



**Amendments Package to
Implement the Regional Centre
Secondary Municipal Planning
Strategy and Land Use By-law,
and additional site-specific
amendments**

(Attachment C – M-2)

ATTACHMENT C
Amendments to the Regional Municipal Planning Strategy

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

1. Amend the "TABLE OF CONTENTS", as shown below in **bold** and ~~strikeout~~, by:

- (a) deleting the words and numbers "CHAPTER 6: THE REGIONAL CENTRE", "6.0 INTRODUCTION", "6.1 OBJECTIVES", "6.2 VISION STATEMENT AND GUIDELINE PRINCIPLES", "6.2.1 Vision Statement", "6.2.2 Guiding Principles", "6.2.3 Core Concepts", "6.3 THE DOWNTOWN HALIFAX PLAN", "6.4 THE REGIONAL CENTRE PLAN", and "6.5 PUBLIC AND PRIVATE INVESTMENTS".

~~CHAPTER 6: THE REGIONAL CENTRE~~

~~6.0 — INTRODUCTION~~

~~6.1 — OBJECTIVES~~

~~6.2 — VISION STATEMENT AND GUIDING PRINCIPLES~~

~~6.2.1 — Vision Statement~~

~~6.2.2 — Guiding Principles~~

~~6.3 — THE DOWNTOWN HALIFAX PLAN~~

~~6.4 — THE REGIONAL CENTRE PLAN~~

~~6.5 — PUBLIC AND PRIVATE INVESTMENTS~~

- (b) adding the words and numbers "CHAPTER 6A: THE REGIONAL CENTRE", "6.0A INTRODUCTION", "6.1A OBJECTIVES", "6.2A VISION STATEMENT, GUIDELINE PRINCIPLES, AND CORE CONCEPTS", "6.2.1A Vision Statement", "6.2.2A Guiding Principles", "6.2.3A Core Concepts", "6.3A REGIONAL CENTRE SECONDARY MUNICIPAL PLANNING STRATEGY", "6.3.1A Adoption Process", and "6.4A The Downtown Halifax Secondary Municipal Planning Strategy".

CHAPTER 6A: THE REGIONAL CENTRE

6.0A INTRODUCTION

6.1A OBJECTIVES

6.2A VISION STATEMENT, GUIDING PRINCIPLES, AND CORE CONCEPTS

6.2.1A Vision Statement

6.2.2A Guiding Principles

6.2.3A Core Concepts

6.3A REGIONAL CENTRE SECONDARY MUNICIPAL PLANNING STRATEGY

6.3.1A Adoption Process

6.4A THE DOWNTOWN HALIFAX SECONDARY MUNICIPAL PLANNING STRATEGY

2. Amend Section 1.1, and the first bullet point immediately following the heading "Enhance the Regional Centre", by deleting the words "Prepare new land use policies, bylaws, and design guidelines that" and replacing them with the words "**Consider adopting a Regional Centre Secondary Municipal Planning Strategy and Land Use By-Law to**", as shown in ~~strikeout~~ and **bold** below:

- ~~Prepare new land use policies, bylaws, and design guidelines that~~ **Consider adopting a Regional Centre Secondary Municipal Planning Strategy and Land Use By-Law to** ensure high quality growth at an appropriate density and scale.

3. Amend Clause 4(a) of Section 1.3, under the heading "Settlement and Housing", by deleting the words,

numbers, and brackets “6.2.2(v)”, and replacing them with the words, numbers, and brackets “6.2.2A (v)”, as shown in ~~strikeout~~ and **bold** below:

4. Design Communities that:

- (a) are attractive, healthy places to live and have access to the goods, services and facilities needed by residents and support complete neighbourhoods as described in ~~6.2.2 (v)~~ **6.2.2A (v)** of this Plan;

4. Amend Section 1 of Section 1.3, under the heading “Regional Centre”, by deleting the words “a Regional Centre Plan which achieves” and replacing them with the words “the Regional Centre Secondary Municipal Planning Strategy to achieve”, as shown in ~~strikeout~~ and **bold** below:

- 1. ~~Adopt a Regional Centre Plan which achieves~~ **the Regional Centre Secondary Municipal Planning Strategy to achieve** the vision statement and guiding principles endorsed by Regional Council;

5. Amend Section 1.6, by deleting the first sentence immediately following the heading “Municipal Planning Structure, Implementation and Interpretation” and replacing it with the sentence “To guide planning decisions at the community and neighbourhood level, the Municipality has continued to use Municipal Planning Strategies and Secondary Planning Strategies adopted by HRM or former municipalities.” before the words “These documents, listed in Appendix B”, as shown in ~~strikeout~~ and **bold** below:

~~As of 2013, eighteen Municipal Planning Strategies (MPSs) and thirteen Secondary Planning Strategies had been adopted by HRM (or former municipalities) which serve to guide planning decisions at a community or neighbourhood level.~~ **To guide planning decisions at the community and neighbourhood level, the Municipality has continued to use Municipal Planning Strategies and Secondary Planning Strategies adopted by HRM or former municipalities.** These documents, listed in Appendix B, remain in effect and may be amended or repealed at the discretion of Regional Council.

6. Amend Section 1.7 Organization of this Plan, after the words “Chapter 6 – The Regional Centre:”, by deleting the words “provides direction for the preparation of the Regional Centre Plan” and replacing them with the words “establishes the vision and objectives for the Regional Centre Secondary Municipal Planning Strategy”, as shown in ~~strikeout~~ and **bold** below:

Chapter 6 – The Regional Centre: ~~provides direction for the preparation of the Regional Centre Plan~~ **establishes the vision and objectives for the Regional Centre Secondary Municipal Planning Strategy.**

7. Amend Clause 4(a) of Section 3.1 Objectives, by deleting the numbers, brackets and words “6.2.2 (v)” and replacing them with the numbers, brackets and words “6.2.2A (v)”, as shown in ~~strikeout~~ and **bold** below:

4. Design communities that:

- (a) are attractive, healthy places to live and have access to the goods, services and facilities needed by residents and support complete neighbourhoods as described in ~~6.2.2 (v)~~ **6.2.2A (v)** of this Plan;

8. Repeal “Chapter 6: The Regional Centre” in its entirety, and replacing it with a new chapter titled “Chapter 6A: The Regional Centre”, as shown in **bold** and ~~strikeout~~ below:

CHAPTER 6: THE REGIONAL CENTRE

6.0 — INTRODUCTION

The Regional Centre encompasses Halifax Peninsula and Dartmouth between Halifax Harbour and the Circumferential Highway. HRM has adopted a vision and guiding principles for this area that forms the basis for undertaking planning and making strategic investments. Pursuant to this, in 2009, a secondary municipal planning strategy and a land use by law were adopted for downtown Halifax.

This vision and guiding principles are also the basis for a Regional Centre Plan which will reinforce the importance of this area and capitalize on the benefits of concentrating new growth as outlined in the study *Quantifying the costs and Benefits to HRM, Residents and the Environment of Alternative Growth Scenarios (April 2013)*. The Regional Centre Plan will be integrated with:

- the Greater Halifax 2011-2016 Economic Strategy;
- the Culture and Heritage Priorities Plan;
- the Greenbelting and Public Places Priorities Plan; and
- the Transportation Demand Management Plan, the Active Transportation Plan, the Transit Services Plan, the Regional Parking Strategy and the Road Networks Priorities Plan.

6.1 — OBJECTIVES

1. Adopt a Regional Centre Plan which achieves the vision statement and guiding principles endorsed by Regional Council;
2. Adopt heritage plans and programs that further preserve and enhance the viability of heritage properties, streetscapes, and districts;
3. Prepare capital and operating expenditure programs that enhance development within the Regional Centre, with emphasis of resources on downtown Halifax and Dartmouth, and take advantage of opportunities to strategically leverage other public and private sector investments; and
4. Create financial and regulatory incentives to stimulate desired growth.

6.2 — VISION STATEMENT AND GUIDING PRINCIPLES

Through the Downtown Halifax planning process, HRM endorsed the following vision statement and guiding principles for the Regional Centre:

6.2.1 — Vision Statement

- I. The Regional Centre is the symbolic, historic and functional heart of the Halifax Regional Municipality. It is distinguished by its rich past as is evident in: its historic architecture, traditional neighbourhoods and national landmarks; its natural features as shaped by its grand parks, harbour, lakes, waterways and rolling hills; and its regional importance as an economic hub, capital district, educational centre, health focus and cultural heart.
- II. The Regional Centre will build on its distinctions and assets to nurture an urban context that enhances quality of life, enriches urban living and becomes a global destination.
- III. The Regional Centre will assert and affirm a legible and ordered urban structure that will reinforce the best qualities and characteristics of its unique neighbourhoods and districts.

- IV. ~~The Regional Centre's cultural vitality is rooted in its diverse population and accordingly it will strive to be an open, safe, affordable, accessible and welcoming place to people of all walks of life.~~
- V. ~~The Regional Centre's vibrancy, animation and economic health will be strengthened through the cultivation of a compact, civic inspired and human scaled urban fabric of streets, blocks and buildings.~~

6.2.2 ~~Guiding Principles~~

I ~~Sustainable~~

- ~~Design, plan and build with respect for economic, environmental, social and cultural sustainability.~~
- ~~Create resilient communities that adapt to evolving opportunities and needs.~~

II ~~High Quality~~

- ~~New development should be of high quality and compatible with other high quality developments.~~
- ~~Promote high quality architecture and urban design that respects great heritage resources, including neighbourhoods.~~

III ~~Heritage and Culture~~

- ~~Heritage resources, including heritage districts, buildings, landscapes and cultural heritage, should be recognized, used, protected and enhanced.~~
- ~~Ensure lasting legacies (buildings, open spaces and streets) are maintained, and new ones are created.~~

IV ~~Movement~~

- ~~Integrate land use planning with transportation planning in such a way that alternatives to driving become an easy choice. Transportation options should be efficient, pleasant and readily available.~~
- ~~All streets should present an inviting barrier free environment that considers the comfort, convenience, safety and visual interest of pedestrians.~~
- ~~The Regional Centre, in all ways, should be conducive to, and supportive of, active transportation movement. It should provide people with choices that are viable alternatives to driving.~~

VI ~~Growth and Change~~

- ~~Ensure that new developments respond to the natural, cultural, historical, and urban character of their context.~~
- ~~Direct change and intensification to areas that will benefit from growth.~~
- ~~Every new building should contribute to the betterment of the public realm.~~
- ~~Design should support accessibility, active transportation and transit (i.e. streets, land uses, neighbourhoods, open spaces, circulation systems).~~

VII ~~Process~~

- ~~Foster a culture of support for the building/ construction of quality urban design.~~
- ~~Recognize and reward design excellence.~~
- ~~Involve neighbourhood communities in local planning matters.~~
- ~~Maintain opportunities for public participation in the implementation of HRM by Design.~~
- ~~Foster predictable outcomes that have been tested to be achievable and fair.~~

VIII — Connected

- ~~Prominent views to prominent natural and built features should be recognized, protected and enhanced.~~
- ~~Enhance safe and appealing connections within the Regional Centre including to and from the waterfront, open spaces and neighbourhoods.~~

6.3 — THE DOWNTOWN HALIFAX PLAN

~~In 2009, the Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By-law (LUB) were approved to provide a vision, policies and a regulatory framework for land use, built form, design, heritage preservation and public investment within the Downtown Halifax Plan Area.~~

~~A key feature of these documents is greater predictability through adopting set limits for building height and form. A Design Manual, site plan approval process and bonus zoning program were introduced to provide a strong yet flexible design process with incentives to further public benefits. The documents also provide direction for public investments in future capital and operating budgets.~~

~~RC-1 — The Downtown Halifax Secondary Municipal Planning Strategy and Land Use By-law shall provide guidance for policies, programs and regulations for the Downtown Halifax Plan Area. For any amendments to the Downtown Halifax Secondary Municipal Planning Strategy or Land Use By-law brought forward for approval, consideration is to be given to consistency with or furthering the vision statement and guiding principles for the Regional Centre.~~

~~The Barrington Street Heritage Conservation District Revitalization Plan and By-law were approved in conjunction with the Downtown Halifax Secondary Municipal Planning Strategy and a heritage incentive program adopted with grants and incentives.~~

~~RC-2 — HRM may consider adopting new heritage district conservation districts, by-laws and programs or adopting amendments to existing ones. The applicable objectives and policies of the Downtown Halifax Secondary Municipal Planning Strategy and Chapter 7 of this Plan shall provide guidance.~~

6.4 — THE REGIONAL CENTRE PLAN

~~In October 2011, HRM initiated the *Regional Centre Plan* for the whole Regional Centre and directed that a new Regional Centre Secondary Municipal Planning Strategy and Land Use By-law be prepared to replace the Municipal Planning Strategies and Land Use By-laws for Halifax and Dartmouth within the Regional Centre.~~

~~While the development of a Regional Centre Plan is recognized as a distinct project, planning is an ongoing process of addressing, and at times leading, community change. The Regional Centre is a dynamic area and consequently the emphasis that is placed on it through this Plan represents a commitment by HRM to undertake planning and make investments to constantly improve the Regional Centre through both large and small initiatives. The Regional Centre Plan will develop as a series of such programs.~~

~~RC-3 — The Vision Statement and Guiding Principles adopted for the Regional Centre shall provide guidance for the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law. Consideration shall also to be given to incenting development in the Regional Centre, streamlining development approvals, density bonusing and the other applicable objectives and policies of this Plan.~~

6.5 — PUBLIC AND PRIVATE INVESTMENTS

~~To focus on the Regional Centre, HRM adopted the *Strategic Urban Partnership* with involvement by the three levels of government, major urban institutions, crown corporations, private business, non-profit organizations and development and design communities to foster ideas. The Partnership has recommended that a policy and regulatory framework be established to create incentives and removed barriers for new development in the Regional Centre.~~

~~RC-4 — HRM shall consider the recommendations of the Strategic Urban Partnership for implementation of programs and initiatives in the Regional Centre. Emphasis shall be given to the objectives and action plans established for the Regional Centre in the *Greater Halifax 2011–2016 Economic Strategy*.~~

CHAPTER 6A: THE REGIONAL CENTRE

6.0A INTRODUCTION

The Regional Centre encompasses the Halifax Peninsula and Dartmouth within the Circumferential Highway, including Downtown Halifax and Downtown Dartmouth. The area is the urban core of the region, with a dense population, commercial industries, and major institutions that assist in driving the economic development of the Municipality. Recognizing the importance of the Regional Centre, the Municipality has adopted a vision and guiding principles for this area to form the basis for land use planning and strategic investments.

The 2006 Regional Plan first recognized the Regional Centre as an important growth centre for the region, and called for an urban design study to help shape new development. That process, called HRM by Design, led to the 2009 adoption of the Downtown Halifax Secondary Municipal Planning Strategy and Land Use By-law. During that process, Regional Council endorsed a vision and guiding principles for the development of new planning documents for the Regional Centre. In April 2013, a study by Stantec titled “*Quantifying the costs and Benefits to HRM, Residents and the Environment of Alternative Growth Scenarios*” examined the cost benefits of concentrating new growth, particularly in the Regional Centre.

The intent of the Regional Centre Secondary Municipal Planning Strategy is to reinforce the importance of this area, and capitalize on the benefits of concentrating new growth in strategic locations, as outlined in the Stantec study.

The Regional Centre Secondary Municipal Planning Strategy works with and supports this Regional Plan and the following documents:

- Halifax’s Economic Growth Plan;
- the Integrated Mobility Plan;
- the Halifax Green Network Plan; and
- the Culture and Heritage Priorities Plan.

6.1A OBJECTIVES

The 2014 Regional Plan established objectives for the Regional Centre, and Regional Council’s adoption of the Regional Centre Secondary Municipal Planning Strategy will take a major step in realizing those objectives.

1. Adopt a Regional Centre Secondary Municipal Planning Strategy to achieve the vision statement and guiding principles endorsed by Regional Council;
2. Adopt heritage plans and programs that further preserve and enhance the viability of heritage properties, streetscapes, and districts;

3. Prepare capital and operating expenditure programs that enhance development within the Regional Centre, with emphasis of resources on downtown Halifax and Dartmouth, and take advantage of opportunities to strategically leverage other public and private sector investments; and
4. Create financial and regulatory incentives to stimulate desired growth.

6.2A VISION STATEMENT, GUIDING PRINCIPLES AND CORE CONCEPTS

In 2007, the Municipality endorsed a vision and guiding principles for the Regional Centre that would help to shape the Regional Centre. The vision statement was updated through further engagement during the Centre Plan process, along with a set of four core concepts. The guiding principles continue to highlight the importance of the Regional Centre, and provide a framework for the Regional Centre Secondary Municipal Planning Strategy.

6.2.1A Vision Statement

The Regional Centre is the civic, cultural and economic heart of the Halifax Regional Municipality. It is a prosperous and resilient community that supports the needs, health and well-being of a diverse and growing population. New growth is located strategically to support the creation of complete communities, human scale design, and pedestrian comfort. The Regional Centre is the core of the best mid-sized city in Canada that welcomes all who want to live, work, play and learn here.

6.2.2A Guiding Principles

I Sustainable

- Design, plan and build with respect for economic, environmental, social and cultural sustainability.
- Create resilient communities that adapt to evolving opportunities and needs.

II High Quality

- New development should be of high quality and compatible with other high quality developments.
- Promote high quality architecture and urban design that respects great heritage resources, including neighbourhoods.

III Heritage and Culture

- Heritage resources, including heritage districts, buildings, and cultural landscapes, should be recognized, used, protected and enhanced.
- Ensure lasting legacies (buildings, open spaces and streets) are maintained, and new ones are created.

IV Movement

- Integrate land use planning with transportation planning in such a way that alternatives to driving become an easy choice. Transportation options should be efficient, pleasant and readily available.
- All streets should present an inviting barrier-free environment that considers the comfort, convenience, safety and visual interest of pedestrians.
- The Regional Centre, in all ways, should be conducive to, and supportive of, active transportation movement. It should provide people with choices that are

viable alternatives to driving.

V Complete Neighbourhoods

- Support safe, mixed-use, and diverse neighbourhoods, including:
 - affordable housing and a variety of tenures;
 - residential, commercial, employment uses; and
 - visually and physically accessible amenity space, including schools and parks within walking distance.
- Encourage the public services and amenities necessary to support quality of life, cohesive communities and creative places.

VI Growth and Change

- Encourage new developments to respond to the natural, cultural, historical, and urban character of their context.
- Direct change and intensification to areas that will benefit from growth.
- Every new building should contribute to the betterment of the public realm.
- Design should support accessibility, active transportation and transit (i.e. streets, land uses, neighbourhoods, open spaces, circulation systems).

VII Process

- Foster a culture of support for the building/ construction of quality urban design.
- Recognize and reward design excellence.
- Involve neighbourhood communities in local planning matters.
- Maintain opportunities for public participation in the implementation of the Regional Centre Secondary Municipal Planning Strategy.
- Foster predictable outcomes that have been tested to be achievable and fair.

VIII Connected

- Prominent views to prominent natural and built features should be recognized, protected and enhanced.
- Enhance safe and appealing connections within the Regional Centre including to and from the waterfront, open spaces and neighbourhoods.

6.2.3A Core Concepts

In support of the vision for the Regional Centre, the Regional Centre Secondary Municipal Planning Strategy relies on four core concepts:

Complete Communities

- Support people of all ages, abilities and backgrounds to live, work, shop, learn, and play within a short journey.
- Promote mixed use neighbourhoods with safe and convenient access to goods and services needed in daily life.

Human Scale Design

- Foster high-quality architecture and urban design that is designed to a human scale.
- Adopt land use policies that result in designs that are interesting and comfortable for people at street level.

Pedestrians First

- Prioritize the needs and comfort of people in all seasons to make walking more convenient and viable, reduce emissions and improve public health.
- Encourage land use, transportation and design policies that prioritize walking, cycling and transit over private vehicles.

Strategic Growth

- Encourage increased density and a diversity of people and services in the Regional Centre to support socially, economically and environmentally responsible growth.
- Distribute growth throughout the Regional Centre in context-sensitive forms.
- Direct growth to established mixed-use commercial nodes, and under-utilized, vacant, and infill sites.

6.3A REGIONAL CENTRE SECONDARY MUNICIPAL PLANNING STRATEGY

The Regional Centre Secondary Municipal Planning Strategy and Land Use By-Law will replace the Municipal Planning Strategies and Land Use By-laws for areas of Halifax and Dartmouth located within the Regional Centre Plan Area.

While the development of a Regional Centre Secondary Municipal Planning Strategy is recognized as a distinct project, planning is an ongoing process of addressing, and at times leading, community change. The Regional Centre is a dynamic area and consequently the emphasis that is placed on it through this Plan represents a commitment by the Municipality to undertake planning and make investments to improve the Regional Centre through both large and small initiatives. The Regional Centre Secondary Municipal Planning Strategy will provide a framework for future municipal investments that can support new growth and development.

RC-1A The Vision, Guiding Principles and Core Concepts shall guide the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law. Any proposed amendments to the Regional Centre Secondary Municipal Planning Strategy or Land Use By-law shall be consistent with and further the Vision, Guiding Principles and Core Concepts for the Regional Centre, and all applicable objectives and policies of this Plan. Consideration shall also to be given to incentivizing development in the Regional Centre, streamlining development approvals, density bonusing and other applicable objectives and policies of this Plan.

6.3.1A Adoption Process

Lands within the Regional Centre have been regulated by several different planning documents, including:

- the Municipal Planning Strategy for Halifax, and Land Use By-Law for Halifax Peninsula;
- the Municipal Planning Strategy for Dartmouth, and Land Use By-Law for Dartmouth;
- the Secondary Municipal Planning Strategy for Downtown Halifax, and Land Use By-Law for Downtown Halifax; and
- the Secondary Municipal Planning Strategy for Downtown Dartmouth, and Land Use By-Law for Downtown Dartmouth.

On June 13, 2017, Regional Council authorized the direction contained within the draft Centre Plan, and endorsed a two-phased adoption path for the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-Law:

1. Package A includes areas where most new growth will be directed, including Downtown Dartmouth, Centres, Corridors, Higher Order Residential, and Future Growth Nodes; and
2. Package B will include Established Residential areas, Institutional and Industrial lands, Parks and Open Space lands.

RC-2A The Municipality shall, through a phased approach, adopt the Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use By-Law for the entire Regional Centre, on lands that have been within the Halifax, Dartmouth, Downtown Halifax and Downtown Dartmouth Secondary Plan Areas.

6.3.2A The Downtown Halifax Secondary Municipal Planning Strategy

In 2009, the Downtown Halifax Secondary Municipal Planning Strategy, and Downtown Halifax Land Use By-law were approved to provide a vision, policies and a regulatory framework for land use, built form, design, heritage preservation and public investment within the Downtown Halifax Plan Area. It is the intention of Council to consider incorporating the Downtown Halifax Secondary Municipal Planning Strategy, and Downtown Halifax Land Use By-law into the Regional Centre Secondary Municipal Planning Strategy.

A key feature of the Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By-Law is greater predictability through adopting set limits for building height and form. A Design Manual, site plan approval process and incentive or bonus zoning program were introduced to provide a strong, yet flexible design process with incentives to further public benefits. The documents also provide direction for public investments in future capital and operating budgets.

RC-3A The Downtown Halifax Secondary Municipal Planning Strategy and the Downtown Halifax Land Use By-Law shall provide guidance for policies, programs and regulations for the Downtown Halifax Plan Area.

9. Amend Section 7.3.2, by deleting the second paragraph, as shown in ~~strikeout~~ below, and replacing it with a new paragraph as shown in **bold** below:

7.3.2 Heritage Conservation Districts

The *Heritage Property Act* enables HRM to designate an area as a Heritage Conservation District (HCD) through the adoption of a heritage conservation district plan and by-law. This allows HRM to protect and enhance the special building character-defining elements and cultural heritage value of groups of properties, streetscapes and areas. It also enables HRM to provide strong protection from demolition for all buildings within a district, whether registered or not, and to provide financial incentives for their restoration and rehabilitation. The designation of such districts will be a priority in future secondary planning strategies.

~~Heritage Conservation Districts prioritized under the Downtown Plan include the South Barrington/Hollis/Morris District and the Historic Properties District. In 2012, in response to a community request, HRM also directed that the Schmitzville HCD should be established following completion of the South Barrington HCD.~~

The Barrington Street Heritage Conservation District Revitalization Plan and By-law were approved in conjunction with the Downtown Halifax Secondary Municipal Planning Strategy

and a heritage incentive program adopted with grants and incentives. Other Heritage Conservation Districts prioritized under the Downtown Halifax Secondary Municipal Planning Strategy include the South Barrington/Hollis/Morris District (Old South Suburb) and the Historic Properties District. In 2018, the Schmitville Heritage Conservation District Plan and By-law were approved for an area regulated under the Halifax Secondary Municipal Planning Strategy and the Halifax Peninsula Land Use By-law.

10. Amend Policy CH-10, by adding the words “Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use By-Law, the” after the words “adopted under the” and before the words “Halifax Secondary Municipal Planning Strategy”, as shown in **bold** below:

CH-10 HRM shall support views and viewplane policies and regulations adopted under the **Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use By-Law, the** Halifax Secondary Planning Strategy and Halifax Peninsula Land Use By-law, the Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By-law and the Downtown Dartmouth Secondary Planning Strategy and Downtown Dartmouth Land Use By-law. No alteration to these policies or regulations may be considered without an amendment to this Plan.

11. Amend Section 7.4 “Development Abutting Registered Heritage Properties”, by deleting the last two sentences in the first paragraph, as shown in ~~strikeout~~ below:

7.4 DEVELOPMENT ABUTTING REGISTERED HERITAGE PROPERTIES

The Halifax Secondary Planning Strategy contains criteria requiring that the architecture of new development in the immediate environs of heritage properties be sensitive and complementary to the heritage properties. While this criterion applies only within the Halifax Plan Area, the development of properties which abut federally, provincially or municipally registered heritage properties in all areas of HRM also warrants consideration. ~~In accordance with Policy RC-3 HRM will prepare a Regional Centre Urban Design Study that will be coordinated with the Culture and Heritage Priorities Plan (Policy CH-3). Once completed this plan will, among other things, address and clarify issues surrounding heritage protection and new development.~~

12. Amend the second paragraph of Section 7.4 “Development Abutting Registered Heritage Properties”, by deleting the words “In the interim,” before the words and numbers “Policy CH-16”, as shown in ~~strikeout~~ below:

~~In the interim,~~ Policy CH-16 will provide guidance for development abutting heritage properties. The intent is to support innovative design solutions, with emphasis on heritage integration, that incorporate architecture, place-making, and material selection of the highest quality that are appropriate in relation to their abutting neighbours.

13. In Appendix B, under the heading “Regional Centre and Urban Communities Plans”, adding the words **“Regional Centre Secondary Municipal Planning Strategy”** immediately above the words “Dartmouth Municipal Planning Strategy”.

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

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

Municipal Clerk

**ATTACHMENT D
AMENDMENTS TO THE REGIONAL SUBDIVISION BY-LAW**

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

1. Section 32A is added after Section 32 and before Section 33, as shown below in **bold**:

32A Clause 32(a) shall not apply within the lands regulated by the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law.

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

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

Municipal Clerk

**ATTACHMENT E
AMENDMENTS TO THE DARTMOUTH MUNICIPAL PLANNING STRATEGY**

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

1. All maps and schedules of the Municipal Planning Strategy for Dartmouth are amended to remove those areas located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns as shown on Map 1: Urban Structure - Secondary Municipal Planning Strategy for Regional Centre.
2. Amend the "Table of Contents" by:
 - (a) deleting the brackets, number, and words "(11) Former Dartmouth YMCA Property" under "CHAPTER 4 - HOUSING";
 - (b) deleting the brackets, number, and words "(12) Can-Euro Investments Limited Lands – Horizon Court" under "CHAPTER 4 - HOUSING";
 - (c) deleting the brackets, numbers, and words "(13) MTT Lands – Woodland Avenue (PID No. 40173668) under "CHAPTER 4 - HOUSING";
 - (d) deleting the brackets, numbers, and words "(14) 250 Victoria Road, 101 Albro Lake Road and 103 Albro Lake Road" under "CHAPTER 4 - HOUSING"; and
 - (e) deleting the brackets, numbers, and words "(8) 32 Primrose Street" under the "CHAPTER 5 - COMMERCIAL".
3. Amend the "Introduction" Section by adding a new paragraph, as shown below in **bold**, immediately prior to the existing first paragraph:

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

4. Repeal Section (11) "Former Dartmouth YMCA Property" under the "HOUSING" Chapter, inclusive of preamble and Policy H-16, by deleting it in its entirety as shown below in ~~strikeout~~:

~~(11) Former Dartmouth YMCA Property~~

~~The former Dartmouth YMCA property at the foot of Brookdale Crescent presents an opportunity for a higher intensity or cluster form of residential development, in addition to an opportunity for the dedication of recreational lands, including lakeshore and linkage for the developing Trans Canada Trail. Higher intensity development utilizing a smaller building footprint will enable the potential for shoreline protection, passive recreation and waterfront access opportunities to be maximized.~~

~~Policy H-16 — In addition to the requirements and provisions of Policy IP-5, and all additional referenced policies, the following shall be considered in the approval of any development agreement for multiple unit residential development on the former YMCA property at Brookdale Court:~~

- ~~(a) — The height, mass and orientation of any buildings(s) on the site shall be designed such that any negative impacts of altered wind and air current patterns on the recreational use of Lake Banook are minimized. The developer shall provide a report, prepared by a qualified person, to detail and analyze the expected effects of the alteration of wind patterns resulting from the redevelopment of this site;~~

- ~~(b) — Any negative impacts on surrounding developments as a result of changes to traffic volumes or patterns shall be minimized through a combination of alterations to the access and egress points and a reduction in the number of permitted units. The developer shall provide a report, prepared by a qualified person, to detail and analyze the expected effects on traffic volumes and patterns resulting from the redevelopment of this site;~~
- ~~(c) — Except for the areas to be used as public beach areas, provisions shall be made to provide continuous shoreline tree cover as viewed from the lake similar to the adjacent properties and provide continuous public walkway connection along the shoreline area between the Trans-Canada Trail and existing park parcel PID # 100511; and~~
- ~~(d) — The density of the development shall be similar to the overall density of adjacent multiple unit residential developments.~~

5. Repeal Section (12) “Can-Euro Investments Limited Lands – Horizon Court” under the “HOUSING” Chapter, inclusive of preamble and Policy H-17, by deleting it in its entirety as shown below in ~~strikeout~~:

~~(12) Can-Euro Investments Limited Lands – Horizon Court~~

~~The remaining lands of Can-Euro Investments Limited form a transitional area between the regional commercial centre of Mic-Mac Mall and the medium/high density residential area of Horizon Court. The location of these lands has a fairly high profile from Woodland Avenue/Highway 111 and presents an opportunity for additional medium/high density residential development, in addition to office-commercial development which may benefit from this particular location.~~

~~The Original “Mic-Mac Village Plan” created in 1963, identified an area for community park land partially in the area which is now owned by Can-Euro. The rezoning of this park land through the 2000/01 Woodland Avenue East Planning Process for future residential development displaced a portion of the original “park zoned” lands. As future development of the Can-Euro lands continues, it is necessary to recover suitable park land area to better serve the needs of this developing multiple unit residential area. While active parkland is available in the nearby Maybank field and Trans-Canada Trail, playground areas combined with rest and relaxation areas for older residents are needed.~~

~~Policy H-17 — The continued development of the Can-Euro land at Horizon Court (PID # 40661589, #40698490, #40661571) for multiple unit residential use shall be subject to the requirements of Policy IP-5. Notwithstanding the Residential Designation and R-3 zoning, office development with associated retail uses, including but not limited to small restaurants, pharmacy and/or convenience store, may also be considered by development agreement pursuant to the provisions of Policy IP-1(e). Council shall have particular regard for applicable provisions in addressing the recovery of park land displaced through the rezoning of “P” zoned lands as a part of the Woodland Ave East Planning Process.~~

6. Repeal Section (13) “MTT Lands – Woodland Avenue (PID No. 40173668)” under the “HOUSING” Chapter, inclusive of preamble and Policy H-18, by deleting it in its entirety as shown below in ~~strikeout~~:

~~(13) MTT Lands – Woodland Avenue (PID No. 40173668)~~

~~The Maritime Telephone and Telegraph Dartmouth Works Centre operated at this site for more than twenty years. The large graded site is strategically placed in relation to surrounding residential and commercial development. An opportunity for redevelopment of the site exists given its proximity to Woodland Avenue and Highway No. 111, and the regional shopping facilities at Mic-Mac Mall. The community planning process carried out in 2000/01 supports redevelopment for multiple unit~~

~~residential and/or office uses; however, a major retail facility(s) is not desired by the community. Access to the MTT site requires resolution prior to the consideration of any development proposal. No vehicular access will be allowed from Woodland Avenue.~~

~~Policy H-18 — Redevelopment of the former MTT works centre site (PID #40173668) for multiple unit residential use shall be subject to the requirements for Policy IP-5. Notwithstanding the Residential Designation and R-3 zoning, office development with associated retail uses including but not limited to small restaurants, pharmacy and/or convenience store may also be considered by development agreement pursuant to the provisions of Policy IP-1(c).~~

7. Repeal Section (14) “250 Victoria Road, 101 Albro Lake Road and 103 Albro Lake Road” under the “HOUSING” Chapter, inclusive of preamble and Policies H-19 and H-20, by deleting it in its entirety as shown below in ~~strikeout~~:

~~(14) 250 VICTORIA ROAD, 101 ALBRO LAKE ROAD AND 103 ALBRO LAKE ROAD~~

~~Housing For Women in Transition~~

~~Accommodations for women in transition is in ever increasing demand in Halifax Regional Municipality. These facilities are primarily utilized by a population seeking a measure of autonomy and anonymity. Appropriate accommodations are generally considered to be one bedroom or sitting room flats that are self contained in order to provide a source of independent living for a population with special needs. Women in transition require a flexible environment that facilitates independent living until their personal and economic conditions improve.~~

~~Residential requirements for transitional housing facilities are very similar to that of the general population, however, as occupants generally do not rely on private automobiles for transportation, parking requirements should be reduced to an appropriate level.~~

~~In specific regard to 250 Victoria Road and 101 and 103 Albro Lake Road collectively, provision will be made to maintain the provisions of the R-1M zone, while enabling a residential development that better utilizes this property and allows for a density approximating a range consistent with the R-3 zone to be considered by development agreement.~~

~~Policy H-19 — Notwithstanding any other policy in the Dartmouth Municipal Planning Strategy and all other policies within the section referred to as the Pinecrest/Highfield Park Secondary Planning Strategy, it shall be the intention of Council to provide, by way of a development agreement, for the development of not more than 8 dwelling units in one newly constructed building and recognition of two existing 8 unit buildings for a total of 3 buildings totalling not more than 24 dwelling units on the lands known collectively by civic addresses 250 Victoria Street, 101 and 103 Albro Lake Road (PID numbers 00057497, 00057489 and 00057471, respectively).~~

~~Policy H-20 — Pursuant to Policies H-19, IP-5 and IP-1c, and in accordance with Section 18(P) of the Dartmouth Land Use By-law, Council shall consider the following prior to approving any development agreement on the property:~~

- ~~(a) the compatibility of the building's size, height, and external design with that of adjacent buildings and with its surrounding neighbourhood;~~
- ~~(b) the adequacy of buffering, screening and landscaping;~~
- ~~(c) the adequacy of the amount and location of parking, access, the amount of traffic generation and the impact on the adjacent street network;~~
- ~~(d) the adequacy of municipal services;~~
- ~~(e) whether the development has been designed to make the project accessible~~

- ~~and safely useable by persons with diminishing physical ability;~~
- ~~(f) whether the development has adequate storage space within each dwelling unit (exclusive of entrance and bedroom closets) and the building;~~
 - ~~(g) any other matters, including criteria listed in Policy IP-5 that concern potential impacts that the proposed development may have on the surrounding area.~~

8. Amend the "PINECREST - HIGHFIELD PARK SECONDARY PLANNING STRATEGY" by repealing Policies 2.1.3a and 2.1.8, under "2.1 NEIGHBOURHOOD STABILITY AND RESIDENTIAL ZONING", as shown below in ~~strikeout~~:

2.0 RESIDENTIAL

2.1 NEIGHBOURHOOD STABILITY AND RESIDENTIAL ZONING

The Pinecrest-Highfield Park neighbourhood has one of the highest population densities in the Metro Area. The population is transient in nature, with over 90 percent of the residents renting their dwelling unit. Since people tend to move in and out of apartments much more frequently, the area lacks a sizable core of long-term residents.

The existing R-3 (Medium Density Residential) Zone has contributed to the replacement of single detached housing by medium density apartments. Furthermore, recent residential construction in the Highfield Park area has been almost exclusively apartment buildings.

Throughout the course of the Neighbourhood Plan's preparation, it was learned that the community's desire was that further apartment construction in the area be prohibited. The objective is to attain a higher level of neighbourhood stability, and this can be achieved, in part, by permitting development which encourages more home ownership and prevents the continued loss of existing single-family homes. Therefore, a new zone, R-1M (Modified), will be established in the Land Use By-law, to be placed on the older section of the Pinecrest area, where the majority of remaining single-family homes exist.

Besides facilitating increased stability within the neighbourhood, the new R-1M Zone has two additional advantages. Firstly, the zone will permit development on a lot size which is smaller than that allowed under the traditional R-1 Zone. This should translate into reduced lot prices, and also means that smaller housing units will be constructed, thereby significantly contributing to an affordable housing option within the neighbourhood. In order to enable small lot development to occur, an amendment to the City's Subdivision Regulations is required.

Secondly, the new zone is to be applied to that portion of the Pinecrest area having oversized existing lots (approximately 60 feet by 218 feet). The rear portion of many of these lots is not utilized. By implementing the R-1M Zone, the potential exists to develop single-family lots along newly created streets at the rear of the existing lots. This affords development opportunities for existing property owners, and further increases the single-family residential character of the neighbourhood.

Policy 2.1.1 In order to encourage the stabilization of the Pinecrest-Highfield Park neighbourhood, it shall be the intention of City Council to establish, in the Land Use By-law, a Single-Family Modified (R-1M) Residential Zone. The R-1M Zone shall allow those uses permitted in the R-1 (Single Family Residential) Zone. The R-1M Zone shall be applied only to the portion of the Pinecrest-Highfield Park neighbourhood, as indicated on Map 2, which presently contains the highest concentration of existing single-family dwellings.

Policy 2.1.2 In order to facilitate affordable single family housing development, it shall be the intention of City Council, within the R-1M Zone of the Land Use By-law, to permit development on lots smaller in size than that permitted within the R-1 (Single-Family) Zone. Therefore, it shall be the intention of City Council to amend the City's

Subdivision Regulations in order to permit the creation of smaller lots within the R-1M Zone.

Policy 2.1.3 It shall be the intention of City Council to not consider rezonings which would permit higher density Residential development on lands zoned R-1M within the Pinecrest-Highfield Park neighbourhood.

