

HALIFAX

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Item No. 15.1.4
Halifax Regional Council
November 12, 2019

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: October 23, 2019

SUBJECT: **Case 22332: Municipal Planning Strategy and Land Use By-law amendment request for 210 and 214 Willett Street, Halifax**

ORIGIN

Application by Zwicker Zareski Architecture and Planning (ZZap), on behalf of Timbercreek Asset Management

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that Regional Council direct the Chief Administrative Officer to:

1. Initiate a process to consider amendments to the Municipal Planning Strategy for Halifax and the Land-Use Bylaw for Halifax Mainland to modify zoning requirements for R-4 (Multiple Dwelling) zoned properties near Dunbrack Street and Willett Street, Halifax; and
2. Request staff to follow the public participation program as adopted by Council on February 27, 1997.

EXECUTIVE SUMMARY

Zwicker Zareski Architecture + Planning (ZZap) is requesting a site-specific amendment to the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-law (LUB) to develop a dense apartment building at 210 and 214 Willett Street, Halifax, in accordance with modified zoning regulations. The property owner wishes to consolidate these lots and develop a permitted land use; however, they believe that the current zoning regulations create barriers for the site's potential redevelopment. As such, the applicant is seeking amendments

The applicant provides several points to support their amendment application: the current zoning regulations, which were adopted in the 1970s, are in need of review; the neighbourhood context has changed drastically during the past 40 years; the requested amendment is keeping with the policy goals of the RMPS (Regional Municipal Planning Strategy) and MPS; and is more consistent with HRM's recent planning framework for urban areas.

While staff note that there is merit to the applicant's request, the topics broached are not unique to the subject site, but general to the larger neighbourhood; specifically, R-4 (Multiple Dwelling) zoned properties within close proximity of Willett Street and Dunbrack Street. As such, staff recommend an alternate amendment process to review the MPS policies and LUB regulations pertaining to the R-4 zoned properties illustrated on Map 3. During this process, staff will assess two key items: 1) if the neighbourhood is better served by multiple-unit buildings that adhere to modern-day best practices or the current regulations; and, 2) is the RMPS direction for Clayton Park West's Local Urban Growth Centre being sufficiently achieved via the MPS and LUB, or would an amendment expedite these efforts.

BACKGROUND

ZZap, on behalf of Timbercreek Asset Management, is applying to permit a high-density residential development at the southwest corner of Willett Street and Dunbrack Street (Map 1). While the desired use is permitted, the proposal does not adhere to the R-4 (Multiple Dwelling) Zone's current zoning regulations (e.g., population density, angle controls, open space, and parking) and cannot be considered under existing MPS policies. As such, the applicant is seeking site-specific amendments to the MPS and the Halifax Mainland LUB to permit a new apartment building with 534 total units, in accordance with amended zoning regulations.

Subject Site	210 Willett Street (PID 40090086) and 214 Willett Street (PID 40375776)
Location	Corner of Dunbrack Street and Willett Street, Halifax
Regional Plan Designation	Urban Settlement
Community Plan Designation (Map 1)	Residential Environments
Zoning (Map 2)	R-4 (Multiple Dwelling) Zone
Size of Site	Approximately 1.7 hectares (4.2 acres)
Street Frontage	Dunbrack: Approximately 160 metres (525 feet) Willett: Approximately 95 metres (312 feet)
Current Land Use(s)	210 Willett: an unoccupied 11-storey apartment building (123 units) 214 Willett: an unoccupied 4-storey apartment building (47 units)
Surrounding Use(s)	North: Apartments West: Comprehensive townhouse developments East: Apartments South: Low-density dwellings

Site Context

210 and 214 Willett Street are two irregularly shaped lots at the southwest quadrant of the Dunbrack Street and Willett Street intersection. At the present time, 210 Willett Street contains an 11-storey apartment building and 214 Willett Street contains a 4-storey apartment building. The applicant has indicated that both buildings are at the end of their economic life and are no longer habitable (See Attachment A). The surrounding neighbourhood contains a variety of residential uses, ranging from low-density to high-density buildings; however, numerous high-density developments are located within the immediate vicinity of the subject site.

