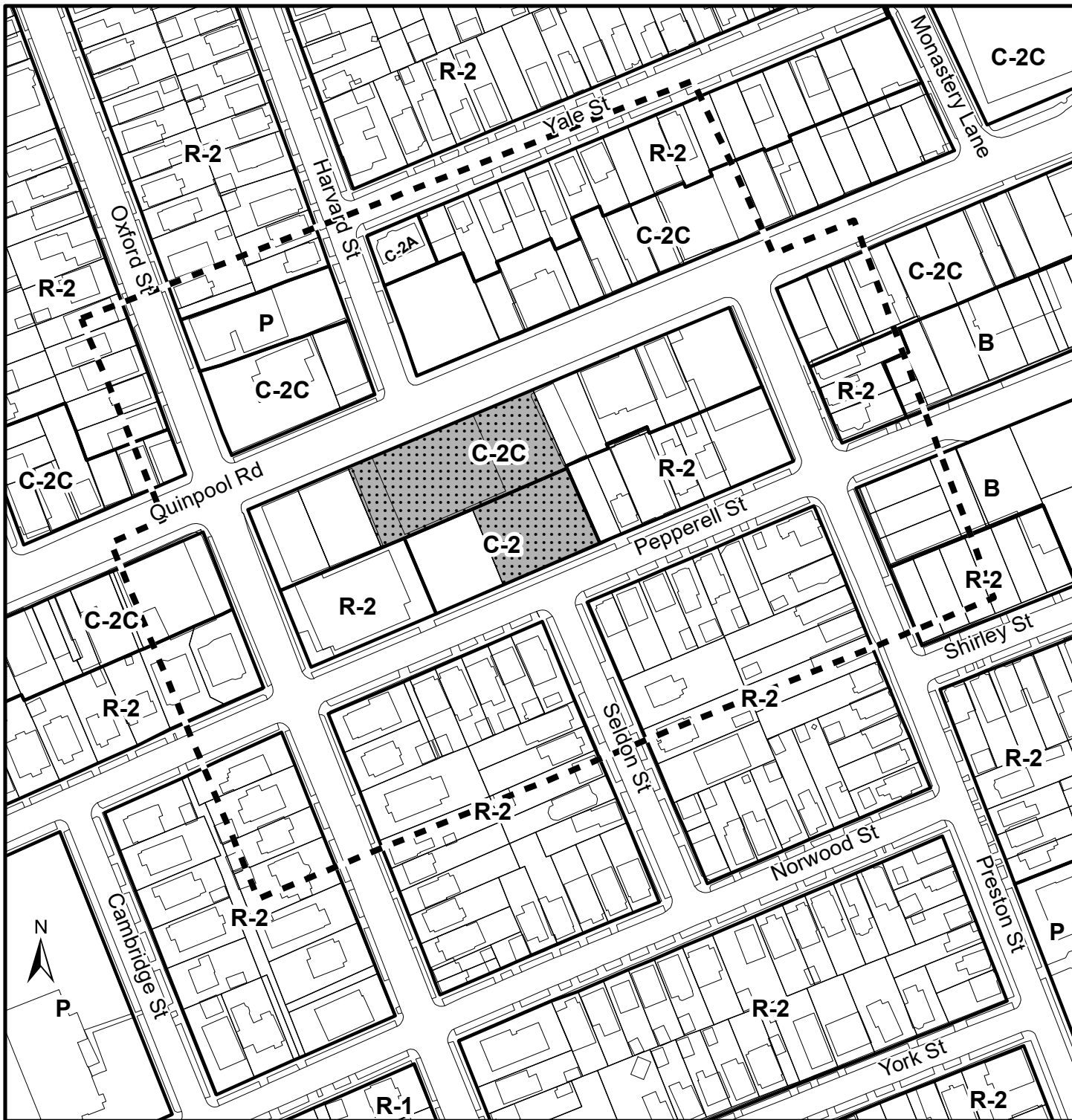
**Peninsula Centre Area Designation**

MDR Medium Density Residential

Halifax Plan Area  
Quinpool Road  
Commercial Plan Area /  
Peninsula Centre Area Plan

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


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



**Map 2 - Zoning and Notification**

Quinpool Road  
Halifax

 Subject Properties

 Area of Notification

Halifax Peninsula  
Land Use By-Law Area

**Zone**

- R-2 General Residential
- C-2 General Business
- C-2A Minor Commercial
- C-2C Minor Commercial - Quinpool Road
- P Park and Institutional

0 10 20 30 40 50 60 70 m



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 Quinpool Road / Pepperell Street, near Preston Street
5. Development at Chebucto Road/ Beech Street / Elm Street
6. Development at Robie Street / Cunard Street