~~Policy 2.1.3a Notwithstanding Policy 2.1.3, Council may consider by development agreement, office uses and up to two residential units at 32 Primrose Street, PID# 00037937, in accordance with Policy C-31 of the Dartmouth Community Planning Strategy.~~

Policy 2.1.4 It shall be the intention of City Council to apply the R-1 (Single-Family Residential) Zone to those properties containing existing single-family dwellings which front on Leaman Drive and Ambercrest Place, as shown on Map 3.

Policy 2.1.5 It shall be the intention of City Council to apply the R-2 (Two-Family Residential) Zone to those properties containing existing single-family or two-family dwellings which front on Monique Avenue as shown on Map 3.

Policy 2.1.6 It shall be the intention of City Council to apply the TH (Town Housing) Zone to those properties containing existing town housing, including the Cedar Court development, a portion of Leaman Drive and a portion of True North Crescent, as shown on Map 3. The remaining vacant lands on True North Crescent shall also be zoned TH (Town Housing).

In addition to the application of R-1M zoning to utilize the full potential of oversized existing lots, there is a specific opportunity to incorporate single unit development as part of the City's affordable housing initiatives at True North Crescent.

The City has undertaken land banking in this area and previously supported townhousing. On its remaining lands, the option of single unit dwellings, alone or in combination with additional townhousing, will be considered. In undertaking this project, the City will have to consider the overall balance of housing on the street in terms of design, affordability and optimum use of public funds. For the purposes of this specific project, the lands will, temporarily, carry "dual" R-1M and TH Zones. Following construction, one of the zones on each property will be removed to reflect its actual use.

Policy 2.1.7 Notwithstanding Policies 2.1.1 and 2.1.6, Council may apply the R-1M (Single Family [modified] Residential) Zone to lands on True North Crescent.

Further to Policy 2.1.6 and for the purposes of design and construction of affordable housing, the R-1M Zone may be applied to vacant lands, for a time, in addition to and apart from the TH (Town Housing) Zone which shall also apply to these lands. Following development of the properties, the R-1M or TH Zone may be removed by amendment to the land use by-law and the remaining zone shall reflect the use of each property. (As amended by By-law C-700, August 17, 1993)

~~Policy 2.1.8 It shall be the intention of City Council to apply the R-3 (Multiple Family Residential-Medium Density) Zone to those areas of the neighbourhood containing a concentration of existing medium density apartment building development, as shown on Map 3. Generally, this includes the Highfield Park area, Pinecrest Drive where it abuts Highfield Park, and the area east of Pinecrest Drive to include development on Crystal Drive, Primrose Street and a portion of Leaman Drive.~~

~~It shall be the intention of City Council to apply the R-4 (Multiple Family Residential~~

~~–High Density) Zone to those properties containing existing high density apartment building development, generally bounded by Crystal Drive, Farthington Place and Pinehill Park, as shown on Map 3.~~

9. Amend the “PINECREST - HIGHFIELD PARK SECONDARY PLANNING STRATEGY” by repealing Section “6.0 COMMERCIAL” in its entirety, inclusive of “6.1 Neighbourhood Commercial Services”, preamble and Policies 6.1.1 and 6.1.2, as shown below in ~~strikeout~~:

~~6.0 COMMERCIAL~~

~~6.1 Neighbourhood Commercial Services~~

~~The Pinecrest-Highfield Park neighbourhood contains three areas of existing commercial development. The first is the Primrose Shopping Centre, located at the intersection of Victoria Road and Primrose Street. The second is a neighbourhood convenience store at the corner of Crystal Drive and Leaman Drive. The third area comprises the northern side of Highfield Park Drive and contains a number of highway oriented commercial uses, including a home improvement centre, motel, service station and commercial plaza.~~

~~During the course of the Neighbourhood Plan process, residents expressed the feeling that the area lacks an adequate level of neighbourhood commercial services, both in terms of location and types of uses. While this is an inconvenience for people with automobiles, it is a particular hardship for those who walk or use transit.~~

~~Policy 6.1.1 — It shall be the intention of City Council to apply the C-1 (Local Business) Zone to those areas containing existing convenience and neighbourhood commercial facilities, including the Primrose Shopping Centre lands and lands at the corner of Crystal Drive and Leaman Drive, as shown on Map 3.~~

~~It shall be the intention of City Council to apply the C-2 (General Business) Zone to lands which are presently undeveloped or which contain existing commercial uses, situated on the northern and western sides of Highfield Park Drive, as shown on Map 3.~~

~~Policy 6.1.2 — It shall be the intention of City Council to encourage the Sobey's company and other existing and future commercial developments in Highfield Park to provide more neighbourhood commercial services for residents of the neighbourhood.~~

10. Repeal Subsection 1(e) in Section (1) Retail Facilities, in “COMMERCIAL”, in its entirety as shown below in ~~strikeout~~:

~~(e) — Regional Retail Facilities — Lands to the North of MicMac Mall: MicMac Mall is an established regional shopping area. The expansion of commercial development in this area will include major regional users. In order to mitigate the effects of this development, through site planning, building and operating controls, any proposed development of the property shall only be considered by development agreement.~~

11. Repeal Policy C-18 in “COMMERCIAL”, in its entirety as shown below in ~~strikeout~~:

~~Policy C-18 — It shall be the intention of City Council to consider commercial development, including regional retail facilities, by development agreement, on land that is designated Commercial and shown on Map 9i.~~

~~In considering the approval of such agreements, Council shall include the consideration of matters which reduce the effects of commercial development and~~

operations on adjacent residential uses, including but not limited to:

- (i) buffering and separation distances;
- (ii) the preservation of mature vegetation and other desirable natural features;
- (iii) hours of operation;
- (iv) landscaping of the site and parking lots;
- (v) truck routes;
- (vi) maintenance of the site;
- (vii) limitations on outdoor storage, display and uses;
- (viii) architectural considerations (refers to compatibility as it relates to adjacent neighbourhoods); and
- (ix) any and all other matters applicable to the development of the lands as set out in Policy IP-1(e).

12. Repeal Policy C-19 in "COMMERCIAL", in its entirety as shown below in ~~strikeout~~:

~~Policy C-19~~ — ~~Notwithstanding Policy C-18 no development agreement on the lands shown by Map 9(i) shall permit the following:~~

- ~~(a) automotive sales, rental, service or repair uses;~~
- ~~(b) drinking establishments, adult entertainment uses, amusement centres and fast food restaurants;~~
- ~~(c) except for uses which are accessory to the main use of the land, outdoor storage and display uses, including temporary uses such as flea markets and amusement fairs; and~~
- ~~(d) industrial uses.~~

13. Repeal Policies C-20(1), C-20(2), and C-20(3), in their entirety as well as the preamble above Policy C-20(1) in "COMMERCIAL", as shown below in ~~strikeout~~:

~~The properties located at 240 Victoria Road and 102 Albro Lake Road, bounded by Victoria Road, Albro Lake Road and Chappell Street, are potential sites for commercial redevelopment. These commercially designated and zoned properties abut a residential neighbourhood and are located at the intersection of two collector streets. Because of various concerns regarding the location of this site and the potential traffic impacts and effects on nearby properties, any large scale redevelopment shall be permitted only through the development agreement process.~~

~~Policy C-20(1) — It shall be the intention of Council to consider the development of a gas bar and local commercial uses, on the commercially designated parcel of land known as 240 Victoria Road, and identified by PID number 00038810, only by development agreement. Notwithstanding that major redevelopment may take place only by development agreement, renovations to the existing building, the construction of replacement buildings of a similar size, and changes of use may occur subject to the requirements of the C-1 Zone.~~

~~Policy C-20(2) — To enable appropriate reuse of an existing commercial building on the property known as 102 Albro Lake Road and identified by PID number 00038802, Council may consider, by development agreement, an automotive repair garage contained within the building in addition to development permitted under the zone applied to the property.~~

~~Policy C-20(3) — In considering the approval of agreements pursuant to Policies C-20 (1) and C-20 (2) above, Council shall have regard to the following:~~

- ~~(a) the proposed uses for the site and their compatibility with nearby residential uses;~~

- ~~(b) the provision of adequate visual screening and buffering of the parking areas, traffic circulation areas, and any gas sales area from nearby residential properties;~~
- ~~(c) the location, design and adequacy of driveway access points, and that no commercial driveway access to Chappell Street shall be considered;~~
- ~~(d) the adequacy of vehicular and pedestrian circulation on the site, and parking layout;~~
- ~~(e) the hours of operation of uses on the site;~~
- ~~(f) measures to reduce the effects of noise, lighting and odours originating from the property on other nearby properties;~~
- ~~(g) the size, height, orientation, location, and design of any proposed buildings, signs, structures, parking areas and driving aisles;~~
- ~~(h) the provision of adequate landscaping for the site;~~
- ~~(i) any and all other applicable matters as set out in Policy IP-1(c).~~

14. Repeal Policy C-31, of Section (8) 32 Primrose Street, in "COMMERCIAL", in its entirety as shown below in ~~strikeout~~:

~~(8) 32 Primrose Street~~

~~Policy C-31 (i) Notwithstanding the residential designation and the R1-M zoning, Council may consider by development agreement, office uses and up to two residential units at 32 Primrose Street, PID # 00037937.~~

~~In addition to having regard for general implementation policy IP-1(c), Council shall ensure that controls are placed in the agreement which reduce the commercial appearance of the property, ensure adequate lot maintenance standards, and minimize impact on nearby residential properties.~~

THIS IS TO CERTIFY that the plan of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20_____.

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

Municipal Clerk

ATTACHMENT F

AMENDMENTS TO THE DARTMOUTH LAND USE BY-LAW

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

1. Amend "SECTION 2: GENERAL PROVISIONS" by adding a new Section 2A, following Section 2, as shown in **bold**:

2A The Land Use By-law for Dartmouth shall not apply to the lands located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns, as shown on Schedule 1: Regional Centre Land Use By-law.

2. All schedules and maps of the Land Use By-law for Dartmouth are amended to remove those areas located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes and Downtowns as shown on Schedule 1: Regional Centre Land Use By-law.

3. Amend the "TABLE OF CONTENTS" by:
 - (a) deleting the words "SCHEDULE N" from "SECTION 4: SCHEDULING";
 - (b) deleting the words "SCHEDULE R" from "SECTION 4: SCHEDULING";
 - (c) deleting the words "SCHEDULE V" from "SECTION 4: SCHEDULING";
 - (d) deleting the words "SCHEDULE X" from "SECTION 4: SCHEDULING"; and
 - (e) deleting the words and number "SCHEDULE Z(1)" from "SECTION 4: SCHEDULING".

4. Amend "SECTION 2: GENERAL PROVISIONS", by repealing Sections 18E, 18G, 18L, 18M, 18N, 18N(1), and 18S, in their entirety, as shown below in ~~strikeout~~:

~~18E Certain commercial uses situated on lands identified by crosshatching on Schedule "N" attached hereto and forming part of this By-law and according to Policies C-18 and C-19 may be considered by development agreement~~

~~18G Notwithstanding any other provisions of this By-law, on those lands known as 240 Victoria Road and 102 Albro Lake Road as identified on Schedule "R", any redevelopment not permitted by the zone applied to the Lands may be considered only according to Policy C-20 of the Municipal Planning Strategy~~

~~18L Notwithstanding any other provisions of the By-law, on lands known as "Former Dartmouth YMCA Property", as identified as Schedule "V", development may be considered in accordance with Policy H-16 of the Municipal Planning Strategy.~~

~~18M Notwithstanding any other provisions of the By-law, on lands known as "Can-Euro Investments Limited (PID Nos. 40661589, 40698490, 40698482 and 40661571)", as identified as Schedule "V", development may be considered in accordance with Policy H-17 of the Municipal Planning Strategy.~~

~~18N Notwithstanding any other provisions of the By-law, on lands known as "MTT Lands - Woodland Avenue (PID No. 40173668)", as identified as Schedule "V", development may be considered in accordance with Policy H-18 of the Municipal Planning Strategy~~

~~18N(1) Notwithstanding any other provisions of this By-law, on lands known as 250 Victoria Road and 101 and 103 Albro Lake Road collectively, as identified on Schedule "X" of this by-law, development may be considered by development agreement in accordance with Policies H-15, H-16, IP-5 and IP-1c of the Municipal Planning Strategy.~~

~~18S Notwithstanding any other provisions of this Bylaw, on lands known as 32 Primrose Street, as identified on Schedule "Z(1)" of this Bylaw, a development agreement may be considered in accordance with Policy C-31.~~

5. Repealing SCHEDULE N (Lands Subject to Development Agreement) in its entirety.
6. Repealing SCHEDULE R (Lands Subject to Development Agreement) in its entirety.
7. Repealing SCHEDULE V (Lands Subject to a DA) in its entirety.
8. Repealing SCHEDULE X in its entirety.
9. Repealing SCHEDULE Z(1) (32 Primrose Street) in its entirety.

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

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

Municipal Clerk

**ATTACHMENT G
AMENDMENTS TO THE DOWNTOWN DARTMOUTH SECONDARY MUNICIPAL PLANNING
STRATEGY**

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

1. Amend the "TABLE OF CONTENTS", as shown below in **bold** and ~~strikeout~~ as follows:
 - (a) Add the words "**Lands Within the Boundary of the Regional Centre Secondary Municipal Planning Strategy**" immediately below the words "Organization of the Plan" under "CHAPTER 1: INTRODUCTION – A NEW PLAN FOR THE DOWNTOWN";
 - (b) Delete the words "~~Downtown Businesses~~" from "CHAPTER 2: COMMUNITY OVERVIEW";
 - (c) Delete the words "~~Figure 4 – Neighbourhood Residential Opportunity Sites~~" from "CHAPTER 4: THE POLICIES";
 - (d) Delete the words "~~4.2 The Business District~~" from "CHAPTER 4: THE POLICIES";
 - (e) Delete the words "~~Figure 5 – Business District Residential Opportunity Sites~~" from "CHAPTER 4: THE POLICIES";
 - (f) Delete the words "~~Map 4 – Downtown Business District Proposals~~" from "CHAPTER 4: THE POLICIES";
 - (g) Delete the words "~~Table 4 – Downtown Action Program~~" from "CHAPTER 5: IMPLEMENTING THE PLAN";

2. Amend "CHAPTER 1: INTRODUCTION – A NEW PLAN FOR THE DOWNTOWN" by adding a new Section titled "Lands Within the Boundary of the Regional Centre Secondary Municipal Planning Strategy" after the Section titled "Organization of the Plan", as shown below in **bold**:

Lands Within the Boundary of the Regional Centre Secondary Municipal Planning Strategy

The Downtown Dartmouth Secondary Municipal Planning Strategy shall not apply to those lands located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns as shown on Map 1: Urban Structure – Municipal Planning Strategy for Regional Centre (Package A).

3. Delete the sixth paragraph within the "Housing Trends" Section of CHAPTER 2: COMMUNITY OVERVIEW in its entirety, as shown below in ~~strikeout~~:

~~At the writing of this plan, there appears to be renewed private sector interest in residential development downtown, with proposals being considered for several of the downtown opportunity sites. The Municipality and Waterfront Development Corporation are considering a proposal for townhousing on its properties located at the corner of Wentworth, Alderney Drive, and King Street. While the downtown is not likely to see a "housing boom", a period of gradual, sustained growth is probable.~~

4. Delete the "Downtown Businesses" Section of CHAPTER 2: COMMUNITY OVERVIEW in its entirety, as shown below in ~~strikeout~~:

~~Downtown Businesses~~

~~While arguably Downtown Dartmouth remains an important business and employment node, it has struggled over the past decade to maintain its prominence, in the face of increasing investment and growth in the Dartmouth=s business park and suburban commercial districts. In 1999, business occupancy tax assessments totaled \$77, 120, 900 for Downtown Dartmouth, which represents approximately 48 % of the total business assessments for all of Dartmouth. However, since 1995 business occupancy and commercial assessments have been on an overall decline in both the downtown and in larger community of Dartmouth. Recent years have seen some stabilization and slight increases in tax assessments.~~

~~Despite the perceived decline in the prominence of the downtown commercial district, the number of business uses actually continues to grow at a fairly steady rate. Recent data indicates that there are 404 businesses which operate in the area, representing an increase of 50% since 1988.~~

~~The retail and professional business sectors make up the largest proportion of businesses in the area (52%). In fact there has been a 40% rate of growth since 1988 in both of these sectors.~~

~~In terms of ground floor retail/commercial locations, a 1999 survey shows only 20 vacant storefronts out of a total of 232 in the whole of the downtown, however, 13 of these are situated on Portland Street, the downtown's traditional "main street", which presents a negative image of the downtown business community.~~

~~After a prolonged period of high vacancy rates in downtown office space, a recent upturn in demand has led to a turnaround in the local office market. Vacancy rates in office space have declined substantially and are less than 5% at the time of writing this plan.~~

~~...a 1999 survey shows only 20 vacant storefronts out of a total of 232 in the whole of the downtown, however, 13 of these are situated on Portland Street, the downtown's traditional "main street"...~~

~~According to recent economic indicators, HRM is experiencing positive economic growth in employment, tourism, and industry sectors, and this trend is expected to continue, particularly as the offshore industry continues to develop in this Province⁵. Downtown Dartmouth is poised to take advantage of the economic spin-offs likely to result from an improved economy within the region.~~

5. Delete the "Community-Oriented Business Area" Section of CHAPTER 3: THE DEVELOPMENT CONCEPT is in its entirety, as shown below in ~~strikeout~~:

1. ~~Community-Oriented Business Area~~

~~One of the key concepts underpinning this strategy is the belief that there should be a concentrated central area which is oriented towards local service rather than regional needs.~~

~~In this area, a broad mix of land uses are encouraged including housing, commerce, culture and public uses. This plan achieves this mix by combining what had been four separate land use zones into one downtown business zone in which all of these uses can occur in response to market conditions.~~

~~The Portland/Alderney “main street” provides a focus for street level activity and encouraging businesses to spill out onto the street.~~

~~Business investment will be stimulated through streamlined the rules for development, proactive development strategies for key sites, and through various incentives and public investments.~~

6. Amend the second paragraph within the “Increased Residential Development” Section of CHAPTER 3: THE DEVELOPMENT CONCEPT by deleting the words “the business district and”, as shown below in ~~strikeout~~:

~~In terms of the form of housing desired, this plan will encourage a transition of housing from the centre outwards to the neighbourhoods. That is, lower and medium density housing will be encouraged within the neighbourhoods, whereas higher densities will be stimulated within the business district and waterfront areas. Table 2 provides guidance on how this plan defines low, medium, and high density housing, and the typical housing types that fall within these density ranges.~~

7. Amend the third paragraph within the “Increased Residential Development” Section of CHAPTER 3: THE DEVELOPMENT CONCEPT by:
 - (a) deleting the words “several components”;
 - (b) deleting the second bullet point in its entirety; and
 - (c) deleting the third bullet point in its entirety;

~~as shown in strikeout, as follows:~~

~~The strategy for residential development consists of several components:~~

- ~~• Vacant or underutilized buildings in the core will be encouraged to convert to residential use.~~
- ~~• All new residential construction exclusive of the Portland/Alderney main street will be required to have a residential component.~~
- ~~• Ten “residential opportunity sites” are identified to stimulate further residential growth.~~

8. Delete the fourth paragraph within the “Increased Residential Development” Section of CHAPTER 3: THE DEVELOPMENT CONCEPT in its entirety, as shown below in ~~strikeout~~:

~~It is estimated that full development of the opportunity sites at the desired densities would result in 864 new dwelling units and 1900 new residents in the downtown (and a total population of 8,200), which is a start towards achieving the goal of a target population of 10,000 residents in the downtown by the year 2020.~~

9. Amend the section titled “Policy Sections” of CHAPTER 3: THE DEVELOPMENT CONCEPT by deleting the words “The Business District” in listed item #2, as shown below in ~~strikeout~~:

~~Policy Sections~~

~~These main ideas provide the foundation for the policies that follow. The following chapter details the various policies under eight headings:~~

- ~~1. The Neighbourhoods~~
- ~~2. The Business District~~

3. The Waterfront
 4. Urban Design
 5. Heritage
 6. Recreation, Open Space, & Environment
 7. Transportation and Infrastructure and
 8. Safety
10. Amend the seventh paragraph within Section 4.1 The Neighbourhoods of CHAPTER 4: THE POLICIES by:
- (a) deleting the words “the business district and on”; and
 - (b) deleting the last sentence;
- as shown in ~~strikeout~~ as follows:
- ~~Higher density housing and larger apartment development will be directed towards the business district and on the waterfront, where the development process will be streamlined to stimulate private sector interest. Five additional residential opportunity sites are discussed further in the business district and waterfront sections of this plan where higher densities are permitted (refer to Map 3 & Policies B-6 & W-6).~~
11. Amend policy N-1 of CHAPTER 4: THE POLICIES by deleting the last sentence , as shown below in ~~strikeout~~,
- Policy N-1
- This plan establishes a “Downtown Neighbourhood Designation” to recognize and protect the character of residential neighbourhoods surrounding the downtown business district. Within the designation, a Downtown Neighbourhood Zone will control future development to ensure it is consistent with the traditional lot and housing patterns in the neighbourhoods. Lower density housing types such as one and two unit dwellings, small scale townhousing, and limited conversion of existing dwellings will be encouraged throughout the neighbourhoods. ~~Proposals for medium density townhousing and low rise apartments that are not enabled by the zoning may be considered on designated “residential opportunity sites” in accordance with Policy N-5.~~
12. Amend policy N-2 of CHAPTER 4: THE POLICIES by deleting clause (a), as shown below in ~~strikeout~~:
- Policy N-20
- This plan encourages the retention and creation of dwelling units suitable for families with children in an effort to diversify the population and maintain area schools. This shall be achieved through the following means:
- a) ~~specific targets for family housing on the residential opportunity sites (Policies N-5, B-6 & W-6);~~
 - b) standards set out in the Land use by-law for conversion of units to family type accommodation;
 - c) policies which encourage incentives for renovation of existing housing (Policy N-3).
13. Delete the “Residential Opportunity Sites” Section of CHAPTER 4: THE POLICIES, in its entirety, inclusive of preamble, policies, footnotes, and figures, as shown below in ~~strikeout~~:

Residential Opportunity Sites

This plan provides opportunity for medium density housing such as, larger townhouse developments and low rise apartments, to be integrated within the neighbourhoods. Six "residential opportunity sites" are identified within the neighbourhoods where such proposals can be considered. These sites are either vacant or under used and are suited for redevelopment. An opportunity exists for innovative housing projects on these sites which provide alternative housing choices, while also blending with the character of these areas. Figure 4 provides detailed descriptions of these sites, and Map 3 shows their location.

The development agreement process will be used to consider proposals on these sites. This process will enable Council to assess proposals on a case by case basis with opportunities for public input. Policy N-5 sets out the parameters for development, and will enable the application of design standards for each site to ensure any development reflects the unique characteristics of each neighbourhood. Density and height limits are specified in policy both to provide certainty for the neighbourhood and also to stimulate private sector interest in these sites.

Proposals for these sites should complement and strengthen the surrounding neighbourhood. The scale of any infill development will be ground oriented, with careful building and site design. Where appropriate, a mix of housing types is desired on these sites including detached dwellings, townhouses, small scale apartments. Targets are set out to ensure development on these sites is geared towards the needs of families with children.

Figure 4: Neighbourhood Residential Opportunity Sites:

Site A – Park Avenue/King Street (2.1 acres)

This site has been vacant since 1970, when portions of Church Street, Park Avenue, and Edward Street were closed and deeded to a developer who planned to build two 15-storey high rise residential buildings. A number of existing single family houses were torn down in anticipation of this project, which never occurred. The site is the largest of the opportunity sites within one of the smallest neighbourhoods. Any redevelopment must be carefully designed to complement rather than overwhelm the area. Area residents would like development on this site to be geared towards younger people and families to the area to counter an aging population in the area.

Site B – Devonshire Street (1.3 acres)

Site B consists of three parcels along Devonshire Street, off Myrtle Street. Currently, one parcel is utilized as auto body shop, one for a 4 unit apartment building, and the largest one is a storage yard with a workshop, formerly the Dartmouth Fuels truck depot. Also adjacent to the site is a road reserve owned by HRM which accesses Maple Street. A portion of the parking lot located behind the credit union property at 155 Ochterloney Street could also be incorporated within a redevelopment, and would likely be necessary should the road reserve be utilized. Redevelopment of this site also offers the opportunity to provide rear yard access to abutting homes on Maple Street which lack street access and parking.

Site C – Tulip Street (0.86 acres)

This site is located at the end of Tulip Street, and was formerly used as an autobody shop.

The use of a private lane or shared driveway will most likely be required to provide adequate access. The heritage of the site should be considered in evaluating any redevelopment proposal, as it was once part of the Edgemere estate.

Site D – Maple/Thistle Streets (0.5 acres)

The site located at 46 Maple Street at the corner of Maple and Thistle Streets was historically used for various industrial and commercial uses, with automotive sales and storage having been in place for a number of years. The site is more suited for residential uses, and given its high visibility, and the challenges posed by the large grade difference to Thistle Street, design is of critical importance.

Site E – Prince Albert Road (0.9 acre)

This former car dealership site was previously designated and zoned for commercial use; but given the location of the site would best be utilized for housing. Given the previous commercial designations on the site, and its location on a major downtown street, a mix of ground floor commercial uses may also be appropriate along Prince Albert Road. Because the bulk of the site is located behind various residential properties on three streets, the provision of adequate setbacks and buffering is vital to ensure the retention of reasonable privacy in the adjacent backyards.

Site F – 8 Linden Lea (1.16 acres)

This site is developed with a three storey multiple unit dwelling that is nearing the end of its functional life. The site is surrounded by a mix of single unit dwellings, low rise walk up apartments and two unit dwellings. On the west side of Linden Lea is a small park. The site is within walking distance of transit facilities and downtown amenities and may be best utilized for multiple unit residential development. The irregularly shaped lot and moderately steep slope at the rear of the site require an innovative design but the large lot area provides for large building footprint, private amenity space and retention of the trees surrounding the site boundary that will provide a mature vegetative buffer.

Policy NB4

Small scale townhouse development may occur within the neighbourhoods without impacting on neighbourhood character or stability. Such developments shall be considered through the site plan approval process to ensure appropriate site design standards are satisfied to maintain compatibility and minimize any adverse effects on adjacent dwellings. The Land use By-law shall set out the requirements for site plan approval.

Policy N-5

In order to achieve the goals of strengthening the neighbourhoods, bringing more people to live downtown, and of providing a variety of housing options with an emphasis on families, additional housing opportunities will be provided for six sites shown on Map 3. The development of medium density housing including townhousing and low-rise apartment buildings may be considered on these sites. The development agreement process will be used to assess individual proposals and set out detailed site and building design standards which reflect the unique character and scale of the neighbourhoods 10.

Council shall consider the following criteria in its evaluation of development agreement proposals under this policy:

- a) where suitable, a mix of dwelling types should be achieved including townhousing, apartment and detached dwelling units. As a target, approximately 25 % of housing should be designed to accommodate families with children;
- b) reasonable controls should be set out on the bulk, scale, and density of any proposed development to ensure it does not significantly alter the character of the area;

- ~~i) The preferred form of development is low rise, ground-oriented, medium density housing. Development proposals should be consistent with the surrounding neighbourhood and should not exceed a maximum density of 35 units per net acre¹¹ and a height of three stories. Minor variations¹² in these limits may be considered where the proposal clearly offers substantial benefits to the neighbourhood in terms of additional open space, landscaping, and urban design amenities or where there are unique site conditions which justify variations in height or density in order to minimize site disturbance.~~
- ~~ii) On Site A, only street level townhousing or detached dwellings will be permitted along the King Street corridor to ensure compatibility with adjacent residences. Any apartment buildings should be sited to the northern and western portions of the site towards Alderney Manor and the Dartmouth Common. Minor variations¹² in allowable building heights may be considered for these portions of the site to encourage innovative building design and development which is in keeping with the natural terrain. Appropriate buffers should be provided between any apartment buildings and adjacent dwellings on Edward Street.~~
- ~~c) the architecture and external appearance of any proposed buildings should reflect the traditional character of dwellings within the immediate neighbourhood and are in keeping with traditional design principles set out in Policy D-1 of this plan;~~
- ~~d) the proposal should not involve the wholesale demolition of existing housing stock;~~
- ~~e) where applicable, street corridor views of the harbour should be maintained and enhanced;~~
- ~~f) adequate buffers and screening should be provided for any proposed apartment buildings or parking areas from adjacent single family residences, and the attractive fencing and landscaping to enhance privacy should be provided where appropriate;~~
- ~~g) adequate landscaping and/or street trees should be provided around the perimeter of the development to enhance the aesthetics of the site;~~
- ~~h) adequate recreation and amenity space including play areas for children should be provided where appropriate;~~
- ~~i) parking areas should not be located so as to dominate the site. The visual appearance of parking areas should be minimized through use of landscaping treatments, rear yard or enclosed parking, reduced parking standards or other appropriate means;~~
- ~~j) traffic circulation and access to and from the site should be designed to minimize adverse impacts on adjacent residential uses.~~
- ~~k) adequate provisions should be made for safe and convenient pedestrian circulation on the site;~~
- ~~l) underground infrastructure services should be adequate to support the development;~~
- ~~m) measures should be proposed to mitigate the impacts of construction on adjacent properties;~~
- ~~i) Given the extent of surface bedrock on Site A, every effort shall be made to develop the site sensitively with minimal disturbance to the site and surrounding neighbourhood;~~

- ~~n) significant natural and cultural features on the site should be identified and protected where appropriate;~~
 - ~~o) adequate measures are incorporated to ensure the development is maintained to a high standard, including all building and site areas and landscaping; and~~
 - ~~p) the developer shall make a reasonable effort to collaborate with neighbourhood residents on the design of any proposed development.~~
14. Delete the “Commercial Encroachment” Section of CHAPTER 4: THE POLICIES, in its entirety, inclusive of preamble and policy, as shown below in ~~strikeout~~:

~~Commercial Encroachment~~

~~Generally, further encroachment of commercial uses into the neighbourhoods should be discouraged, except for the commercial uses referenced above.~~

~~However, the area along Prince Albert Road between Pleasant Street and Eaton Ave is somewhat unique. It directly interfaces with the business district and had previously been zoned for commercial use. Consequently, that area contains a mix of both commercial and residential development. There is a desire to accommodate some limited commercial development in this area, given its location adjacent to a major community landmark, the Starr Manufacturing site.~~

~~Policy N-8~~

~~To provide a transition to the business district limited commercial development may be permitted on properties fronting Prince Albert Road adjacent to the Starr Manufacturing site. Where compatible, expansion of existing uses or new commercial proposals may be permitted in this area through the site plan approval process. The Land Use By-law shall set out requirements to limit the impact of commercial development on adjacent residential uses.~~

15. Delete section 4.2 THE BUSINESS DISTRICT of CHAPTER 4: THE POLICIES, in its entirety, inclusive of preambles, policies, footnotes, and figures, as shown below in ~~strikeout~~:

~~4.2 THE BUSINESS DISTRICT~~

~~From its beginnings Downtown Dartmouth served as the centre of business and civic life for the community. The new direction for the downtown seeks to build on this role to bring about the revitalization of the area.~~

~~A History of Business~~

~~Since not long after 1750 when the first permanent European settlement was established in Dartmouth, the downtown area has been the centre of business for the community. The ferry service to Halifax has always been a key component in commercial activity for the area, at first allowing Dartmouth farmers to carry their produce to Halifax markets, and evolving over time into a major commuter and tourist route.~~

~~The level of retail and commercial activity in the downtown peaked in the 1950's and 60's, with a thriving district of small retail and specialty shops, department stores, and other small businesses. With the opening of the MacDonald Bridge in 1955, followed by the development of Burnside Industrial Park and major shopping malls, the level of activity in downtown decreased considerably. Also during this period, portions of the historic core of downtown~~

were razed to make way for large scale office complexes and a waterfront expressway to replace downtown's "Commercial Street". While these projects contributed high quality office space and employment to the area, their massive building structure had little connection to the traditional fabric of the downtown.

The decline of retail activity is most evident today in the empty and unattractive storefronts which are most visible on Portland Street. Extensive government funding in the early 1980's for capital improvements to streets and public infrastructure was not successful in revitalizing the area, as such improvements by themselves do not generate long-term business or customer traffic. While downtown is still arguably the main office and service centre for Dartmouth, the level of retail activity has remained relatively low as shoppers continue to patronize other areas. Today little remains of a once thriving business community. Local conveniences and departments stores have given way to pawn shops, graffiti, and vacant and run-down buildings. While small improvements have been made through the initiative of individuals, a coordinated effort is needed.

All agree that the strategy should focus on bringing more people to live downtown, reducing regulation for the business sector, upgrading properties and fostering private sector investment through incentives. Past efforts to have the area compete directly with Downtown Halifax are not wanted, rather the unique features of the area are to be built upon. This will lead to the development of a specialty retail, service and cultural environment that is unique in the region, drawing on an increased local population as well as attracting more shoppers and tourists from outside of the downtown.

Objectives

- Revitalize the business district by building on its strengths: its small town character and traditional role as a community-oriented service centre.
- Promote a lively, "people friendly" atmosphere with activity beyond 9 to 5 daytime hours.
- Increase the number of residents in the Downtown through the provision of a mix of quality housing.

Policies

Mix of Land Uses

The business district is intended to cater first and foremost to people living and working in the area, as well as tourists and those living in others areas of the municipality. The area included within the district should be kept relatively compact until such time as there is a need for additional commercial land. In order to foster development, this plan will encourage a broad range of land uses. Most commercial area uses are appropriate, for maximum diversity and appeal. In addition to office uses, there is a need to develop more specialty retail, artist studios and galleries, coffee shops, and cafes which open in the evening to attract people to the area beyond "9 to 5".

Business opportunities will be enhanced through the "Business District Zone" which will allow the development of broad mix of land uses, based upon the traditional character of the downtown. Upper limits will be set on the height of buildings and urban design standards will apply to new commercial and residential development. This plan seeks to provide flexibility for Council to consider larger scale commercial proposals which meet the intent of the plan, but which may exceed specific aspects of the Land Use By-law. Policy B-3 allows these

proposals to be considered by council through the development agreement process. Similarly, car-oriented commercial uses, such as drive through restaurants and gas stations, require special consideration in traditional downtown settings, where the needs of the pedestrian should take precedence over the car. The development agreement process will be used to consider design options to best integrate these commercial uses within the area.

As the downtown has declined, lower rents have given way to a number of businesses which the community now see as negative for the area. Such businesses include adult entertainment uses and pawn shops. These uses are not consistent with the vision of the area as a quality, specialty oriented marketplace. Further proliferation of these uses is not desired.

Policy B-1

This plan establishes a Downtown Business District to reflect the historic central area of Dartmouth (refer to Map 3). In keeping with its traditional character, a broad mix of retail, service, office, cultural, and residential uses shall be encouraged with the exception of uses which are seen as negative for the area. A Downtown Business District Zone will ensure an appropriate mix of uses, on lot sizes reflecting the traditional development pattern.

Policy B-2

Further proliferation of pawn shops and adult entertainment uses shall be discouraged by this plan. If deemed necessary, Council should seek to strengthen existing regulations which apply to pawn shop operations.

Policy B-3

Commercial projects not permitted by the Downtown Business District Zone may be considered by Council through the development agreement process. This process shall be used to assess whether the proposal is consistent with the pedestrian orientation and traditional character of the business district. The following criteria shall be used in evaluating a proposal for such uses:

- a) that the development is in keeping with the character of the area, in terms of traditional building design and placement in relation to the street (refer to Urban design Policy D-1);
- b) that height limits and design features are incorporated to ensure proposed buildings are pedestrian oriented and are in keeping with the scale of adjacent buildings. As a guideline proposed commercial or mixed use buildings should not exceed five to seven stories;
- c) that a mix of uses should be encouraged including residential components, with the ground floor dedicated to commercial or other uses aimed at serving the general public. The ground floor of buildings should incorporate design elements to reinforce a human scale and enhance street level activity.
- d) that any signs are consistent with the heritage theme and reflect a pedestrian-oriented scale;
- e) that parking areas do not visually detract from the streetscape and adequate consideration is given to landscaping and other surface treatments for parking areas on the site. Wherever possible, parking areas should be enclosed within a building;
- f) Car-oriented uses such as drive-through restaurants and gas stations shall only be permitted where they are specially designed so that any drive through component is clearly secondary to the pedestrian orientation of the use.

Main Street

Historically, Portland Street and Alderney Drive (formerly Front and Commercial Streets) functioned as the “main street” where many storefronts lined these streets to capture the interest of passers by. Up and until the 1960s, Downtown Dartmouth was a vibrant community and destination for many in outlying areas. Over the years the pedestrian character of the main street has diminished as a result of residents moving out of the area to outlying areas, and the rise in suburban shopping. Many storefronts have given way to taller office towers, and smaller, street oriented shops.

This plan seeks to restore “main street” by requiring storefronts at the ground floor, encouraging businesses to spill out onto the street through sidewalk cafes, and the small scale outdoor display of certain new goods and articles such as foods, flowers, and crafts.

Policy B-4

The municipality will encourage street-level activity on the Downtown’s traditional shopping street through provisions for sidewalk cafes & outdoor displays of merchandise, and by retaining the majority of ground floor space in buildings located within the Portland and Alderney Corridor for commercial storefronts.

Residential Development Opportunities

The development of high quality housing within and surrounding the business district is seen to be the key to revitalizing the area. Section 4.1 of this plan presents a strategy for key “residential opportunity sites” within the neighbourhoods, fulfilling one component of an overall strategy to increase the population base of the area.

Similarly, the business district affords opportunities for residential development of various types, of a higher density than is appropriate within the neighbourhoods. A clear strategy for residential development will create a stimulus for further development. A variety of opportunities exist for residential development within the business district, ranging from apartments over commercial storefronts on the “main street”, to conversions of existing commercial buildings to residential space, to new mixed use projects, or higher density apartments on key opportunity sites. The strategy will include these various opportunities for residential development.

Increased housing opportunities within the business district will be realized by streamlining the development process for smaller scale apartment buildings to be developed under the proposed zoning for the area, and larger scale projects will be permitted at council=s discretion (pursuant to Policy B-6).

Policy B-5

The development of housing within the business district will be stimulated through the following means:

- a) providing for apartments above ground floor shops on the “main street”;
- b) requiring residential development to be a component of all new development located off the “main street”;
- c) promoting conversion of underutilized commercial buildings to residential space;
- d) encouraging higher density housing on key opportunity sites.

Residential Opportunity Sites

As indicated in Chapter 3, ten residential opportunity sites are identified in this plan which can serve as “demonstration projects” to stimulate further residential investment and development. Four of these sites are within the business district.

These sites are suited for higher density housing because they are currently vacant or underutilized, and redevelopment of this nature could occur without substantially altering the character of the area through the removal of existing buildings and housing. In contrast to the neighbourhood residential opportunity sites, these four properties are not the only sites where infill or apartment development can take place within the business district or waterfront areas. They are only singled out in this document as a means of promoting more intense development on what currently are vacant or underutilized lands. Additional sites exist within the business district which could accommodate major residential projects through redevelopment of existing buildings.

