

# HALIFAX

P.O. Box 1749  
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**Item No. 12.1 (i)**  
**Halifax Regional Council**  
**September 17, 2019**

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

Original Signed by 

**SUBMITTED BY:** Jacques Dubé, Chief Administrative Officer

**DATE:** September 3, 2019

**SUBJECT:** **Regional Centre Secondary Municipal Planning Strategy and Land Use By-law (Package A)**

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## SUPPLEMENTARY REPORT

### ORIGIN

- July 30, 2019, Halifax Regional Council Item 15.1.13, First Reading motion to consider the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as contained in Attachments A and B of the supplementary staff report dated July 25, 2019 with an amendment to Attachment A, policy 10.29 (f) as follows:
  1. Delete subsection (iii) and replace with the following: the ground floor of the building is setback a minimum of 1.5 metres from the front property line inclusive of stairs, ramps, or other access points,
  2. Delete subsection (iv) and replace with the following: the building is setback a minimum of 6 metres from the rear property line from ground to a height of 6.2 metres, and above a height of 26 metres, and further no portion of the building may be closer than 4.5m to the rear property line,
  3. In subsection (v), replace the words “the podium” with “a height of 26 metres”, and
  4. Delete subsection (vi) and replace with the following: all floors above a height of 26 metres do not exceed a floor area of 523 square metres per floor, and all other floors above the podium not exceed a floor area of 676 square metres.

### LEGISLATIVE AUTHORITY

- *Halifax Regional Municipality Charter (HRM Charter)*, Part I, The Municipality, Sections 23, 24, 25, 26, 27, 31A, and 32
- *HRM Charter*, Part III, Powers, Sections 58 and 59
- *HRM Charter*, Part IV, Finance
- *HRM Charter*, Part VIII, Planning & Development
- *HRM Charter*, Part IX, Subdivision
- Regional Municipal Planning Strategy (2014 Regional Plan), Chapter 6: The Regional Centre, Policy RC-3

**Recommendation on next page**

## **RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Adopt the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law as contained in Attachments A and B of the supplementary staff report dated July 25, 2019 with the following amendments:
  - a. policy 10.29 (f) included in Attachment 1 of this report, and
  - b. Maps 1, 3 and 10 and Schedules 1,2,3,4,7,9,10, 24, 25 and 26 are replaced with Attachments 2-14 of this report;
2. Adopt the proposed amendments to the Regional Municipal Planning Strategy, the Regional Subdivision By-law, the Dartmouth Municipal Planning Strategy, the Dartmouth Land Use By-law, the Downtown Dartmouth Secondary Municipal Planning Strategy, the Downtown Dartmouth Land Use By-law, the Halifax Municipal Planning Strategy, the Halifax Peninsula Land Use By-law, and the Downtown Halifax Land Use By-law as contained in Attachments C to M-2 of the July 25, 2019 staff report.
3. Suspend section 142 of Administrative Order One and ratify items 16 through 20 of the June 18th, 2019 motion of Committee of the Whole, as follows:

Pending the outcome of the public hearing it is further recommended that Regional Council:

16. Direct the Chief Administrative Officer to develop and return to Council with proposed amendments to Administrative Order Number 48 to remove the lands within Package A from the jurisdictional authority of the Halifax Peninsula Planning Advisory Committee, the Harbour East – Marine Drive Community Council, and the Halifax and West Community Council, to provide for the creation of a new Regional Centre Community Council to review, address and deal with matters relating to appeals of site plans and variances and land use by-law amendments over those lands following the adoption of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law;
17. Direct the Chief Administrative Officer to develop a new Administrative Order establishing a Design Advisory Committee for the Regional Centre Package A lands, and return to the Council for consideration;
18. Rescind the Regional Council December 13, 2016 motion, Item 9.2.2, Parts 1 and 2, with respect to developing an incentive or bonus zoning program for affordable housing benefits and negotiating with Housing Nova Scotia a Memorandum of Understanding, as outlined in staff report dated September 6, 2016;
19. Direct the Chief Administrative Officer to develop a business case for a Regional Centre Incentive or Bonus Zoning Reserve, and an Administrative Order to direct future spending from the reserve within the Regional Centre and return to Council for consideration; and
20. Direct the Chief Administrative Officer to prepare amendments to the various committee Terms of Reference as appropriate, to establish the Community Design Advisory Committee, the Community Planning and Economic Development Standing Committee, the Heritage Advisory Committee, the Halifax and West Community Council, and the Harbour East – Marine Drive Community Council as the only advisory bodies to the planning process for the Regional Centre Plan Package B area, and return to the Council or the necessary body for consideration, with an amendment to add “the Design Review Committee” after “Community Design Advisory Committee;”.