**10. Development at Quinpool Road / Pepperell Street, near Oxford Street**

---

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

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; ~~and~~
  - b) Development at Quinpool Road / Pepperell Street, near Preston Street, as identified in Section 4; ~~and~~
  - c) Development at Chebucto Road/ Beech Street / Elm Street, as identified in Section 5; ~~and~~
  - d) Development at Robie Street / Cunard Street, as identified in Section 6;
  - g) Development at Quinpool Road / Pepperell Street, near Oxford Street, as identified in Section 10.**
-



3. By amending Section XVI to add the following text in bold after Subsection 9.2.1:

**10. DEVELOPMENT AT QUINPOOL ROAD / PEPPERELL STREET,  
BETWEEN OXFORD STREET AND PRESTON STREET**

The property having street frontage on Quinpool Road and Pepperell Street (6320 and 6324 Quinpool Road) is the subject site of a proposal for site-specific planning policy amendments to allow for an 8-storey mixed-use building. This proposal is one of the twelve policy requests noted in Section 1. On January 16, 2018, Regional Council chose to continue processing the proposal subject to specific considerations.

**10.1 Specific Considerations**

In January 2018, Regional Council initiated amendments to consider an 8-storey proposal on a through lot located on Quinpool Road and Pepperell Street, between Oxford Street and Preston Street. Regional Council directed that the proposal shall generally align with the June 2017 Centre Plan Document relative to urban structure, height, and floor area ratio. Regional Council also directed this 8-storey proposal shall address the planning principles noted in Section 2.

The June 2017 Centre Plan Document places this site within the Quinpool Centre. The Quinpool Centre is the heart of Halifax's West End Neighbourhood. The scale of buildings on Quinpool Road transition from taller buildings at the eastern end of the Centre to low rise buildings in the western end. Pepperell Street is a local, residential street, suitable for low-rise buildings. The June 2017 Centre Plan Document identified the site for mid-rise buildings on the block of Quinpool Road between Preston Street and Oxford Street but did not suggest a floor area ratio for Centres.

**10.2 Regulating Development**

An 8-storey mixed-use building, with a four storey section facing Pepperell Street, shall be permitted by development agreement. This height generally aligns with the height framework proposed by the June 2017 Centre Plan. The building size and design is appropriate for the Quinpool Centre, an area identified for redevelopment and high densities. The four storey section transitions to the low-rise context of Pepperell Street.

To respect the planning principles and achieve an appropriate built form, a development agreement is required, as described below.

**10.2.1 Development Agreement Provisions**

The Land Use By-law for Halifax Peninsula shall be amended to identify that mixed-use, multi-unit residential development may be considered by development agreement at 6324 and 6330 Quinpool Road, a through lot with frontage on Pepperell Street.

(1) Notwithstanding other policies of this Municipal Planning Strategy except 10.2.1(2), a development agreement for the property located at 6324 and 6330 Quinpool Road shall:

- a) permit a multi-unit, mixed-use building, up to 8 storeys in height on part of the property near Quinpool Road, and up to 4 storeys in height on the part of the site closer to Pepperell Street;
  - b) permit a range of uses that serve both a local and regional population, including: residential, office, retail, service, restaurants, institutional, cultural and entertainment uses, and establishments licensed to serve alcohol;
  - c) limit the commercial uses that are permitted to front on Pepperell Street;
  - d) require a mix of residential unit types;
  - e) require the façade facing Pepperell Street to have units with ground level entrances that connect to the sidewalk;
  - f) restrict the streetwall height facing Pepperell Street to 2 storeys, and require a stepback above the streetwall;
  - g) restrict the streetwall height facing Quinpool Road to 3 storeys, and require a stepback above the streetwall;
  - h) permit a penthouse structure above the 8<sup>th</sup> floor, containing mechanical equipment, elevator overruns, common amenity space and up to 2 residential units, which shall be setback from the edge of the roof and shall not cover more than 30% of the building's roof;
  - i) permit a penthouse structure above the 4<sup>th</sup> floor mid-block portion of the building, containing common amenity space, which shall be setback from the roof edges;
  - j) minimize the massing of the 8 storey portion of the building by providing generous stepbacks from interior property lines above the streetwall height and by stepping back a central portion of the front façade on the 7<sup>th</sup> and 8<sup>th</sup> storeys;
  - k) for the 4 storey portion of the building, require building stepbacks from side property lines above the second floor, to allow for appropriate transition to neighbouring properties;
  - l) require indoor and outdoor amenity space for on-site residents;
  - m) regulate signage and the external building materials;
  - n) regulate landscaping, fencing, outdoor storage, and the planting or retention of trees and vegetation; and
  - o) regulate the appearance, location and size of driveways and prohibit surface parking lots.
- (2) In addition to meeting the requirements of Policy 10.2.1 a) to o) inclusive, Council shall also have regard for the following when considering a development agreement for the property located at 6324 and 6330 Quinpool Road:
- a) the planning principles of transition, pedestrian-oriented, human-scale, building design and context sensitive, as described in Section 2;
  - 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 design facing Quinpool Road complements a commercial streetscape, through the provision of commercial units with large, transparent windows and at-grade entrances opening onto the sidewalk; and**
- e) 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.**