As with developing any housing in the downtown, the site and building design on these lands must relate to surrounding uses. The stepping back of high rise buildings above the third floor should in most cases be considered to avoid a massive building appearance, as should the use of traditional building materials and massing. Mixing residential with commercial uses at street level is also encouraged.

Figure 5: Business District Residential Opportunity Sites

Site A – Belmont House Block

This site comprises one half of the block bounded by Alderney Drive, Ochterloney Street, North Street and Edward Street. The southern half of the block is developed with an eight storey office building, and a two level parking garage. The undeveloped portion of the site is used as surface level parking. Commercial zoning has been placed on the site, to accommodate potential parking structure expansion, or further commercial development. However, the site is also attractive for residential purposes, and could be utilized for high density housing, with potential for excellent views of the harbour.

Site B – Ochterloney Street

These lots were formerly utilized for two service stations, and are now used for offices and auto repair. These existing uses are seen as temporary, and it is anticipated that the site will be redeveloped in the short term. The commercial zoning on the site will accommodate commercial redevelopment, however the site could also be used for medium density housing either on its own or with a ground floor commercial component. Any building on the site should not exceed four storeys, and design would have to be reflective of the heritage character of the area.

Site C – Prince Street/Alderney Drive

This parcel is owned by the Waterfront Development Corporation, and is used for hourly and monthly parking. Located adjacent to the 10 storey Admiralty Place, the site has excellent views of the harbour and is well suited to high density development of up to 10 storeys in height.

Site D – King Street/Alderney Drive/Wentworth

This site includes two parcels, one owned by HRM and the other by the WDCL. A portion of the HRM lot is used for monthly rental parking, which could be relocated elsewhere. This site is conducive to either medium or higher density housing. Any development should be sensitive to existing single family housing along King Street, as well as lower rise commercial buildings along Portland Street.

Site E – Irishtown Road/Ochterloney Street

Location and Context

This site consists of 4 separate parcels, the largest of which is designated as an Opportunity Site under the Regional MPS. The RMP seeks to encourage medium to high density infill on such sites within the urban core. Intensive redevelopment of this site can occur without the loss of any existing housing which is a goal of this plan. Given the total area of 1.6 acres, the site offers an excellent opportunity for a major infill project with landmark architecture which can be vital to achieving this plan's goals of increasing the area resident base and supporting local business development.

Policy B-6

As an incentive for residential development in the business district, the planning approval process will be streamlined for internal conversions of multiple units, townhousing and small scale multiple unit development. The Downtown Business District Zone will establish parameters for the size, and design of multiple buildings and parking areas.

Policy B-7

This plan identifies four residential opportunity sites within the business district where housing redevelopment will be encouraged. To maximize housing opportunities on these sites, the use of reduced standard laneways may be considered through the site plan approval process for small scale housing proposals permitted by the Zone. Standards will be set in the Land use By-law to ensure the laneway is designed to facilitate safe traffic access.

"Development of Opportunity Site E

Site E is appropriate for high density, mixed use development. Full development of these brownfield parcels can help achieve population growth and support local business revitalization as desired by this plan. However, historic/heritage goals, recreation, and urban design goals must be addressed.

Canal Greenway and Parkland Issues

Site E abuts the Canal Greenway, the historic corridor which incorporates the former Shubenacadie Canal and Starr Manufacturing lands. A master plan for improvements to the corridor has been developed by HRM and the Shubenacadie Canal Commission. A portion of Site E was part of both the canal and Starr properties at one time, and development of the site should contribute to both the revitalization and heritage interpretation of the lands in the context of the larger master plan. The municipality has intended to close the public street between Queen Street and Prince Albert Road, to recapture former canal lands for parkland and historic interpretation purposes. However large scale development on Site E may require access to this street, which could impact the implementation of that portion of the Canal Greenway plan.

The Canal Greenway lands are largely unimproved for public use and currently provide limited recreation opportunity. Development of up to 300 units on Site E will create major demand for useable recreation lands. Direct pedestrian access may be provided from residential and commercial space directly onto the park's trail system. This is not standard practice however if properly done it can offer benefits in animating and engaging the site and fostering viable businesses. However, Council must consider whether such a major development is premature or inappropriate by reason of the demands placed on the Canal Greenway as parkland. A requirement for parkland fees as enabled by the HRM Charter and the Regional MPS would help ensure that the public space is adequately improved. Although the Subdivision By-law typically exempts lot consolidations from this fee, it would be collected if these lands were further subdivided as is permitted under the zoning.

Urban Design Considerations

~~Slender, higher buildings on the Irishtown Road frontages may be considered as an alternative to lower, bulkier structures in order to reduce wind impacts and the duration of shadows on public spaces and nearby properties. Building height at the Ochterloney Street frontage should not exceed that permitted by the land use by-law. Building massing and form should be determined based on current urban design principles, such as the use of appropriate proportions for streetwall heights for the building bases/podiums, and the need for setbacks of mid and high rise building sections from adjacent private lands.~~

~~The site is located adjacent to the former Greenvale School, a registered heritage property. Full as-of-right development on Site E under existing zoning could have negative impacts in terms of shadows, wind patterns, as buildings may be up to 7 stories in height plus and have 100% lot coverage. Allowing taller but more slender structures over a low rise podium may mitigate these impacts. In addition, Policy CH-2 of the Regional MPS provides guidance for evaluation of the impact of proposals next to registered heritage properties.~~

Policy B-7a

~~Notwithstanding Policy D-1, Residential Opportunity Site E, as shown on Map 4, is appropriate for mid and high rise residential and mixed use development not exceeding 300 units within three buildings. In addition to the need for a high quality of design and construction, any proposal must foster attractive pedestrian oriented streetscapes, and ensure active, complementary interaction with the adjacent HRM parkland and Shubenacadie Canal corridor. Development on each of the separate parcels shall only be considered together and under a single development agreement to ensure comprehensive and complementary development. The development agreement process shall be utilized for any development on the lands. Council shall therefore consider:~~

- ~~a) that building heights:
 - (i) up to 70 feet in height plus roof on the Ochterloney Street frontage may be permitted;
 - (ii) up to 14 stories on the south side of Irishtown Road may be permitted; and
 - (iii) up to 18 stories plus penthouse on the north side of Irishtown Rd may be permitted.~~
- ~~b) that high quality building materials are used and the building design:
 - (i) makes use of podiums to provide 100% indoor/underground parking for residents and businesses. The parking portion of such podiums shall be screened from any adjacent private or public property through the provision of active, useable floor area and careful design at the edges of the structures;
 - (ii) incorporate interesting details and materials at the pedestrian level, with a high proportion of windows in any ground floor commercial space;
 - (iii) include a variety of housing unit types including multiple bedroom units and townhouse form units at ground level that can accommodate residents in a variety of life stages, household sizes, incomes and tenure needs; and
 - (iv) include provision for pedestrian-oriented commercial uses, preferably café or restaurant uses with outdoor patios, where the site abuts HRM parkland.~~
- ~~c) appropriate massing and building form for low, mid and high rise components of the buildings including:
 - (i) the need for transitions in scale, or separation distances equal to building height, from directly abutting areas which are designated as Downtown Neighbourhood;~~

- (ii) ~~defining appropriate standards for bulk and above grade setbacks at the low, mid and high rise levels, and separation distances between buildings to ensure adequate street level conditions with respect to minimizing wind and maximizing sun penetration and sky exposure;~~
- (iii) ~~ensuring an appropriate streetwall height of the low rise portion of each building to street width at a target ratio of 2:3; and~~
- (iv) ~~potential wind and shadow impacts on public space and appropriate means to minimize such impacts.~~
- d) ~~that the project provide:~~
 - (i) ~~extensive, high quality soft and hard landscaping which enhances the pedestrian environment and complements the Canal Greenway;~~
 - (ii) ~~substantial useable active and passive amenity space both inside and out to cater to a range of ages and lifestyles, particularly in support of families; including the provision of useable green space on rooftops; and~~
 - (iii) ~~payment of 10% parkland dedication fees for any further subdivision or consolidation of the parcels;.~~
- e) ~~that the project address the site's historical context as part of the former Shubenacadie Canal and Starr Manufacturing sites by:~~
 - (i) ~~ensuring a detailed archaeological assessment is carried out, and that measures are in place to allow proper site investigation prior to and during construction;~~
 - (ii) ~~allowing restoration of a naturalized open stream bed to replace the piped waterway, formerly the mill stream, that flows underneath a portion of the site; and~~
 - (iii) ~~including provision for preservation, restoration, and display of canal features, and interpretation of canal history.~~
- f) ~~the establishment of phasing times for completion; and~~
- g) ~~Regional MPS Policy CH-2 (regarding development adjacent to heritage properties) and Policy IM-15 (general implementation criteria).~~

Policy B-8

~~Higher density housing proposals that do not meet the standards of the Business District Zone may be considered by Council through the development agreement process. In addition to the general criteria set out in Policy N-5, the following criteria shall be considered by Council in evaluating such proposals:~~

- ~~1. The "residential opportunity sites" referenced in Policy B-7 should be given priority for higher density development;~~
- ~~2. The design of apartment buildings should be sensitive to the traditional character of the downtown and the immediate surroundings. A general guideline of 100 units per acre and 5 storeys shall be utilized as parameters for the scale and massing of development. The following additional criteria apply to the residential opportunity sites:~~
 - ~~a) Up to eight stories may be permitted on Site A provided no greater than 3 stories is permitted on the Edward and North Street elevations;~~
 - ~~b) Up to 10 stories may be permitted on Site C, provided the design of the building is stepped down towards Portland and King Streets.~~
 - ~~c) Up to four stories may be permitted on Site B.~~
 - ~~d) Up to five stories may be permitted on Site D with sensitive treatment along King Street adjacent to existing single family dwellings.~~

3. Buildings should be designed to reinforce a human scale streetscape. The stepping back of higher rise buildings away from the street should be considered to avoid a massive building appearance, as should the subdivision of large building facades to create the appearance of several smaller buildings;
4. Commercial or other uses serving the public are encouraged at the street level of residential buildings.
5. Where on-site parking is required, it should be enclosed within a building.
6. Reduced standard laneways may be considered as an alternative means of access to the residential opportunity sites.

~~Starr Manufacturing/Greenvale School Sites~~

~~The Starr Manufacturing and Greenvale School sites are important links to Dartmouth's past, and key to the revitalization of the business district. The block containing these sites was an early transportation route, first used by the Mi'kmaq to access the harbour and Dartmouth's inland lakes. During the early part of the 19th century it became a major shipping corridor with the construction of the Shubenacadie Canal. Portions of the original workings of the canal are thought to be still in tact beneath the buildings which remain on the site. Starr Manufacturing industries began operations on the site during this period, and became world famous for being one of the first manufacturers of ice skates.~~

~~Greenvale School also within this block, represents an important community landmark. The brick building which remains today was designed by renowned Architect Andrew Cobb in 1915, replacing an earlier school building which existed on the site. Many generations of Dartmouthians have been educated within this building.~~

~~At the writing of this plan, the municipality owns these properties and others within this block, and has been exploring development options for these lands which would see the historic features of the site preserved, the integration of recreation and trail opportunities along the site, and also opportunities for private sector development. The current direction from the community is to maintain and re-use the Greenvale School building, preserve the underground canal features, extend the multi-use trail across the site, and encourage small scale commercial and residential development on the remainder of the site that blends with the neighbourhood. Other options which have been put forward include retaining and/or reusing portions of the Starr Manufacturing building as part of a redevelopment of the site.~~

~~The site must be developed in keeping with the community values and interest related to the site. The development agreement process is the best route to ensure these objectives are met, and to encourage an appropriate mix of uses to balance the varied interests on the entire block. A development agreement will not be required for re-use of existing buildings within this block for any uses permitted by the zone applied to these lands.~~

~~Policy B-9~~

~~Council recognizes the importance of the Starr Manufacturing and Greenvale School sites in the history of the Dartmouth and as a gateway to the downtown. A mixed use development will be encouraged on this block consisting of open space, heritage, and small scale commercial and residential components which blend with the character of the area. The development agreement process will be used to ensure a comprehensive approach which reflects the various community goals for the site¹². In evaluating proposals for the site, council shall consider the following criteria:~~

- a) ~~that the proposal is consistent with the objectives for the site which are to encourage protection and promotion of the site's heritage features, provision of a trail link and other~~

- open space opportunities, and development of small or medium scale commercial or residential components;
- b) the design of any buildings on the site reflects its role as a gateway to the downtown business district, its relationship to existing development on site and surrounding neighbourhoods, and its history as part of the Shubenacadie Canal system;
 - e) the unique heritage attributes of this site including the retention and stabilization of the Greenvale School building, the protection of the underground canal features on the northern portion of the site, and if feasible, opportunities to reuse structural elements of the Starr Manufacturing building;
 - d) the preservation and restoration of significant natural features on the site where feasible including mature trees, and water features related to the former stream bed running through the site;
 - e) that adequate provisions are made for pedestrian and bicycle circulation on the site including an extension of the Dartmouth multi-use recreation trail (Trans Canada trail) along the length of the site;
 - f) the design scheme of any proposed buildings, signs and lighting fixtures incorporates traditional design elements and materials to complement the traditional small town character of the area. (Refer to downtown urban design guidelines Policy D-1).
 - g) the provision of extensive landscaping in the form of suitable trees, shrubs, grassed areas and planting beds, particularly to enhance the aesthetics of any proposed parking areas on the site;
 - h) the impact of any additional traffic on existing street networks and the best means of accommodating traffic flow to, on and from the site; and any required upgrading to the existing street network;
 - i) the provision of adequate municipal sewer and water services to the site, and the treatment of existing underground infrastructure; and
 - j) remediation of environmental contamination on the site which meets the requirements of the Nova Scotia Department of Environment.

Incentives

A common point during the public consultation for this plan was the need for some form of government incentives to encourage business and residential development within the area. However, the recently adopted Municipal Government Act precludes direct municipal assistance to businesses, allowing only promotion of an area and capital expenditures financed by levies within designated Business Improvement Districts. The use of reasonable incentives to encourage business development within the area should be explored, and the appropriate provincial legislation amended where appropriate

Policy B-8

The municipality should work with the Province to develop and implement an incentive based program for the downtown business district. Such a program is recognized as an important part of stimulating business investment within the area.

Streetscape Improvements

~~One area where the municipality can foster private sector investment is through funding for public streetscape improvements.~~

~~Downtown's public streetscapes and spaces play an important part in the civic life of the community. As such, it is important that pedestrian amenities such as benches, planters, lighting, be incorporated to provide a safe and comfortable setting for visitors to the area. Banners and other street furniture have been used in the past to provide visual interest, but not consistently. An overall visual identity program is needed to unify the design of downtown's public streetscapes to signify that one is within a special district. Priority areas for streetscape improvements are Ochterloney, Alderney, and Portland Streets, the three main pedestrian corridors in the downtown.~~

~~Also, in many areas of the downtown sidewalks and street surfaces have deteriorated, with Portland Street being a particular concern. Other problems include insufficient lighting on Portland Street, and unattractive light and sign standards, which further detract from the image of the area. Streetscape improvements are long overdue. In developing a streetscape improvement plan, consideration should be given to opportunities to create additional outdoor public spaces within the core area to accommodate activities such as festivals, theatre, art exhibits.~~

~~Policy B-10~~

~~A streetscape improvement plan should be developed for the downtown business district to establish a visual identity for pedestrian amenities in the area. The plan should identify short and longer term priorities for public investment in the area.~~

~~Promotion~~

~~While individual businesses and the Dartmouth Downtown Development Corporation help promote the area, the municipality and perhaps provincial agencies such as the Waterfront Development Corporation, can take a greater role in this regard. Both municipal tourism staff and the Greater Halifax Economic Partnership could provide some coordination and assistance in larger scale marketing, in close co-operation with the Dartmouth Downtown Development Corporation and other community groups. In addition to the business aspect of the downtown community, the residential sector could also benefit from increased promotion to attract more developers, builders, and ultimately residents.~~

~~Policy B-11~~

~~Improved marketing plans and promotional materials should be developed to promote the downtown area as a specialty retail destination and desirable residential market. Such materials and plans should be developed by Dartmouth Downtown Development Corporation, in close cooperation the Greater Halifax Economic Partnership, the Waterfront Development Corporation, and other relevant government agencies and departments.~~

~~Note to Reader: Parking Requirements for the Business District are discussed in section 4.7 of this plan.~~

16. Delete Policy W-6 of Section 4.3 Waterfront Development of CHAPTER 4: THE POLICIES in its entirety, as shown below in ~~strikeout~~:

~~Policy W-6~~

~~Council should encourage the proactive redevelopment of two strategic “opportunity sites” along the west side of Alderney Drive to reinforce the connection with the downtown business core, and bring a pedestrian focus to the waterfront:~~

- ~~a) Site W-1 (Park Avenue, Alderney and North Street) for medium or higher density residential use;~~
- ~~b) Site W-2 (North/Ochterloney/Alderney Drive) for mixed tourist/commercial use.~~

~~Because portions of parcel W-1 are owned by the Canadian National Corporation, and may require relocation of an existing operations building and alterations to the railyards themselves, Council shall work cooperatively with CN to achieve public objectives for this site.~~

17. Delete the section titled “Dartmouth Cove – East Waterfront” of Section 4.3 Waterfront Development of CHAPTER 4: THE POLICIES in its entirety, inclusive of footnotes, as shown below in ~~strikeout~~:

~~Dartmouth Cove – East Waterfront~~

~~The history of the eastern portion of the waterfront, Dartmouth Cove, dates back to prehistoric times when the Mik’maq people traveled to its shores to fish during summer months. In 1749, with European settlement, a government sawmill was established to help with building construction on the Halifax side of the harbour. The Canal Interpretive Park located in this area commemorates the significant history associated with the construction of the Shubenacadie canal during the nineteenth century.~~

~~Related to its role as an important transportation route, there is a long history of industrial uses in this area. Dating back to the founding days of Dartmouth, the area has been used as for the whaling industry, for various shipyards and manufacturing uses such as chocolate and soap factories. The lands surrounding the Cove were interspersed with many large estates of some of Dartmouth’s most renowned residents. Notable examples include “Hazelhurst” estate, the home of industrialist J.P. Mott who operated factories in the area, and “Evergreen House” originally constructed for Judge Alexander James and later occupied by local folklorist Helen Creighton (Evergreen House is one of the few remaining estates from that period)¹⁵. Many of the large estate properties have since been subdivided to make way for single family housing and apartment.~~

~~The East Waterfront continues to be utilized for ship repair, and other marine service industries, and its importance is expected to increase with the development of the off-shore industry in the region¹⁶. Until the recent revival of the shipyards, industry has co-existed with residential neighbourhoods. More recent growth in the offshore industry has increased activity in and around the Cove area, resulting in conflicts for its residential neighbours. Noise and dust from ship repair operations, evening hour operations, unsightly storage, and the uncontrolled infilling of water lots are key concerns. Appropriate controls are needed to ensure that future expansions of industry are in keeping with the nearby residential neighbourhoods.~~

~~The 1991 Dartmouth Waterfront Plan proposed a marine business park and high end residential development along a canal to be created in the area. The shipyards were identified as an appropriate marine use, which would continue to add visual interest to the waterfront¹⁷.~~

~~More recent studies¹⁸ have confirmed that a market exists for marine businesses to service the emerging the offshore industry. The “Dartmouth Cove Land use Plan” (in its draft form) also indicates there are significant barriers to future residential development because of the~~

environmental and geotechnical conditions of the area. Although detailed environmental testing was beyond the scope of this study, it documents the historical industrial uses of the area, as well as the findings of environmental and soil tests which have been conducted over the years on properties owned by WDCL. The study concludes that current land values would not support the redevelopment of lands closest to the water for residential or park use.

Key recommendations of the study are:

- ~~the delineation of industrial areas through zoning and physical improvements to enhance the identity of the area~~
- ~~buffering residential areas from industrial use through green space and enhancement of the Shubenacadie Canal~~
- ~~strengthening the existing commercial uses by defining a core commercial area adjacent to Portland Street~~
- ~~development standards for future industrial uses (screening of storage areas, landscaping and site standards, noise regulation)~~

~~This plan seeks to preserve the working character of the waterfront, and also address the concerns of the neighbouring residential community. The land use strategy for Dartmouth Cove will create opportunity for “marine business” in the area, not heavy industrial operations which have historically located in the area. The Plan applies a “Marine Business Zone” to the majority of water-oriented lands and water lots in the area, and sets restrictions on new storage yards, “obnoxious” uses, and creates standards for landscaping, and development on the water’s edge. Many of the existing marine salvage and ship repair operations will not conform to the new regulations for the area, thus limiting their ability to expand. The intent of this plan is to allow the continued operation of these industries but to ensure that any further expansion is in keeping with the new standards for this area.~~

~~The plan will also minimize further impacts on adjacent neighbourhoods by creating a gradual transition of development between marine business activity along Canal Street and existing residential neighbourhoods. The Waterfront Zone will serve as a “buffer zone” along Maitland Street to create a transition to nearby neighbourhoods (refer to Policy W-10).~~

~~The potential for further infilling of the Cove to create more industrial land and wharfage is also a neighbourhood concern. Although this plan limits industrial expansion on the land base of the Cove, the municipality does not have jurisdiction over the activity of infilling or the creation of wharves, which are governed by approvals at the federal and provincial levels of government. While these planning documents do apply zoning to the water lots in the Cove, these documents can only regulate the use (and not the creation) of infilled land. Recognizing these limitations, this plan discourages further wharf construction and infilling for industrial purposes without adequate public consultation and environmental impact studies. (Policy W-17)~~

~~New municipal and provincial regulations governing noise and sandblasting should allow for greater controls on industrial activities. The municipality should continue to work with the Province and other levels of government who have jurisdiction over the Cove to ensure appropriate environmental controls are applied in this area.~~

18. Delete the third, fourth, and fifth paragraphs within the “Coast Guard Lands” Section of CHAPTER 4: THE POLICIES in their entirety, as shown below in ~~strikeout~~:

~~Since the adoption of this plan, the former Dartmouth Marine Slips property has been vacated and industrial marine operations have ceased on the property. The closure of the shipyards and disposal of the lands was not anticipated by this Plan.~~

~~In recent years, the potential for alternative uses on lands surrounding Dartmouth Cove has come to the forefront especially on the former Dartmouth Marine Slips property. With striking views of the harbour, convenient access to public transit, employment centres throughout the capital district, services, and recreational facilities, the former marine slip property is an ideal location for a high quality mixed-use development on the waterfront. Re-development of this nature could further the objectives of this plan for the business district and alleviate resident concerns expressed towards nuisances associated with marine related industry on the lands.~~

~~The Municipality may therefore consider a mixed use development proposal on the former Dartmouth Marine Slips property through the development agreement process.~~

19. Delete the ninth, tenth, eleventh, and twelfth paragraphs within the “Coast Guard Lands” Section of CHAPTER 4: THE POLICIES in their entirety, as shown below in ~~strikeout~~:

~~Notwithstanding policies W-8 and W-9, HRM may consider permitting a mixed use development on the former Dartmouth Marine Slips property (identified as PID Nos. 00130286, 00130419, 00130278, 41164286 and 40943730) by approval of a two-stage development agreement.~~

~~The Stage I development agreement shall generally show the concept of the proposal including the land uses, site plan, access and street layout, servicing capability, parks and open space, and phasing of the development. Notwithstanding the development agreement criteria of Policy W-9A, the stage I agreement shall establish further specific requirements of any Stage II development agreement. Council shall hold a public hearing prior to the approval of the Stage I development agreement.~~

~~Stage II development agreements shall be generally consistent with the intent of the Stage I development agreement, through the provision of fine grain details of a phase under the Stage I development agreement. Stage II development agreements shall be approved by a resolution of Council.~~

~~Any development agreement application shall conform with the following criteria:~~

- ~~1. The development shall consist of a mix of land uses (residential, commercial, office, institutional, and park and open space uses) with residential land uses that contain a mix of unit types being the primary land use.~~
- ~~2. Residential proposals should incorporate adequate soundproofing measures to buffer residents from nearby waterfront events and activities.~~
- ~~3. A high quality of urban design is encouraged and adequate consideration is given to Policy W-9B.~~
 - ~~a) Special consideration should be given to building materials in proximity to the water's edge.~~
 - ~~b) The proposal should impart a sense of history to the area and contribute to the area's evolving history.~~
 - ~~c) Proposals should respect that the waterfront is a pedestrian precinct. Wherever possible, buildings should be designed to create public spaces, and appropriate consideration should be given to weather protection for pedestrians.~~

- ~~4. Visual access to the harbour shall be provided through the incorporation of street corridor views leading to the water and through the use of urban design features. The height of any proposed building should respect the viewplanes from the Dartmouth Common as shown on Map 7.~~
- ~~5. The Development should address public accessibility the water=s edge.~~
- ~~6. Special consideration shall be given to parking to ensure that proposals are designed with pedestrian orientation in mind rather than cars. Where parking is needed it should be situated below finished grade or enclosed within the core of a building with other uses wrapping the core to render the parking invisible. Surface parking is strongly discouraged, but when deemed absolutely necessary surface parking areas are to be strictly limited in size and duration.~~
- ~~7. An internal street may be needed to provide emergency and delivery access to the development. Alternative street design standards should be considered for any new streets which are in keeping with the historical grid and pedestrian character of the downtown.~~
- ~~8. The Development shall minimize the amount of infilling that occurs on the water lots to ensure the character of Dartmouth Cove is not significantly altered.~~

20. Delete Policy W-9B, within the "Coast Guard Lands" Section of CHAPTER 4: THE POLICIES, in its entirety, as shown below in ~~strikeout~~:

~~Policy W-9B~~

~~Notwithstanding Policy D-1, HRM should ensure that a high quality of urban design is provided for the development. To achieve this objective Council shall adopt the following design guidelines for the former Dartmouth Marine Slips property:~~

- ~~a) The traditional street grid pattern and grain of development of Downtown Dartmouth should be maintained and re-established in the new development;~~
- ~~b) Microclimate issues such as wind, solar orientation, and shadowing should be considered, with positive impacts capitalized upon, and negative impacts minimized.~~
- ~~c) Pedestrian street level activity shall be encouraged in all development through the incorporation of outdoor cafes, ground floor uses, and uses that are open beyond daytime hours of operation. Consideration should be given to weather protection for pedestrians through use of decorative canopies and awnings.~~
- ~~d) Proposals should respect that the waterfront is primarily a pedestrian precinct, and pedestrian circulation should be an important consideration of all development. Buildings should be designed to create attractive and functional public spaces and pedestrian routes. Active ground level uses shall be encouraged adjacent to public access points and public open spaces.~~
- ~~e) Public art should be provided on or adjacent to buildings throughout any proposed development, commensurate with HRM's Cultural Plan.~~
- ~~f) Important views from parks and streets should be respected in the design and configuration of development, especially harbour and street corridor views as shown on "Map 7 - Public Views."~~
- ~~g) A high quality of design should be required for streetscape elements and furniture.~~
- ~~h) Public safety should be a consideration in the design of new buildings and public spaces to ensure the design of public spaces does not create opportunities for crime at any time, with special attention paid to placement and intensity of lighting, visibility, directional signage, and land uses which will provide opportunities for eyes on the street through~~

~~incorporation of residential development and street level activity after normal working hours.~~

- ~~i) A high level of refinement in the architectural details shall be provided to provide visual interest, both in the upper stories, and in particular at pedestrian level.~~
 - ~~j) The waters edge should be designed for unrestricted public access by either public ownership and/or perpetual easement.~~
21. Section 4.4 Urban Design of CHAPTER 4: THE POLICIES is amended, by:
- (a) deleting the first six paragraphs of the preamble;
 - (b) deleting the objectives;
 - (c) deleting Policy D-1;
 - (d) deleting the paragraph immediately following Policy D-1;
 - (e) deleting Policy D-2;
 - (f) deleting the preamble immediately prior to Policy D-3;
 - (g) deleting Policy D-3;
 - (h) deleting the preamble immediately prior to Policy D-3A; and
 - (i) repealing Policy D-3A;

as shown below in ~~strikeout~~,

4.4 Urban Design

~~A common theme which emerged during the planning process is the need to ensure attractive, high quality developments which complement existing architecture and blend into the character of the area.~~

~~One of the defining characteristics of the commercial core is the small scale, fine grain, traditional development pattern. For the most part, the original block pattern is intact, and most development consists of older two and three level buildings. The community has expressed a strong desire to retain this character and pattern, while at the same time promoting revitalization and business and housing development. Clearly, major redevelopment projects like Queen's Square are not successful catalysts of downtown revitalization.~~

~~A more human scale of development will enhance the public's sense of safety and comfort, and therefore encourage more people to use the downtown area. Downtown Dartmouth's success will therefore be closely related to the ability to achieve a welcoming and comfortable pedestrian oriented environment.~~

~~The chief means of achieving this goal is to establish design criteria which can be applied to developments, or to specific classes of developments.~~

~~A guide to "Facade and Signage Improvements for Downtown Dartmouth" was prepared for the Downtown Dartmouth Development Corporation in 1992 to assist businesses in renovating their facades to be complementary to the form, scale, and design of existing development. Plan policies will require that renovations to existing buildings conform to the basic approach recommended in this document. In addition, design guidelines and controls shall be adopted to guide the external design of new development in the downtown.~~

The following policies related to urban design are intended to be implemented with a measure of flexibility – it is not intended that new development or renovation projects rigidly conform to a particular architectural style or period, rather that development within the downtown complement its surroundings and enhance its role as a people place.

Objectives:

- preserve and enhance the traditional small town character and fine grain development pattern within the downtown
- preserve important scenic public views

Policies

Policy D-1

HRM should ensure that a high quality of urban design is provided for all major developments in the downtown area. To achieve this objective Council shall adopt the following design guidelines for consideration in the design and renovation of buildings and spaces in the downtown area:

- a) The scale, massing, and grain of future development should reflect the downtown's role as a "people place" and respect its historic, small town character. While specific direction is provided in each of the various policy sections within this plan, in general three to five storeys is the desired scale of development.
- b) The traditional street grid pattern and grain of development should be maintained and re-established in new and existing development.
- e) Building facades should maintain a consistent street edge except to provide access to rear parking areas. The use of interesting colour for building facades should be encouraged where it is complementary to the streetscape to add a sense of vibrancy to the area.
- d) The exterior architectural design of new buildings should be complementary to adjacent buildings of historic or landmark significance in terms of the building height and materials, rhythm, colour, and proportion of the building design elements. Traditional building materials such as wood shingle and brick are preferred. Architectural design details should be provided to encourage visual interest.
- e) Development should be oriented to pedestrians rather than cars. Surface parking areas should be designed to minimize the visual impact on the streetscape.
- f) Microclimate issues such as wind, solar orientation, and shading should be considered and capitalized upon in all new development or major renovation projects.
- g) Pedestrian street level activity should be encouraged in all development through the incorporation of outdoor cafes, ground floor uses, and uses that are open beyond daytime hours of operation. Consideration should be given to weather protection for pedestrians through use of decorative canopies and awnings.
- h) Public art should be provided on or adjacent to buildings.
- i) Opportunities to experience nature should be provided to soften the urban setting through the incorporation of roof top gardens, flower boxes, community gardens for vacant lots, and through the use of greenways through the business core.

- j) ~~Important views from public parks and streets should be respected in the design and configuration of development, especially harbour and east-west street corridor views.~~
- k) ~~Pedestrian circulation and access should be an important consideration of all development. In particular, public access to the water's edge should be protected and enhanced where possible.~~
- l) ~~A high quality of design should be required for streetscape elements and furniture.~~
- m) ~~Public safety should be a consideration in the design of new buildings to ensure the design of public spaces does not create opportunities for crime at any time, with special attention paid to placement and intensity of lighting, visibility, directional signage, and land uses which will provide opportunities for eyes on the street through incorporation of residential development and street level activity after normal working hours.~~

~~These guidelines shall be administered by Council through its planning approval processes and through agreements for the disposition of public land. In general, these guidelines shall be used to provide general guidance to business operators and developers about public objectives with respect to urban design. The land use by-law shall set out mandatory design controls for certain aspects of these guidelines.~~

~~Policy D-2~~

~~Council should encourage the retrofit of existing buildings to ensure that they meet the above guidelines. Any renovations to the facades of existing buildings shall be reviewed by the Development Officer to ensure the proposal meets the intent of the "Facade and Signage Improvements for Downtown Dartmouth".~~

~~Signs~~

~~Business signs are an important part of advertising and marketing of individual businesses. While some individuality is desired, there is a need for some consistency in design and materials to achieve a unified image that reflects and reinforces the small town character of the downtown.~~

~~Policy D-3~~

~~Council should encourage signs that are consistent with the traditional character of the downtown area. The Land Use By-law shall set out requirements for the design, size, placement and lighting of signs throughout the downtown area.~~

~~Temporary Signage:~~

~~In recent years, HRM has received a number of complaints regarding signage throughout the region, especially along major transportation routes. Most of the concerns raised with signage deal with the location, number, and maintenance of mobile signs, sandwich boards, posters, inflatable signs, planter box type signs, and banners (known as Temporary Signs). To address the lack of adequate sign provisions and effective enforcement tools for temporary signage, HRM established a license by-law under the Municipal Government (HRM By-law S-~~

~~800). Therefore, any reference or provision relating to temporary signs within the land use by-law is superceded by the provisions of By-law S-800.~~

~~Policy D-3A~~

~~Further to Policy D-3, the land use by-law shall contain sign provisions for those signs not regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs).~~

~~Protected Views~~

~~One of the key physical attributes of the downtown community is its physical and visual ties to the harbour. Dartmouth was founded largely because of its waterfront location, and much of its history is tied to the harbour. The preservation of important public views of the harbour is therefore an important aspect of its community identity. Past studies have identified the most significant views as those from key points on the Dartmouth Common and numerous views of the harbour along street corridors. It is therefore important that a range of public views be protected. Views from private property will not be protected.~~

~~Policy D-4A~~

~~As identified by the Regional MPS, scenic views from the Dartmouth Common are an important component of the region's cultural heritage. Significant views shall therefore be protected, as shown on Map 7. This will ensure protection of a variety of public views from the Common. The Land Use Bylaw shall contain schedules establishing detailed geometry for each view plane, and appropriate provisions to ensure that development does not intrude into any view plane.~~

~~Policy D-4B~~

~~To maintain continued visibility of the harbour throughout the downtown, views of the harbour from public streets as shown on Map 7 shall be protected through the Land Use Bylaw as Waterfront View Corridors.~~

22. Delete the "Industrial Heritage" Section within Section 4.5 Heritage of CHAPTER 4: THE POLICIES in its entirety, as shown below in ~~strikeout~~:

~~The Starr Manufacturing site is a prominent one in the community because of its relationship to the Shubenacadie Canal, the mass production of skates in the 19th century, and its former stature as a major employer. Considerable debate and discussion has been generated due to its importance as a heritage site, and its potential for major commercial or residential redevelopment. Most in the community want to see a mix of development on the Starr and adjacent Greenvale sites, including residential, recreational, and commercial opportunities, as well as the protection and interpretation of the valued heritage features of the site. While redevelopment of the site is accommodated by this planning strategy, the public interest in the site must be protected. This can be accomplished through the retention of a portion of the site in public ownership, or through public/private partnerships, and the provision of interpretation and public access. In addition, the use of the site as a key link between Sullivan's Pond and the waterfront in the multi-purpose trail must be addressed.~~

23. Delete Policy H-12 within Section 4.5 Heritage of CHAPTER 4: THE POLICIES in its entirety, as shown below in ~~strikeout~~:

~~Policy H-12~~

~~In considering any potential redevelopment of the Starr Manufacturing and Greenvale School sites, the public interest in heritage features of the site shall be addressed. Key features of the site shall be protected and/or interpreted, with appropriate public access provided. Further, the completion of the Trans-Canada Trail along the site should be required as a condition of any redevelopment (refer to Policy B-20 in the business chapter).~~

24. Amend Policy O-9 within Section 4.6 Recreation, Open Space and Environment of CHAPTER 4: THE POLICIES by deleting the words “such as Ochterloney, Alderney and”, as shown below in ~~strikeout~~ and adding the words “where undergrounding has not occurred” after the words “Portland Street”, as shown below in **bold**:

Policy O-9

The municipality in cooperation with the Downtown Dartmouth Development Corporation, should investigate and if feasible, implement a program of continued relocation of overhead wiring underground on priority streets within the downtown. Priority should be placed on highly visible public streets ~~such as Ochterloney, Alderney and~~ any remaining portions of Portland Street **where undergrounding has not occurred**.

25. Amend Policy O-10 within Section 4.6 Recreation, Open Space and Environment of CHAPTER 4: THE POLICIES by:

- (a) deleting the words, number, and comma “As per the urban design policies in section 4.4 of this plan,”; and
- (b) deleting the lower case letter “t” in the word “the” before the word “municipality” and replacing it with an upper case letter “T”;

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

Policy O-10

~~As per the urban design policies in section 4.4 of this plan, t~~The municipality shall recognize public views and landscapes of historic and cultural significance, as important components of the open space resources of the downtown and shall endeavour to protect them through appropriate means.