## **BACKGROUND**

The proposed Regional Centre Secondary Municipal Planning Strategy (Plan) and the Land Use By-law (LUB) for Package A lands are the planning documents intended to regulate land use and development within the Regional Centre area of the Halifax Regional Municipality.

On June 18, 2019 Committee of the Whole recommended to Regional Council 20 items respecting Centre Plans. Items number 1 through 15 were ratified by Regional Council on June 25, 2019. Items 16 through 20 have not yet been ratified.

On July 30, 2019 Regional Council<sup>1</sup> gave first reading and scheduled a public hearing for the proposed Plan, Land Use By-law, and amendments to current planning documents, as presented in Attachments A to M-2<sup>2</sup> of the July 25, 2019 supplementary staff report. These documents included changes as directed by Regional Council on June 25, 2019, including a direction to permit the applicant's proposal as set out in Attachment A of the staff report dated June 4, 2019 (Case 19281 - Amendments to Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law for 2032-2050 Robie Street, Halifax).

The Plan as contained in Attachment A of the July 25, 2019 staff report included Policy 10.29 (Robie Street Special Area) to implement site specific development agreement criteria as directed by Council. On July 30, 2019 Council further gave specific direction to modify Policy 10.29(f) to better align the policy with the specific built form parameters contained in the June 4, 2019 staff report such as streetwall setback, streetwall height, and floor area.

In addition, one clerical mapping error was identified by staff prior to the publishing of the first advertisement for the public hearing on August 24, 2019.

## **DISCUSSION**

The Centre Plan planning documents and amendments to existing planning documents presented for public hearing are those as contained in attachments A - M-2 of the July 25, 2019 staff report, and a modified Policy 10.29 as contained in Attachment A of this report. The full policy is included although only section (f) was amended. This was directed by Council at first reading to better align the site-specific development agreement criteria for the Robie Street Special Area (2032-2050 Robie Street, Halifax) with the applicant's proposal. The revised version of Policy 10.29 is provided in Attachment 1.

Following first reading, staff became aware of a clerical error related to the Centre Plan maps and schedules presented to Council on July 30, 2019. This was related to a single property (5 Glenwood Avenue, Dartmouth) which in its June 25, 2019 motion, Regional Council directed to be removed from Package A lands. This change was confirmed in the July 26, 2019 supplementary staff report. The revised versions of the maps and schedules are provided in Attachments 2 – 14.

While 307 Prince Albert Road and 5 Glenwood Ave were originally separate parcels, they were recently consolidated (PID 00112110). When staff made the mapping change, the entire parcel was removed from Package A in error.

Given that Council provided direction that only 5 Glenwood Ave be removed, staff corrected the error in all affected online and hard copy maps and schedules prior to the publication of the first advertisement for the Centre Plan public hearing on Saturday, August 24th. Maps 1, 3, and 10 and Schedules 1, 2, 3, 4, 7, 9, 10, 24, 25, and 26 on the July 30th, 2019 Council agenda therefore now indicate "Revised - August 23, 2019".

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<sup>1</sup> Staff Report is available at: <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/190730rc15113.PDF>

<sup>2</sup> July 30<sup>th</sup> Regional Council Agenda: <https://www.halifax.ca/city-hall/regional-council/july-30-2019-halifax-regional-council>

While the revision was to restore the original extent of 307 Prince Albert Road to the Urban Structure, Corridor Designation, and COR zone with a Maximum Height of 20 metres and a transition line to 5 Glenwood Avenue, all maps which indicated "Package A lands" in the legend had to be corrected. This was the only correction made to the maps as presented for first reading.