Proposal Details

The applicant suggests that the existing buildings can no longer be occupied without cost-prohibitive renovations, and as such, the property owner wishes to demolish both buildings, consolidate the properties and construct a new, dense apartment building (See Attachment B). The proposed building consists of three above-grade apartment buildings and three above-grade townhouse buildings on a shared foundation. The major aspects of the proposal are as follows:

- Three apartment buildings (eight storeys, 13 storeys, and 19 storeys) with non-habitable penthouses and a total of 517 units;
- Three two-storey townhouse buildings with a total of 17 units;
- At-grade residential units along Dunbrack Street and Willett Street;
- Floor area ratio (FAR) of approximately 2.84;
- Density of approximately 314 units per hectare (127 units per acre);
- Vehicular access from Willett Street;
- Approximately 315 underground vehicular parking spaces; and
- Approximately 320 bicycle parking spaces.

LUB Context

The subject site is located within the R-4 Zone as per the Halifax Mainland Land Use By-law (LUB). The R-4 Zone, which was first applied to Halifax Mainland properties in the 1960s, permits a variety of residential uses, including apartment buildings (the LUB defines this use as an apartment home). This zone evolved into its current form in the 1970s, when apartment buildings became subject to additional zoning regulations, such as a maximum density of 75 persons per acre, ample open space requirements, and angle controls that restrict building mass and influence design. The R-4 Zone contains *step-down* regulations, as well, meaning that lower-density dwellings are permitted in accordance with the requirements of the corresponding zone. These uses include: detached-dwellings, as per the R-1 (Single Family Dwelling) Zone requirements; semi-detached dwellings, as per the R-2 (Two-Family Dwelling) Zone requirements; and stand-alone townhouse buildings, as per the R-2T (Townhouse) Zone requirements (See Attachment C).

MPS Context

In the late 1970s, the first Municipal Planning Strategy was created for the former City of Halifax, including the Halifax Mainland, in an effort to adhere to new Provincial legislation. The subject site is designated Residential Environments in accordance with the Halifax Municipal Planning Strategy. The MPS contains city-wide objectives and policies that direct development within Residential Environments, including those that strive to: maintain the integrity of existing residential neighbourhoods; retain the existing residential character of predominantly stable neighbourhoods; encourage infill housing and rehabilitation as opposed to massive neighbourhood redevelopment; and permit neighbourhood redevelopment at a compatible scale (See Attachment D).

Regional Plan Context

The Regional Plan, which was first adopted in 2006 and re-adopted in 2014, states that the subject site is located within the Urban Settlement Designation. This designation encompasses lands with approved service development and undeveloped lands that shall be considered for serviced development during the RMPS' lifespan. The RMPS contains several objectives that direct housing in HRM, including: at least 75% of new housing should be developed in the Regional Centre and urban communities; focus new growth in

centres where supporting services and infrastructure are already available; and design communities that protect neighbourhood stability and support neighbourhood revitalization.

The subject site is located within the Clayton Park West Urban Local Growth Centre, and the RMPS provides specific direction for this centre's design. This Urban Local Growth Centre is envisioned to support: low, medium and high density residential uses; a mixture of residential, small office, small institutional and convenience commercial uses; high-quality transit that connects to other centres; and pedestrian-oriented facades (See Attachment E).

Clayton Park West

Dunbrack Street and Willett Street traverse Clayton Park West's core. These streets – specifically between Washmill Lake Drive and Lacewood Drive – are characterized by numerous R-4 zoned properties, including the subject site (See Map 3). The area's 40-year old planning framework helped transform Clayton Park West from a sparsely developed greenfield into one of HRM's densest neighbourhoods. For example, Census data (2016) shows that the subject site is located in a small dissemination area that had a population of 643 - a population density of 6981 residents per square kilometre.