26. Amend Section 4.6 Recreation, Open Space and Environment of CHAPTER 4: THE POLICIES by:

- (a) deleting the preamble paragraph immediately prior to Policy O-15; and
- (b) deleting Policy O-15 in its entirety;

as shown below in ~~strikeout~~,

~~In parallel with the process to develop this plan, the municipality has been proceeding with a public private/partnership to clean up the Halifax Harbour. The most likely scenario being recommended involves one sewage treatment plant to be located in the Dartmouth Cove area of the downtown waterfront. In general, the public at large support the concept of sewage treatment and the siting of a plant on the Dartmouth side. What is paramount, however, is the design of such a facility and that it would be sensitively integrated into the community.~~

Policy O-15

~~The municipality shall seek to clean-up of the Halifax Harbour in part through the siting of sewage treatment facilities on the Dartmouth waterfront. The municipality should ensure any sewage treatment plant which is developed on the Dartmouth side is sensitively designed to be properly integrated into the surrounding community (refer to Policy T-13).~~

27. Delete the “parking” section of CHAPTER 4: THE POLICIES in its entirety, inclusive of preambles and policies, as shown below in ~~strikeout~~:

~~Parking~~

~~In any downtown business area, the availability and accessibility of public parking is an important consideration. A 1994 study of parking availability in the downtown found that short term parking is adequately supplied, with better signage and promotion recommended. Signage improvements have already been implemented to enhance the visibility of short term public parking areas. Furthermore, the downtown business district is well served by transit, and the majority of its client base is within walking distance.~~

~~Typically, land use regulations require on-site parking to be provided for any new commercial or residential development, regardless of location. This approach is inappropriate for downtown areas where there is much less reliance on the car in favour of transit and walking, and where lot and building configurations frequently do not favour on-site parking. Appropriate downtown parking requirements will be included in the Land Use By-law which reduce parking requirements for the Portland Alderney corridor and for anywhere for re-use of existing buildings within the business district, and reduce parking requirements overall.~~

~~The overall strategy for parking within the business district will see reduced parking standards, favouring short-term on-street parking and a focus on a few well located public parking areas. The long term goal is to consolidate public parking and have it integrated within developments at the following sites: Belmont House, Queen Street, and at the Royal Bank building on Portland Street. This will free up additional lands for redevelopment over the long term.~~

~~A recent shortage has been noted in monthly rental parking, which could prove to be a problem for ferry commuters who rely on ample park and ride areas. It will be necessary to monitor the supply of monthly parking spaces and to consider this need in any major re-development projects in the downtown.~~

~~The land use by-law will also include design requirements for new commercial parking lots to minimize visual intrusion on the streetscape.~~

~~Parking within the Business District~~

~~Policy T-3~~

~~The municipality in cooperation with the Downtown Dartmouth Development Corporation shall adopt and carry out the following strategy to manage parking within the business district in an effort to promote use of transit and pedestrian friendly environment:~~

- ~~• -continued provision of short term on-street public parking~~
- ~~• -continued promotion and consistent signage of short term public parking areas at Queen Street, Alderney Gate~~
- ~~• on-going monitoring of monthly parking areas to accommodate ferry commuters~~
- ~~• the incorporation of reduced parking standards within the Land Use By-law for the downtown business district to enable new development along the Portland~~

~~Alderney corridor and re-use of existing buildings throughout the business district without the provision of parking.~~

- ~~• to encourage the development of consolidated public parking areas in key locations and the integration of parking within major redevelopment projects.~~
- ~~• over the long term to investigate alternative parking options such as the implementation of a "cash in lieu" policy which would allow Council to accept a financial contribution in place of the required on-site parking.~~

Design of Parking areas

Policy T-4

~~Standards and requirements for parking lots, driveways, and loading areas shall be included in the Land Use By-law.~~

- ~~• New driveway accesses to Portland Street and Alderney Drive shall be limited to maintain a continuous building presence along the streets.~~
- ~~• Where possible the municipality should encourage the designation of loading areas on side streets to minimize service and delivery vehicles from parking on Portland, Queen, and Ochterloney Streets.~~

28. Amend the Key High Priority Initiatives of the Downtown Action Program within Section 5.1 The Plan of CHAPTER 5: IMPLEMENTING THE PLAN by deleting the first three bullet points as shown below in ~~strikeout~~:

Key high priority initiatives are:

- ~~▪ Development of residential opportunity parcels~~
- ~~▪ anchor development on the Starr/Greenvale site~~
- ~~▪ Alderney landing theatre/market complex~~
- Completion of the Multi-use trail
- Waterfront trail and physical improvements in Dartmouth Cove area

29. Delete Map 4 – Downtown Business District
30. Delete Map 6 – Dartmouth Cove Proposals
31. Delete Table 4: Downtown Action Program
32. All maps and schedules of the Downtown Dartmouth Secondary Municipal Planning Strategy are amended to remove those areas identified on Map 1: Urban Structure – Municipal Planning Strategy for Regional Centre (Package A).

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

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

Municipal Clerk

**ATTACHMENT H
AMENDMENTS TO THE DOWNTOWN DARTMOUTH LAND USE BY-LAW**

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

1. Amend the "TABLE OF CONTENTS", as shown in **bold** and ~~strikeout~~ as follows:
 - (a) Delete the words "~~DOWNTOWN BUSINESS DISTRICT ZONE~~";
 - (b) Delete the words "~~SCHEDULE C1: View Planes~~";
 - (c) Add the words "**SCHEDULE C1A: View Planes**" immediately below the words "Schedule B: Neighbourhood Residential Opportunity Sites" ;
 - (d) Delete the words "~~SCHEDULE C2: Detailed View Plane Geometry~~";
 - (e) Delete the words "~~SCHEDULE C3: Waterfront View Corridors~~";
 - (f) Add the words "**SCHEDULE C3A: Best Street Waterfront View Corridor**" immediately below the newly added "SCHEDULE C1A: View Planes";
 - (g) Add the words "**SCHEDULE C3B: Mott Street Waterfront View Corridor**" immediately below the newly added words and number "SCHEDULE C3A: Best Street Waterfront View Corridor"; and
 - (h) Add the words and number "**SCHEDULE C3C: Old Ferry Road Waterfront View Corridor**" immediately below the newly added words "SCHEDULE C3B: Mott Street Waterfront View Corridor".

2. Amend Section 2 ADMINISTRATION by adding Subsection (7) immediately below Subsection 2(6), as shown below in **bold**:

(7) Lands Within the Boundary of the Regional Centre Secondary Municipal Planning Strategy

The Downtown Dartmouth Land Use By-law shall not apply to those lands located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns of the Regional Centre Secondary Municipal Planning Strategy, as shown on Schedule 1: Regional Centre Land Use By-law Boundary.

3. Amend Subsection 3(1), by deleting the words "Downtown Business District Zone DB", as shown below in ~~strikeout~~.

- 3.(1) For the purposes of this By-law Downtown Dartmouth as defined by the map contained in Schedule A is divided into the following zones the boundaries of which are shown on Schedule A. Such Zones may be referred to by the appropriate symbols:

| | |
|--|---------------|
| Downtown Neighbourhood Zone | DN |
| Downtown Business District Zone | DB |
| Waterfront Zone | W |

Marine Business Zone
Park and Open Space Zone

M
PK

4. Amend Subsection 5(18):
 - (a) adding a period "." immediately after the word "lot"; and
 - (b) deleting the words ", excepting multiple unit and townhouse dwellings in the DB Zone";as shown below in **bold** and ~~strikeout~~,

(18) ONE RESIDENTIAL BUILDING PER LOT

There shall be no more than one building containing residential uses per lot., ~~excepting multiple unit and townhouse dwellings in the DB Zone~~
5. Amend Subsection 5(28), by deleting the words "Schedule C-1 and Schedule C-2" and replacing them with the word and number "Schedule C-1A", as shown below in **bold** and ~~strikeout~~:

(28) Notwithstanding any provision of this By-law, no building shall be erected, constructed, altered, reconstructed or located so as to protrude into any View Plane as described in ~~Schedule C-1 and Schedule C-2~~ **Schedule C-1A**.
6. Repeal Subsection 5(29) in its entirety, as shown below in ~~strikeout~~:

~~(29) To preserve waterfront view corridors, every structure shall be setback a minimum of 8 metres from the mean centre line of the prolongation of any street as shown on Schedule C-3. This setback shall be required along the entire length of each street prolongation to the ordinary high water mark of Halifax Harbour or to the furthest boundary of any water lot, whichever is greater.~~
7. Add Subsection 5(29A) immediately below the repealed Subsection 5.(28), as shown below in **bold**:

(29A) To preserve views to the Halifax Harbour, no structure shall protrude into identified waterfront view corridors, the boundaries of which are described on Schedules C3A to C3C.
8. Repeal Subsection 6.(2) in its entirety, as shown below in ~~strikeout~~:

~~ACCESS
No new driveway accesses will be permitted to properties located on Alderney Drive or Portland Street between Alderney Drive and Canal Street, except where such driveways provide access to enclosed parking areas. Access to properties in this area may only be considered from adjacent streets.~~
9. Amend Subsection 7(15) is by:
 - (a) deleting the words "Downtown Business District Zone,"; and
 - (b) deleting the words and numbers ", and 1.67 sq m (18 sq ft) in the DB Zone" in clause (c);as shown below in ~~strikeout~~,

- (15) Ground signs shall only be permitted in the ~~Downtown Business District Zone, Waterfront Zone, and Marine Business Zone~~ subject to the following:
- (a) the maximum number of sign faces shall be two, placed back to back;
 - (b) the maximum height shall be 2.4 m (8 feet) (inclusive of posts) in the MB Zone, and 1.83 m (6 feet) in the W and DB zones;
 - (c) the maximum area per sign face shall be 2.23 sq m (24 sq ft) in the MB and W zones, ~~and 1.67 sq m (18 sq ft) in the DB Zone;~~
 - (e) minimum setback from a property line shall be 0.61 m (2 feet); and
 - (d) only one ground sign per street frontage shall be permitted.

10. Repeal Subsection 7(21) in its entirety, as shown below in ~~strikeout~~:

~~Notwithstanding any other provision of this by-law, internally illuminated fascia signs with plastic/vinyl faces shall be permitted on upper levels of existing buildings located at 33 Alderney Drive, 40 Alderney Drive, 45 Alderney Drive, 46 Portland Street, 176 Portland Street, and 65 Queen Street, in addition to any other permitted signs, subject to the following:~~

- ~~(a) Excepting 65 Queen Street, any such sign shall only be located at the top storey level of the main building wall between the uppermost storey windows and the roof line, and may not extend above the roof line or below the top of the window line;~~
- ~~(b) Only one sign per building side shall be permitted, excepting 46 Portland Street, where no signs are permitted on the Prince Street facing elevation;~~
- ~~(c) The maximum ratio of sign width to sign height shall be 6.5 to 1;~~
- ~~(d) Lettering may exceed 38 cm (15 inches) in height; and~~
- ~~(e) Signs must be used only for company/agency identification~~

11. Amend Subsection 8(2) is by:

- (a) deleting the words “Downtown Business District and”; and
- (b) deleting the word “Zones” and replacing it with the word “Zone”;

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

The requirements in this section apply to buildings within the ~~Downtown Business District and Waterfront Zones~~ **Zone**:

12. Amend Section 8(3) by:

- (a) deleting the first sentence immediately after the word and colon “Renovations:”;
- (b) deleting the words and comma “Where an individual building is not addressed in that plan,” in the second sentence; and
- (c) deleting the word “the” before the words “following general principles” and replacing it with the word “The”;

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

- (3) Renovations:

~~The Development Officer shall review all development permit applications within the Downtown Business District Zone to determine that all renovation comply generally with the "Facade and Signage Improvements Plan for Downtown Dartmouth". Where an individual building is not addressed in that plan, the~~ **The** following general principles shall be applied:

- (a) that exterior materials are of a traditional nature and design;
- (b) that door and window openings are compatible in proportion with the majority of adjacent and facing buildings;
- (c) that buildings are constructed to the street line or setbacks are consistent with the building setbacks for adjacent properties along the street.
- (d) that the street-level design of any building shall include multiple architectural treatments such as canopies, porches, planters, and other suitable architectural treatments to complement a human-scale, pedestrian environment.

13. Amend Subsection 8(4) 3) by:

- (a) deleting the words "Schedule C" after the words "in accordance with" and replacing them with the words "**Schedule C1A**";
- (b) deleting the words "~~Special Requirement--Alderney Drive within the Main Street Corridor;~~" and
- (c) deleting clause a);

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

- 3) in no case shall an appurtenance or structure be permitted to penetrate view planes established in accordance with ~~Schedule C~~ **Schedule C1A** of this by-law. ~~Special Requirement--Alderney Drive within the Main Street Corridor~~
- a) ~~Notwithstanding section 8(4) lots that front on Alderney Drive within the Main Street corridor will not be required to step back. Further, no structure shall be permitted to penetrate a view plane as per Schedule C Schedules C1 and C2 of this by-law. For clarification, the Main Street corridor includes all properties fronting on Portland Street between Prince Albert Road and Alderney Drive and all properties on the west side of Alderney Drive that are contained within the Business District Zone. For these properties, architectural features such as canopies or sloping roofs will be required to minimize the impact on the street.~~

14. Amend Subsection 9(3) by deleting the third bullet point, as shown below in ~~strikeout~~:

ADDITIONAL USES WHICH MAY BE CONSIDERED THROUGH SITE PLAN APPROVAL:

- Townhouse Dwellings
- Neighborhood Commercial Uses
- ~~Downtown Business Uses Along Prince Albert Road between Eaton Avenue and Pleasant Street.~~

15. Amend Subsection 9(4) by deleting the first bullet point, as shown below in ~~strikeout~~:

ADDITIONAL USES WHICH MAY BE CONSIDERED BY DEVELOPMENT AGREEMENT:

- ~~Multiple unit dwellings and townhouses on those sites noted on Schedule B.~~
- Conversions of registered heritage properties to uses of land not permitted above.
- Expansion of the St. Georges Tennis Club

16. Repeal Clause 9(14)(f) in its entirety, as shown below in ~~strikeout~~:

~~(f) To create additional opportunity for development on designated sites A, B, C, D, and E on Schedule B of this Bylaw, provisions are established to permit construction of laneways narrower than the standard public street width to provide access to the development, provided that the laneway is of adequate width to facilitate the safe movement of traffic to and from the site, and adequate addresses maintenance.~~

17. Amend Subsection 9(16) by:

- (a) deleting the comma and words “, and to Downtown Business uses along Prince Albert Road between Eaton Avenue and Pleasant Street”; and
- (b) deleting clause (a);

as shown below in ~~strikeout~~,

~~(16) GENERAL REQUIREMENTS FOR SITE PLAN APPROVAL FOR COMMERCIAL DEVELOPMENT~~

~~Notwithstanding the provisions for home businesses and bed and breakfast uses, commercial development within the Neighbourhood Zone is subject to the approval of a site plan. The following provisions apply to Neighbourhood Commercial uses permitted in the Downtown Neighbourhood Zone, and to Downtown Business uses along Prince Albert Road between Eaton Avenue and Pleasant Street. The Development Officer shall approve a site plan where the following matters have been addressed:~~

- ~~(a) New development and expansions to existing Downtown Business Uses along Prince Albert Road between Eaton Avenue and Pleasant Street are permitted to a maximum floor area of 5,000 square feet (464.5 square metres).~~
- (b) Where the proposed commercial use abuts a residential use, required parking shall be setback from side and rear property boundaries, an opaque fence of an adequate height to screen the view from the adjacent residential property shall be constructed along all property boundaries abutting the residential use and a landscaped buffer strip of a minimum width of three (3) feet shall be provided in these portions of the property.
- (c) No outdoor storage or display shall be permitted.
- (d) If the proposed commercial use involves re-use of an existing structure, on-site parking shall not be required.
- (e) Commercial signs shall be limited in size and located so to minimize intrusion on the neighbourhood. A maximum of one sign per business premise shall be permitted.
- (f) All requirements in this section shall be adequately maintained.

18. Repeal Section 10 “DOWNTOWN BUSINESS DISTRICT ZONE” in its entirety, as shown below in ~~strikeout~~:

~~DOWNTOWN BUSINESS DISTRICT ZONE~~

~~10.(1) PURPOSE: The Downtown Business District Zone will ensure that development complements the traditional small town character of the community. A broad range of~~

~~business, institutional, cultural and residential uses are permitted, which reflect a human scale of development.~~

~~(2) PERMITTED USES:~~

~~Commercial Uses:~~

~~Any retail, business, office, entertainment or service use excluding, automotive service and repair outlets, vehicle sales, outdoor display courts and drive-through establishments, cabarets, adult entertainment, pawn shops, secondhand shops, and any obnoxious use.~~

~~Institutional & Cultural Uses~~

~~Residential Uses: Single Unit Dwellings~~

~~Two Unit Dwellings~~

~~Townhouse Dwellings~~

~~Rooming Houses to a maximum of six rooms for rent~~

~~Multiple Unit Dwelling Conversions~~

~~Multiple Unit Dwellings to a maximum of 24 units~~

~~Residential uses legally in existence on the effective date of this bylaw~~

~~Main Street Corridor: A ground floor public or commercial presence is required within the Portland Alderney Corridor.~~

~~(3) Uses permitted through Site Plan Approval:~~

~~Townhouses on reduced standard laneways on four residential opportunity sites shown on Schedule B.~~

~~(4) Uses Which May be Considered by Development Agreement:~~

~~Multiple unit dwelling development greater than 24 units~~

~~Conversions of registered heritage properties to uses of land not permitted above.~~

~~Any new construction on the block bounded by the Starr Manufacturing property~~

~~Larger scale commercial or residential commercial mix projects that do not meet the zone requirements~~

| | |
|--|---|
| (5) ZONE STANDARDS Minimum Lot Area | 2500 square feet (232.3 square metres) |
| Minimum Lot Frontage | 25 feet (7.6 metres) |
| Maximum Lot Coverage | 100% |
| Maximum Front/Flanking Yard | 2 feet (0.6 metres) |
| Side and Rear Yards | Buildings may be built to the lot lines. |
| Maximum Height | In accordance with Section 8 |

~~(6) SPECIAL REQUIREMENTS FOR RESIDENTIAL USES:~~

~~A residential component is required for all new construction except along the Alderney Drive or Portland Street main street corridor.~~

~~(a) Single, Two Unit and Townhouse Dwellings:~~

~~For single and two unit dwellings and townhouse dwellings, the requirements of section 9 shall apply.~~

~~(b) Multiple Unit Dwelling Conversion:~~

~~Any building in existence as of the date of adoption of this plan may be converted entirely or partially to multiple unit dwellings provided that all units are a minimum of 500 square feet (46.5 square metres) in floor area, and that at least two thirds of the units contain one or more bedrooms.~~

~~(c) Multiple Unit Dwellings~~

~~Maximum Number of Dwelling Units / Lot 24~~

~~Recreation space shall be set aside for recreational purposes and shall include common recreational areas, play areas, recreational rooms, roof decks, swimming pools & tennis courts.~~

~~Surface parking areas for multiple unit dwellings required as per section 6 of this bylaw shall be screened from adjacent single, two unit, or townhouse dwellings through opaque fencing and a landscaped buffer strip of a minimum width of five feet (1.5 metres) along all property boundaries abutting the residential use, and balconies or terraces. Such amenity space shall be provided at the rate of 100 square feet per dwelling unit. The Development Officer may reduce this requirement by 25% where the development abuts, or is directly across the street from, public parkland~~

~~(7) SITE PLAN APPROVAL REQUIREMENTS FOR TOWNHOUSE OR MULTIPLE UNIT DWELLINGS ON RESIDENTIAL OPPORTUNITY SITES~~

~~All townhouses on the four Residential Opportunity Sites shown on Schedule B of this Bylaw are subject to approval of a site plan. The Development Officer shall approve a site plan where the following matters have been addressed:~~

- ~~(a) Adequate separation distances shall be provided for townhouses which abut single detached dwellings.~~
- ~~(b) The front yard setback required for buildings shall be in context with the setbacks of buildings within the immediate neighbourhood.~~
- ~~(c) Driveways should not be located so as to dominate the front yard of the lot, and the remainder of the front yard not used for parking shall be landscaped.~~
- ~~(d) Any common parking areas shall be screened from adjacent single unit dwellings and the street by landscaping and/or fencing.~~
- ~~(e) Landscaping and/or street trees of an adequate caliper shall be provided in the front yard of townhouse dwellings.~~
- ~~(f) To create additional opportunity for development on designated opportunity sites within the Business District Zone as shown on Schedule B of this Bylaw, provisions are established to permit construction of laneways narrower than the standard public street width to provide access to the development, provided that the laneway is of adequate width to facilitate the safe movement of traffic to and from the site provisions are made to address maintenance of the laneway.~~
- ~~(g) Measures including lot grading shall be required to adequately dispose of storm and surface water.~~
- ~~(h) Provisions are established to ensure individual townhouse units and any required site improvements are maintained to a high standard.~~

~~(8) PARKING REQUIREMENTS~~

~~(a) Required Parking:~~

~~Notwithstanding the parking requirements of Section 6 of this Bylaw, existing buildings may be renovated or their use changed without having to provide parking unless such parking already exists in which case it shall be maintained. New buildings or additions of less than 20,000 square feet (1858 square metres) in floor area constructed within the Portland Alderney Main Street corridor are also exempt from the parking requirements of Section 6 of this bylaw.~~

~~(b) Parking Access:~~

~~No new driveway accesses will be permitted to properties located on Alderney Drive or Portland Street between Alderney Drive and Maitland Street. Access to properties in this area shall only be permitted from adjacent streets except where the driveway provides access to an underground or otherwise enclosed parking structure.~~

~~(9) SPECIAL REQUIREMENTS - VACANT LOTS:~~

~~Where a building is removed except to create a parking lot or to erect a new building, the resulting vacant lot shall be fully graded to sidewalk elevation and landscaped and maintained with grass until such time as appropriate permits are issued and construction commences on a new structure.~~

~~(10) ARCHITECTURAL REQUIREMENTS~~

~~All new buildings shall conform to the architectural requirements of Section 8 of this bylaw.~~

~~(11) LANDSCAPING~~

~~All lot areas not covered by a building or required parking or driveway area shall be landscaped. Landscaping shall consist of at least one nursery stock tree per 20 feet (6.1 meters) of frontage, and one shrub per 100 square feet (9.3 square feet) of landscaped area to be provided.~~

~~(12) STARR MANUFACTURING BLOCK~~

~~Notwithstanding the permitted uses in this zone, all new development within the block bounded by Prince Albert Road, Pine Street extension, and Ochterloney Streets will be subject to the approval of a development agreement. This requirement shall not apply to additions to existing dwellings or construction of accessory buildings for existing residential dwellings.~~

~~(13) USE OF PUBLIC SIDEWALKS~~

~~(a) Sidewalk cafes and restaurants are permitted, subject to any other municipal bylaw or regulation.~~

~~(b) No outdoor display on public sidewalks shall be permitted excepting for florist=s displays including flowers and plants, grocery produce, clothing displayed on racks, and used books. Any such outdoor display shall not extend more than 2 feet onto a public sidewalk from a building face, and shall conform to all other municipal bylaws including but not limited to the Encroachment Bylaw and the Streets Bylaw as may be amended from time to time.~~

~~(14) OUTDOOR STORAGE AND DISPLAY~~

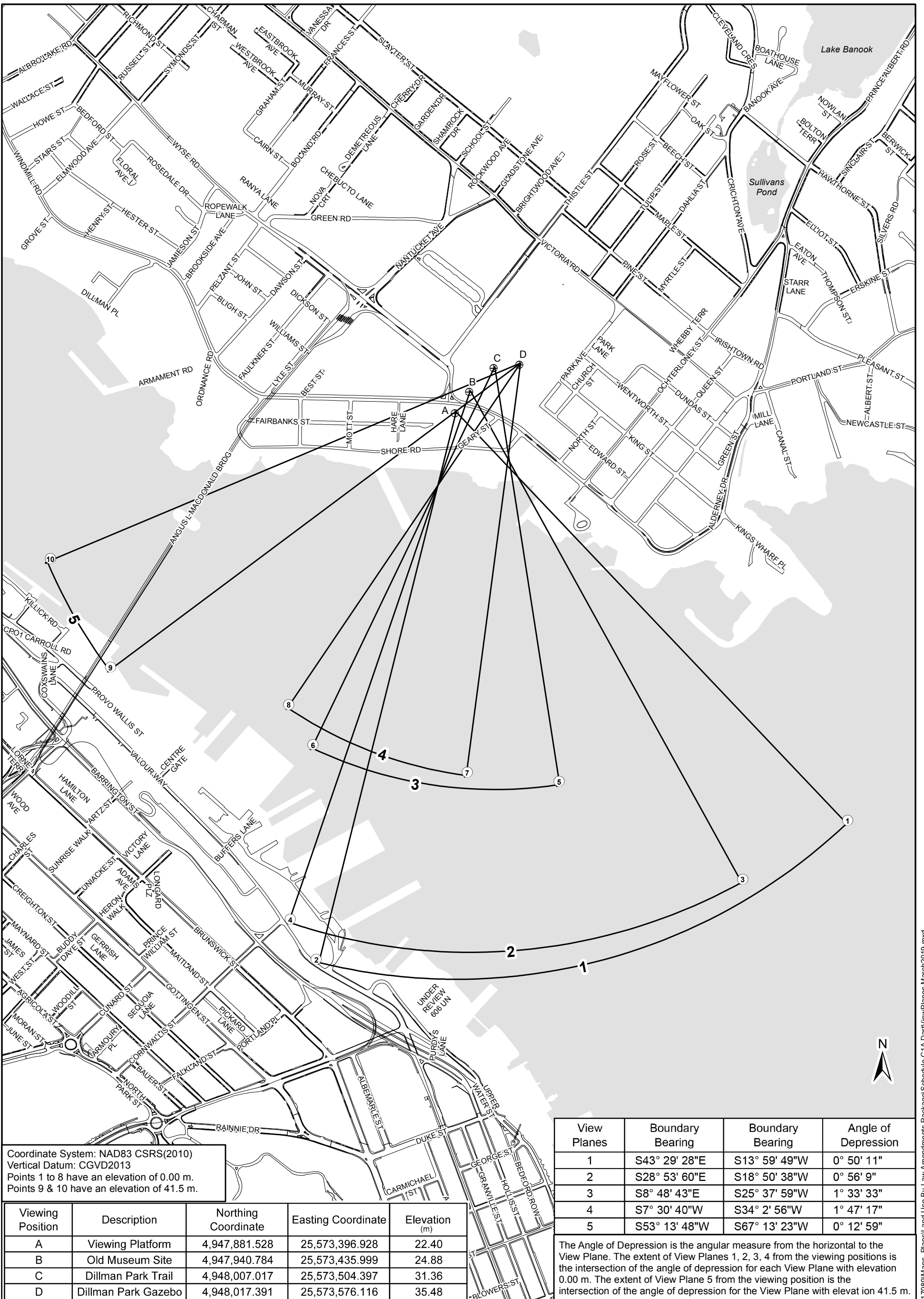
~~No outdoor storage or display is permitted on properties within the zone, excepting that those items identified under (12) may be displayed.~~

19. Repeal Schedule C1 – View Planes
20. Add Schedule C1A – View Planes, as shown on Attachment H-1
21. Repeal Schedule C2 – Detailed View Plane Geometry Tables
22. Repeal Schedule C3 - Waterfront View Corridors
23. Add Schedule C3A – Best Street Waterfront View Corridor, as shown on Attachment H-2
24. Add Schedule C3B – Mott Street Waterfront View Corridor, as shown on Attachment H-3
25. Add Schedule C3C – Old Ferry Road Waterfront View Corridor, as shown on Attachment H-4
26. Amend all schedules and maps of the Land Use By-law for Downtown Dartmouth are amended to remove those areas affected by Schedule 1 – Regional Centre Land Use By-law Boundary located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns as shown on Schedule 1 – Regional Centre Land Use By-law Boundary.

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

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

Municipal Clerk



Coordinate System: NAD83 CSRS(2010)
 Vertical Datum: CGVD2013
 Points 1 to 8 have an elevation of 0.00 m.
 Points 9 & 10 have an elevation of 41.5 m.

| Viewing Position | Description | Northing Coordinate | Easting Coordinate | Elevation (m) |
|------------------|---------------------|---------------------|--------------------|---------------|
| A | Viewing Platform | 4,947,881.528 | 25,573,396.928 | 22.40 |
| B | Old Museum Site | 4,947,940.784 | 25,573,435.999 | 24.88 |
| C | Dillman Park Trail | 4,948,007.017 | 25,573,504.397 | 31.36 |
| D | Dillman Park Gazebo | 4,948,017.391 | 25,573,576.116 | 35.48 |

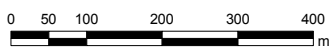
| View Planes | Boundary Bearing | Boundary Bearing | Angle of Depression |
|-------------|------------------|------------------|---------------------|
| 1 | S43° 29' 28"E | S13° 59' 49"W | 0° 50' 11" |
| 2 | S28° 53' 60"E | S18° 50' 38"W | 0° 56' 9" |
| 3 | S8° 48' 43"E | S25° 37' 59"W | 1° 33' 33" |
| 4 | S7° 30' 40"W | S34° 2' 56"W | 1° 47' 17" |
| 5 | S53° 13' 48"W | S67° 13' 23"W | 0° 12' 59" |

The Angle of Depression is the angular measure from the horizontal to the View Plane. The extent of View Planes 1, 2, 3, 4 from the viewing positions is the intersection of the angle of depression for each View Plane with elevation 0.00 m. The extent of View Plane 5 from the viewing position is the intersection of the angle of depression for the View Plane with elevation 41.5 m.

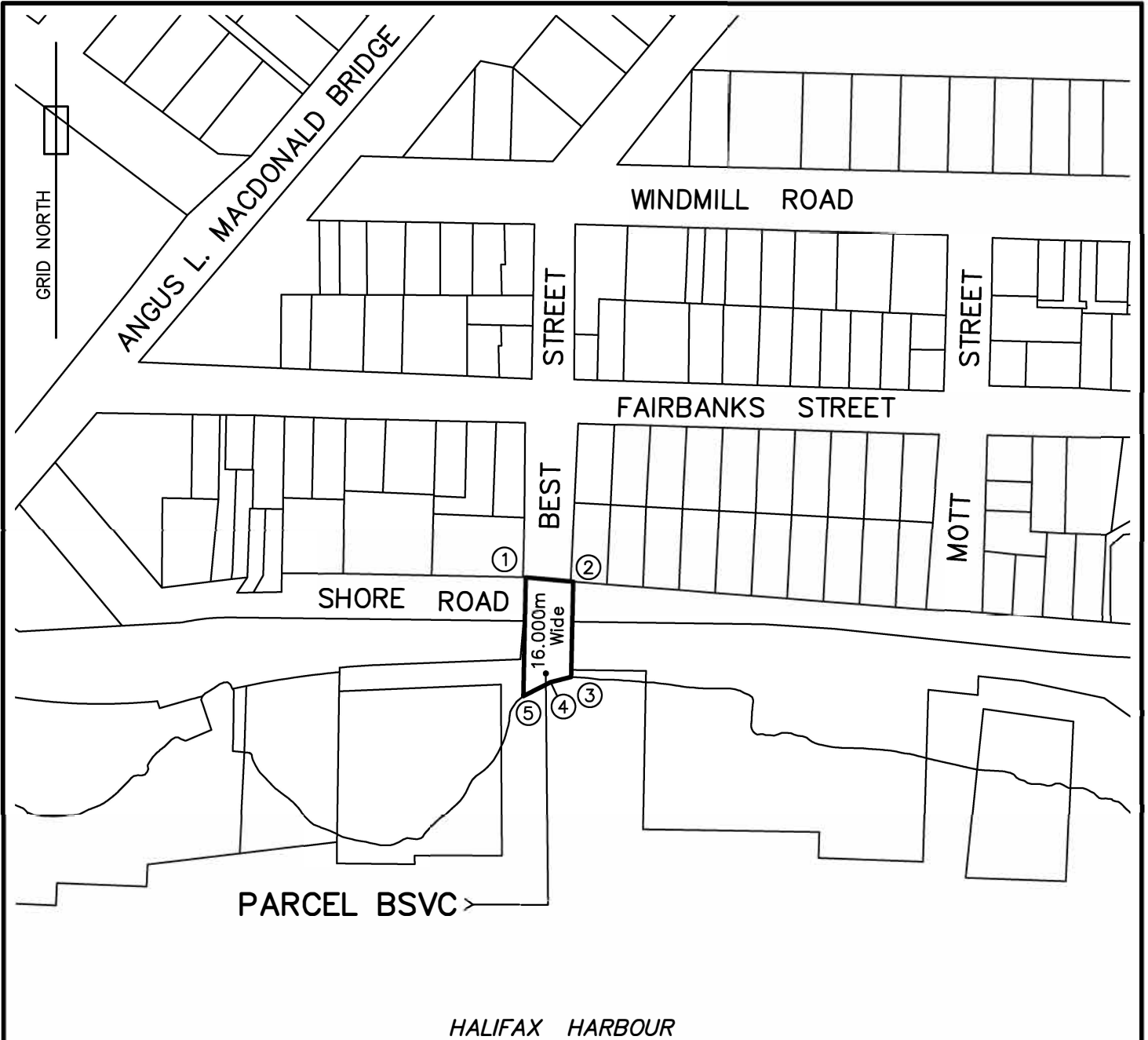
Schedule C1A: Dartmouth View Planes

HALIFAX
 Downtown Dartmouth
 Land Use By-Law

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



Last Updated March 11, 2019



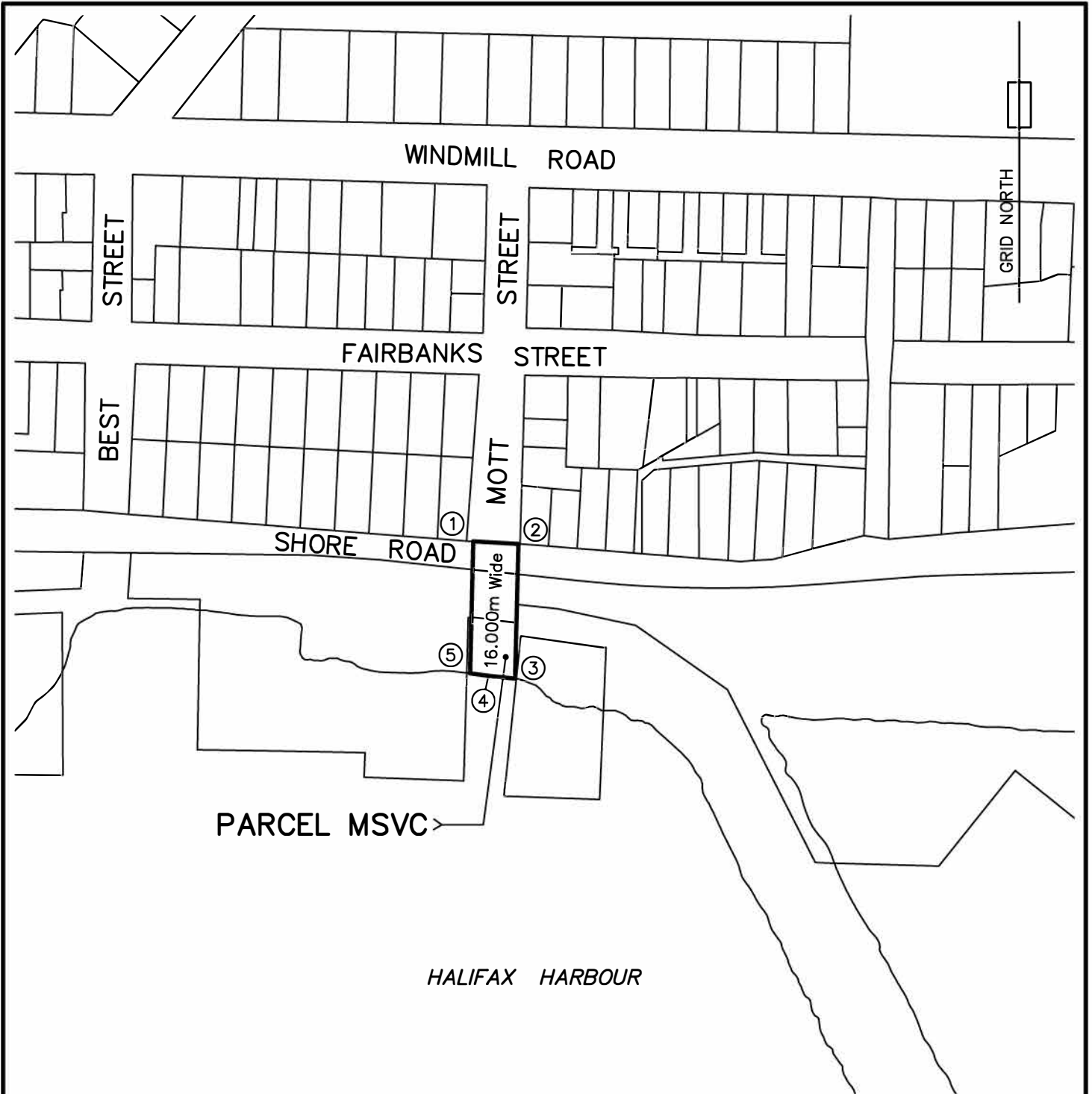
NOTES:

1. COORDINATES REFER TO ZONE 5, CENTRAL MERIDIAN 64°30' WEST, OF THE NOVA SCOTIA 3' MTM PROJECTION, NAD83 DATUM.
2. PARCEL BSVC RELATES TO HRM PLAN NO. HRMDDWVC01 DATED OCTOBER 19, 2017.

COORDINATE LIST:

| | | |
|-----------|-----------------|------------------|
| NSCM 5427 | N 4,947,940.881 | E 25,573,419.437 |
| 1 | N 4,947,794.436 | E 25,572,954.064 |
| 2 | N 4,947,793.029 | E 25,572,970.040 |
| 3 | N 4,947,760.849 | E 25,572,969.420 |
| 4 | N 4,947,759.118 | E 25,572,962.407 |
| 5 | N 4,947,754.392 | E 25,572,953.292 |

| | | |
|--|----------|----------|
| HALIFAX | | |
| Downtown Dartmouth Land Use By-Law | | |
| PLAN SHOWING PARCEL BSVC BEST STREET WATERFRONT VIEW CORRIDOR | | |
| DATE 10/19/2017 | SCHEDULE | APPROVED |
| SCALE 1 : 2000 | C3A | FIG. NO. |



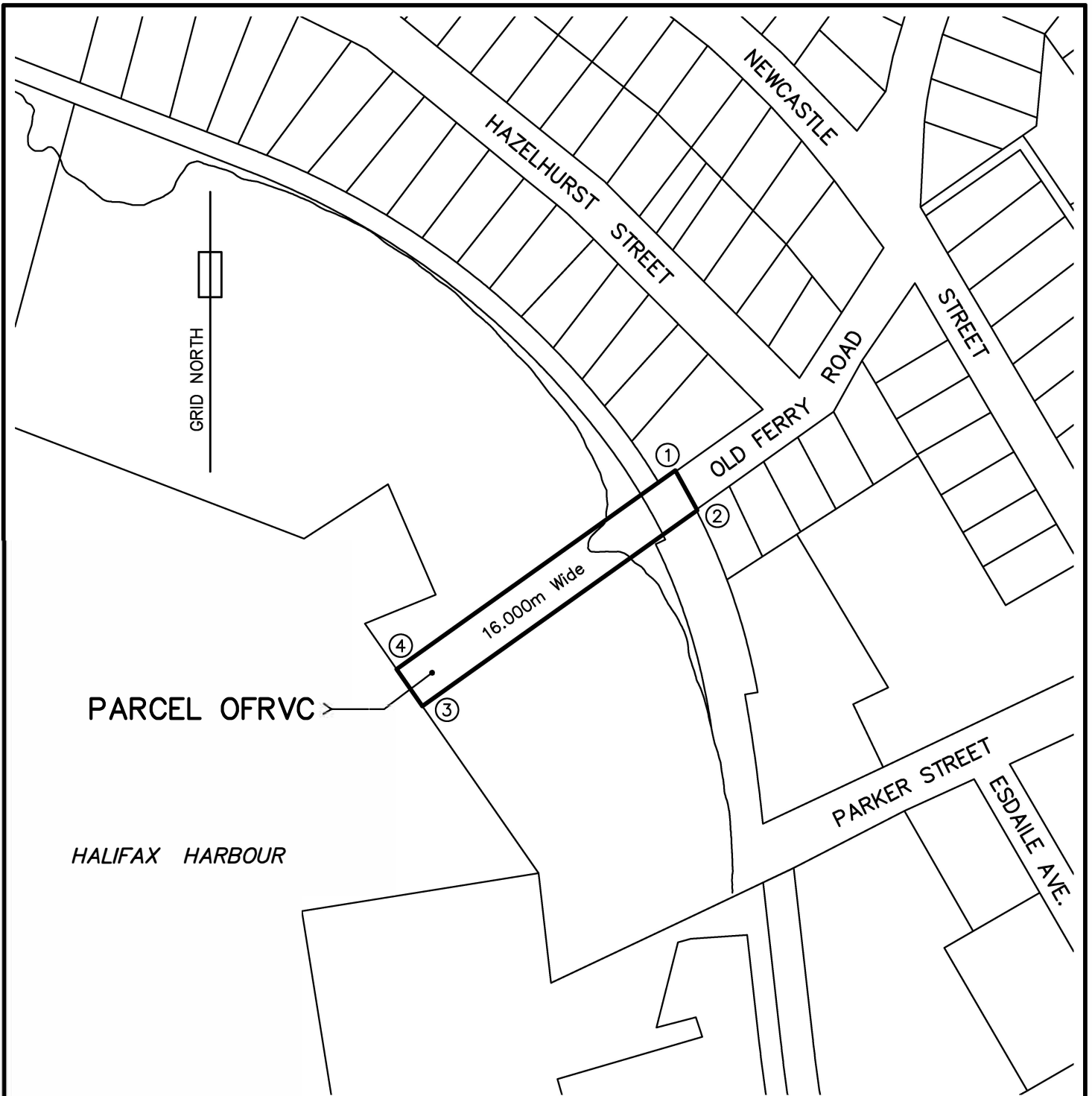
NOTES:

1. COORDINATES REFER TO ZONE 5, CENTRAL MERIDIAN 64°30' WEST, OF THE NOVA SCOTIA 3' MTM PROJECTION, NAD83 DATUM.
2. PARCEL MSVC RELATES TO HRM PLAN NO. HRMDDWVC02 DATED OCTOBER 20, 2017.