With respect to the June 18, 2019 Committee of the Whole recommendations 16-20 which have not been ratified yet by Council, staff recommend that motion 20 be amended to add the Design Review Committee as one of the review bodies for Centre Plan Package B. Since Downtown Halifax is intended to be included in Package B, the current Design Review Committee has an established advisory role related to policies and regulations related to the Downtown Halifax Plan.

## **ALTERNATIVES**

Halifax Regional Council may choose to:

1. Adopt the proposed documents contained in Attachments A to M-2 of the July 25, 2019 supplementary staff report with the amendments contained in Attachments 1-14 of this staff report, and subject to requested additional changes; substantive changes may result in the requirement for a new public hearing.
2. Refuse to adopt the proposed planning documents.

## **FINANCIAL IMPLICATIONS**

There are no immediate budget implications resulting from the report recommendations. Details relating to policy directions are included in the staff report, dated April 3, 2019<sup>3</sup>.

## **COMMUNITY ENGAGEMENT**

An extensive public engagement program was undertaken in preparing the Regional Centre Plan (Package A). A summary of this program is included in the staff report, dated April 3, 2019. Details can also be found at <https://www.shapeyourcityhalifax.ca/centre-plan>.

## **ATTACHMENTS**

- Attachment 1 Amended Policy 10.29, Regional Centre Secondary Municipal Planning Strategy
- Attachment 2 Map 1: Regional Centre Urban Structure (Revised)
- Attachment 3 Map 3: Maximum Building Height Precincts (Revised)
- Attachment 4 Map 10: Proposed HCD Study Areas (Revised)
- Attachment 5 Schedule 1: Regional Centre Land Use By-law Boundary (Revised)
- Attachment 6 Schedule 2: Site Plan Approval Area (Revised)
- Attachment 7 Schedule 3: Zone Boundaries (Revised)
- Attachment 8 Schedule 4: Special Area Boundaries (Revised)
- Attachment 9 Schedule 7: Maximum Building Heights (Revised)
- Attachment 10 Schedule 9: Minimum Front and Flanking Yards (Revised)
- Attachment 11 Schedule 10: Maximum Front and Flanking Yards (Revised)
- Attachment 12 Schedule 24: Bonus Rate District (Revised)
- Attachment 13 Schedule 25: Wind Energy Overlay Zone Boundaries (Revised)

<sup>3</sup> Staff Report is available at: <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/190618cow4i.pdf>

Attachment 14 Schedule 26: Transition Lines (Revised)

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

Report Prepared by: Kasia Tota, Principal Planner, 902.490.5190

Report Approved by: Original Signed  
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Report Approved by: 

Original Signed by 
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Kelly Denty, Director, Planning and Development, 902.490.4800

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# ATTACHMENT 1 - REVISED POLICY 10.29, REGIONAL CENTRE SECONDARY MUNICIPAL PLANNING STRATEGY

## 10.10.2 SITE SPECIFIC POLICIES

In recognition of the substantial investment made in the preparation of a planning applications for the site located at 2032-2050 Robie Street, Halifax, this application was submitted in advance of this Plan being given first reading by Council, this site will be designated as the Robie Street Special Area on Schedule 4 of the Land Use By-law where for a limited period of time a development agreement may be considered for a single residential tower no greater than 85 metres in height, located atop a two-storey podium containing primarily commercial uses. Consistent with other transition policies, the project will be required to be commenced and completed within a reasonable timeframe.