The existing zoning framework has created physical similarities, as well. Most R-4 properties are large, have a central building with low-to-moderate lot coverage, and possess significant parking and open space areas.

This cluster of R-4 zoned properties is well-served by numerous public amenities and services that can be accessed on foot (within approximately 10-20 minutes): clinics, food, and commercial services are available at the Lacewood Drive / Dunbrack Street commercial node; the Keshen Goodman Public Library and Canada Games Centre are located near the Lacewood Drive / Thomas Radall Drive intersection; the Mainland Commons and BMO Soccer Centre are found south of the Canada Games Centre; and three schools are dispersed throughout the neighbourhood (See Attachment A).

Local residents have ample access to transit, which enhances access to day-to-day services and HRM's Regional Centre. Halifax Transit Route 2 runs along Willett Street and serves Clayton Park, Fairview, Central Halifax and downtown Halifax. Route 2 is a corridor route, and as such, it offers the most frequent level of service within HRM's transit network. The *Integrated Mobility Plan* confirms HRM's intent to maintain corridor routes along Willett Street into the future. Additional corridor routes and urban express routes operate on Lacewood Drive and include stops at the Lacewood Bus Terminal, which is a 15-minute walk from the subject site: two corridor routes (3 and 4) run from the Lacewood Terminal to downtown Halifax; one corridor route (30) provides service to Kearney Lake Drive; and six express routes (135, 136, 137, 138, 194 and 197) offer less-frequent service along Lacewood Drive and/or Willett Street.

DISCUSSION

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in this area of the Municipality. While the MPS provides broad direction, Regional Council may consider MPS amendment requests to enable proposed development that is inconsistent with its policies. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. Amendments should be only considered within the broader planning context and when there is reason to believe that there has been a change to the circumstances since the MPS was adopted, or last reviewed.

Applicant Rationale

The applicant is requesting site-specific MPS amendments, and corresponding LUB amendments, to permit the proposed development (See Attachment B). The amendments are required to redevelop the subject site in accordance with modernized zoning regulations, which will lessen the design constraints created by the R-4 Zone's existing population density, angle control, open space, and parking requirements.

The applicant has provided the following rationale in support of a site-specific MPS amendment(s):

- The existing buildings are deteriorating and cannot be occupied;
- Property owner can take advantage of historically low interest rates and recapitalize the site;
- Urgent need for rental housing in the Mainland North area;
- The MPS is more than four decades old;
- Existing MPS policies and LUB regulations do not include enough flexibility to account for large-scale, modern residential buildings;
- Existing density limit is a relic leftover from a time where the area's service capacity was limited;
- Amendment is in keeping with the policy goals of the RMPS and MPS; and
- Amendment is more consistent with the HRM's recent planning framework for urban areas.

Attachment A contains the applicant's application letter.

Staff Review

Staff have reviewed the submitted rationale in the context of site circumstances and surrounding land uses and advise there is merit to consider MPS amendments.

Validity of Request

The subject site contains two large apartment buildings which are vacant due to their rapidly deteriorating condition. The applicant suggests that the subject site requires major reinvestment and redevelopment before it can once again support an apartment building(s). The applicant argues that the existing zoning regulations limit the site's redevelopment potential, and staff agree that there is some validity to this statement.

Change in Circumstance

The neighbourhood context has changed significantly since the R-4 Zone was applied to properties near Dunbrack Street and Willett Street. Clayton Park West is no longer sparsely developed; as noted earlier, it is a dense community with a variety of mixed-housing options, public amenities, and transit connections. While the neighbourhood has changed drastically, the R-4 Zone's zoning regulations remain relatively unchanged since the 1970s when population density, angle control and open space regulations were introduced.