COORDINATE LIST:

| | | |
|-----------|-----------------|------------------|
| NSCM 5427 | N 4,947,940.881 | E 25,573,419.437 |
| 1 | N 4,947,783.492 | E 25,573,091.436 |
| 2 | N 4,947,782.631 | E 25,573,107.420 |
| 3 | N 4,947,734.870 | E 25,573,106.239 |
| 4 | N 4,947,735.865 | E 25,573,096.753 |
| 5 | N 4,947,736.668 | E 25,573,090.279 |

| | | |
|---|----------|----------|
| HALIFAX | | |
| Downtown Dartmouth Land Use By-Law | | |
| PLAN SHOWING PARCEL MSVC MOTT STREET WATERFRONT VIEW CORRIDOR | | |
| DATE 10/20/2017 | SCHEDULE | APPROVED |
| SCALE 1 : 2000 | C3B | FIG. NO. |



NOTES:

1. COORDINATES REFER TO ZONE 5, CENTRAL MERIDIAN 64°30' WEST, OF THE NOVA SCOTIA 3' MTM PROJECTION, NAD83 DATUM.
2. PARCEL OFRVC RELATES TO HRM PLAN NO. HRMDDWVC12 DATED SEPTEMBER 29, 2017.

COORDINATE LIST:

| | | | | |
|-----------|---|-----------------|---|----------------|
| NSCM 5427 | N | 4,947,940.881 | E | 25,573,419.437 |
| | 1 | N 4,947,584.488 | E | 25,574,771.847 |
| | 2 | N 4,947,570.368 | E | 25,574,779.603 |
| | 3 | N 4,947,500.856 | E | 25,574,682.058 |
| | 4 | N 4,947,513.998 | E | 25,574,672.930 |

HALIFAX

Downtown Dartmouth Land Use By-Law

PLAN SHOWING PARCEL OFRVC OLD FERRY ROAD WATERFRONT VIEW CORRIDOR

| | | |
|--------------------|-----------------|----------|
| DATE 09/29/2017 | SCHEDULE | APPROVED |
| SCALE 1 : 2000 | C3C | FIG. NO. |

ATTACHMENT I
PROPOSED AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY FOR HALIFAX

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

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

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

2. All maps and schedules of the Municipal Planning Strategy for Halifax are amended to remove those areas located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes and Downtowns, as shown on Map 1: Urban Structure - Secondary Municipal Planning Strategy for Regional Centre.
3. Amend the “TABLE OF CONTENTS”, by:
 - (a) deleting the words and numbers “Map 9Gb: Peninsula North Planning – Area 1”, under “SECTION XI: PENINSULA NORTH SECONDARY PLANNING STRATEGY”;
 - (b) deleting the words and numbers “Map 9Gh: Peninsula North Planning – Area 8”, under “SECTION XI: PENINSULA NORTH SECONDARY PLANNING STRATEGY”;
 - (c) deleting the words and number “1. RESIDENTIAL ENVIRONMENTS”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”;
 - (d) deleting the words and number “3. COMMUNITY FACILITIES”, under “Section XII QUINPOOL ROAD COMMERCIAL AREA PLAN – OBJECTIVES AND POLICIES”;
 - (e) deleting the words and roman numerals “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (f) deleting the words and number “1. BACKGROUND” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (g) deleting the words and number “2.0 THE PLANNING PRINCIPLES” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (h) deleting the words and number “3. DEVELOPMENT AT ROBIE STREET / PEPPERELL STREET / SHIRLEY STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (i) deleting the words and number “4. DEVELOPMENT AT CHEBUCTO ROAD / ELM STREET / BEECH STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (j) deleting the words and number “5. DEVELOPMENT AT QUINPOOL ROAD / PEPPERELL STREET, NEAR PRESTON STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (k) deleting the words and number “6. DEVELOPMENT AT ROBIE STREET / COMPTON STREET / CUNARD STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (l) deleting the words and number “7. DEVELOPMENT AT WELLINGTON STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (m) deleting the words and number “8. DEVELOPMENT AT AGRICOLA STREET” under

- “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
- (n) deleting the words and number “9. DEVELOPMENT AT VICTORIA ROAD AND SOUTH PARK STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (o) deleting the words and number “10. DEVELOPMENT AT QUINPOOL ROAD / PEPPERELL STREET, BETWEEN OXFORD STREET AND PRESTON STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (p) deleting the words and number “11. DEVELOPMENT AT BAYERS ROAD / YOUNG STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (q) deleting the words and number “12. DEVELOPMENT AT SPRING GARDEN ROAD / ROBIE STREET / CARTLON STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (r) deleting the words and number “MAP A: Spring Garden Road, Robie Street, College Street And Carlton Street” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”;
 - (s) deleting the words and number “13. DEVELOPMENT AT ROBIE STREET / COLLEGE STREET / CARTLON STREET” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”; and
 - (t) deleting the words and number “MAP A: Spring Garden Road, Robie Street, College Street And Carlton Street” under “SECTION XVI: SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”.
4. Amend the “INTRODUCTION” by deleting the word “ten” in the second paragraph, and replacing it with the word, number, and brackets “nine (9)”, after the words “there are” and before the words “detailed policy”.

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

“INTRODUCTION

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

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

Under the provisions of the Halifax Regional Municipality Charter, a municipality cannot regulate directly from a Municipal Planning Strategy; rather, it must regulate from a Zoning By-law adopted by the municipality to carry out the intent of the Plan. It should, therefore, be noted that there is an essential distinction in the policies of the Plan as they relate to this point, such distinction being defined by the use of the words “should” or “shall” in the policies. Where “shall” is used in a policy relating to a land use matter, it points to implementation of that policy through zoning regulations.

Similarly, where "should" is used, the policy, for the purposes of land use control, will apply to any decision on a development application, rezoning, or zoning amendment made by Council."

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) deleting the number and words "5. Area bounded by Container Port and existing residential development adjacent to Young Avenue and Ogilvie Street.";
- (b) deleting the number and words "6. Area lying on west side of Robie Street between the boundaries of Peninsula Centre and Peninsula North designated areas for detailed planning.";
- (c) deleting the number and words "8. Area bounded by Simpson's and Eaton's shopping areas for detailed planning, Quinpool Road, Dutch Village Road and Olivet Street.";
- (d) deleting the number and words "9. Area fronting Chebucto Road between Poplar and Elm Streets and Peninsula North area for detailed planning.";
- (e) deleting the number and words "10. Area bounded by west side of Windsor Street, London Street, and Chebucto Road.";
- (f) deleting the number and words "11. Area fronting south side of Bayers Road and both sides of Oxford Street between Connaught Avenue and Liverpool Street.";
- (g) deleting the number, words and brackets "12. Area within the curtilage of Civic Number 6450 Young Street (presently occupied by Hoyt's Moving and Storage Limited).";
- (h) deleting the number and words "13. Area bounded by Richmond and Barrington Streets, and Devonshire Avenue.";
- (i) deleting the number and words "14. Area bounded by Young Street, Isleville Street, Columbus Street, Agricola Street, Kane Street and Robie Street.";
- (j) deleting the number and words "15. Area bounded by Bayers Road, Howe Avenue, Scot Street and Desmond Avenue.";
- (k) deleting the number and words "16. Area bounded by northeast side of Windsor Street, between Strawberry Hill and Hood Street.";
- (l) deleting the number and words "17. Triangular area bounded by Lady Hammond Road, Robie Street connector and existing developed properties.";
- (m) deleting the number and words "18. Area fronting Lady Hammond Road between Memorial Drive and Duffus Street.";
- (n) deleting the number and words "19. Northwest corner of Duffus Street and Gottingen Street."; and
- (o) deleting the number and words "20. Area bounded by west side of Lynch Street between Duffus Street and Rector Street."

SCHEDULE II.1

SOFT AREAS OUTSIDE

AREAS DESIGNATED FOR DETAILED PLANNING

1. Geizer Hill area bounded by Bicentennial Highway and western boundaries of existing development of Fairview, Clayton Park, Bridgeview, Sherwood Park, Wedgewood Park, and Mount St. Vincent University.
2. Kearney Lake area bounded by Bicentennial Highway and City limits
3. Hemlock Ravine margins bounded by City lands of Hemlock Ravine, Bedford Highway, City limits, Bicentennial Highway and Grosvenor-Wentworth developed area.
4. Area bounded by Dunbrack Street, St. Margaret's Bay Road, Crown Drive, thence following a line from Crown Drive to the S.E. corner of Springvale subdivision and following the southern boundary of Springvale subdivision itself.
- ~~5. Area bounded by Container Port and existing residential development adjacent to Young Avenue and Ogilvie Street.~~
- ~~6. Area lying on west side of Robie Street between the boundaries of Peninsula Centre and Peninsula North designated areas for detailed planning.~~
7. Deleted
- ~~8. Area bounded by Simpson's and Eaton's shopping areas for detailed planning, Quinpool Road, Dutch Village Road and Olivet Street.~~
- ~~9. Area fronting Chebucto Road between Poplar and Elm Streets and Peninsula North area for detailed planning.~~
- ~~10. Area bounded by west side of Windsor Street, London Street, and Chebucto Road.~~

11. Area fronting south side of Bayers Road and both sides of Oxford Street between Connaught Avenue and Liverpool Street.
 12. Area within the curtilage of Civic Number 6450 Young Street (presently occupied by Hoyt's Moving and Storage Limited).
 13. Area bounded by Richmond and Barrington Streets, and Devonshire Avenue.
 14. Area bounded by Young Street, Isleville Street, Columbus Street, Agricola Street, Kane Street and Robie Street.
 15. Area bounded by Bayers Road, Howe Avenue, Scot Street and Desmond Avenue.
 16. Area bounded by northeast side of Windsor Street, between Strawberry Hill and Hood Street.
 17. Triangular area bounded by Lady Hammond Road, Robie Street connector and existing developed properties.
 18. Area fronting Lady Hammond Road between Memorial Drive and Duffus Street.
 19. Northwest corner of Duffus Street and Gottingen Street.
 20. Area bounded by west side of Lynch Street between Duffus Street and Rector Street.
10. Repeal Policy 5.4 in Section II of Part II, in its entirety, as shown below in ~~strikeout~~.

~~5.4—The property at the northern corner of Windsor Street, Young Street and Bayers Road (PID # 00153106) was formerly part of the CFB Halifax – Willow Park. The site forms a unique opportunity for commercial and high density residential development as it is outside an established residential neighbourhood but an appropriate site for high density residential development. Notwithstanding the policies 5.1 through 5.3, a mix of residential and commercial uses shall be considered by Development Agreement in accordance with the *Halifax Regional Municipality Charter*.~~

11. Repeal Policy 5.5 in Section II of Part II, in its entirety, as shown below in ~~strikeout~~.

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

- ~~(a) that the proposal is a comprehensive plan for the development of the lands in their entirety and may include construction phasing;~~
- ~~(b) that the development is comprised of a mixture of residential and compatible commercial uses;~~
- ~~(c) that the proposal shall contain three above ground buildings which transitions in height from low to high rise, with the lowest building at Young Street (five storeys maximum), and providing a transition to the northern and western corners of the site. The tallest building shall be located in the norther portion of the site with a maximum height of twentyfive storeys;~~
- ~~(d) that a combined (residential/commercial) floor area ratio (FAR) of 4.38 for the site shall not be exceeded and a maximum floorplate width of 32m above the seventh floor not be exceeded;~~
- ~~(e) that a minimum building spacing of 22.86m be maintained between the two tallest buildings and that the building at Young Street be a minimum of 15.24m from the two tallest buildings.~~
- ~~(f) ground floor land uses facing Windsor Street and Young Streets shall be primarily commercial and that the building fronting on Young Street contain a minimum of 50 percent of the gross floor area of the building;~~
- ~~(g) to promote pedestrian interest and create a high quality design attention, ground floor uses shall have a high level of transparency and include frequent prominent entryways to adjacent public streets where there are multiple occupancies. Site landscaping, appropriate lighting and coordinated signage shall be considered;~~
- ~~(h) the appropriate scale and massing of the building(s) for the lot area and configuration;~~

- ~~(i) the architectural design of the building including a high quality design using durable exterior building materials, variations in the facade and mass of the building shall be provided to provide visual interest;~~
- ~~(j) the integration of underground parking and buildings so that the ground floor of all buildings facing a public street are at or near the grade of the adjacent sidewalk;~~
- ~~(k) the size and visual impact of utility features such as garage doors, service entries, and storage areas, shall be minimized and that mechanical equipment shall be concealed;~~
- ~~(l) the creation of high quality design detail at pedestrian level through attention to such matters as site landscaping, fencing, minimal surface, parking, prominent building entrances, appropriate lighting and coordinated signage;~~
- ~~(m) that residential dwelling unit types have a minimum of 50% of the dwelling units are a minimum of two bedrooms and have a minimum area of 92.9 sq. m. and that they are located throughout the development;~~
- ~~(n) safe and appropriate vehicular and pedestrian access and egress is achieved through a complete network of pedestrian walkways and driveway including an east-west pedestrian linkage;~~
- ~~(o) that vehicular parking is primarily provided within an interior parking garage that has access from both Young Street and Windsor Streets;~~
- ~~(p) that there is an adequate supply of vehicular and bicycle parking;~~
- ~~(q) that rooftop areas include landscaped outdoor amenity space;~~
- ~~(r) the provision of useable on-site amenity space and recreational amenities of a size and type adequate for the resident population;~~
- ~~(s) that environmental factors, including sun/shadow and wind conditions are suitable;~~
- ~~(t) there are suitable onsite solid waste facilities; and~~
- ~~(u) the adequacy of sewer and water servicing capacity for the site.~~

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

~~2.3.4 The area bounded by Barrington Street, 1075 Barrington Street, the VIA railway corridor, and 1015 Barrington Street is positioned between Downtown Halifax and existing multi-unit residential development in the South End Area Plan. In order to better reflect the transitional nature of this area, the Halifax Peninsula Land Use By-law shall be amended to introduce an area-specific zone titled RC-4 (South Barrington Residential/Minor Commercial Zone). The RC-4 Zone shall require pedestrian-oriented commercial uses on a portion of the ground floor facing the public street and residential uses within the remainder of a building. RC-4 Zone provisions shall regulate overall height, streetwall height, setbacks, amenity space, landscaping, buffering adjacent to the railway corridor, and signage. The RC-4 Zone shall require each building to contain a minimum number of residential units with two or more bedrooms, and shall require vehicular parking to be located below grade and inside a building.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- ~~a. The adequacy of the servicing available to the site;~~
- ~~b. The scale, height and massing of the building and the building shall not contain more than 50 dwelling units;~~
- ~~c. Architectural design compatible with the adjacent building;~~

- d. ~~Appropriate vehicle and pedestrian access and egress;~~
- e. ~~Site landscaping and buffering;~~
- f. ~~The location and amount of parking provided;~~
- g. ~~Building materials appropriate to the context; and~~
- h. ~~The commercial component shall be limited to the ground floor and the types of commercial shall be limited to uses which would be compatible with the residential component of the building and the adjacent church.~~

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

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

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

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

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

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

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

~~7.6.4.1 — Pursuant to Policy 7.6.4, the building shall be designed so that it is compatible with and enhances the surrounding neighbourhood and does not cause the unreasonable loss of enjoyment to neighbouring properties. When deciding whether to enter into such an agreement, consideration shall be given to the following matters:~~

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

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

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

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

- ~~(a) the adequacy of the servicing capacity of the site;~~
- ~~(b) architectural design of the building including heritage elements and exterior building materials;~~
- ~~(c) the scale, height, and massing of the building;~~
- ~~(d) the adequacy of parking provided;~~
- ~~(e) safe accesses to the site and building;~~

- (f) ~~site landscaping including buffering;~~
- (g) ~~location, form and function of open space~~

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

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

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

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

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

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

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

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

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

- ~~(a) that a proposal is a comprehensive plan for the development of the lands in their entirety and includes construction phasing;~~
- ~~(b) that the development conforms with the Citadel Rampart and View Plane requirements;~~
- ~~(c) that the development is comprised of a mixture of residential dwelling unit types, with a minimum of 50% of the dwelling units that are comprised of a minimum of two bedrooms and that are spread throughout the development, and commercial uses that are compatible with residential uses;~~
- ~~(d) that there is an adequate supply of vehicular and bicycle parking;~~
- ~~(e) that vehicular parking is exclusively provided within an interior parking garage that has access from both South Street and Fenwick Street;~~
- ~~(f) that the proposal is a single building with an underground parking garage, above which the form and land use of individual building elements is consistent with the following:~~
 - ~~i. the existing Fenwick Tower may be enlarged towards Fenwick Street and its existing exterior cladding shall be replaced, along with the addition of a new penthouse;~~

- ii. ~~Fenwick Tower shall contain commercial uses within its first three levels, residential uses throughout the remainder of the building element, with an option for commercial uses upon top level of the building;~~
- iii. ~~at the base of Fenwick Tower, along Fenwick Street, there shall be Townhouse style dwelling units with an option for at grade commercial uses;~~
- iv. ~~to the north-west of Fenwick Tower, there may be a building element that is a maximum of 8 storeys and a maximum of 85 feet above the level of the parking garage rooftop, that shall be comprised of ground floor commercial uses and either residential dwelling units or office uses;~~
- v. ~~upon South Street, there may be a building element that is a maximum of 10 storeys from South Street and in conformity with the Citadel View Plane requirements, that shall be comprised of ground floor commercial uses and upper storey residential uses;~~
- vi. ~~connecting South Street and Fenwick Street, there shall be a pedestrian passageway that is accessible to the general public and that may have one and two storey building elements along it, above the level of the parking garage rooftop, that shall have ground floor commercial uses and either second floor commercial or residential uses;~~
- (g) ~~that rooftop areas around the base of the building elements described above and the pedestrian passageway, are comprised of landscaping;~~
- (h) ~~that mechanical equipment and other utilitarian features are concealed;~~
- (i) ~~that environmental factors, including sun/shadow and wind conditions are suitable for in the intended use of the site; and~~
- (j) ~~that the form of the development is of a high quality and that the development and its land uses are suitable with surrounding properties.~~

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

~~7.7B.1 For the properties designated as Medium Density Residential located at 1034, 1042, 1050, and 1056 Wellington Street, and notwithstanding policies 1.1.1.1, 1.4.2, and 1.4.2.3, Council may consider a redevelopment proposal for the entirety of these lands by development agreement for a comprehensively designed residential multi-unit development which would not exceed 30.5 metres in height or ten storeys whichever is less not including rooftop amenity space access and mechanical space, and with to a maximum total of 141,000 square feet of Gross Floor Area.~~

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

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

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

~~1.14 Notwithstanding the Mid Density Residential Designation of the southern portion of the property known as 6112 Quinpool Road bounded by Quinpool Road, Vernon Street and Pepperell Street, and in conjunction with Policy 2.9 of Section XII of this Municipal~~

~~Planning Strategy, the Municipality shall permit a mixed use residential and commercial building by development agreement.~~

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

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

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

- ~~(a) appropriate scale, massing and setbacks from neighbouring properties and uses;~~
- ~~(b) reduced building setbacks of up to 1.8 metres (6 feet) from shared property lines provided design features and step backs are incorporated to mitigate potential impacts on neighbouring properties;~~
- ~~(c) appropriate transition of the building with respect to the lower rise buildings along Seymour Street;~~
- ~~(d) no portion of the building, including mechanical equipment and penthouses, shall exceed 20.1 metres (66 feet) in height;~~
- ~~(e) the building shall be constructed of high quality durable materials;~~
- ~~(f) commercial uses intended to serve the local neighbourhood, such as grocery store uses, drug store uses, and personal service uses may be permitted at the ground level;~~
- ~~(g) underground monthly or yearly commercial parking may be permitted provided parking is also provided to a minimum of 1/3 of the residential units;~~
- ~~(h) to promote pedestrian interest, where commercial uses are located at the ground level, the ground level shall have a high level of transparency and there shall be frequent entryways where there are multiple occupancies;~~
- ~~(i) to promote a mix in residential units, a minimum of one third of the residential units shall be 74 square metres (800 square feet) or larger;~~
- ~~(j) all vehicular parking shall be located underground;~~
- ~~(k) no vehicular or service access points shall be located on Coburg Road;~~
- ~~(l) the size and visual impact of utilitarian features such as garage doors, service entries, and storage areas, shall be minimized; and adequate water and sewer capacity to service the development.~~

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

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

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

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

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

- ~~(a) Appropriate scale and massing of the building for the lot area and configuration.~~
- ~~(b) An overall building height which does not exceed the following:
 - ~~i. Maximum building height of 17.5 metres, to a maximum of five storeys;~~
 - ~~ii. Maximum streetwall height of 14 metres, to a maximum of four storeys;~~
 - ~~iii. A maximum height of 10.5 metres to a maximum of three storeys for all portions of the building within 12 metres of the north property boundary; and~~
 - ~~iv. Required building setbacks a minimum of 2.43 metres in depth on Larch Street and Coburg Road.~~~~
- ~~(c) Building elevations which face the street should include complimentary streetscaping elements reflecting the characteristics of the low density built form of the existing surrounding neighbourhood. More specifically, the building should ensure the streetscape accomplishes the following:
 - ~~i. The primary residential entry shall be located on Coburg Road;~~
 - ~~ii. Main floor units facing Larch Street, the abutting property of Civic No. 1525 Larch Street and Coburg Road shall have individual unit entries; and~~
 - ~~iii. High quality and durable building materials shall be used to reflect the prominence of the site.~~~~
- ~~(d) Dwelling unit variation shall be required in the building in accordance with the following:
 - ~~i. A minimum 25% of units shall contain two or more bedrooms, with a minimum unit size of 83 square metres; and~~
 - ~~ii. Each floor of the building shall contain a mix of unit types per floor with a minimum of two 2-bedroom units per floor.~~~~
- ~~(e) High quality exterior building materials and variations in the façade and mass of the building to provide visual interest.~~
- ~~(f) Vehicular parking be provided underground, with no surface parking provided.~~
- ~~(g) The size and visual impact of utility features such as garage doors, service entries and storage areas shall be minimized and mechanical equipment is concealed.~~
- ~~(h) The creation of high quality design detail at the pedestrian level through attention to details including but not limited to entrance treatments, landscaping and lighting.~~
- ~~(i) Ground floor level features individual unit entry doors.~~
- ~~(j) The adequacy of sewer and water servicing for the site.~~

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

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

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

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

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

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

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

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

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

~~8.1 — SPRING GARDEN ROAD SUB-AREA~~

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

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

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

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

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

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

~~8.3 — PEPPERELL STREET SUB-AREA~~

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

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

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

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

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

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

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

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

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

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

~~1.4.7 In Area 6 of this Section, the land use by-law shall include a height limit to maintain the existing low rise form and ensure compatibility with the character of surrounding neighbourhoods, for any property designated High Density Residential with the exception of 5885 Cunard Street and 5565 Cornwallis Street which are currently high rise apartment developments.~~

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

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

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

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

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

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

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

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

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

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

- (a) ~~the parking area shall be constructed and maintained with a stable surface such as asphalt or concrete and shall be drained in accordance with engineering standards of the City;~~
- (b) ~~no signs shall be erected except to indicate the operation and purpose of the lot;~~
- (c) ~~any illumination of such parking area shall be designed and placed to direct the light away from adjoining residential properties;~~
- (d) ~~the portion of the lot used for the parking of vehicles shall be bordered on all sides contiguous to a property used for residential purposes by a wall or opaque fence not less than five feet in height to visually screen the parking area from the residential properties;~~
- (e) ~~a minimum of a four foot wide area between the streetline and the parking surface along that part of the streetline not required for the curb cut or pedestrian entrance shall be landscaped, and the parking area visually screened from the street without obstructing the field of vision at the entrances and exits required for public safety;~~
- (f) ~~the parking lot shall be used only for at-grade vehicular parking, loading or unloading and the permitted residential use. Uses such as but not restricted to the sale, repair, servicing, or storage of motor vehicles, the storage of boxes, crates or any other accessory commercial uses including commercial refuse containers shall be prohibited;~~
- (g) ~~where the rear of the parking area is immediately adjacent to another parking area, and there is easy motor vehicle access from one to another, then an appropriate stationary traffic diverter or barrier, such as a low wall, planter, or landscaped area, shall be erected to channel the flow, reduce the speed of traffic, and inhibit the use of the lot as a through-vehicle route between City streets.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- ~~(i) The design of any building or buildings located on this corner lot shall recognize and address the transition on this site between the pedestrian-oriented commercial focus of Gottingen Street, and the traffic movement function of Cogswell Street.~~
- ~~(ii) The height of any development shall be compatible with commercial and institutional uses on Gottingen and Cogswell Streets, but in no case shall any development protrude through a viewplane nor shall any development exceed the height precincts established for the commercial core.~~
- ~~(iii) The design of any portions of building or the site facing Gottingen Street or the corner of Cogswell and Gottingen shall be of high quality and shall be pedestrian-oriented through attention to such matters as building materials, building details including windows, landscaping, fencing, walls, lighting, building entrances, and pedestrian walkways.~~
- ~~(iv) The design of any portions of building or the site facing Cogswell Street shall be high quality through attention to such matters as building materials, building details, landscaping, fencing, walls, lighting, and building entrances.~~
- ~~(v) Parking, vehicular access and loading areas, if provided, shall be located, sized, and designed in a manner which ensures the safe and efficient movement of vehicles to and from the site, and the safe movement of pedestrians to and from the development as well as pedestrians travelling between Cogswell and Gottingen Streets.~~
- ~~(vi) The size, design and placement of both free standing and fascia signs for any development on this lot shall not impede the safety or comfort of pedestrians or of automobile traffic shall enhance the image of the development as a component of the entrance to Gottingen Street.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~3.4 On the eastern side of Gottingen Street, between Russell Street and Kaye Street (PID # 40850463), the Municipality may permit, by development agreement, a mid-rise, mixed use residential and commercial building of up to 33 m in height.~~

~~3.4.1 In considering an application under Policy 3.4, Council shall pay particular attention to the building's design to ensure that the building creates an animated streetscape through active ground floor uses with frequent entries and pedestrian scaled design features.~~

~~3.4.2 Without limiting the generalities of Subsection 3.4.1, Council should encourage retail uses, individually accessed residential units, or a combination of both uses to occupy most of the street frontage of the building's base.~~

~~3.4.3 If individually accessed residential units are proposed, they should have front doors on the street, with appropriate front yard privacy measures such as setbacks and landscaping. Front entrances and first floor slabs for individually accessed residential units should also be raised above grade level for privacy, and should be accessed through means such as steps, stoops and porches.~~

~~3.4.4 In considering an application under Policy 3.4, Council may permit commercial uses to occupy both the ground floor and the second floor.~~

~~3.4.5 In considering an application under Policy 3.4, Council shall pay particular attention to the building's interface with the existing sloping street conditions.~~

~~3.4.6 In order to break up the massing of the building, Council shall require that the building's design be articulated into three separate and distinguishable sections: a base section, a middle section, and a top section.~~

~~3.4.7 In order to ensure visual interest in the building, Council should encourage other opportunities to articulate the massing of the building by including vertical and horizontal recesses or projections, datum lines, and changes in material, texture or colour.~~

- ~~3.4.8 Any development permitted pursuant to Policy 3.4 shall be exempt from the angle control requirements of the R-3 (Multiple Dwelling) Zone of the Land Use By-law.~~
- ~~3.4.9 Any development permitted pursuant to Policy 3.4 shall be exempt from the open space requirements of the R-3 (Multiple Dwelling) Zone of the Land Use By-law.~~
- ~~3.4.10 Any development permitted pursuant to Policy 3.4 shall not exceed a population of 200 persons on the site.~~
- ~~3.4.11 For the purpose of calculating population density for any development permitted pursuant to Policy 3.4, the following population counts shall apply:~~
- ~~(i) bachelor units shall be assigned one (1) person per unit;~~
 - ~~(ii) one-bedroom units shall be assigned two (2) persons per unit; and,~~
 - ~~(iii) all other dwelling units, including townhouse-style dwelling units, shall be assigned 2.25 persons per unit.~~
- ~~3.4.12 For the purpose of determining the amount of parking to be provided for any development permitted pursuant to Policy 3.4, each dwelling unit shall be assigned one (1) parking space, while the commercial portion of the development will not require the provision of parking.~~
- ~~3.4.13 Further to Subsection 3.4.12, any parking to be provided on site shall be located underground.~~
- ~~3.4.14 In considering an application under Policy 3.4, Council shall ensure that vehicular and service access to the building has minimal impact on the streetscape by minimizing the width of the frontage it occupies, and by requiring a design that integrates both functions.~~
66. Repeal Policies 9.7, 9.7.1 and 9.7.2 of Section XI, Part II, in their entirety, as shown below in ~~strikeout~~:
- ~~9.7 The area designated as the Brunswick Comprehensive Development District on the Generalized Use Future Land Use Map, which is the district bounded by Brunswick Street, Cornwallis Street, Maitland Street and Portland Place shall be a residential area planned and developed as a whole or in phases based on detailed site development criteria and providing a mixture of forms and designs of residential uses with limited community open space and selected commercial uses.~~
- ~~9.7.1 The Brunswick Comprehensive Development District shall be developed in a manner which (1) maintains or enhances the quality of life for the existing neighbourhood and community, (2) complements the existing residential uses in the neighbourhood in design, form and function, (3) complements the surrounding heritage buildings and the heritage streetscape of Brunswick Street and (4) promotes a variety of building forms and designs.~~
- ~~9.7.2 Pursuant to Policies 9.7 and 9.7.1 above, the Land Use By-law shall include a new zone, the Brunswick Comprehensive Development District zone within which any development shall be permitted only by development agreement which shall conform to the following. In these sections an existing building refers to a building existing on the date of adoption of this policy.~~
- ~~A. Open Space/Landscaping:~~
- ~~(i) A limited amount of community open space may be permitted on the site as appropriate. If provided this shall be located at the corner of Brunswick and Cornwallis Street and shall be designed and sized in a manner which enhances the view of Saint George's Church from Brunswick Street.~~
 - ~~(ii) Adequate private open space areas shall be provided for any residential development. The proximity to public open space areas within this neighbourhood shall be considered in determining the amount of private open space required.~~

Overall, a minimum of thirty-five (35) percent of any lot shall be used for private open space and landscaped areas.

- (iii) ~~A landscaping plan shall be provided for each development project. The majority of the landscaped area should be planted, and these landscaped areas should enhance the design of individual buildings and the heritage character of the district.~~

B. ~~Site Development~~

- (i) ~~The density of residential development shall not exceed the servicing (sewer and water) capacity of the district.~~
- (ii) ~~The maximum site coverage for buildings, including accessory buildings, on any lot, shall be forty (40) percent.~~
- (iii) ~~The maximum building footprint for any apartment house or townhouse building shall be seventy-five hundred (7500) square feet.~~
- (iv) ~~All townhouse buildings shall be limited to ten (10) individual dwellings units.~~
- (v) ~~Any existing residential building may be internally converted to any number of individual dwelling units.~~
- (vi) ~~The maximum height of any portion of a building shall be forty (40) feet from natural grade.~~
- (vii) ~~Notwithstanding (vi) no building shall be constructed so as to protrude through Viewplane #1.~~
- (viii) ~~Notwithstanding (vi) no building shall be constructed so as to exceed the height of the base of the cupola of the Parish Church of St. George located at 2222 Brunswick Street.~~
- (ix) ~~Notwithstanding (vi) buildings along Brunswick Street between 2146 Brunswick Street and Cornwallis Street shall be similar in height to the existing residential dwellings at 2138-2146 Brunswick Street.~~
- (x) ~~The maximum height of any portion of a building which does not front directly on an existing street surrounding the district, shall be (thirty-five) 35 feet from natural grade, unless it can be adequately demonstrated that a height of up to forty (40) feet from natural grade would not create undue shadowing impacts on existing dwellings in the district.~~
- (xi) ~~Any multiple dwelling residential development of three (3) units or more, including townhouse buildings, shall contain a minimum of (one-third) 1/3 of family-type units, which shall either be a minimum of 800 square feet in area or shall contain at least two bedrooms.~~

C. ~~Building Placement:~~

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

D. ~~Parking:~~

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

~~E. Access and Circulation:~~

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

~~F. Architectural Design:~~

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

~~G. Other:~~

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

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

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

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

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

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

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

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

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

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

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

68. Repeal Section "1. RESIDENTIAL ENVIRONMENTS" under Section XII of Part II, titled "QUINPOOL ROAD COMMERCIAL AREA PLAN OBJECTIVES AND POLICIES", in its entirety inclusive of policies 1.0 and 1.1, as shown below in ~~strikeout~~:

~~1. RESIDENTIAL ENVIRONMENTS~~

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

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

69. Repeal Policies 2.2, 2.2.1, 2.3, 2.4, 2.5, 2.5.1, 2.6, 2.7, 2.8, 2.8.1, 2.9, 2.9.1, 2.11, and 2.11.1 of the Section "2. COMMERCIAL FACILITIES" under Section XII of Part II, titled "QUINPOOL ROAD COMMERCIAL AREA PLAN OBJECTIVES AND POLICIES", as shown below in ~~strikeout~~:

~~2. COMMERCIAL FACILITIES~~

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

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

2.1.1 In areas designated "Commercial" on the Generalized Future Land Use Map (Map 9h) of this Section, the City shall permit the following uses: retail shops and rental services, personal services, household repair shops, offices, parking structures, parking lots, bakeries, service stations, restaurants, wholesale uses in conjunction with retail uses, institutions, commercial schools, business services, and residential uses in single-use or mixed-use buildings.

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

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

~~2.3 Repealed.~~

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

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

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

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

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

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

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

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

- ~~(a) the lounge use shall be secondary to a restaurant use;~~
- ~~(b) the maximum floor area dedicated to the lounge use shall not exceed 50% of the total seating area of the combined restaurant / lounge establishment;~~
- ~~(c) the hours of operation of the lounge shall be limited, and in no case shall the lounge be open later than midnight; and~~
- ~~(d) any outdoor features, such as outdoor seating, patios or music, shall only be permitted in locations where potential impacts on adjacent residential uses are minimized. (RC-Oct 19/10; E-Dec 11/10)~~

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

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

- ~~(a) the appropriate scale and massing of the building with respect to the low rise neighbourhood along Pepperell Street;~~
- ~~(b) the height of the building shall transition from a maximum of height of 27.43 metres (90 feet) adjacent to Quinpool Road to a maximum height of 12.19 metres (40 feet) adjacent to Pepperell Street. Height shall be defined as the vertical distance of the highest point of the roof above the mean grade of the finished ground adjoining the building, but shall not include the placement of mechanical equipment;~~
- ~~(c) the building shall be constructed of high quality durable materials;~~
- ~~(d) to promote pedestrian interest, where commercial uses are located at the ground floor, the ground level shall have a high level of transparency and there shall be frequent entryways where there are multiple occupancies;~~
- ~~(e) the building's design shall be articulated into three separate and distinguishable sections; a base section, a middle section, and a top section in order to break up the massing of the building;~~
- ~~(f) to provide connectivity with the street, minimal setbacks from property lines shall be provided;~~
- ~~(g) a mixture of residential unit types and sizes shall be provided;~~
- ~~(h) commercial uses must be located on the ground floor of the building where it fronts Quinpool Road and Vernon Street. Commercial uses may be considered in other areas of the building, but shall not be considered at the 3rd level of a building or higher;~~
- ~~(i) all vehicular parking shall be located underground;~~
- ~~(j) no vehicular or service access points shall be located on Quinpool Road;~~
- ~~(k) the size and visual impact of utilitarian features such as garage doors, service entries, and storage areas, shall be minimized;~~

- ~~(l) the building shall include useable on-site landscaped open space and recreational amenities of a size and type adequate for the residential population;~~
- ~~(m) there shall be adequate water and sewer capacity to service the development; and~~
- ~~(n) there shall be controls put in place to reduce conflict with any adjacent or nearby land uses by reason of traffic generation, access to and egress from the site and parking.~~

2.10 The intersection of Robie Street and Quinpool Road serves as an important node for Peninsula Halifax and the Regional Centre as a whole. It serves as the eastern gateway to the commercial high street of Quinpool Road as well as framing the southwestern edge of the Halifax Commons which serves as a major area for recreation, open space and institutional uses. Further, it is recognized that the intersection is of local cultural and historic significance known colloquially as the Willow Street intersection.

It is important to note, that this area is nearby to stable low density neighbourhoods that spread to Chebucto Road running north and Coburg Road running south. The development of larger scale buildings at the Quinpool and Robie node should not be seen as an indication that the adjacent established neighbourhoods will be redeveloped in a manner greatly exceeding their existing scale.

As such, the property at the northwest corner of Quinpool Road and Robie Street municipally known as 6009-6017 Quinpool Road (PID's 00140020 and 00140012) shall be considered by Development Agreement in accordance with the *Halifax Regional Municipality Charter* for a single tower mixed used development no greater than 78 metres in height, providing all the terms of the land use by-law are satisfied. (RC-Jun 19/18;E-Aug 4/18)

2.10.1 Any development permitted pursuant to Policy 2.10 shall satisfy all the following requirements:

- (a)** any building at the street level shall be setback 2 metres on Robie Street and 2 metres on Quinpool Road measured from the edge of the property boundary on which the development will be situated and the property of the Municipality, to a minimum height of 8 metres;
- (b)** the setback space established by clause (a) shall be designed to be used as amenity space by the public; and
- (c)** all other provisions of the land use by-law unless otherwise provided for in this policy. (RC-Jun 19/18;E-Aug 4/18)

2.10.2 The maximum achievable building height of 78 metres may only be achieved through incentive or bonus zoning as set out in the land use by-law. The maximum pre-bonus height is 62 metres. Subject to the provisions of the land use by-law, a bonus in height of no greater than 16 metres may be provided in exchange a contribution of community amenities.