### Policy 10.29

**Council may consider development on the site identified as the Robie Street Special Area on Schedule 4 of the Land Use By-law by development agreement, subject to the following requirements:**

- a) **the development shall consist of a mix of residential and commercial uses;**
- b) **the tower portion of the development shall consist of a maximum of 22 storeys, located above a 2-storey podium;**
- c) **the development shall be limited to 102 residential units located within the tower portion of the building;**
- d) **a minimum of 43% of the units within the building contain 2 or more bedrooms and are a minimum of 75 square metres in size;**
- e) **land uses located at the ground floor of the development, and fronting on Robie Street, shall be primarily commercial in nature to maximize street-level activity;**



- f) **the building shall comply with the following massing and height requirements:**
- i. **an overall height of 85 metres, inclusive of all mechanical spaces, penthouses, and other structures;**
  - ii. **the development provides a continuous 2-storey streetwall podium with a maximum height of 11 metres for the majority of the Robie Street elevation;**
  - iii. **the ground floor of the building is setback a minimum of 1.5 metres from the front property line, inclusive of stairs, ramps, or other access points;**
  - iv. **the building is setback a minimum of 6 metres from the rear property line from ground to a height of 6.2 metres, and above a height of 26 metres, and further no portion of the building may be closer than 4.5 metres to the rear property line;**
  - v. **any portion of the building above a height of 26 metres does not exceed depth and width of 23 metres; and**
  - vi. **all floors above a height of 26 metres do not exceed a floor area of 523 square metres per floor, and all other floors above the podium do not exceed a floor area of 676 square metres;**



- g) the development shall comply with the Pedestrian Wind Impact Assessment Protocol and Performance Standards in Appendix 1 of the Land Use By-law;**
- h) the external design of the building shall provide visual architectural interest;**
- i) the size and visual impact of utility features such as garage doors, service entries, and storage areas shall be minimized, and other features such as mechanical equipment or similar shall be concealed;**
- j) adequate supply of vehicular parking and bicycle parking shall be provided;**
- k) accessible and usable on-site amenity space shall be provided of a size and type adequate for the occupants of the development;**
- l) the development shall include a landscaping plan;**
- m) suitable on-site solid waste facilities shall be provided and internalized within the building;**
- n) the sewer and water servicing capacity for the development shall be deemed adequate; and**
- o) that incentive or bonus zoning is provided in accordance with Part XII of the Land Use By-law.**



# HALIFAX

## Regional Centre Secondary Municipal Planning Strategy

### MAP 1

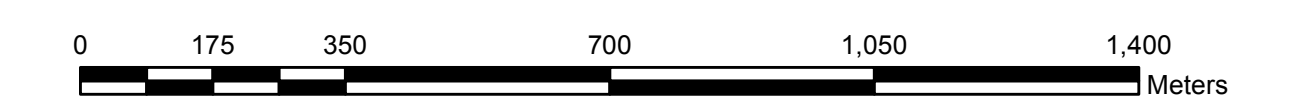
### URBAN STRUCTURE

- CEN Centre Designation
- COR Corridor Designation
- HR Higher-Order Residential Designation
- FGN Future Growth Node Designation
- D Downtown Designation
-  Centre Plan Area



**PACKAGE A**

Last Updated August 23, 2019



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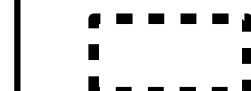
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## Regional Centre Secondary Municipal Planning Strategy

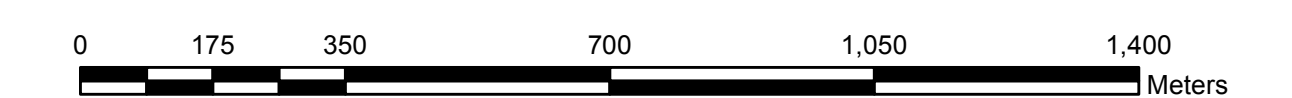
Map 3  
MAXIMUM BUILDING HEIGHT PRECINCTS

-  Maximum Heights Precinct (metres)
-  Maximum height precinct of 90 metres, subject to Map 2 – Maximum Floor Area Ratios
-  Centre Plan Area



**Package A**

Last Updated August 23, 2019



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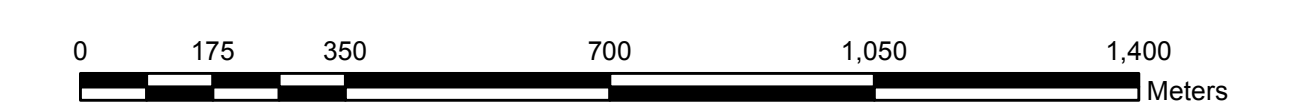
## Regional Centre Secondary Municipal Planning Strategy