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 subsection 95(11) immediately following subsection 95(10):

**95(11) Development at Quinpool Road/ Pepperell Street, near Oxford Street (6330 and 6324 Quinpool Road).**

**Council may, by development agreement, pursuant to Policy 10.2.1 of Section XVI of the Halifax Municipal Planning Strategy, permit a multiple dwelling which may contain commercial uses.**

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



**HALIFAX PENINSULA PLANNING ADVISORY COMMITTEE  
PUBLIC INFORMATION MEETING  
MINUTES  
October 11, 2018**

**PRESENT:** Jeana Macleod, Vice Chair  
Matthew Novak  
Houssam Elokda  
Ashley Morton  
Margo Grant  
Councillor Lindell Smith

**REGRETS:** Sarah MacDonald, Chair  
Grant Cooke  
Jason Cooke  
Deputy Mayor Wayne Mason

**STAFF:** Tyson Simms, Planner II, Planning & Development  
Miles Agar, Planner, Planning & Development  
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 6:57 p.m. and the Committee adjourned at 8:00 p.m.*

## **1. CALL TO ORDER**

The Vice Chair called the meeting to order at 6:57 p.m. at the St. Andrews United Church Upper Hall, 6036 Coburg Road, Halifax NS. The Vice Chair introduced the Committee and outlined the schedule of the evening and the importance of the public feedback.

## **2. PUBLIC INFORMATION MEETING**

### **Case 20520- Dixel Developments Ltd. is applying to amend the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-Law to enable an 8-storey mixed-use development at 6324 & 6330 Quinpool Road, Halifax.**

The Vice Chair invited Tyson Simms, Planner II, to present Case 20520. Simms described the context and outlined the proposal. Simms highlighted that the applicant proposes to develop an 8-storey (plus penthouse) building with a 4-storey portion of the building facing Pepperell Street. The proposal includes ground floor commercial uses facing Quinpool Road and 6 units in stacked townhouses on Pepperell Street. Simms made note of the relevant existing land use by-laws, as well as Council's direction to align with the Centre Plan document principles of transition, pedestrian orientation, human-scale context sensitivity and building design.

The Vice Chair then called on the applicant, Louie Lawen from Dixel developments. The applicant gave an overview of the building, with specific detail on the exterior features, amenity space, sidewalk widths and accessible public parking spaces.

The Vice 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.

**Jimmy Elios, Quinpool Rd**, stated that they were in favour of the development. As a business owner in the area, Elios felt that the development would bring foot traffic to Quinpool Road and a greatly needed increase in clientele.

**Peggy Isseman, Pepperell Street**, asked about the adjacent proposal in relation to the proposed development currently being discussed. Isseman warned of increasingly bad traffic and the adverse effects of residential homes possibility being "walled in" by these developments.

**Yasim, Halifax**, stated the importance of affordable housing in the area. Yasim asked what the average rent would be per units and asked that there be a consideration for renters and students.

**Catherine, Chestnut & Shirley Street**, asked when the development would begin and if the nearby developments would begin construction at the same time.

**Graham Well, Halifax**, asked if the sewer system would exceed its capacity with the three new developments in the area. Well expressed concern that without enough parking spaces, there may be an overflow onto nearby street parking. Well also stated that the parking lot entrance is close to the intersection of Quinpool & Oxford and a bus stop.

**Joachim Stroink, Halifax**, thanked the developer for investing in the city. Stroink stated that the area is in need of the density the development would bring and that with increased density local small businesses would flourish.

The Vice 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 8:00 p.m.

Hannah Forsyth  
Legislative Support

**REVISED Attachment A:**

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## Attachment 2

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  - h) permit a penthouse structure above the 3rd floor mid-block portion of the building, containing common amenity space, which shall be setback from the roof edges;
  - i) minimize the massing of the 8 storey portion of the building by providing generous stepbacks from interior property lines above the streetwall height and by stepping back a central portion of the front façade on the 7<sup>th</sup> and 8<sup>th</sup> storeys;
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## Attachment 2

- e) 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.

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---

Kevin Arjoon

Municipal Clerk