The R-4 Zone has successfully achieved *tower in the park* development, as popularized by the famous architect and urban planner Le Corbusier in the 1960s and 70s; however, this building design is somewhat antiquated today. Staff note that many R-4 zoning regulations are not conducive to modern development and present-day best practices, such as pedestrian-oriented design. This topic has been well-documented during the Centre Plan – Package A process, which was approved in September 2019; Regional Council repealed old zoning regulations, such as population density and angle controls regulations, in favour of new requirements that facilitate modern-day best practices in site and building design (i.e., streetwall heights, setbacks, FAR, at-grade building design, etc.). Parking standards were significantly reduced during this process, as well. With these considerations in mind, staff advise that there is merit to re-evaluate the standards of the R-4 Zone.

RMPS & MPS

The applicant's proposal aligns with the RMPS objective of directing new housing to urban communities surrounding the Regional Centre, which contain supporting services and infrastructure. The request is also generally consistent with the RMPS detailed direction for the Clayton Park West Urban Local Growth Centre (as articulated in Table 3-1), as it pertains to accommodating diverse housing types and redevelopment opportunities, supporting pedestrian-oriented façades with streetwalls / setbacks, and providing transit connections to other centres.

The applicant's request is generally consistent with the MPS city-wide policies for Residential Environments, as well. They are not seeking to introduce new land uses into an established neighbourhood, rather they are requesting that new zoning regulations be considered for existing uses.

The MPS' 40-year-old policies for Residential Environments lack detailed direction for individual high-density residential centres. Further, the MPS and LUB pre-date the RMPS by nearly two decades, and as such, may not implement the RMPS direction for Clayton Park West efficiently. Staff believe that undertaking a process to consider amendments to the current R-4 regulations will allow the existing requirements to be analyzed in accordance with the regulatory approach outlined in the RMPS, and provide Council with the opportunity to alter policy and regulations to better carry out the intent of the RMPS.

Complete Communities & Transit Efficiency

The exploration of modern zoning regulations is reasonably consistent with Integrated Mobility Plan (IMP), which was approved by Regional Council in December 2017. The IMP defines the area around the Lacewood Bus Terminal as a potential transit oriented community, which is intended to support compact, mixed-use, complete communities within a ten-minute walking distance of a transit hub. While the subject site is along the edge of this boundary, modern redevelopment can contribute to the IMP's complete community and transit efficiency goals. The proposal also contributes to additional IMP policies aimed at supporting high-density development near existing transit corridors and achieving pedestrian-oriented site design and human-scaled massing at street level.

Parking Requirements

Minimum parking requirements for the R-4 Zone in Clayton Park West - one parking space per dwelling unit - may be too high. Recent HRM initiatives suggest that existing parking standards should be re-assessed and potentially reduced: the 2008 Regional Parking Strategy Functional Plan indicates that minimum parking requirements are too high and recommends that HRM shift away from single occupancy vehicle travel; and the IMP includes policy direction to reduce parking standards by amending municipal planning strategies and land use by-laws, as necessary.

Recommended Approach

When assessing the big picture content, the land use issues confronting the subject site are not unique, but general to the area. There are numerous R-4 properties within the vicinity of Dunbrack Street and Willett Street that contain aging apartment buildings, have similar site characteristics, and are subject to identical zoning regulations. All of these properties contribute to the Clayton Park West core and have ready access to existing transit services, while several properties may require future reinvestment efforts.

With these considerations in mind, staff recommend undertaking a review of the MPS policies and LUB regulations pertaining to the R-4 Zoned properties illustrated on Map 3. Specifically, the amendment process will focus on only the R-4 Zone's zoning regulations, not its permitted uses or the regulations of *step-down* zones noted in the Background subsection. These R-4 regulations include:

- Population density;
- Angle controls;
- Open Space;
- Parking standards; and
- Other regulations pertaining to site, building, and pedestrian-oriented design.