### Map 10 Proposed Heritage Conservation District Study Areas

- Package A Properties
- HS Historic Richmond and Hydrostone District
- FC Five Corners
- DD Downtown Dartmouth
- HV Harbourview
- BF Bloomfield
- ON Old North Suburb
- CF Creighton's Field
- VR Victoria Road
- W Westmount
- Centre Plan Area

## Package A

Last Updated August 23, 2019



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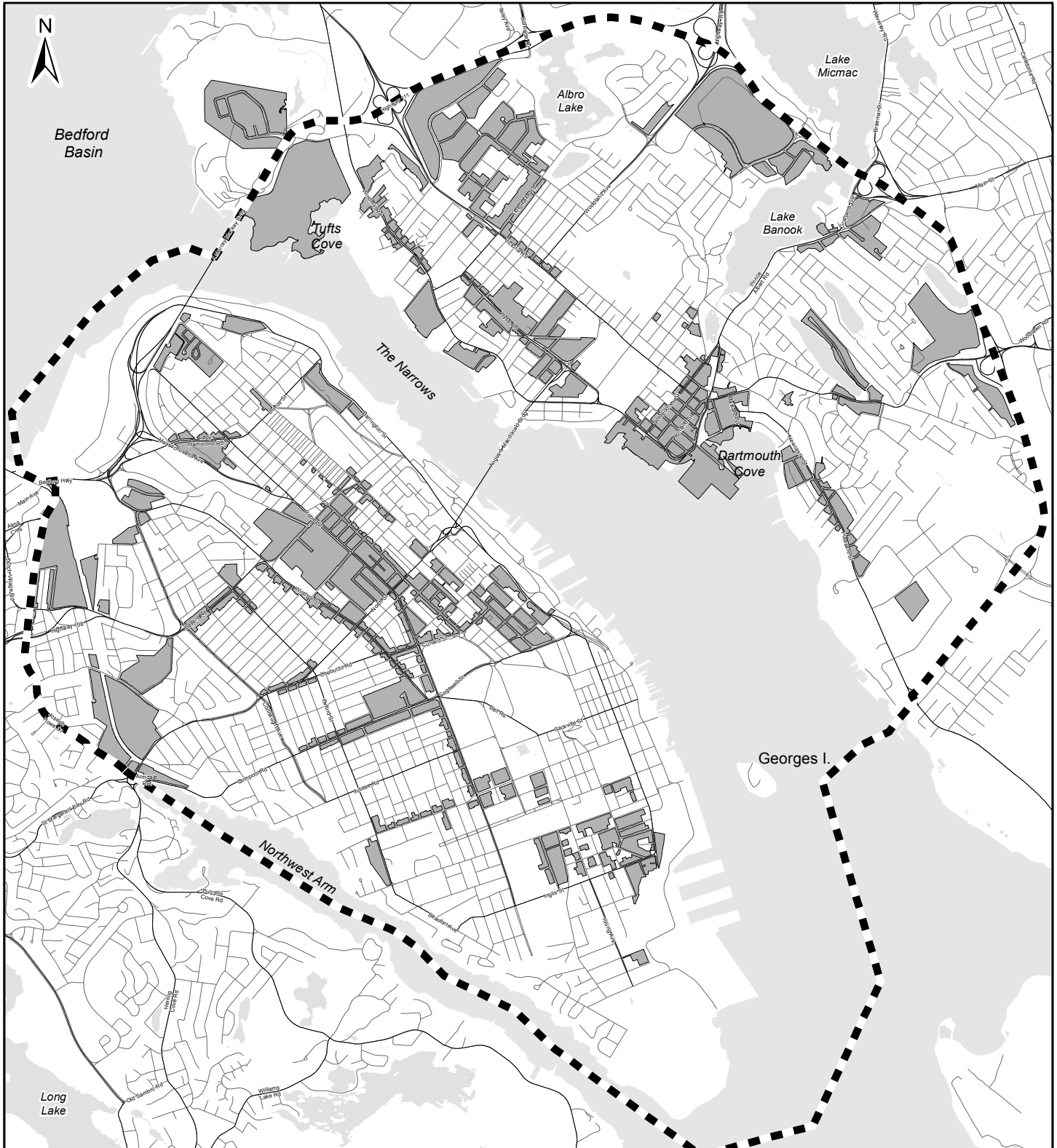
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**Attachment 5 - Schedule 1: Regional Centre Land Use By-Law Boundary (Revised)**