Any development over 62 metres shall only be considered if:

- (a) the property owner provides a contribution in the form of:
 - (i) ten affordable housing and all electric and utility wires adjacent to the development be buried underground along Quinpool Road and Robie Street; or
 - (ii) twenty affordable housing units; or
 - (iii) Council accepts money in lieu of the contribution of an equivalent value for affordable housing units; and

(b) an incentive or bonus zoning agreement is entered into, as set out in the land use by-law. (RC-Jun 19/18;E-Aug 4/18)

2.10.3 The land use by-law may set conditions, including performance standards, that shall be met before a development permit may be issued. (RC-Jun 19/18;E-Aug 4/18)

2.10.4 Any development permitted pursuant to Policy 2.10 shall be achieved by attention to a variety of factors for which conditions may be set out in the Development Agreement, and such conditions shall include that:

(a) the proposal is a comprehensive plan for the development of the lands in their entirety and does not include phasing;

(b) Policies 2.10.1 and 2.10.2 are satisfied;

(c) the tower portion of the development shall comply with the following massing and height requirements:

(i) the tower shall not exceed:

(A) an overall height of 78 metres, inclusive of all mechanical spaces, penthouses, and other structures,

(B) a width of 39.6 metres in the elevation parallel to Quinpool Road,

(C) a width of 17.7 metres in the easternmost third of the building facing the Halifax North Common, and

(D) a width of 22.6 metres in its western elevation; and

(ii) the tower shall be located on the site to maximize distance between it and the adjacent low density residential uses on Parker Street;

(d) the podium portion of the development shall comply with the following massing, height, and design requirements:

(i) the podium shall transition in height from no greater than:

(A) 5 storeys at the northeast corner of the site,

(B) 7 storeys addressing the intersection of Quinpool Road and Robie Street,

(C) 5 storeys at the southwest corner of the site, and

(D) 4 storeys at the northwest corner of the site,

(ii) the podium portion of the development shall:

(A) be visually permeable and conducive to uses that will encourage an active streetscape at grade,

(B) include a decorative or artistic element as a part of the building architecture which reflects the local cultural and historic significance of the Quinpool Road and Robie Street intersection, and

(C) implement high quality materials in such a pattern that mitigates the horizontal massing of the development;

(e) the development above the podium level is oriented and dimensioned in a manner which minimizes shadow impact on the Halifax North Common, with this impact being tested through shadow study and any resulting design alterations paying specific attention to limiting shadow on active recreation facilities in the area;

(f) the development is comprised of a mixture of residential and compatible commercial uses;

- (g) the ground floor land uses facing Quinpool Road and Robie Street shall be primarily commercial in nature to maximize the activity at street level;
- (h) the location of parking access ramps is limited to the northwest corner of the development site along Parker Street and shall be further subject to review of Municipal engineers;
- (i) the development is tested for the impact it would have on wind both within shared amenity spaces on the development site itself, as well as within nearby public spaces, with mitigating architectural techniques implemented to ensure the development does not worsen the existing wind conditions within the public realm;
- (j) the architectural design of the building, including a high quality design using durable exterior building materials, variations in the façade and mass of the building shall provide visual interest;
- (k) the size and visual impact of utility features such as garage doors, service entries, and storage areas are minimized and that mechanical equipment are concealed;
- (l) a minimum of 50% of the dwelling units are at least two bedrooms, have a minimum area of 69.68 sq. m., and are located throughout the development;
- (m) there is an adequate supply of motor vehicular parking and bicycle parking;
- (n) useable on-site amenity space and recreational amenity space is provided of a size and type adequate for the resident population;
- (o) there are suitable onsite solid waste facilities; and
- (p) the capacity of sewer and water servicing for the site is adequate. (RC-Jun 19/18;E-Aug 4/18)

~~2.11 — Lands located on Quinpool Road, Pepperell Street, Preston Street and Shirley Street were formerly developed with a commercial bakery (Ben's Bakery Limited). Since the bakery no longer operates, alternative residential, commercial and mixed-use redevelopment which does not meet the zoning applied to the lands may be accommodated in this area, provided any proposal properly integrates new uses with adjacent residential areas.~~

~~Therefore, notwithstanding any other policies of this Municipal Planning Strategy, and in conjunction with Section VI Policy 1.17 of this Municipal Planning Strategy, the Municipality shall consider a comprehensive redevelopment proposal for the entirety of the lands identified on Map 3 of Section VI by development agreement, as enabled in accordance with the Halifax Regional Municipality Charter.~~

~~2.11.1 — In considering a development agreement proposal pursuant to Policy 2.11, Council shall refer to the criteria set out in Section VI Policy 1.17.1.~~

70. Repeal Section "3. COMMUNITY FACILITIES" under Section XII of Part II, titled "QUINPOOL ROAD COMMERCIAL AREA PLAN OBJECTIVES AND POLICIES", in its entirety inclusive of policy 3.0, as shown below in ~~strikeout~~:

~~3. — COMMUNITY FACILITIES~~

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

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

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

~~1. BACKGROUND~~

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

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

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

~~2. THE PLANNING PRINCIPLES~~

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

- ~~(a) Development at Robie Street / Pepperell Street / Shirley Street, as identified in Section 3;~~
- ~~(b) Development at Chebucto Road / Elm Street / Beech Street, as identified in Section 4. (RC-Feb 12/19; E-Apr 13/19)~~
- ~~(c) Development at Quinpool Road / Pepperell Street, near Preston Street, as identified in Section 5. (RC-Jul 16/19; E-Jul 20/19)~~
- ~~(d) Development at Robie Street / Cunard Street / Compton Avenue, as identified in Section 6.~~
- ~~(e) Development at Wellington Street, as identified in Section 7. (RC-Jul 10/19; E-Jul 20/19)~~
- ~~(f) Development at Agricola Street, as identified in Section 8 (RC-Jun 18/19; E-Jul 20/19)~~
- ~~(g) Development at Victoria Road and South Park Street, as identified in Section 9. (RC-Jul 10/19; E-Jul 20/19)~~
- ~~(h) Development at Quinpool Road / Pepperell Street, near Oxford Street, as identified in Section 10. (RC-Jul 16/19; E-Jul 20/19)~~
- ~~(i) Development at Bayers Road / Young Street, as identified in Section 11. (RC-Jul 10/19; E-Jul 20/19)~~
- ~~(j) Development at Spring Garden Road / Robie Street / Carlton Street as identified in Section 12. (RC-Jul 15/19; E-Jul 20/19)~~
- ~~(k) Development at Robie Street / College Street / Carlton Street as identified in Section 13. (RC-Jul 15/19; E-Jul 20/19)~~

~~Planning Principles~~

~~Description~~

- ~~a) Transition~~

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

~~Pedestrian-oriented means that the proposed building and site design prioritizes the needs and comfort of pedestrians. The intent is to create safe, comfortable, and more enjoyable environments for people of all ages and abilities. Pedestrian-oriented design elements include buildings~~

that are oriented to the street, with safe and inviting pedestrian connections through larger sites. Streetwalls should respond to the rhythm and variety of walking speed. Buildings should provide frequent and prominent entrances, transparent windows, weather protection using awnings and recesses, and be designed to mitigate the impact of required parking accesses and utility features.

e) Human-Scale

Human-scale means the impression of a building when seen in relation to its surroundings, or the size and proportion of parts of a building or its details in relation to its surroundings, that relates in a positive way to the visual and physical experience of a pedestrian. Moderately sized buildings, as well as taller buildings with lower scale podiums and architectural detailing, work together with narrow streets, plazas and small pocket parks to create an intimate environment and comfortable experience. Human scale design makes urban environments more interesting, encourages exploration and draws more people to local shops and services.

d) Building-Design

Design means the overall architectural composition of a building and its orientation on the site. Proposed buildings should provide visual interest from all vantage points, and especially from the street. The building's façade should be articulated vertically and horizontally using a combination of windows, changes to materials and material treatments and other architectural façade elements. Coordinated building elements (like lighting and signage) and site elements (like landscaping) contribute to the overall quality of the design.

e) Context-sensitive

The proposed building's design respects the character of the surrounding neighbourhood. The scale, form, and materials used respond to the architectural character of the neighbourhood. Next to heritage buildings or streetscapes, the proposed building complements and enhances the heritage features.

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

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

3.1 Specific Considerations

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

The Robie/Pepperell/Shirley 14-storey proposal was given Regional Council direction to continue, subject to the proposal generally aligning with the June 2017 Centre Plan Document relative to urban structure, height, and floor area ratio. As noted, the June 2017 Centre Plan Document places the Robie/Pepperell/Shirley site within the Quinpool Centre. Further, the June 2017 Centre Plan Document identifies the portion of the site fronting Robie Street for heights between 11 and 15

storeys, with the remainder of the site identified for heights between 4 and 6 storeys. The June 2017 Centre Plan Document does not suggest a specific floor area target for Centres.

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

3.2 Regulating Development

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

3.2.1 Development Agreement Provisions

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

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

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

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

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 4th and 5th 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, front yard 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.~~

~~5. DEVELOPMENT AT QUINPOOL ROAD / PEPPERELL STREET, NEAR PRESTON STREET (RC-Jul 16/19; E-Jul 20/19)~~

~~The properties having street frontage on Quinpool Road and Pepperell Street (6290, 6298, 6300, and 6302 Quinpool Road, 6325 and 6331 Pepperell Street) is the subject site of a proposal for site-specific planning policy amendments to allow for a 9-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.~~

~~5.1 Specific Considerations~~

~~The June 2017 Centre Plan Document identifies this property as part of the Quinpool Centre. The Quinpool Centre is the heart of Halifax's West End Neighbourhood. The scale of buildings transition from taller buildings at the eastern end of the Centre to low rise buildings in the western end. The June 2017 Centre Plan Document proposed buildings between 4 and 6 storeys tall on the block of Quinpool Road between Preston Street and Oxford Street. Pepperell Street is a local, residential street, suitable for low-rise buildings.~~

~~In January 2018, Regional Council initiated amendments to consider an 8-storey proposal on Quinpool Road and Pepperell Street, near 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 Quinpool Road/ Pepperell Street (near Preston Street) 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 proposal to address the planning principles noted in Section 2.~~

~~5.2 Regulating Development~~

~~To achieve a development form on the Quinpool Road/ Pepperell Street (near Preston Street) that generally aligns with the urban structure and heights identified in the June 2017 Centre Plan Document, and to ensure the five planning principles noted in Section 2 are addressed, development will be permitted by development agreement, as described below.~~

~~5.2.1 Development Agreement Provisions~~

~~The Land Use By-law for Halifax Peninsula shall be amended to identify that mixed-use, multi-unit residential development may be considered by development agreement for the properties located at 6290, 6298, 6300, and 6302 Quinpool Road and 6325 and 6331 Pepperell Street.~~

~~(1) — Notwithstanding other policies of this Municipal Planning Strategy except 5.2.1(2), a development agreement for the properties located at 6290, 6298, 6300, and 6302 Quinpool Road and 6325 and 6331 Pepperell Street shall:~~

- (a) permit a mixed-used (residential and commercial) building;
- (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) permit a multi-unit, mixed-use building of up to 9 storeys on part of the property near Quinpool Road, and of up to 6 storeys mid-block between Quinpool Road and Pepperell Street;
- (f) permit low-rise, residential development of up to 3 ½ storeys on part of the property near Pepperell Street;
- (g) restrict streetwall height facing Quinpool Road to 2 storeys;
- (h) control the massing of the mid-rise portions by requiring building stepbacks to provide separation from neighbouring properties;
- (i) require a side setback between any building and the residential property immediately east on Pepperell Street;
- (j) require indoor and outdoor amenity space for residents;
- (k) regulate signage and the external appearance of structures;
- (l) regulate streetwall design and the design of at-grade commercial and residential units;
- (m) allow commercial parking; and
- (n) prohibit surface parking lots.

(2) — In addition to meeting the requirements of Policy 5.2.1(1) a) to n) inclusive, when considering a development agreement for the properties located at Quinpool Road and Pepperell Street, Council shall consider:

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

~~6. DEVELOPMENT AT ROBIE STREET / COMPTON STREET / CUNARD STREET (RC-May 21/19; E-Jul 60/19)~~

~~The properties having street frontage on Robie Street, Cunard Street, and Chebucto Road (2180 Robie Street, 2178 Robie Street, 2176 Robie Street, 2166 Robie Street, 2164 Robie Street, 2162 Robie Street, 6020 Cunard Street, 6018 Cunard Street, 6014 Cunard Street, and 6025 Compton Avenue) is the subject site of a proposal for site-specific planning policy amendments to allow for an 8-storey (plus penthouse) 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 8-storey proposal subject to specific considerations.~~

~~6.1 Specific Considerations~~

~~The June 2017 Centre Plan Document identifies the majority of the site as a Corridor, which is envisioned to support approximately 21% of new Regional Centre residents. Corridors are an appropriate destination for low (3-storey) to moderate (4-to-6 storey) development that, depending on local conditions, should include ground floor commercial spaces. Development on a corner lot, however, may exceed 6 storeys within a Corridor provided that appropriate transitions are provided.~~

~~A small portion (approximately 15%) of the site is located within an Established Residential Area. These areas will support 16% of HRM's new residential development by accommodating low-density dwellings,~~

auxiliary units, and modest redevelopment opportunities that respect the existing scale, character, and built form of surrounding properties.

The 8-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 proposal to address the planning principles noted in Section 2.

6.2 Regulating Development

To achieve a development form on the Robie Street / Cunard Street / Compton Avenue 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.

6.2.1 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 Robie Street, Cunard Street, and Compton Avenue.

- (1) — Notwithstanding other policies of this Municipal Planning Strategy except 6.2.1(2), a development agreement for the property located at the intersections of Robie Street, Cunard Street, and Compton Avenue 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 commercial uses along the ground storey along Robie Street and Cunard Street;
 - (d) require a mix of residential unit types;
 - (e) restrict building height to a maximum of 8 storeys, plus penthouse(s);
 - (f) require that the 6th, 7th, and 8th storeys and penthouse(s) are orientated towards Robie Street;
 - (g) restrict streetwall height to a maximum of 5 storeys along Robie Street and Cunard Street;
 - (h) restrict streetwall height to a maximum of 3 storeys along Compton Avenue;
 - (i) restrict the building's podium height to a maximum of 3 storeys abutting the western lot line;
 - (j) restrict development to a minimum setback, both above and below grade, of 1.5 metres from the Robie Street lot line;
 - (k) require a landscaped buffer and fencing along the western lot line;
 - (l) require indoor and outdoor amenity space for on-site residents;
 - (m) regulate 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; and
 - (n) permit underground parking.

- (2) — In addition to meeting the requirements of Policy 6.2.1(1) a) to n) inclusive, when considering a development agreement for the property located at the intersections of Robie Street, Cunard Street, and Compton Avenue, Halifax, Council shall consider:
 - (e) the planning principles of transition, pedestrian-oriented, human-scale, building design and context sensitive, as described in Section 2; and

- (p) ~~the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding built forms.~~

7. DEVELOPMENT AT WELLINGTON STREET (RC-Jul 10/19; E-Jul 20/19)

The properties having street frontage on Wellington Street (1110, 1116, 1120, 1122, 1126A/1126B/1126C and 1130/1132 Wellington Street, Halifax) are the subject site of a proposal for site-specific planning policy amendments to allow for an 8-storey (plus penthouse) residential building. This proposal is one of the twelve policy requests noted in Section 1. On January 13, 2018, Regional Council chose to continue processing the 8-storey proposal subject to specific considerations.

7.1 Specific Considerations

The June 2017 Centre Plan document identifies the site as a moderate to high density Higher Order Residential Area, which is characterized by clusters of multi-unit apartment and condominium buildings. The Centre Plan indicates that redevelopment of these areas should include similarly scaled infill of moderate height buildings. Improving public amenities, promoting environmental sustainability, and accommodating sensitive infill are key development considerations within these areas. The 8-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 proposal to address the planning principles noted in Section 2.

7.2 Regulating Development

To achieve a development form on the Wellington Street site that generally aligns with the urban structure, floor area ratio 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.

7.2.1 Development Agreement Provisions

The Land Use By-law for Halifax Peninsula shall be amended to identify that multiple-unit residential development may be considered by development agreement for the properties located at 1110, 1116, 1120, 1122, 1126A/1126B/1126C and 1130/1132 Wellington Street.

- (1) ~~Notwithstanding other policies of this Municipal Planning Strategy except 7.2.1(2), a development agreement for the property located at 1110-1132 Wellington Street shall:~~
 - ~~(a) permit a multiple-unit residential building;~~
 - ~~(b) require a mix of residential unit types;~~
 - ~~(c) restrict building height to a maximum of 8 storeys, plus penthouse(s);~~
 - ~~(d) require that the building is orientated towards Wellington Street;~~
 - ~~(e) restrict streetwall height to a maximum of 3 storeys along Wellington Street;~~
 - ~~(f) restrict the building's podium height to a maximum of 3 storeys;~~
 - ~~(g) restrict development to a minimum setback of 1.5 metres from the Wellington Street lot line;~~
 - ~~(h) require landscaping and fencing along the northern lot line;~~
 - ~~(i) require indoor and outdoor amenity space for on-site residents;~~
 - ~~(j) regulate streetwall massing, external building design, cladding materials, design of at-grade residential units, front yard landscaping and the planting of vegetation; and~~
 - ~~(k) permit underground parking.~~

~~(2) — In addition to meeting the requirements of Policy 7.2.1(1) a) to k) inclusive, when considering a development agreement for the property located at 1110-1132 Wellington 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~~
- ~~(b) the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding built forms; and~~
- ~~(c) Permitting commercial parking as an accessory use, provided all parking requirements for the primary land use (multiple-unit residential building) are satisfied.~~

~~8. DEVELOPMENT AT AGRICOLA STREET (RC Jun 18/19;E-Jul 20/19)~~

~~The properties having street frontage on the western side of Agricola Street, midblock between West Street and Charles Street (2440 Agricola Street, 2442 Agricola Street, 2444 Agricola Street, 2446 Agricola Street, 2448 Agricola Street, 2450 Agricola Street, 2452 Agricola Street, and 2454 Agricola Street) is the subject site of a proposal for site-specific planning policy amendments to allow for a 5-storey (plus penthouses) 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.~~

~~8.1 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 (3-storey) to moderate (4 to 6-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 5-storey Agricola Street 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 proposal to address the planning principles noted in Section 2.~~

~~8.2 Regulating Development~~

~~To achieve a development form on the Agricola 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.~~

~~8.2.1 Development Agreement Provisions~~

~~The Land Use By-law for Halifax Peninsula shall be amended to identify that a mixed-use or residential development may be considered by development agreement for the properties located on Agricola Street.~~

~~(1) — Notwithstanding other policies of this Municipal Planning Strategy except 8.2.1(2), a development agreement for the property located at Agricola Street shall:~~

- ~~(a) permit a mixed-used (residential and commercial) or residential building;~~
- ~~(b) permit a range of ground floor commercial uses, including, cultural, daycare, office, restaurant, retail, and work-live uses;~~
- ~~(c) restrict building height to a maximum of 5 storeys, plus penthouse(s);~~

- (d) restrict streetwall height to a maximum of 3 storeys;
- (e) restrict the building podium's height to a maximum of 3 storeys abutting the required rear yard;
- (f) require a minimum rear yard setback of 4.6 metres (15 feet);
- (g) require a landscaped buffer and fencing along the rear lot line;
- (h) require indoor and outdoor amenity space for on-site residents;
- (i) regulate 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; and
- (j) permit indoor / underground parking and prohibit surface parking.

(2) — In addition to meeting the requirements of Policy 8.2.1(1) a) to j) inclusive, when considering a development agreement for the property located on Agricola Street, Halifax, Council shall consider:

- (a) the planning principles of transition, pedestrian-oriented, humanscale, building design and context sensitive, as described in Section 2 above; and
- (b) the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding built forms.

9. DEVELOPMENT AT VICTORIA ROAD AND SOUTH PARK STREET (RC-Jul 10/19; E-Jul 20/19)

The properties having street frontage on Victoria Road (5713 Victoria Road, Halifax) and South Park Street (1102 and 1106 South Park Street, Halifax) are the subject site of a proposal for site-specific planning policy amendments to allow for an 8-storey (plus penthouse) mixed-use building addition to an existing multiple-unit non-conforming building at 5713 Victoria Road, Halifax. This proposal is one of the twelve policy requests noted in Section 1. On August 1, 2017, Regional Council chose to continue processing the re-development proposal subject to specific considerations.

9.1 Specific Considerations

The June 2017 Centre Plan document identifies the site as a lower density Established Residential Area. These areas are largely characterized by detached homes and are suitable locations for auxiliary dwelling units, such as secondary suites, or other residential infill that is consistent with the character of the existing neighbourhood. The proposed re-development is not characterized as lower density, however there are special circumstances that allow for consideration of redevelopment of existing multiple-unit non-conforming buildings through a development agreement process.

The re-development 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 proposal to address the planning principles noted in Section 2.

9.2 Regulating Development

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

9.2.1 Development Agreement Provisions

The Land Use By-law for Halifax Peninsula shall be amended to identify that mixed-use re-development may be considered by development agreement for the properties located at 5713 Victoria Road and 1102 and 1106 South Park Street, Halifax:

(1) ~~Notwithstanding other policies of this Municipal Planning Strategy except 9.2.1(2), a development agreement for the property located at 5713 Victoria Road and 1102 and 1106 South Park Street shall:~~

- ~~(a) permit a mixed-use (multiple dwelling with ground floor commercial) building;~~
- ~~(b) require a mix of residential unit types;~~
- ~~(c) restrict building height to a maximum of 8 storeys, plus penthouse(s);~~
- ~~(d) require that the building is oriented towards South Park Street and Victoria Road;~~
- ~~(e) restrict streetwall heights to a maximum of:
 - ~~i. 4 storeys along South Park Street; and~~
 - ~~ii. 3 storeys along Victoria Road;~~~~
- ~~(f) require that development be setback a minimum of 1.5 metres from the South Park Street lot line;~~
- ~~(g) require landscaping and fencing along the northern lot line and a portion of the western lot line;~~
- ~~(h) require amenity space for on-site residents;~~
- ~~(i) regulate streetwall massing, external building design, cladding materials, design of at-grade residential units, front yard landscaping and the planting of vegetation; and~~
- ~~(j) permit underground parking.~~

(2) ~~In addition to meeting the requirements of Policy 9.2.1(1) a) to j) inclusive, when considering a development agreement for the property located at 5713 Victoria Road and 1102 and 1106 South Park 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.~~

10. DEVELOPMENT AT QUINPOOL ROAD / PEPPERELL STREET, BETWEEN OXFORD STREET AND PRESTON STREET (RC-Jul 16/19; E-Jul 20/19)

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 three-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 three-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 3 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 Quinpool Road to 3 storeys, and require a stepback above the streetwall;
 - (g) permit a penthouse structure above the 8th 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;
 - (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 7th and 8th storeys;
 - (j) for the 3-storey portion of the building, require building stepbacks from side property lines above the second floor, to allow for appropriate transition to neighbouring properties;
 - (k) require indoor and outdoor amenity space for on-site residents;
 - (l) regulate signage and the external building materials;
 - (m) regulate landscaping, fencing, outdoor storage, and the planting or retention of trees and vegetation; and
 - (n) 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.

11. DEVELOPMENT AT BAYERS ROAD / YOUNG STREET (RC-Jul 10/19; E-Jul 20/19)

The properties with frontage onto Bayers Road and Young Street, near the midpoint of the block bounded by Oxford Street to the north and Connolly Street to the south (6438 Bayers Road, 6442 Bayers Road, 6450 Bayers Road, 6454 Bayers Road, 6460 Bayers Road, 6419 Young Street, 6421 Young Street, 6425 Young Street, 6431 Young Street, 6439 Young Street, 6443 Young Street, 6449 Young Street, 6453 Young Street, 6457 Young Street, 6459 Young Street, 6461 Young Street, 6461A Young Street, 6465 Young Street, 6467 Young Street), is the subject site of a proposal for site-specific planning policy amendments to allow for a 6-storey building with distinct building components. This proposal is one of the twelve policy requests noted in Section 1. On August 1, 2017, Regional Council chose to continue processing the 6-storey proposal subject to specific considerations.

11.1 Specific Considerations

The June 2017 Centre Plan Document identifies the majority of the site (approximately 55%) as a Corridor, which is envisioned to support approximately 21% of new Regional Centre residents. Corridors are an appropriate destination for low (3-storey) to moderate (4-to-6 storey) development that, depending on local conditions, should include ground floor commercial spaces.

The remainder (approximately 45%) of the site is located within an Established Residential Area. These areas will support 16% of HRM's new residential development by accommodating low-density dwellings, townhouses, auxiliary units, multi-unit dwellings (up to a maximum of 3 storeys) and modest redevelopment opportunities that respect the existing scale, character, and built form of surrounding properties.

The Bayers Road / Young Street 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 proposal to address the planning principles noted in Section 2.

11.2 Regulating Development

To achieve a development form on the Bayers Road / Young 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.

11.2.1 Development Agreement Provisions

The Land Use By-law for Halifax Peninsula shall be amended to identify that a mixed-use or residential development may be considered by development agreement for the properties located on Bayers Road / Young Street.

(1) ~~Notwithstanding other policies of this Municipal Planning Strategy except 11.2.1(2), a development agreement for the property located at Bayers Road / Young Street shall:~~

- ~~(a) permit a mixed-used (residential and commercial) or residential building;~~
- ~~(b) permit a range of ground-floor commercial uses, including, but not limited to, cultural, daycare, office, restaurant, retail, and work-live uses, along Bayers Road only;~~
- ~~(c) restrict development to a minimum setback, both above and below grade, of 1.5 metres from the Bayers Road lot line;~~
- ~~(d) subject to 11.2.1(1)(e), restrict building height to a maximum of 6 storeys, plus penthouse(s), along Bayers Road;~~
- ~~(e) restrict building podium height along Bayers Road to a maximum of 3 storeys;~~
- ~~(f) require a minimum of two distinct above-grade building components along Young Street to reduce the building's mass;~~
- ~~(g) restrict building height to a maximum of 3 storeys, plus penthouses(s), along Young Street;~~
- ~~(h) require a central outdoor courtyard and indoor amenity space for on-site residents;~~
- ~~(i) require a landscaped buffer and fencing along the southern side lot line;~~
- ~~(j) regulate 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;~~
- ~~(k) require indoor / underground parking and prohibit surface parking; and~~
- ~~(l) require that all indoor / underground parking spaces have direct access onto Young Street.~~

(2) ~~In addition to meeting the requirements of Policy 11.2.1(1) a) to l) inclusive, when considering a development agreement for the property located on Bayers Road / Young 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.~~

~~12. DEVELOPMENT AT SPRING GARDEN ROAD / ROBIE STREET / CARLTON STREET (RC-Jul 15/19; E-Jul 20/19)~~

~~The properties identified as: 5950 Spring Garden Road; 5954 Spring Garden Road; 5954A Spring Garden Road; PID 00135384; 5958A Spring Garden Road; 5958B Spring Garden Road; 5960 Spring Garden Road; 5962 Spring Garden Road; 5964 Spring Garden Road; 5966 Spring Garden Road; 5966A Spring Garden Road; 5970 Spring Garden Road; 5972 Spring Garden Road; 5980 Spring Garden Road; 5982 Spring Garden Road; 5984 Spring Garden Road; 5986 Spring Garden Road; 5990 Spring Garden Road; 5992 Spring Garden Road; 5994 Spring Garden Road; 1403 Robie Street; 1478 Carlton Street; 1480 Carlton Street; 1484 Carlton Street and 1494 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.~~

12.1 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.

12.2 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.

12.2.1 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.

12.3 Regulating Development

Given the Carlton Street / Robie Street / Spring Garden Road 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 Spring Garden Road 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.

12.3.1 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 Spring Garden Road, Robie Street and Carlton Street, that are shown as Site A on Map A of this Section.

- (1) — Notwithstanding other policies of this Municipal Planning Strategy except 12.3.1(2), a development agreement for the lands identified as Site A on Map A of this Section shall:
- (a) permit a mixed-used (residential, commercial and office) building;
 - (b) require that a proposal is a comprehensive plan for the development of all lands identified as Site A (Case 20218), 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 1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street, shall be altered and subdivided, as proposed 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*;
 - (d) following subdivision of 1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street, require that resulting parcels (parcels which contain no heritage buildings) be deregistered;
 - (e) restrict development of the subject site (Site A as shown on Map A) to a maximum Floor Area Ratio of 8.0, however any lot area(s) containing registered heritage properties shall not be included as part of the total lot area calculation;
 - (f) restrict building height to a maximum of 90 metres, excluding rooftop features;
 - (g) notwithstanding Policy 12.3.1(1)(f), require that the development conforms with the Citadel Rampart requirements;
 - (h) restrict the height, coverage and setback of building rooftop features;
 - (i) require that the proposed building podium and streetwall be setback a minimum of:
 - i. 6 metres from any property boundary associated with 1474 Carlton Street;
 - ii. 28 metres from the Carlton Street streetline;
 - iii. 1.5 metres from the Robie Street streetline; and
 - iv. 0.5 metres from the Spring Garden Road streetline.
 - (j) require that any portion of the mixed-use development, located above the streetwall or building podium, be located west of the Heritage Line, as identified on Map A, and be stepback a minimum of 11.5 metres from the edge of the building podium facing East (Carlton Street);
 - (k) require that any portion of the mixed-use development, located above the streetwall or building podium, be setback a minimum of:
 - i. 11.5 metres from the south property line; and
 - ii. 4.5 metres from the edge of any streetwall.
 - (l) restrict streetwall height to a maximum of:

- i. 16 metres along Robie Street;
 - ii. 13 metres along Spring Garden Road; and
 - iii. notwithstanding Policy 12.3.1(1)(i)(ii), 16 metres along Spring Garden Road, for a total distance of 35 metres travelling northeast from Robie Street, however no portion of the 16 metre streetwall, along Spring Garden Road, shall be located between two towers;
- (m) restrict building podium heights to a maximum of:
 - i. 13 metres facing East (Carlton Street); and
 - ii. 16 metres facing South (College Street);
- (n) require a minimum separation distance of 23 metres between any towers;
- (o) require that any proposed towers, located above the streetwall, not exceed a floor area of 750 square metres per floor;
- (p) require a mix of residential unit types;
- (q) permit a range of ground-floor commercial land uses;
- (r) require a landscaped buffer and fencing along the east lot line or any property boundaries which abut a registered heritage property;
- (s) require indoor and outdoor amenity space for on-site residents;
- (t) regulate streetwall massing, external building design, building materials, design of at-grade residential units, front yard landscaping, outdoor storage, signage, and the planting of vegetation so that it complements any abutting registered heritage property in a manner that respects its heritage value; and
- (u) permit indoor / underground parking.

(2) — In addition to meeting the requirements of Policy 12.3.1(1) a) to u) inclusive, when considering a development agreement for the property located on Carlton Street, Robie Street and Spring Garden Road, Halifax, Council shall consider:

- (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) that the proposed development is oriented toward Spring Garden Road and Robie Street and that the design complements a commercial streetscape, through the provision of commercial units with large, transparent windows and at-grade entrances opening onto the sidewalk;
- (d) 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;
- (e) environmental factors, including sun/shadow and wind conditions are suitable for the intended use of the site;
- (f) 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
- (g) 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.

13. DEVELOPMENT AT ROBIE STREET / COLLEGE STREET / CARLTON STREET (RC-Jul 15/19; E-Jul 20/19)

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
 - ~~i. 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.~~

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

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

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

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

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

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

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

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

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

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

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

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

77. Repeal Policy 5.0 of "SUBDIVISION CONTROL", IMPLEMENTATION POLICIES in Part II, in its entirety, as shown below in ~~strikeout~~:

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

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

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

Municipal Clerk

**ATTACHMENT J
AMENDMENTS TO THE LAND USE BY-LAW FOR HALIFAX PENINSULA**

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

1. Amend "GENERAL PROVISIONS" by adding Subsection 2(1A), following Subsection 2(1), as shown in **bold**:

2(1A) The Land Use By-law for Halifax Peninsula shall not apply to those lands located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns of the Regional Centre Secondary Municipal Planning Strategy, as shown on Schedule 1: Regional Centre Land Use By-law Boundary.

2. All schedules and maps of the Land Use By-law for Halifax Peninsula are amended to remove those areas located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns as shown on Schedule 1: Regional Centre Land Use By-law Boundary.

3. Amend the "TABLE OF CONTENTS" by:
 - (a) deleting the words and number "RC-4 ZONE: SOUTH BARRINGTON RESIDENTIAL/MINOR COMMERCIAL ZONE"; and
 - (b) deleting the words "BCDD ZONE: BRUNSWICK COMPREHENSIVE DEVELOPMENT DISTRICT".

4. Amend Section 1 (DEFINITIONS) by deleting the definitions for "Spring Garden Road Sub-Area", as shown below in ~~strikeout~~:

~~"Spring Garden Road Sub-Area" means the area designated as the Spring Garden Road Sub-Area on zoning map ZM-2.~~

5. Amend Section 1 (DEFINITIONS) by adding a new definition for "Ramparts", following the definition of "Quinpool Road Area", as shown below in **bold**:

"Rampart" means the Citadel Ramparts pursuant to Section 26B-A, and as depicted on Schedule ZM-26 - Halifax Citadel Ramparts.

6. Amend Section 1 (DEFINITIONS) by deleting the definition for "View Map" in its entirety, as shown below in ~~strikeout~~:

~~"View Map" means a map entitled Map Number TT-17-20158A View Planes for the City of Halifax, Nova Scotia, January 31, 1974, which map is attached hereto and forms part of this by-law.~~

7. Amend Section 1 (DEFINITIONS) by deleting the definition for "View Plane", and replacing it with a new definition as shown below in **bold** and ~~strikeout~~:

~~"View Plane" means any one of the following:~~

- (a) ~~View Plane 1 means the plane bordered by the sides formed by joining points B, A and B, D in the City of Halifax situate as indicated on the View Map.~~
- (b) ~~View Plane 2 means the plane bordered by the sides formed by joining points C, F and C, G, in the City of Halifax situate as indicated on the View Map.~~
- (c) ~~View Plane 3 means the plane bordered by the sides formed by joining points B, H and B, L, in the City of Halifax situate as indicated on the View Map.~~

- (d) ~~View Plane 4 means the plane bordered by the sides formed by joining points C, J and C, K, in the City of Halifax situate as indicated on the View Map.~~
- (e) ~~View Plane 5 means the plane bordered by the sides formed by joining points B, L and B, M, in the City of Halifax situate as indicated on the View Map.~~
- (f) ~~View Plane 6 means the plane bordered by the sides formed by joining points R, N and R, O, in the City of Halifax situate as indicated on the View Map.~~
- (g) ~~View Plane 7 means the plane bordered by the sides formed by joining points C, P and C, Q, in the City of Halifax situate as indicated on the View Map.~~
- (h) ~~View Plane 8 means the plane bordered by the sides formed by joining points C, S and C, T, in the City of Halifax situate as indicated on the View Map.~~
- (i) ~~View Plane 9 means the plane bordered by the sides formed by joining points E, U and E, V, in the City of Halifax situate as indicated on the View Map.~~
- (j) ~~View Plane 10 means the plane bordered by the sides formed by joining points C, W and C, X, in the City of Halifax situate as indicated on the View Map.~~

"View Plane" means a view, which remain unobstructed by structures and is cast in a perspective projection that is tied to a geographic location, as shown on Map ZM-25.

8. Amend Section 17, under "CLASSES OF ZONES" OF "ZONES, ZONING MAPS AND BUILDING LINE PLAN" of "GENERAL PROVISIONS", by:
 - (a) deleting the words and numbers "South Barrington Residential/Minor Commercial Zone", "RC-4", "RC-4-V", "Brunswick Comprehensive Development District", "BCDD", and "BCDD-V", as shown below in ~~strikeout~~;
 - (b) adding the words "Schmidtville Heritage Residential Zone", following the words "C&D Materials Disposal Sites Zone", as shown below in **bold**;
 - (c) adding the words "Schmidtville Heritage Residential Commercial Zone", following the words "Schmidtville Heritage Residential Zone", and before the words, "Infrastructure Charge Holding Zone", as shown below in **bold**;
 - (d) adding the letters "SHR" under the column titled "Not Within View Plane", following the letters and number "CD-3", as shown below in **bold**; and
 - (e) adding the letters "SHRC" under the column titled "Not Within View Plane", following the letters "SHR", and before the letters "ICH", as shown below in **bold**.

CLASSES OF ZONES

- 17 For the purpose of this by-law and of the maps entitled ZM-1, ZM-2, and ZM-17 Height Precinct Map annexed hereto, hereinafter referred to as "zoning maps", the following classes of zones are hereby established:

| | Not Within View Plane | Within View Plane |
|---|-----------------------|-------------------|
| Single Family Dwelling Zone | R-1 | R-1-V |
| Single Family Dwelling A Zone | R-1A | R-1A-V |
| General Residential Zone | R-2 | R-2-V |
| Townhouse Zone | R-2T | R-2T-V |
| General Residential Conversion Zone | R-2A | R-2A-V |
| Multiple Dwelling Zone | R-3 | R-3-V |
| Neighbourhood Commercial Zone | RC-1 | RC-1-V |
| Residential Minor Commercial Zone | RC-2 | RC-2-V |
| High Density Residential Minor Commercial Zone | RC-3 | RC-3-V |
| South Barrington Residential/Minor Commercial Zone | RC-4 | RC-4-V |
| Local Business Zone | C-1 | C-1-V |
| General Business Zone | C-2 | C-2-V |
| Minor Commercial Zone | C-2A | C-2A-V |
| Minor Commercial - Quinpool Road | C-2C | C-2C-V |

| | | |
|---|-----------------|-------------------|
| Business Service Zone | C-3A | C-3AV |
| Industrial Zone | C-3 | C-3-V |
| Professional Zone | C-4 | C-4-V |
| Harbour-Related Industrial Zone | C-5 | C-5-V |
| Adult Entertainment Zone | C-6 | C-6-V |
| Park and Institutional Zone | P | P-V |
| Low-Density University Zone | U-1 | U-1-V |
| High-Density University Zone | U-2 | U-2-V |
| Canadian Forces Base Zone | CFB | CFB-V |
| Brunswick Comprehensive Development District | BCDD | BCDD-V |
| C&D Materials Transfer Stations Zone | CD-1 | CD-1-V |
| C&D Materials Processing Facilities Zone | CD-2 | CD-2-V |
| C&D Materials Disposal Sites Zone | CD-3 | CD-3-V |
| Schmidville Heritage Residential Zone | SHR | |
| Schmidville Heritage Residential Commercial Zone | SHRC | |
| Infrastructure Charge Holding Zone | ICH | ICH-V |
| Regional Park Zone | RPK | RPK-V |
| Water Access Zone | WA | WA-V |

9. Amend Subsection 18, under “ZONES, ZONING MAPS AND BUILDING LINE PLAN” of “GENERAL PROVISIONS” by:

- (a) deleting the letters and numbers “RC-4”, and “BCDD”, as shown below in ~~strikeout~~; and
- (b) adding the letters and commas “SHR, SHRC,”, following the letters, number, and comma “CD-3,”, and before the letters “ICH”, as shown below in **bold**.