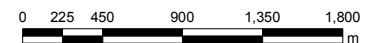
**Schedule 1: Regional Centre Land Use By-law Boundary**

-  Package A Properties
-  Centre Plan Area

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Regional Centre Land Use By-Law


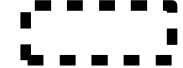


Last Updated August 23, 2019

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## Regional Centre Land Use By-Law

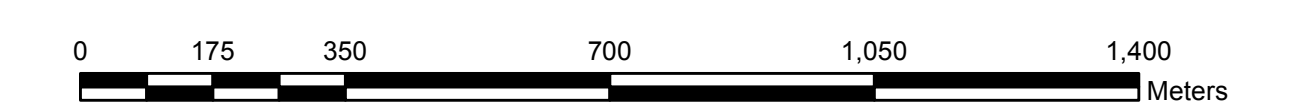
### SCHEDULE 2 SITE PLAN APPROVAL AREA

-  Site Plan Approval Area
-  Centre Plan Area



**PACKAGE A**

Last Updated August 23, 2019



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## Regional Centre Land Use By-Law

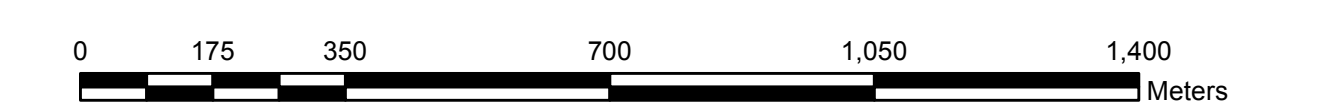
### SCHEDULE 3 ZONE BOUNDARIES

- D Downtown
- CEN-1 Centre 1
- CEN-2 Centre 2
- COR Corridor
- HR-1 Higher-Order Residential 1
- HR-2 Higher-Order Residential 2
- CDD Comprehensive Development District
-  Centre Plan Area



**PACKAGE A**

Last Updated August 23, 2019



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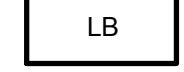
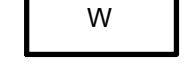
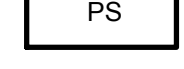
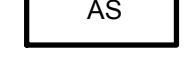
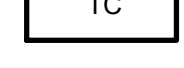
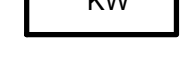
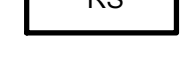

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## Regional Centre Land Use By-Law


### SCHEDULE 4 SPECIAL AREA BOUNDARIES

-  Package A Properties
-  Lake Banook
-  Waterfront
-  Portland Street
-  Agricola Street
-  Transportation Corridor
-  Kings Wharf
-  Robie Street
-  Centre Plan Area



## PACKAGE A

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## Regional Centre Land Use By-Law

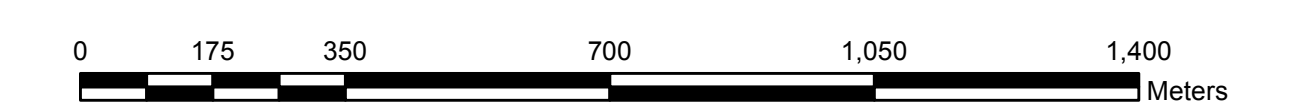
### SCHEDULE 7 MAXIMUM BUILDING HEIGHT PRECINCTS

-  Maximum Heights Precinct (metres)
-  Maximum height precinct of 90 metres, subject to Schedule 8 – Maximum Floor Area Ratios
-  Centre Plan Area



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## Regional Centre Land Use By-Law

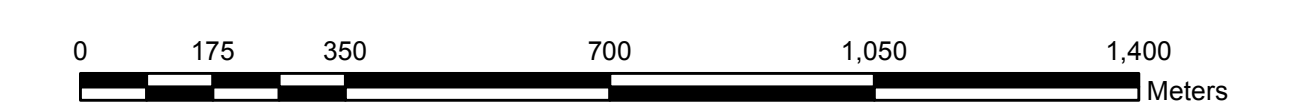
### SCHEDULE 9 MINIMUM FRONT AND FLANKING YARDS

—|— Minimum front & flanking yard (metres)

--- Centre Plan Area

**PACKAGE A**

Last Updated August 23, 2019



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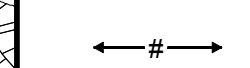

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## Regional Centre Land Use By-Law

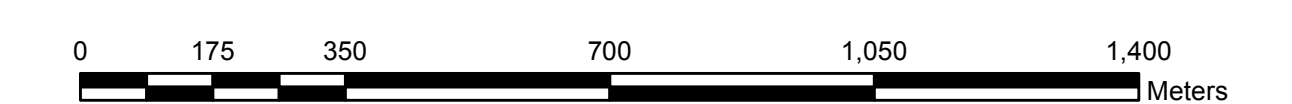
### SCHEDULE 10 MAXIMUM FRONT AND FLANKING YARDS

-  Maximum front & flanking yard (metres)
-  Centre Plan Area



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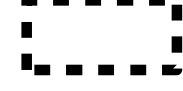
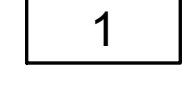
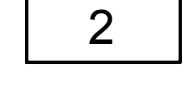
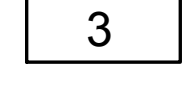
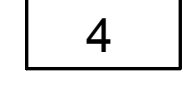
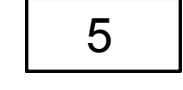
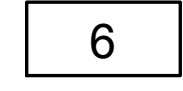
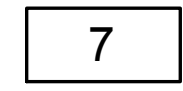
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## Regional Centre Land Use By-Law

### SCHEDULE 24

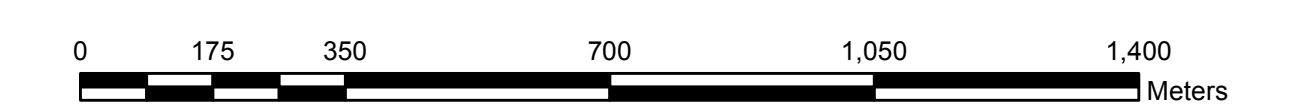
### BONUS RATE DISTRICTS

-  Centre Plan Area
-  1 South End Halifax
-  2 Cogswell Redevelopment Lands
-  3 North End Halifax
-  4 North Dartmouth
-  5 Downtown and Central Dartmouth
-  6 Woodside
-  7 Future Growth Nodes



**PACKAGE A**

Last Updated August 23, 2019



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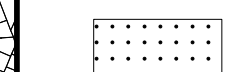

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# HALIFAX

## Regional Centre Land Use By-Law

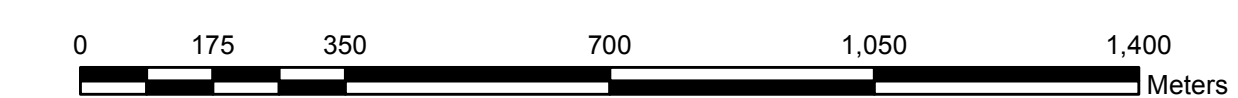
### SCHEDULE 25 WIND ENERGY OVERLAY ZONE BOUNDARIES

-  Restricted Zone (R)
-  Urban Wind Zone (UW-1)
-  Centre Plan Area



**PACKAGE A**

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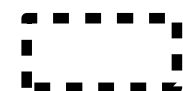
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**HALIFAX**  
Regional Centre  
Land Use By-Law

**SCHEDULE 26  
TRANSITION LINES**

-  Transition Line
-  Centre Plan Area



**PACKAGE A**

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