18 The uses of buildings and land permitted by this by-law in such zones may be referred to as R-1, R-1A, R-2, R-2T, R-2A, R-3, RC-1, RC-2, RC-3, ~~RC-4~~, C-1, C-2, C-2A, C-2C, C-3A, C-3, C-5, C-6, P, U-1, U-2, CFB, ~~BCDD~~, CD-1, CD-2, CD-3, **SHR, SHRC**, ICH, RPK, and WA uses, respectively.

10. Amend Section 24, under “ZONES, ZONING MAPS AND BUILDING LINE PLAN” of “GENERAL PROVISIONS”, by repealing Clause 24(a), and adding a new Clause 24(b), as shown below in **bold** and ~~strikeout~~:

PROTRUSIONS THROUGH VIEW PLANES

24 Notwithstanding any provision of this by-law, no building shall be erected, constructed, altered, reconstructed, or located in any zone so as to protrude through a View Plane except in the following circumstance:

(a) ~~Where an existing building protrudes through a View Plane, a new building may be erected and may protrude through the View Plane, provided such new building or structure shall not enlarge upon the existing protrusion through the View Plane when viewed:~~

- (i) ~~in the case of View Planes 1, 3 and 5 from viewing position B;~~
- (ii) ~~in the case of View Planes 2, 4, 7, 8 and 10 from viewing position C;~~
- (iii) ~~in the case of View Plane 9 from viewing position E; and~~
- (iv) ~~in the case of view Plane 6 from viewing position R.~~

(b) **Where a structure that lawfully existed on the coming into force date of this Clause protrudes into a view plane shown on Schedule ZM-25 - Halifax Citadel View Planes, a new structure may be erected, constructed, altered, reconstructed, or located so that it protrudes into the view plane if the new structure does not worsen the existing protrusion when viewed as follows:**

- (i) view planes 1, 3, and 5 from viewing position A;
- (ii) view plane 6 from viewing position B;
- (iii) view planes 2, 4, 7, 8, and 10 from viewing position C; and
- (iv) view plane 9 from viewing position D.

11. Repeal Section 26B of “ZONES, ZONING MAPS AND BUILDING LINE PLAN” of “GENERAL PROVISIONS”, and add a new Section 26B-A, as shown below in **bold** and ~~strikeout~~:

CITADEL RAMPARTS

~~26B~~ — In addition to all other provisions of this by-law, no development permit shall be issued for any development within Schedule A that is greater than 90 ft. in height, unless such development will not be visible above the topmost line of the earthworks of the Citadel ramparts from an eye level 5.5 ft. above ground level at any of the specified viewing positions in the Parade Square of the Citadel. Elevations and coordinate values for the viewing positions in the Parade Square of the Citadel and elevations to the topmost line of the earthworks on the Citadel ramparts are shown on ZM-17 (Height Precinct Map).

26B-A (1) Coordinates describing the position of the ramparts, and the location of 12 viewing positions in the Parade Square of the Halifax Citadel, are shown on Schedule ZM-26 - Halifax Citadel Ramparts.

(2) A structure shall not be erected, constructed, altered, reconstructed, or located so that it protrudes above any rampart, as seen from any of the 12 viewing positions in the Parade Square of the Halifax Citadel.

12. Repeal Subsection 48CA(1A), under “RC-3 ZONE: HIGH DENSITY-RESIDENTIAL/MINOR COMMERCIAL ZONE” OF “ZONES, ZONING MAPS AND BUILDING LINE PLAN”, as shown below in ~~strikeout~~:

~~48CA(1A)~~ — In the portion of the Area 8 of the “Peninsula North Area” on Gottingen Street, a lounge with a seating area not exceeding 600 square feet shall be permitted in association with a restaurant, provided that such seating area shall be less than the seating area of the restaurant.”

13. Repeal Subsections 48CC(1), 48CC(2), 48CC(3), 48CC(4) and 48CC(5), under “PENINSULA NORTH – AREA 8 – GOTTINGEN STREET” of “ZONES, ZONING MAPS AND BUILDING LINE PLAN”, as shown below in ~~strikeout~~:

~~PENINSULA NORTH - AREA 8 - GOTTINGEN STREET:~~

~~48CC(1)~~ — In the Peninsula North Area - (Area 8), all buildings constructed for minor commercial uses, shall be required to provide direct access to pedestrians from Gottingen Street into the building, which is not more than two feet above grade; for the purposes of this section, grade shall be defined as being the elevation of the ground at any one point along the official street line of Gottingen Street abutting such lot.

~~48CC(2)~~ — In the Peninsula North Area - (Area 8), the maximum setback for the first storey of: (1) buildings constructed for minor commercial uses, or (2) additions to buildings used for minor commercial uses, shall be 2 feet from the official street line of Gottingen Street.

~~48CC(3)~~ — In the Peninsula North Area - (Area 8), buildings of over 50 feet width measured parallel to Gottingen Street shall have the appearance of two or more buildings by altering the appearance of the facade and/or roof in increments no greater than 50

~~feet. In addition, one third of the surface area of the face of the ground floor of the building shall be comprised of windows.~~

~~48CC(4) In the Peninsula North Area (Area 8) the following applies:~~

- ~~(1) for buildings constructed for minor commercial purposes which are on a lot greater than 20,000 square feet in area, parking shall be provided at a rate of 1 space for every 1000 square feet of gross commercial floor area.~~
- ~~(2) for additions to existing buildings used for minor commercial purposes that are 50 percent or more of the gross commercial floor area of the existing building, are on a lot greater than 20,000 square feet in area, parking shall be provided at a rate of 1 space for every 1000 square feet of gross commercial floor area of the addition.~~

~~48CC(5) In the Peninsula North Area (Area 8), all parking areas shall comply with the following requirements:~~

- ~~(i) Where minor commercial parking abuts a residential zone, an opaque fence a minimum of five feet of height, shall be erected to visually screen abutting properties.~~
- ~~(ii) Parking areas abutting a street shall be set back a minimum of 5 feet from any street line; the setback area shall be landscaped with natural ground cover to reach a height of no more than 2 feet upon maturity, or other materials, along that part of the street not required for any parking or pedestrian entrance.~~
- ~~(iii) Parking shall be constructed with a stable surface such as asphalt or concrete.~~
- ~~(iv) Lighting for parking area shall be directed away from any adjacent residential properties and from the street.~~

14. Repeal "RC-4 ZONE: SOUTH BARRINGTON RESIDENTIAL/MINOR COMMERCIAL ZONE" of "ZONES, ZONING MAPS AND BUILDING LINE PLAN" in its entirety, inclusive of Subsections 48DA(1), 48DA(2), 48DA(3), 48DB(1), 48DB(2), 48DB(3), 48DC(1), 48DD(1), 48DD(2), 48DE(1), 48DF(1), 48DG(1), 48DH(1), 48DI(1), 48DJ(1), 48DJ(2), 48DK(1), and 48DK(2), as shown below in ~~strikeout~~:

~~RC-4 ZONE: SOUTH BARRINGTON RESIDENTIAL/MINOR COMMERCIAL ZONE~~

~~48DA(1) The following uses shall be permitted in the RC-4 Zone:~~

- ~~(a) apartment house;~~
- ~~(b) uses permitted by Section 48DB(1); and~~
- ~~(c) any use accessory to any of the foregoing uses.~~

~~48DA(2) No person shall in any RC-4 zone, carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection 48DA(1).~~

~~48DA(3) No person shall in any RC-4 zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection 48DA(1).~~

COMMERCIAL USES

~~48DB(1) Notwithstanding subsection 48DA(1), one or more of the following uses shall be located on the ground floor of a building immediately abutting the streetline, and shall comprise a minimum of 40 percent of the building's ground floor frontage:~~

- (a) ~~The following commercial uses:
Banks and related uses;
Licensed alcohol establishments;
Personal service uses;
Eating establishments;
Movie theatres;
Commercial recreation uses; and
Retail uses; and~~
- (b) ~~Cultural uses.~~

~~48DB(2) Notwithstanding subsection 48DB(1), an apartment house entrance shall face and have direct access onto a public street.~~

REQUIREMENTS

~~48DB(3) Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall comply with the following requirements:~~

- (a) ~~The minimum lot frontage shall be 40 metres (131.2 feet); and~~
- (b) ~~The minimum lot area shall be 2,500 square metres (26,910.7 square feet).~~

LOT COVERAGE

~~48DC(1) Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall comply with the following requirements:~~

- (a) ~~The maximum lot coverage shall be 75 percent, except that enclosed parking below grade or extending no more than an average of 1 metre (3.3 feet) above grade along side and rear lot lines may cover 100 percent of the lot area.~~

HEIGHT

~~48DD(1) Height shall not exceed a maximum of 21.3 metres (70 feet).~~

~~48DD(2) Notwithstanding Section 71, elevator enclosures and mechanical penthouses shall be setback from the facing front yard roofline a minimum of 5 metres (16.4 feet) and shall be limited to 5 metres (16.4 feet) above the building height. Elevator enclosures and mechanical penthouses shall be limited to a maximum of 30 percent of the roof area.~~

RESIDENTIAL UNIT MIX

~~48DE(1) Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall include a mixture of dwelling unit types. A minimum of 20 dwelling units within a building shall contain two or more bedrooms.~~

PARKING

~~48DF(1) Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall comply with the following requirements:~~

- (a) ~~Vehicular parking shall be enclosed in a building and provided as required by Section 6(2C); and~~
- (b) ~~Bicycle parking shall be provided as required by Sections 6A, 6B, and 6C.~~

SIGNS

~~48DG(1) Any persons carrying on a use permitted by Section 48DB(1) may place upon and parallel to the front of the building signage that comply with the following:~~

- ~~(a) No sign that encroaches into a street shall be less than 3.1 metres (10 feet) above the surface of a sidewalk;~~
- ~~(b) No part of a sign shall be closer than 3.1 metres (10 feet) horizontal from a curb face or the nearest edge of a vehicular passageway or traffic lane;~~
- ~~(c) Where signs are illuminated, they shall be illuminated in such a manner not to cause a glare or hazard to motorists, pedestrians or neighbouring premises;~~
- ~~(d) Fascia signs shall not extend beyond the extremities of a wall on which they are affixed;~~
- ~~(e) Maximum combined size of fascia signs on the wall of a building shall be no greater than 10 percent of the total area of said wall;~~
- ~~(f) Aggregate area of all window signs shall not exceed 25 percent of the window, or glass area of a door, to which they are affixed;~~
- ~~(g) Signs on awnings shall not cover more than 25 percent of the area of the awning and the length of the text shall not exceed 80 percent of the length of the front valance; and~~
- ~~(h) No signs shall be permitted on the roof of a building.~~

BUILDING SETBACKS AND STREETWALLS

~~48DH(1) Buildings erected, altered or uses for RC-4 uses in an RC-4 Zone shall comply with the following requirements:~~

- ~~(a) A minimum setback of 6 metres (19.7 feet) between side and rear lot lines and the portion of the building above enclosed parking. Where a side lot line abuts a RC-4 Zone, the minimum setback from that lot line may be reduced to 5.5 metres (18.0 feet);~~
- ~~(b) A minimum setback of 4 metres (13.1 feet) between side and rear lot lines and balconies. This does not include patios for dwelling units at grade. Where a side lot line abuts a RC-4 Zone, the minimum setback from that lot line for balconies may be reduced to 3.5 metres (11.5 feet);~~
- ~~(c) No setback is required on the side lot line shared with PID 40722381 for the length of 25 metres (82 feet) from the streetline. Beyond this distance the setback required by subsections 48DH(1)a and 48DH(1)b shall apply;~~
- ~~(d) A maximum setback of 4 metres (13.1 feet) between the streetwall and the streetline for a minimum of 50 percent of the lot frontage;~~
- ~~(e) A setback between 6 metres (19.7 feet) and 8 metres (26.2 feet) between the streetwall and the streetline for a minimum of 20 percent of the lot frontage;~~
- ~~(f) A maximum streetwall height of 17 metres (55.8 feet);~~
- ~~(g) A minimum streetwall height of 11 metres (36.1 feet);~~
- ~~(h) The streetwall shall extend a minimum of 65 percent of the lot frontage; and~~
- ~~(i) A minimum stepback of 2 metres (6.6 feet) above the streetwall.~~

MAIN FLOOR AND ENTRANCES

~~48DI(1) Buildings erected, altered or used for RC-4 uses in an RC-4 Zone shall comply with the following requirements:~~

- ~~(a) The ground floor of the streetwall shall be comprised of 75 percent glazing and shall have a minimum height of 3.7 metres (12.1 feet); and~~
- ~~(b) Commercial uses shall have separate exterior access from any access to residential uses.~~

BUILDING MATERIALS

~~48DJ(1) The following external cladding materials shall be prohibited:~~

- (a) vinyl;
- (b) plastic;
- (c) plywood;
- (d) concrete block;
- (e) exterior insulation and finish systems where stucco is applied to rigid insulation; and
- (f) darkly tinted or mirrored glass (not including spandrel panels)

LANDSCAPING AND BUFFERING

~~48DJ(2) — For any lot developed abutting a railway corridor, a concrete wall with a minimum height of 1.83 metres (6 feet) above average grade shall be provided along the entire rear lot line abutting the corridor. Between the concrete wall and the portion of the building above the enclosed parking, landscaped open space, a minimum of 3 metres (9.8 feet) in width, shall be provided. The wall shall be designed and constructed to ensure structural stability and be architecturally detailed on the side facing the development.~~

OPEN SPACE

~~48DK(1) — A minimum of 35 percent of the lot area shall be comprised of at grade unit patios, unit balconies and terraces, above grade exterior building amenity space and interior amenity space. Interior amenity space shall include the following common elements:~~

- ~~(a) lobby;~~
- ~~(b) fitness room; and~~
- ~~(c) community room.~~

~~48DK(2) — A minimum of 15 percent of the lot area shall be comprised of landscaped open space, which shall be provided at the grade established above enclosed parking.~~

15. Amend “C-2 ZONE: GENERAL BUSINESS ZONE” of “ZONES, ZONING MAPS AND BUILDING LINE PLAN” by deleting Subsections 58C(1), 58C(2), 58C(3), 58C(4), 58C(5), and 58C(6), as shown below in ~~strikeout~~:

C-2 ZONE: GENERAL BUSINESS ZONE

56(1) The following uses shall be permitted in any C-2 Zone:

- (a) R-1, R-2, R-2T, R-2A, R-3, C-1 and C-2A uses;
- (b) Any business or commercial enterprise except when the operation of the same would cause a nuisance or a hazard to the public and except adult entertainment uses, junk yards and amusement centres;
- (c) Billboards not to exceed twenty-eight square meters (28 m²) in area and not to extend more than eight meters (8 m) above the mean grade on which it is situated.
- (d) Uses accessory to any of the foregoing uses.

56(2) No person shall in any C-2 Zone, carry out, cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).

56(3) No person shall in any C-2 Zone, use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

57(1) No front, side or rear yards are required for C-2 uses in C-2 Zones.

58 The height of a building in a C-2 Zone shall not exceed a height of eighty (80) feet, but for each foot that the building or that portion of the building which would exceed eighty (80) feet in height is set back from the property line, two (2) feet may be added to the height of the building.

R-1, R-2, R-3, C-1, R-2T AND C-2A USES IN C-2 ZONE

58A(1) Buildings erected, altered or used for R-1, R-2, R-2T, R-2A, R-3, C-1 and C-2A uses in a C-2 Zone shall comply with the requirements of their respective zones.

~~PENINSULA NORTH AREA 8:~~

~~58C(1) Notwithstanding Sections 6, 8 and 58A(1), buildings erected, altered, or used for R-1, R-2, R-2A, R-2T, R-3, RC-3, C-1, C-2A uses in the C-2 zone of the "Peninsula North Area (Area 8)" shall comply with the requirements of the C-2 zone.~~

~~58C(2) In the Peninsula North Area (Area 8), all buildings constructed for commercial or industrial purposes, shall be required to provide direct access to pedestrians from Gottingen Street into the building, which is not more than two feet above grade; for the purposes of this section, grade shall be defined as being the elevation of the ground at any one point along the official street line of Gottingen Street abutting such lot.~~

~~58C(3) In the Peninsula North Area (Area 8), the maximum setback for the first storey of: (1) buildings constructed for commercial or industrial uses, or (2) additions to buildings used for commercial or industrial uses, shall be 2 feet from the official street line of Gottingen Street.~~

~~58C(4) In the Peninsula North Area (Area 8), buildings of over 50 feet width measured parallel to Gottingen Street shall have the appearance of two or more buildings by altering the appearance of the facade and/or roof in increments no greater than 50 feet. In addition, one third of the surface area of the face of the ground floor of the building shall be comprised of windows.~~

~~58C(5) In the Peninsula North Area (Area 8) the following applies:~~

- ~~(1) for buildings constructed for minor commercial purposes which are on a lot greater than 20,000 square feet in area, parking shall be provided at a rate of 1 space for every 1000 square feet of gross commercial area.~~
- ~~(2) for additions to existing buildings used for minor commercial purposes that are 50 percent or more of the gross commercial floor area of the existing building, are on a lot greater than 20,000 square feet in area, parking shall be provided at a rate of 1 space for every 1000 square feet of gross commercial floor area of the addition.~~

~~58C(6) In the Peninsula North Area (Area 8), all parking areas shall comply with the following requirements:~~

- ~~(i) Where commercial or industrial parking abuts a residential zone, an opaque fence a minimum of five feet shall be erected to visually screen abutting properties.~~
- ~~(ii) Parking areas abutting a street shall be set back a minimum of 5 feet from any street line; the setback area shall be landscaped with natural ground cover to reach a height of no more than 2 feet upon maturity, or other materials, along that part of the street not required for any parking pedestrian entrance.~~
- ~~(iii) Parking shall be constructed with a stable surface such as asphalt or concrete.~~
- ~~(iv) Lighting for parking area shall be directed away from any adjacent residential properties and from the street.~~

16. Amend Subsection 70AC(1)(b) of "U-1 ZONE: LOW-DENSITY UNIVERSITY" of "ZONES, ZONING MAPS AND BUILDING LINE PLAN", by deleting the words and numbers "Section 26B", after the words "as specified by", and replacing them with the words and numbers "Section 26B-A", as shown in **bold** and ~~strikeout~~:

HEIGHT EXEMPTIONS

- 70AC(1) Notwithstanding Section 71, height regulations herein set forth shall not apply to church spires, church belfries, chimneys, flagpoles, radio poles, water tanks, elevator enclosures, or mechanical penthouses occupying in the aggregate less than 30 percent of the area of the roof of the building on which they are located, provided that:
- (a) no building or structure shall protrude through a View Plane;
 - (b) no building or structure which is located in Schedule A shall be visible above the Citadel Ramparts as specified by ~~Section 26B~~ **Section 26B-A**; and
 - (c) water tanks, elevator enclosures and penthouses shall be setback from the perimeter of the roofline a minimum of 10 feet or incorporated as an integral part of the building design.
17. Repeal "BCDD ZONE: BRUNSWICK COMPREHENSIVE DEVELOPMENT DISTRICT" of "ZONES, ZONING MAPS AND BUILDING LINE PLAN" in its entirety, inclusive of Subsections 70EA(1), 70EA(2), 70EA(3), 70EB(1), 70EB(2), AND 70EB(3), as shown below in ~~strikeout~~:

~~BCDD: BRUNSWICK COMPREHENSIVE DEVELOPMENT DISTRICT~~

~~70EA(1) The following uses shall be permitted in any BCDD Zone:~~

- ~~(a) all uses and structures existing on 17 February 1998;~~
- ~~(b) all residential uses with the exception of rooming, boarding, or lodging houses;~~
- ~~(c) the office of a professional person located in the dwelling house used by such professional person as his private residence;~~
- ~~(d) a home occupation;~~
- ~~(e) a public park;~~
- ~~(f) an office in the existing building at 2085-99 Maitland Street;~~
- ~~(g) uses accessory to any of the foregoing uses.~~

~~70EA(2) No person shall in any BCDD zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).~~

~~70EA(3) No person shall in any BCDD zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).~~

~~70EB(1) No development permit shall be issued for a development in the BCDD zone except by development agreement pursuant to Policies 9.7, 9.7.1 and 9.7.2 of Part II, Section XI (Peninsula North Secondary Planning Strategy) of the Municipal Planning Strategy.~~

~~70EB(2) Applications for development agreements in any (Brunswick Comprehensive Development District) BCDD zone shall include the following information:~~

- ~~(i) a legal description of the total site proposed for development, to include present and proposed ownership;~~
- ~~(ii) a development schedule to indicate the stages or phases of development from beginning to completion;~~
- ~~(iii) total number and type of dwelling units including detailed plans showing the architectural design of each building with respect to height, design elements, building materials and colours; sizes of dwelling units and any accessory buildings;~~

- ~~(iv) site plan and supporting maps to describe existing topographic conditions including contours at 1 metre intervals, proposed lot lines, location, setbacks and size of all existing and proposed buildings and structures; lot sizes, proposed lot coverages, approximate gross and net population densities, and total amount of open space and landscaped space;~~
- ~~(v) the location and size of all areas to be reserved as common open spaces or public parks; existing and proposed circulation systems including parking, driveways, and major points of access and egress to the development; existing and proposed pedestrian circulation system, including its interrelationship with the vehicular circulation system; existing and proposed public utility system; a landscape plan indicating the treatment of private spaces; and information on areas and buildings adjacent to the proposed development to indicate the architectural and building form relationship to these areas;~~
- ~~(vi) any other information which may be required to evaluate the impact of the proposed development.~~

~~70EB(3) Notwithstanding Section EB (1), no development permit shall be required to reconstruct or repair any building referred to in Section 70EA(1)(a) which is destroyed or damaged by fire or otherwise as long as the building is reconstructed for the same use, to the same exterior dimensions and shape, and with the same architectural design and building materials.~~

18. Amend Clause 71(b) of "EXCEPTIONS" of "ZONES, ZONING MAPS AND BUILDING LINE PLAN", as shown in **bold** and ~~strikeout~~, by:
 - (a) deleting the words "Schedule A", after the words "is located in" and before the words "shall be visible", and replacing them with "Schedule A-1"; and
 - (b) deleting the words and numbers "Section 26B", after the words "as specified by", and replacing them with the words and numbers "Section 26B-A"

EXCEPTIONS

HEIGHT

71 The height regulations herein set forth shall not apply to church spires, church belfries, chimneys, flagpoles, radio poles, water tanks, elevator enclosures, or penthouses occupying in the aggregate less than 10 percent of the area of the roof of the building on which they are located, provided that:

- (a) no building or structure shall protrude through a View Plane; and
- (b) no building or structure which is located in Schedule A shall be visible above the Citadel Ramparts as specified by ~~Section 26B~~ **Section 26B-A**.

19. Repeal Section 92 "SCHEDULE "Q"" in its entirety, as shown below in ~~strikeout~~:

~~92~~ ~~SCHEDULE "Q"~~

~~In any area shown as Schedule "Q", any use shall be permitted which is permitted by the zoning designation of such area, except that any proposed residential or mixed residential-commercial development over four residential units may proceed only by development agreement pursuant to Policy 2.3.3. of Section XI.~~

20. Repeal Clauses 94(1)(b), 94(1)(i), 94(1)(n), 94(1)(o), 94(1)(p), 94(1)(q), 94(1)(r), 94(1)(s), 94(1)(t), 94(1)(w), and 94(1)(x) "SOUTH-END DEVELOPMENT AGREEMENTS" of "DEVELOPMENT AGREEMENT PROVISIONS" in their entirety, as shown below in ~~strikeout~~:

DEVELOPMENT AGREEMENT PROVISIONS

SOUTH-END DEVELOPMENT AGREEMENTS

- 94(1) In the South End Area, Council may, by development agreement pursuant to Section V of the Municipal Planning Strategy:

Reconstruction

- (a) permit reconstruction of any building which was in existence on 16 July 1981, which is destroyed by fire or otherwise, in accordance with Policies 1.7 and 2.5.

Existing Commercial Uses

- ~~(b) permit building or site improvements to any existing commercial uses in accordance with Policies 2.6 and 2.6.1.~~

Commercial and Industrial Combinations

- (c) permit commercial uses and services in conjunction with industrial uses in accordance with Policy 3.3

Saint Mary's University

- (d) permit any specific university use at the periphery of Saint Mary's University campus in accordance with Policy 7.2.1.1

Gorsebrook Lands - Residential

- (e) permit residential development on DND Gorsebrook lands in accordance with Policy 7.2.6.

Gorsebrook Lands - Institutional

- (f) permit institutional development on DND Gorsebrook lands in accordance with Policy 7.2.6.1

Pine Hill Divinity College

- (g) permit major university development on the Pine Hill Divinity College Campus in accordance in accordance with Policy 7.3.1.1

College, Summer, Spring Garden and South Park

- ~~(i) permit any development consistent with the zoning designation in the area bounded by College Street, Summer Street, Spring Garden Road and South Park Street which would not otherwise be permitted by the height requirements of this by-law in accordance with Policy 7.5.2.1.~~

Angle Controls

- (j) permit any specific development consistent with the zoning designation which would not otherwise be permitted by the angular plane requirements of this by-law in accordance with Policy 7.7.3

Industrial

- (k) permit any specific industrial use in area zoned industrial which would not otherwise be permitted by the height requirements of this by-law in accordance with Policy 7.8.2.1.

Residential in Industrial

- (l) permit any specific residential development in areas zoned for areas zoned for industrial development in accordance with Policy 7.8.2.2.

Intersection of Queen and Morris

- (m) permit mixed residential/commercial development at the intersection of Queen Street and Morris Street in accordance with Policies 7.5.5 and 7.6.1

Non-profit Medical or Rehabilitation Organization

- (n) ~~permit an office of a non-profit medical or medical and rehabilitative organization to be located on those properties on South Street between the Gorsebrook lands and Tower Road in accordance with Policies 7.6.2. and 7.6.3.~~

5515/17/19 and 5523 Inglis Street

- (o) ~~permit a multiple unit residential building in accordance with Policies 7.6.4 and 7.6.4.1~~

Cathedral Church of All Saints

- (p) ~~permit a mixed use commercial and multiple residential building in accordance with Policies 7.5.6 and 7.5.7~~

5251 South Street

- (q) ~~permit a multiple unit residential building in accordance with Policies 7.6.5 and 7.6.5.1~~

5620 South Street

- (r) ~~permit an apartment building in accordance with Policy 7.6.6.~~

Fenwick Tower

- (s) ~~permit a mixed use residential and commercial development in accordance with policies 7.7A and 7.7A.1~~

1034-1056 Wellington Street

- (t) ~~Council may permit a residential development at 1034-1056 Wellington Street in accordance with Policies 7.7B.1 and 7.7B2 of Section V of the Halifax Municipal Planning Strategy. (RC-Jan 13/15;E-Feb 28/15)~~

1017 and 1021 Beaufort Avenue

- (u) ~~permit a development comprised of detached one family dwelling houses in accordance with policies 1.4.1.3 and 1.4.1.4.~~

Schmidville Historic Park and Institutional Area

- (v) ~~Permit the redevelopment of the Historic Park and Institutional Area when a proposed development involves the construction of a building, if the construction of any addition to an existing building exceeds a footprint of 1,500 square feet or any new building exceeds a footprint area of 1,500 square feet in accordance with Policy 7.9.8 of the District IX Policies of Section V of the Municipal Planning Strategy and Council shall consider the requirements listed in Policy 7.9.9 of the District IX Policies section V of the Municipal Planning Strategy.~~

1110, 1116, 1120, 1122, 1126A/1126B/1126C and 1130/1132 Wellington Street (RC-Jul 10/19; E-Jul 20/19)

- (w) ~~Council may, by development agreement, pursuant to Policy 7.2.1 Section XVI of the Halifax Municipal Planning Strategy, permit a multiple dwelling and commercial parking at 1110, 1116, 1120, 1122, 1126A/1126B/1126C and 1130/1132 Wellington Street.~~

5713 Victoria Road and 1102 and 1106 South Park Street (RC-Jul 10/19; E-Jul 20/19)

- (x) ~~Council may, by development agreement, pursuant to Policy 9.2.1 Section XVI of the Halifax Municipal Planning Strategy, permit development of a multiple dwelling containing commercial uses at 5713 Victoria Road and 1102 and 1106 South Park Street.~~

21. Repeal Subsections 95(1)(c), 95(1)(e), 95(1)(f), 95(1)(g), 95(1)(i), 95(3), 95(4), 95(6), 95(7), 95(8), 95(9), 95(10), and 95(11) of the "PENINSULA CENTRE - DEVELOPMENT AGREEMENTS" of "DEVELOPMENT AGREEMENT" in their entirety, as shown below in ~~strikeout~~:

PENINSULA CENTRE - DEVELOPMENT AGREEMENTS

95(1) In the "Peninsula Centre Area", Council may, by development agreement pursuant to Section VI of the Municipal Planning Strategy:

Townhousing

- (a) permit townhousing in accordance with Policy 1.8

Residential Reconstruction

- (b) permit reconstruction of any residential building which was in existence on 16 July 1981, which is destroyed by fire or otherwise in accordance with Policy 1.12

~~1350 Oxford Street~~

- ~~(c) permit high density residential uses at 1350 Oxford Street, in accordance with Policy 3.4~~

Thornvale

- (d) permit any use not otherwise permitted by the zoning designation of the city registered heritage property known as Thornvale, Thornvale Avenue, in accordance with Policy 6.1.1

~~Spring Garden Road Sub-Area – North of Spring Garden Road~~

- ~~(e) permit any development consistent with the zoning designation in the Spring Garden Road Sub-Area, north of Spring Garden Road, which would not otherwise be permitted by the height requirements of this by-law and in accordance with Policy 8.1.2~~

~~Offices in Apartment Buildings~~

- ~~(f) permit office uses on the ground floor of apartment houses in the Spring Garden Road Sub Area, in accordance with Policy 8.1.3~~

~~South-west Corner of Spring Garden Road and Summer Street~~

- ~~(g) permit any residential development at the south-west corner of Spring Garden Road and Summer Street which would not otherwise be permitted by the Height Precinct Map in accordance with Policy 8.1.4~~

~~1270 Oxford Street~~

- ~~(i) permit a multi-unit residential building in accordance with Policies 3.5 and 3.5.1.~~

6770 Jubilee Road

- (j) permit an additional dwelling unit through interior conversion of the existing 17-unit residential building in accordance with Policies 8.2.1.3 and 8.2.1.3.1.

95(2) Approval by Council under subsection (1) shall only be granted provided that no exemption shall be given to Section 24.

6112 Quinpool Road

~~95(3) Council may permit a mixed use residential and commercial development at 6112 Quinpool Road in accordance with Policy 1.14 of Section VI and Policy 2.9 of Section XII of the Halifax Municipal Planning Strategy.~~

6124 Coburg Road and 1460, 1462, 1470 & 1474 Seymour Street

~~95(4) Council may permit a residential or mixed use residential and commercial development at 6124 Coburg Road and 1460, 1462, 1470 and 1474 Seymour Street in accordance with Policy 1.15 of Section VI of the Halifax Municipal Planning Strategy.~~

P.I.D. 00137273 Cedar Street

95(2) For the property identified as P.I.D. 00137273 Cedar Street, notwithstanding the uses permitted by the zone, no development, other than a detached single unit dwelling, shall be permitted, except by development agreement pursuant to Policy 1.5.5 of Section VI.

~~95(6) Civic No. 6345 Coburg Road, Halifax~~

~~Council may, by development agreement, pursuant to policies 1.16 and 1.16.1 of Section VI of the Halifax Municipal Planning Strategy, permit a multi-unit residential development~~

~~95(7) Intersections of Robie, Pepperell and Shirley Streets, Halifax (6030 Pepperell Street)~~

~~Council may, by development agreement, pursuant to policies 3.2.1 of Section XVI of the Halifax Municipal Planning Strategy, permit mixed-use, multi-unit residential development.~~

~~95(8) Council may permit a comprehensive mixed use development on Quinpool Road, Pepperell Street, Preston Street and Shirley Street in accordance with Policy 1.17 of Section VI and Policy 2.11 of Section XII of the Halifax Municipal Planning Strategy.~~

~~95(9) Spring Garden Road, Robie Street and Carlton Street (RC-Jul 15/19; E-Jul 20/19)~~

~~Council may, by development agreement, pursuant to Policy 12.3.1 Section XVI of the Halifax Municipal Planning Strategy, permit a mixed use development at 5950 Spring Garden Road; 5954 Spring Garden Road; 5954A Spring Garden Road; PID 00135384; 5958A Spring Garden Road; 5958B Spring Garden Road; 5960 Spring Garden Road; 5962 Spring Garden Road; 5964 Spring Garden Road; 5966 Spring Garden Road; 5966A Spring Garden Road; 5970 Spring Garden Road; 5972 Spring Garden Road; 5980 Spring Garden Road; 5982 Spring Garden Road; 5984 Spring Garden Road; 5986 Spring Garden Road; 5990 Spring Garden Road; 5992 Spring Garden Road; 5994 Spring Garden Road; 1403 Robie Street; 1478 Carlton Street; 1480 Carlton Street; 1484 Carlton Street and 1494 Carlton Street, Halifax.~~

~~95(9) Quinpool Road / Pepperell Street near Preston Street, Halifax (6290, 6298, 6300, and 6302 Quinpool Road, 6325 and 6331 Pepperell Street) (RC Jul 16/19; E Jul 20/19)~~

~~Council may, by development agreement, pursuant to Policy 5.2.1 of Section XVI of the Halifax Municipal Planning Strategy, permit a multiple dwelling which may contain commercial uses.~~

~~95(10) Robie Street, College Street and Carlton Street (RC Jul 15/19; E Jul 20/19)~~

~~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.~~

~~95(11) — Development at Quinpool Road/ Pepperell Street, near Oxford Street (6330 and 6324 Quinpool Road) (RC-Jul 16/19; E-Jul 20/19)~~

~~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.~~

22. Repeal Sections, Subsections and Clauses 98(1)(a), 98(1)(c), 98(1)(d), 98(1)(e), 98(1)(f), 98(1)(g), 98(1)(h), 98(1)(i), 98(3), 98(4), 98(5), and 98B, of the "PENINSULA NORTH - DEVELOPMENT AGREEMENTS" of "DEVELOPMENT AGREEMENT" in their entirety, as shown below in ~~strikeout~~:

PENINSULA NORTH - DEVELOPMENT AGREEMENTS

98(1) In the "Peninsula North Area", Council may, by development agreement pursuant to Section XI of the Municipal Planning Strategy:

Parking Lots

- ~~(a) — permit at grade vehicular parking, loading and unloading facilities in accordance with Policies 1.5 and 1.5.1 for the properties known as:~~
- ~~(i) — Civic No. 6290 Yale Street (LRIS No. 177212);~~
 - ~~(ii) — Civic No. 6284-86 Yale Street (LRIS No. 177220);~~
 - ~~(iii) — Civic No. 6278 Yale Street (LRIS No. 177246);~~
 - ~~(iv) — Civic No. 6272 Yale Street (LRIS No. 177253);~~
 - ~~(v) — Civic No. 2021 Oxford Street (LRIS No. 24778); and~~
 - ~~(vi) — Civic No. 2046 Robie Street (LRIS No. 14006)~~

Non-conforming Residential Uses

- ~~(b) — permit reconstruction of a non-conforming residential building in Area #3, which is destroyed by fire or otherwise, in accordance with Policy 1.6~~

Windsor Street — Northeast side from North to Willow Streets

- ~~(c) — permit offices and residential uses in accordance with Policy 10.4.~~

Gottingen Street West — Cunard to Gerrish

- ~~(d) — permit, in accordance with Policy 2.15, any development which would not otherwise be permitted by the zoning requirements.~~

Gottingen and Cogswell — Northeast Corner

- ~~(e) — permit, in accordance with Policy 2.11, any development which would not otherwise be permitted by the zoning requirements.~~

Robie/West/Cunard Streets

- ~~(f) — permit an apartment building in accordance with Policy 1.7.~~

Cunard/June Streets

~~(g) — permit an apartment building in accordance with Policy 1.8. —————~~

~~2594 Agricola Street (PID # 00169276) (RC-Jun 12/07;E-Jun 23/07)~~

~~(h) — permit a mixed use building (Commercial and Residential) in accordance with Policy 2.16.~~

~~5784 Charles Street (PID # 00151431, 00151449, 00151662 and 00151670)~~

~~(i) — permit a multiple-unit residential building with commercial space in accordance with Policy 1.9.~~

- 98(2) In the "Peninsula North Area", a development permit may be issued for a project in respect of which approval was given by Council and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time period specified in the development agreement.

~~Eastern Side of Gottingen Street between Russell Street and Kaye Street~~

- ~~98(3) — Council may permit a mixed use residential and commercial development on the eastern side of Gottingen Street, between Russell Street and Kaye Street (PID # 40850463), in accordance with Policy 3.4 of the Halifax Municipal Planning Strategy (Section XI, Part II).~~

~~Intersections of Robie Street, Cunard Street, and Compton Avenue, Halifax (2180 Robie Street, 2178 Robie Street, 2176 Robie Street, 2166 Robie Street, 2164 Robie Street, 2162 Robie Street, 6020 Cunard Street, 6018 Cunard Street, 6014 Cunard Street, and 6025 Compton Avenue) (RC-May 21/19;E-Jul 6/19)~~

- ~~98(4) — Council may, by development agreement, pursuant to Policy 6.2.1 of Section XVI of the Halifax Municipal Planning Strategy, permit a multiple dwelling containing commercial uses.~~

~~2440 Agricola Street, 2442 Agricola Street, 2444 Agricola Street, 2446 Agricola Street, 2448 Agricola Street, 2450 Agricola Street, 2452 Agricola Street, and 2454 Agricola Street, Halifax (RC-Jun 18/19;E-Jul 20/19)~~

- ~~98(5) — Council may, by development agreement, pursuant to Policy 8.2.1 of Section XVI of the Halifax Municipal Planning Strategy, permit a multiple dwelling which may contain ground-floor commercial uses.~~

QUINPOOL ROAD - DEVELOPMENT AGREEMENTS

- 98A In the Quinpool Road Commercial Area, Council may, by development agreement pursuant to Section XII, Part II, of the Municipal Planning Strategy:

Commercial Designation

~~i) — permit a lounge in association with a restaurant in accordance with Policies 2.8 and 2.8.1.~~

- ~~98B — Council may permit a mixed use residential and commercial development at 6112 Quinpool Road in accordance with Policy 1.14 of Section VI and Policy 2.9 of Section XII of the Halifax Municipal Planning Strategy.~~

6009-6017 Quinpool Road - Northwest corner of Quinpool Road and Robie Street

- 98C (1) Council may, by development agreement, pursuant to Policies 2.10 through 2.10.4 of Section XII of the Halifax Municipal Planning Strategy, permit a mixed use, multiple-unit residential and commercial development, providing the following conditions are satisfied:
- (a) the development shall not exceed 78 metres in height;
 - (b) if the development exceeds 62 meters in height, the applicant shall provide a public benefit in the form of:
 - (i) ten affordable housing dwelling units and the undergrounding of all electrical and utility wires adjacent to the development along both the Quinpool Road and Robie Street elevations; or
 - (ii) twenty affordable housing dwelling units; or
 - (iii) ten affordable housing dwelling units and \$900,000 as the contribution for the additional ten affordable dwelling units; or
 - (iv) money in lieu of a contribution of twenty affordable housing dwelling units as the contribution for incentive or bonus zoning in the amount of \$1,800,000;
 - (c) the monthly rent for the affordable housing dwelling units shall be no more than \$750 per month for each of the ten units, and such rent
 - (i) shall include heat, electricity, and hot water; and
 - (ii) may exclude parking, cable, internet and telephone;
 - (d) the affordable housing dwelling units shall:
 - (i) be located on the site of the development,
 - (ii) be dispersed throughout the development,
 - (iii) be similar in design, size, and appearance to other dwelling units within the development,
 - (iv) contain two or more bedrooms and have a minimum area of 69.68 sq. m., and
 - (v) be provided for 180 months, commencing on the initial occupancy date indicated in a signed sublease between the Minister of Community of Services, through Housing Nova Scotia, and
 - (e) an agreement is signed between the property owner and the Minister of Community Services, through Housing Nova Scotia, which leases the affordable dwelling units in the number determined in accordance with clause b to Housing Nova Scotia and such lease shall include provisions that
 - (i) the term and the amount of rent satisfies subclause (d)(v) and clause c,
 - (ii) that the Province may sublease each affordable dwelling unit to the people it determines have a household income in the low to moderate income range,
 - (iii) an affordable housing unit tenant who no longer meets the requirements of household income in the low to moderate income range shall be permitted to remain in that dwelling unit until their lease expires, and
 - (iv) the Province will provide a report, at least annually, to the Municipality confirming that each of the required affordable dwelling units are subleased to people whose household income is in the low to moderate income range; and
 - (f) Housing Nova Scotia may sublease each affordable dwelling unit to the people it determines have a household income in the low to moderate income range, and
 - (g) Housing Nova Scotia will provide a report, at least annually, to the Municipality confirming that each of the ten affordable dwelling units are subleased to people whose household income is in the low to moderate income range.
- (2) Council may accept money in the amount of \$900,000 if ten affordable housing dwelling units is provided or \$1,800,000 if no affordable housing dwelling units are provided in lieu of the contribution of affordable housing dwelling units.

- (3) Subject to 98D (1)(e), unless Council decides otherwise, the Municipality shall not accept money in lieu of the contribution of affordable housing dwelling units.
- (4) Money accepted in lieu of a contribution of affordable housing dwelling units shall be used for the purpose of affordable housing in the Municipality.

98D(1) An incentive or bonus zoning agreement for 6009-6017 Quinpool Road shall contain provisions respecting:

- (a) the identification of the development site; and
- (b) detailed construction drawings, site plans, specifications for the required public benefit;
- (c) the property owner reporting, at least annually, to the Province declaring the tenants in the affordable housing dwelling units are subleased to people with household income in the low to moderate income range;
- (d) an affordable housing unit tenant who no longer meets the requirements of household income in the low to moderate income range shall be permitted to remain in the unit until their lease expires; and
- (e) the property owner agrees to pay money in the amount of \$900,000 in lieu of the contribution of ten additional affordable housing dwelling units providing ten affordable housing dwelling units are provided if, at any time, the property owner breaches the lease required by clause 98C(e).

(2) In considering whether to approve an incentive or bonus zoning agreement for 6009-6017 Quinpool Road, the Development Officer shall consider whether subsection (1) has been satisfied.

98E Providing sections 98C and 98D are satisfied, a Development Officer may approve an incentive or bonus zoning agreement, or an amendment thereto, on behalf of the Municipality and, if so approved, the Mayor and Clerk must sign an agreement or amendment on behalf of the Municipality.

98F Council may permit a comprehensive mixed-use development on Quinpool Road, Pepperell Street, Preston Street and Shirley Street in accordance with Policy 1.17 of Section VI and Policy 2.11 of Section XII of the Halifax Municipal Planning Strategy.

23. Repeal Subsections 99(9), 99(11), 100(3), 100(4), and 100(5) of the "PENINSULA WIDE - DEVELOPMENT AGREEMENTS" of "DEVELOPMENT AGREEMENT" in their entirety, as shown below in ~~strikeout~~:

PENINSULA WIDE - DEVELOPMENT AGREEMENTS

99(1) Heritage Property

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit any specific development on a lot which is a city registered heritage property in accordance with Policy 6.8

99(2) Private Roads

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit residential development on lots that do not abut a publicly owned or maintained street in accordance with Policy 2.12

99(3) Amusement Centre

Council may, by development agreement, pursuant to the Implementation Policies of the Municipal Planning Strategy, permit the establishment of an amusement centre, in accordance with Policies 3.13, 3.13.1 and 3.13.3

99(4) Non-conforming Use

Council may, by development agreement, pursuant to Implementation Policies of the Municipal Planning Strategy, permit a non-conforming use to be changed to another non-conforming use, or permit the structure in which such a use is located to be altered or expanded in accordance with Policy 3.14

99(5) Lot Modification

Council may, by development agreement, pursuant to the Implementation Policies of the Municipal Planning Strategy, permit any use permitted by the zoning designation which would not otherwise be permitted by the minimum lot frontage, lot area and yard requirements of this by-law, in accordance with Policies 4.4 and 4.6

99(6) Podium Height Modification- R-3 Uses

Council may, by development agreement pursuant to the Implementation Policies of the Municipal Planning Strategy, permit any R-3 use permitted by the zoning designation which would not otherwise be permitted by the maximum height limit for any part of a building not containing any windows or doors serving habitable rooms, specified in Section 47(2)(d)(ii) in accordance with Policy 4.5

99(7) Public Service or Utility Use

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit a public service or utility use in accordance with Policies 7.2.2 and 7.2.1. Any uses considered through this section shall comply with Section 34 and Sections 44 to 48 of this by-law.

99(8) Non-Harbour Related Uses

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit non-harbour related uses in the C-5 zone in accordance with Policies 4.1.1.1 and 4.1.1.2

~~99(9) 6955 Bayers Road (PID #40824005)~~

~~Council may, by development agreement, pursuant to Policies 2.14 and 2.14.1 of Section II of the Halifax Municipal Planning Strategy, permit the development of a multiple unit residential building at 6955 Bayers Road, Halifax (PID #40824005).~~

99(10) Day Care Facilities

Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy, permit a day care facility which would not otherwise be permitted by the zoning requirements in accordance with Implementation Policies 3.20 and 3.20.1

~~99(11) Council may, by development agreement, pursuant to Section II of the Municipal Planning Strategy permit a residential development on the property formerly owned by Petro-Canada Limited (LMIS No. 34058), which would not otherwise be permitted by the zoning requirements in accordance with policy 2.15.~~

99(12) Capital Cost Contribution

As provided for by "Infrastructure Policies" of the Municipal Planning Strategy, uses within any designation which would require new or expanded infrastructure may be permitted subject to the development agreement provisions of the MGA.

99(13) Residential Pet Care Facilities

Council may, by development agreement, pursuant to Section II and the Implementation Policies of the Municipal Planning Strategy, permit a residential pet care facility in accordance with Implementation Policies 3.22 and 3.22.1"

100(1) Halifax Waterfront (HWDA) - Development Agreements Deleted

100(2) 3631 and 3639 Bright Place, 6100 Normandy Drive and a portion of the former Bright Place right-of-way

Council may, by development agreement, pursuant to Policies 2.18, 2.18.1 and 2.18.2 of Section II of the Halifax Municipal Planning Strategy, permit a multiple-unit residential development.

~~100(3) Northern corner of Young Street and Windsor Street (former CFB Halifax – Willow Park lands)~~

~~Council may, by development agreement, pursuant to Policies 5.4, and 5.5 of Section II of the Halifax Municipal Planning Strategy, permit a mixed use, multiple-unit residential and commercial development.~~

~~100(4) Intersections of Chebucto Road, Elm Street, and Beech Street, Halifax (6482 Chebucto Road, 2586 Beech Street and 2585 Elm Street) (RC-Feb 12/19; E-Apr 13/19)~~

~~Council may, by development agreement, pursuant to Policy 4.2.1 of Section XVI of the Halifax Municipal Planning Strategy, permit a multiple dwelling containing commercial uses.~~

~~100(5) 6438 Bayers Road, 6442 Bayers Road, 6450 Bayers Road, 6454 Bayers Road, 6460 Bayers Road, 6419 Young Street, 6421 Young Street, 6425 Young Street, 6431 Young Street, 6439 Young Street, 6443 Young Street, 6449 Young Street, 6453 Young Street, 6457 Young Street, 6459 Young Street, 6461 Young Street, 6461A Young Street, 6465 Young Street, 6467 Young Street, Halifax (RC-Jul 10/19; E-Jul 20/19)~~

~~Council may, by development agreement, pursuant to Policy 11.2.1 of Section XVI of the Halifax Municipal Planning Strategy, permit a multiple dwelling which may contain ground-floor commercial uses.~~

24. Amend "Map ZM-17 – Height Precincts" by removing "INSET A – Citadel Elevations".
25. Repealing "TT20158A – View Map".
26. Add "Map ZM-25 – Halifax Citadel View Planes", as shown on Attachment J-1.
27. Add "Map ZM-26-Halifax Citadel Ramparts", as shown on Attachment J-2.

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

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

Municipal Clerk

NOTE: THIS MAP IS A GRAPHIC REPRESENTATION OF SURVEY DATA, ENTERED BELOW. SUCH DATA DESCRIBES THE VIEW PLANES. THE EFFECT OF THIS BY-LAW ON ANY PROPERTY MUST BE SPECIFICALLY ASCERTAINED.

TABLE A VIEWING POSITIONS

| VIEWING POSITION | NORTH COORDINATE | EAST COORDINATE | ELEVATION |
|------------------|------------------|-----------------|-----------|
| A | 4,945,697.066m | 25,573,074.966m | 62.980m |
| B | 4,945,637.751m | 25,573,076.973m | 72.551m |
| C | 4,945,523.329m | 25,573,117.316m | 65.327m |
| D | 4,945,505.597m | 25,573,012.488m | 67.369m |

TABLE B VIEW PLANES

| VIEW PLANES | BOUNDARY BEARING | BOUNDARY BEARING | ZENITH ANGLE |
|-------------|------------------|------------------|--------------|
| 1 | N24° 36' 50"W | N12° 41' 50"W | 91° 58' 30" |
| 2 | N28° 03' 50"E | N36° 56' 20"E | 92° 47' 30" |
| 3 | N51° 05' 00"E | N59° 49' 30"E | 92° 57' 40" |
| 4 | N52° 58' 40"E | N68° 07' 00"E | 92° 56' 30" |
| 5 | N74° 42' 00"E | S86° 36' 30"E | 92° 53' 40" |
| 6 | S73° 32' 10"E | S63° 20' 30"E | 93° 51' 00" |
| 7 | S63° 25' 30"E | S59° 23' 20"E | 91° 26' 40" |
| 8 | S59° 23' 20"E | S34° 39' 50"E | 91° 25' 20" |
| 9 | S38° 11' 20"E | S22° 40' 50"E | 90° 46' 50" |
| 10 | S28° 55' 40"E | S16° 09' 50"E | 90° 42' 00" |

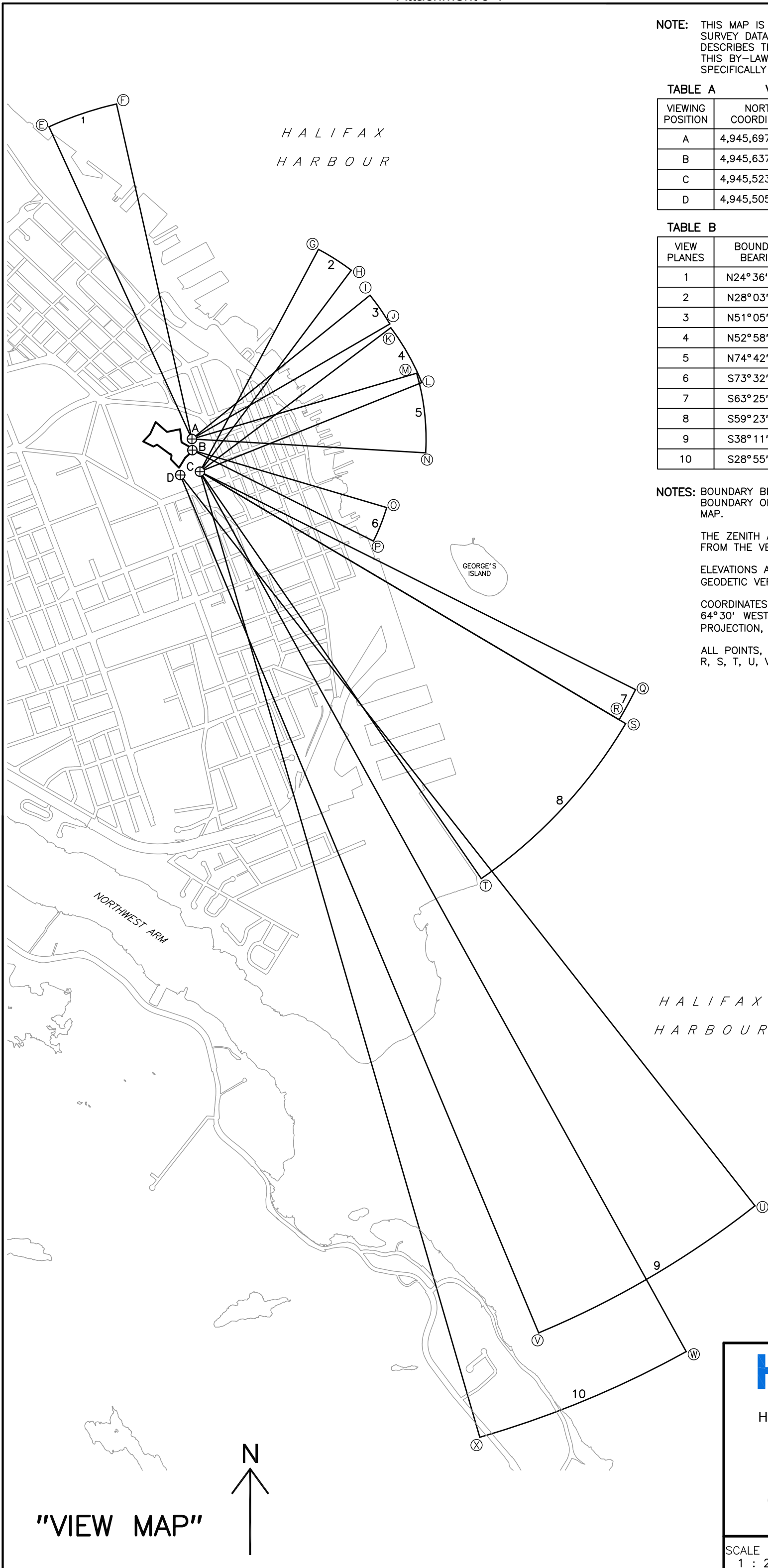
NOTES: BOUNDARY BEARING IS THE BEARING OF EACH BOUNDARY OF ALL VIEW PLANES SHOWN ON THIS MAP.

THE ZENITH ANGLE IS THE ANGULAR MEASUREMENT FROM THE VERTICAL AXIS TO THE VIEW PLANE.

ELEVATIONS ARE REFERENCED TO CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013).

COORDINATES REFER TO ZONE 5, CENTRAL MERIDIAN 64°30' WEST, OF THE NOVA SCOTIA 3° MTM PROJECTION, NAD83 CSRS (2010) DATUM.

ALL POINTS, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X HAVE AN ELEVATION OF 0.00m



HALIFAX

Halifax Peninsula Land Use By-Law

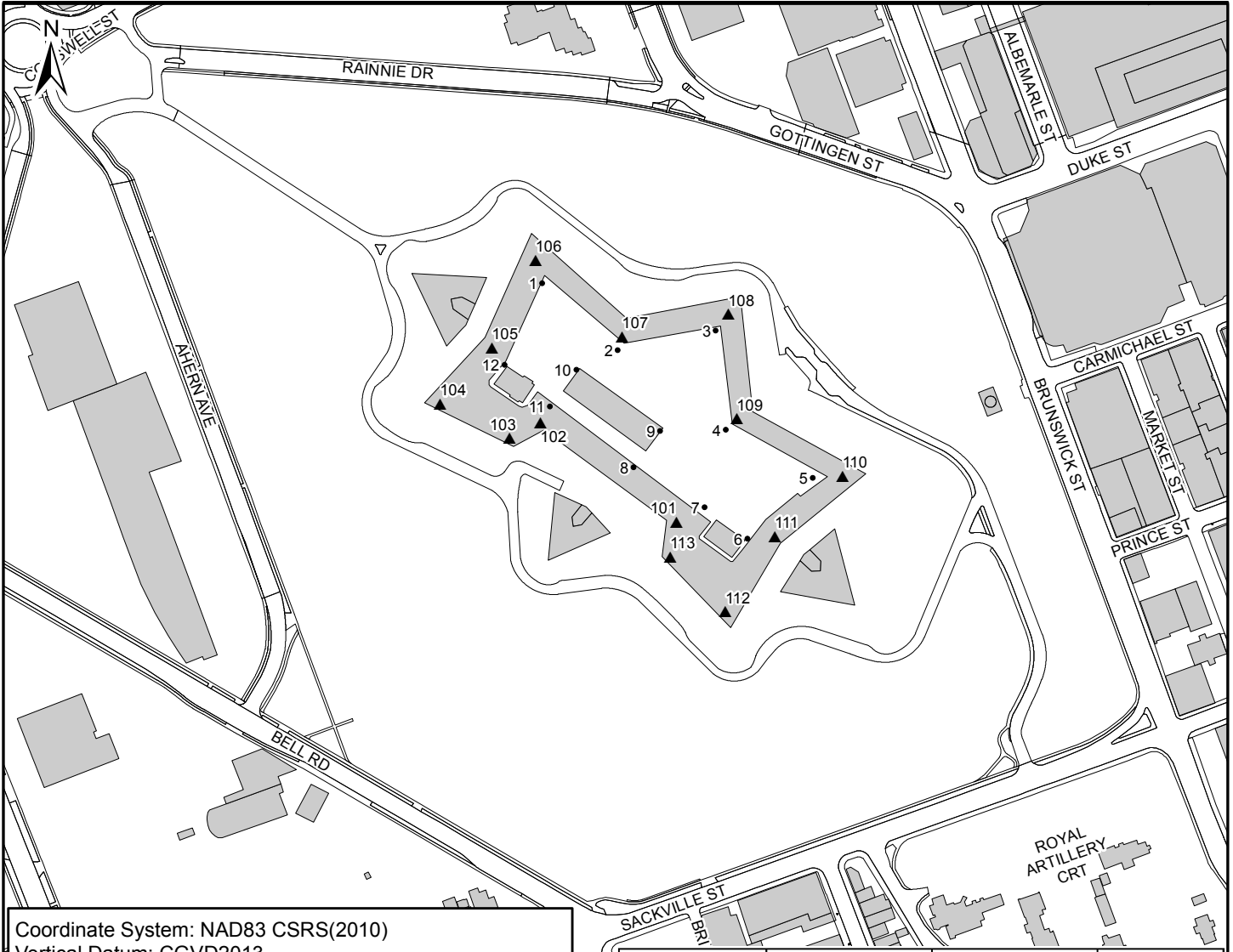
Map ZM-25

Halifax Citadel View Planes
(detailed View Plane Geometry)

SCALE
1 : 20,000

DATE
01/12/2017

Attachment J-2



Coordinate System: NAD83 CSRS(2010)
Vertical Datum: CGVD2013

| Viewing Position | Northing (m) | Easting (m) | Elevation (m) |
|------------------|---------------|----------------|---------------|
| 1 | 4,945,759.988 | 25,572,889.862 | 64.93 |
| 2 | 4,945,718.456 | 25,572,936.990 | 66.61 |
| 3 | 4,945,730.541 | 25,572,997.948 | 65.17 |
| 4 | 4,945,668.875 | 25,573,004.221 | 66.61 |
| 5 | 4,945,638.943 | 25,573,058.289 | 66.76 |
| 6 | 4,945,601.023 | 25,573,017.573 | 68.13 |
| 7 | 4,945,620.634 | 25,572,990.994 | 68.13 |
| 8 | 4,945,645.405 | 25,572,946.713 | 68.13 |
| 9 | 4,945,667.987 | 25,572,963.218 | 67.52 |
| 10 | 4,945,706.151 | 25,572,911.180 | 67.52 |
| 11 | 4,945,683.395 | 25,572,894.659 | 67.52 |
| 12 | 4,945,709.355 | 25,572,866.608 | 65.54 |

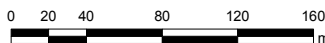
| Rampart Point Elevation | Northing (m) | Easting (m) | Elevation (m) |
|-------------------------|---------------|----------------|---------------|
| 101 | 4,945,611.812 | 25,572,973.310 | 74.68 |
| 102 | 4,945,673.771 | 25,572,888.608 | 74.68 |
| 103 | 4,945,663.866 | 25,572,869.322 | 74.84 |
| 104 | 4,945,685.136 | 25,572,826.055 | 74.84 |
| 105 | 4,945,720.063 | 25,572,858.490 | 74.53 |
| 106 | 4,945,774.867 | 25,572,885.665 | 73.71 |
| 107 | 4,945,727.158 | 25,572,939.454 | 73.07 |
| 108 | 4,945,741.026 | 25,573,005.600 | 71.94 |
| 109 | 4,945,676.167 | 25,573,010.874 | 73.31 |
| 110 | 4,945,640.216 | 25,573,076.670 | 73.77 |
| 111 | 4,945,602.942 | 25,573,034.562 | 74.99 |
| 112 | 4,945,555.993 | 25,573,003.615 | 74.99 |
| 113 | 4,945,590.074 | 25,572,969.538 | 74.99 |

Map ZM-26: Halifax Citadel Ramparts

- ▲ Rampart Point Elevations
- Viewing Positions

HALIFAX
Halifax Peninsula
Land Use By-Law

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



Last Updated March 12, 2019

**ATTACHMENT K
AMENDMENTS TO THE LAND USE BY-LAW FOR DOWNTOWN HALIFAX**

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

1. Amend Clause (bi) of Section 2 (Definitions), as shown below in **bold** and ~~strikeout~~, by:
 - (a) deleting the word and number "Section 26B" and replacing them with the word and number "Section 26B-A"; and
 - (b) deleting the word and number "Map ZM-17" and replacing them with the words and number "Schedule ZM-26 – Halifax Citadel Ramparts".
 - (bi) *Ramparts* means the Citadel Ramparts pursuant to ~~Section 26B~~ **Section 26B-A** of the Halifax Peninsula Land Use By-law and as depicted on ~~Map ZM-17~~ **Schedule ZM-26 – Halifax Citadel Ramparts** of the Halifax Peninsula Land Use By-law, as amended from time to time.
2. Amend Clause (ci) of Section 2 (Definitions), as shown below in **bold** and ~~strikeout~~, by deleting the words "the View Planes Map" and replacing them with the words and number "Schedule ZM-25 – Halifax Citadel View Planes":
 - (ci) *View Plane* means a View Plane as defined in Part I of the Halifax Peninsula Land Use By-law and as depicted on ~~the View Planes Map~~ **Schedule ZM-25 – Halifax Citadel View Planes** of the Halifax Peninsula Land Use By-law, as amended from time to time.
3. Amend Subsection 8(17), as shown below in **bold** and ~~strikeout~~, by deleting the word and number "Section 26B" and replacing them with the word and number "Section 26B-A":

Rampart Requirements

- (17) Notwithstanding any provision of this By-law, no building shall be erected, constructed, altered, reconstructed, or located in any zone so as to be visible above the ramparts as specified by ~~Section 26B~~ **Section 26B-A** of the Halifax Peninsula Land Use By-law, as amended from time to time.

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

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

Municipal Clerk

**ATTACHMENT L:
PROPOSED AMENDMENTS TO THE
SOUTH END SECONDARY MUNICIPAL PLANNING STRATEGY OF
THE HALIFAX MUNICIPAL PLANNING STRATEGY
Ronald McDonald House – Gorsebrook Lands**

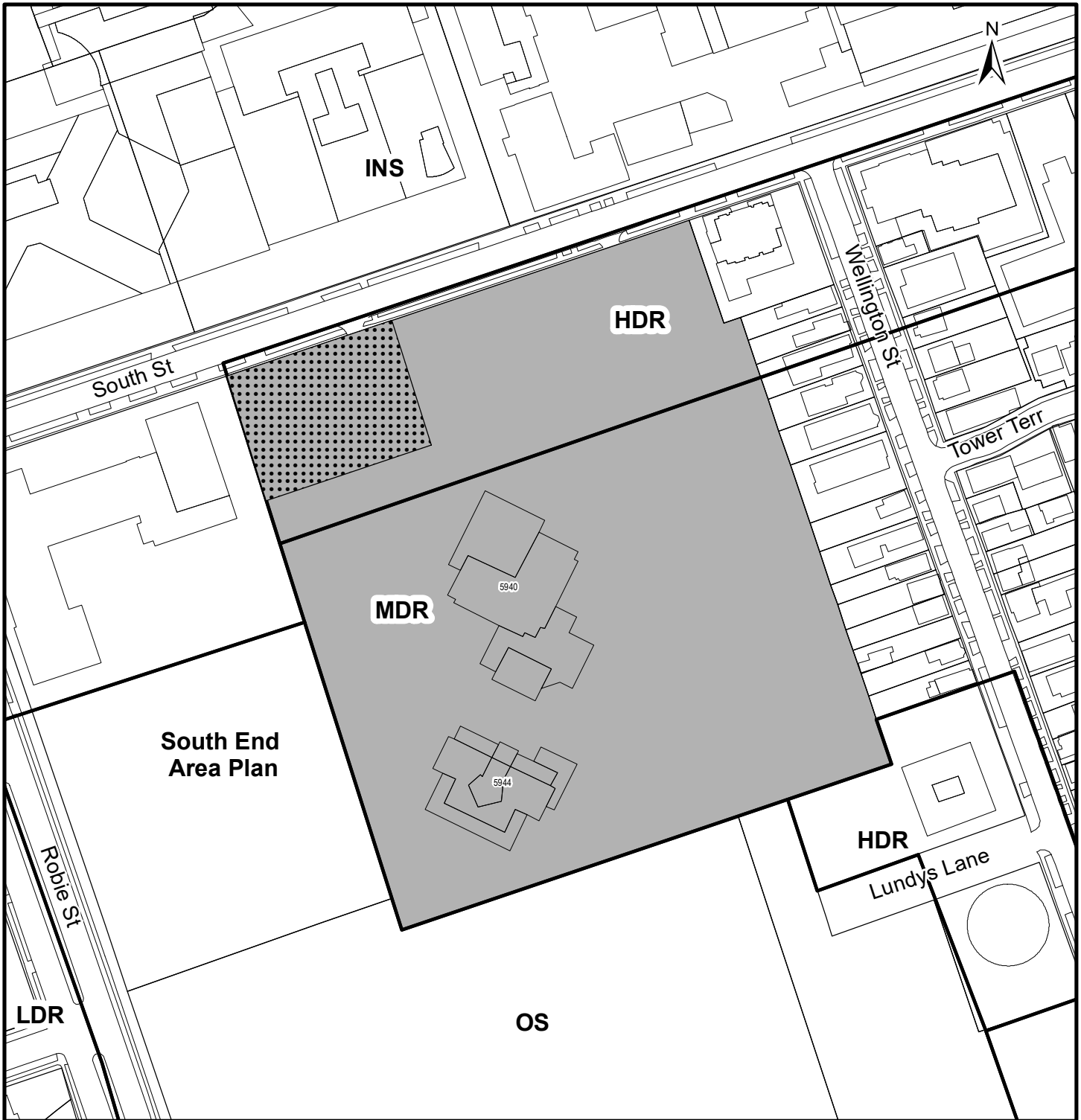
BE IT ENACTED by the Council of the Halifax Regional Municipality that *the South End Secondary Municipal Planning Strategy of the Municipal Planning Strategy for Halifax* is hereby further amended as follows:

1. Amend Map 9A: South End Plan – Generalized Future Land Use of Section V, Part II, by re-designating a portion of PID No. 00053751 (Gorsebrook Lands) from High Order Residential (HDR) to Institutional (INS), as illustrated in Appendix ‘L-1’.
2. Amend Map 2-2: Heights Precincts – District 2 of Section V, Part II by changing the Height Precinct on a portion of PID No. 00053751 (Gorsebrook Lands) from a maximum of 35 feet to 66 feet, as illustrated in Appendix ‘L-2’.

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

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



Municipal Clerk



Appendix L-1 - Amendment to Map 9A: South End Plan

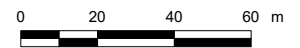
5940 & 5944 South Street,
Halifax

HALIFAX

-  Area of parcel redesignated from HDR to INS
-  Subject Property

Designation

- LDR Low Density Residential
- MDR Medium Density Residential
- HDR High Density Residential
- INS Institutional
- OS Open Space
- 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
South End Area Plan Area

**ATTACHMENT M:
AMENDMENTS TO THE LAND USE BY-LAW FOR HALIFAX PENINSULA**

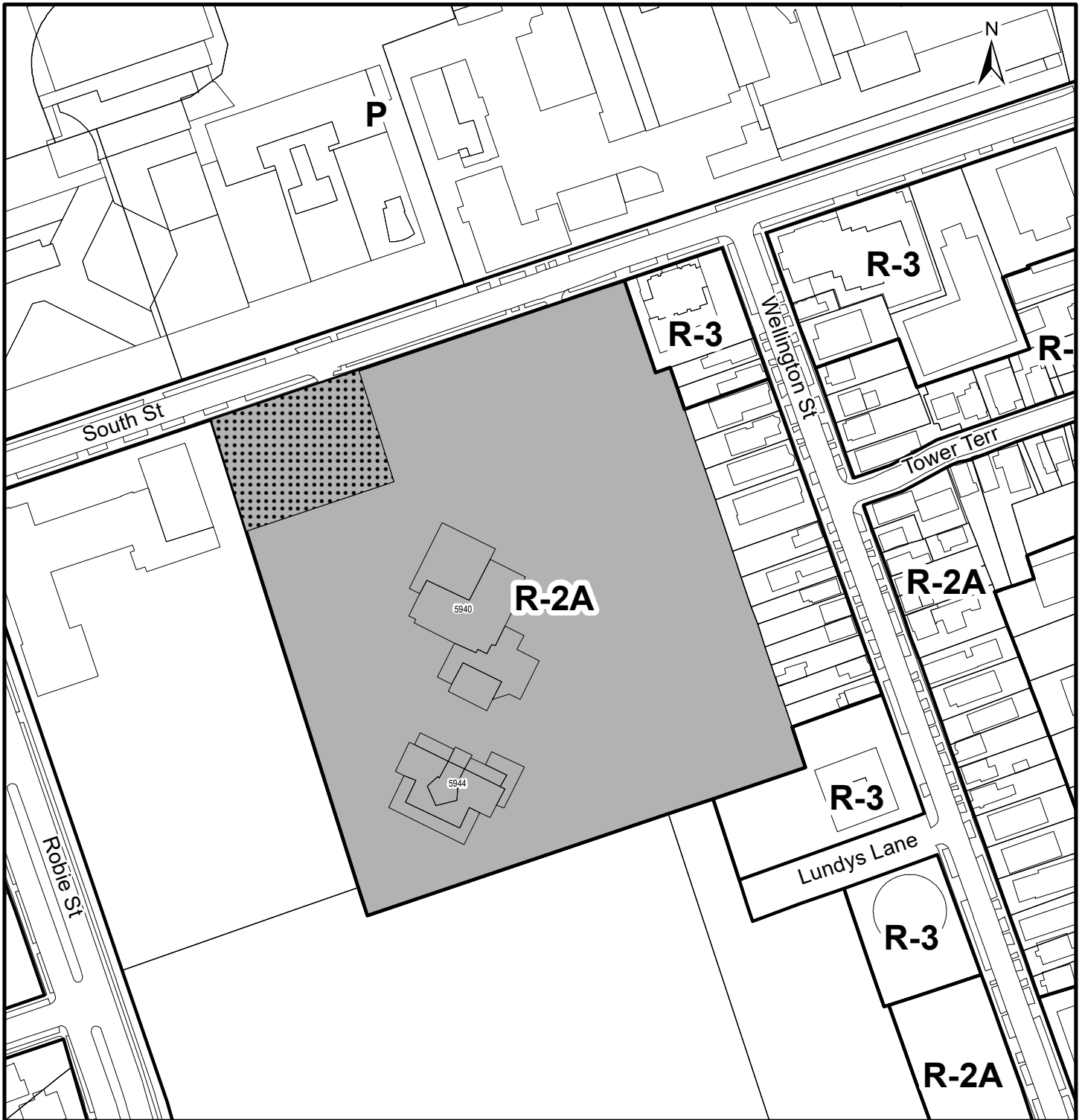
BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Peninsula is hereby further amended as follows:

1. Amend Map ZM-1: Zoning - Halifax Peninsula Land Use By-law by rezoning a portion of PID No. 00053751 (Gorsebrook Lands) from General Residential Conversion (R-2A) to Park and Institutional (P) Zone, as illustrated on Schedule M-1.
2. Amend Map ZM-17: Heights Precincts - Halifax Peninsula Land Use By-law by changing the Height Precinct on a portion of PID No. 00053751 (Gorsebrook Lands) from a maximum of 35 feet to 66 feet, as illustrated on Schedule M-2.

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

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


Municipal Clerk



Schedule M-1 - Amendment to Map ZM-1: Zoning Map

HALIFAX

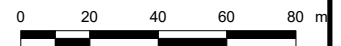
5940 & 5944 South Street,
Halifax

 Area of parcel rezoned
from R-2A to P

 Subject Property

Zone

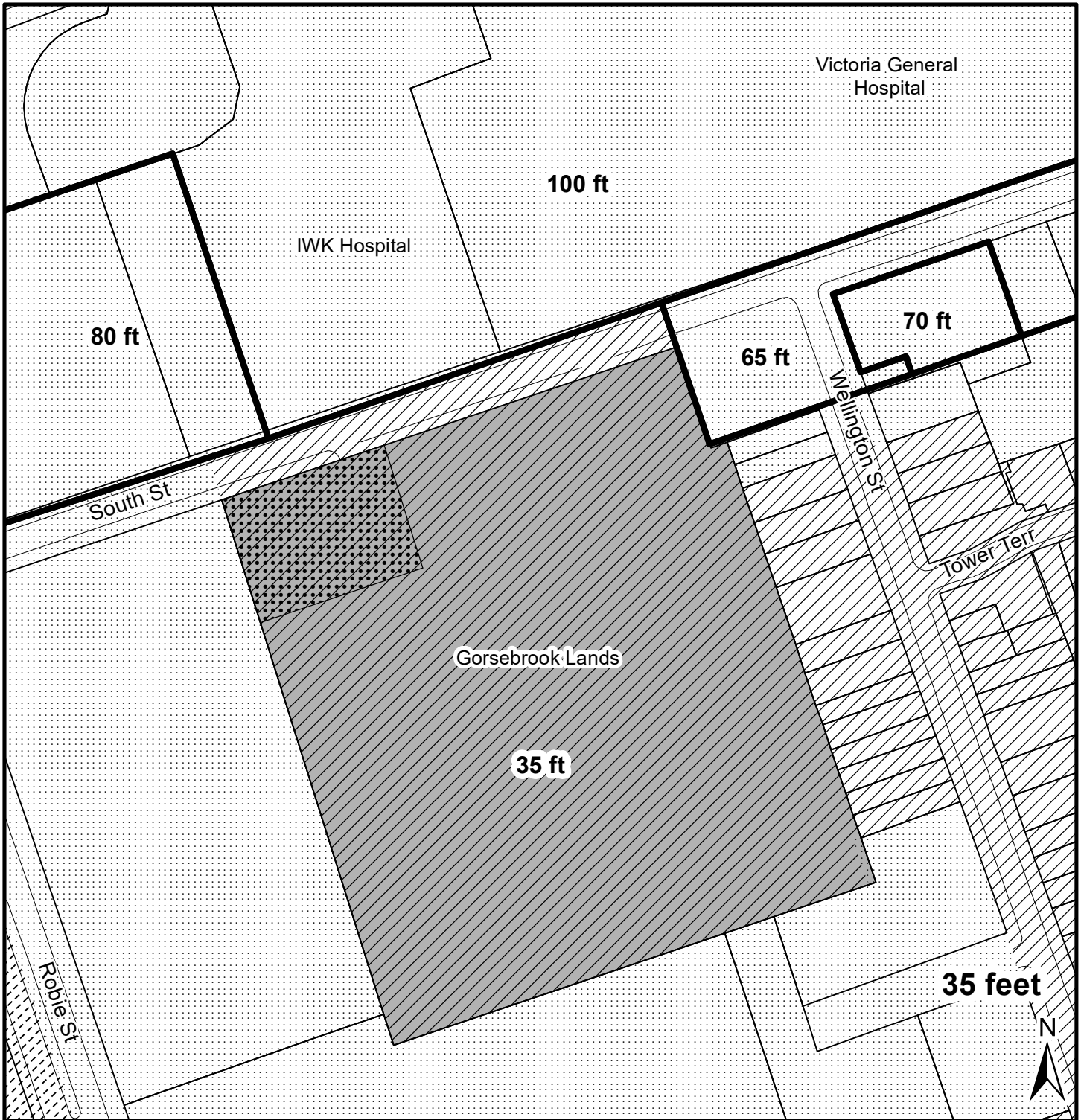
- R-1 Single Family Dwelling
- R-2 General Residential
- R-2A General Residential Conversion
- R-3 Multiple Dwelling
- P Park and Institutional
- U-1 Low-Density University
- U-2 High-Density University



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.




Halifax Peninsula
Land Use By-Law Area



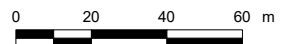
Schedule M-2 - Amendment to Map ZM-17: Heights Precincts

5940 & 5944 South Street,
Halifax

-  Subject Parcel
-  Area of Height Precinct to be increased from 35 ft to 66 ft
-  Height Precinct

-  Height measured to highest point of roof
-  Height measured to highest point of top floor of building (not including non-habitable roof)
-  Height measured to commencement of top storey of building

HALIFAX



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

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

Halifax Peninsula
Land Use By-Law Area

Please refer to ZM-17 - Height Precinct Map for full definitions of height measurement.