Staff advise that this approach could provide a cohesive planning framework for Clayton Park West's as-of-right development in the R-4 Zone, which is consistent with modern-day best practices. A full review would consider the following:

- The scope and appropriateness of different amendments options;
- The scope and appropriateness of as-of-right zoning regulations;
- The recommendations of the IMP;
- Ongoing HRM planning initiatives, such as the Centre Plan process;
- The feedback received through community engagement initiatives;
- The feedback received from Halifax Water regarding service capacity; and
- The feedback received from other HRM departments and teams.

Conclusion

Staff have reviewed the proposed MPS amendment request and advise that it has merit, provided that the amendment process utilizes the approach outlined above. The unique circumstances raised by the applicant are not unique to the subject site, but general to R-4 zoned properties within the vicinity of Dunbrack Street and Willett Street (See Map 3). Specifically, the zoning regulations (i.e., population density, angle controls, open space, parking, etc.) that limit the subject site's redevelopment potential are uniform to all apartment buildings.

The applicant notes that the neighbourhood has undergone a dramatic transformation since the MPS and LUB were established in the 1970s, and the 40-year-old zoning regulations do not facilitate modern building design or reflect present-day best practices. Staff suggest there is validity to these statements, as reflected by the advancements made via the adoption of Centre Plan – Package A. As such, a request to review existing MPS policies and zoning regulations for the R-4 Zone is warranted.

Staff note that the recommended amendment approach is largely a technical exercise rather than a significant MPS alteration. Staff's approach is generally consistent with the MPS city-wide objectives and policies for Residential Environments; the process will not create new residential land uses, it will merely investigate whether the neighbourhood is better served by multiple unit buildings that adhere to modern-day best practices or the current regulations that were adapted in the 1970s. This process will also explore whether the RMPS' direction for Clayton Park West's Local Urban Growth Centre is being sufficiently achieved via the MPS and LUB, or if amendments would expedite these efforts.

COMMUNITY ENGAGEMENT

Should Regional Council choose to initiate the MPS amendment process, the *HRM Charter* requires that Regional Council approve a public participation program. In February of 1997, Regional Council approved a public participation resolution that outlines the process to be undertaken for proposed MPS amendments which are considered to be local in nature. This requires a public meeting to be held, at a minimum, and any other measures deemed necessary to obtain public opinion.

The proposed level of community engagement is consultation, achieved through a public information meeting early in the review process, as well as a public hearing, before Regional Council can consider approval of any amendments.

Amendments to the Halifax MPS and Mainland LUB will potentially impact the following stakeholders: residents, property owners and business owners within and near the proposed study area.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2019-2020 operating budget for C320 Regional Planning Program.

RISK CONSIDERATION

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

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified at this time.

ALTERNATIVES

1. Regional Council may initiate a site-specific MPS amendment to enable a higher density residential development at 210 and 214 Willett Street, and direct staff to follow the public participation program as set out in the Community Engagement section of this report.
2. Regional Council may choose to initiate the consideration of potential policy that would differ from those outlined in this report. This may require a supplementary staff report.
3. Regional Council may choose not to initiate the MPS amendment process. A decision of Council not to initiate a process to consider amending the Halifax MPS is not appealable to the NS Utility and Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1: Generalized Future Land Use
Map 2: Zoning
Map 3: Proposed Study Area

Attachment A: Application Letter
Attachment B: Concept Plan
Attachment C: Excerpt from the Halifax Mainland Land Use By-law (LUB)
Attachment D: Excerpt from the Halifax Municipal Planning Strategy (MPS) - Section II: City Wide Objectives and Policies - Residential Environments
Attachment E: Excerpt from the Regional Plan (RMPS)

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

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Map 1 - Generalized Future Land Use

210 & 214 Willett Street
Halifax

 Subject Properties

Halifax Fairview Secondary Plan Designation

LDR Low Density Residential
MDR Medium Density Residential

Halifax Plan Designation

COM Commercial
RES Residential Environments

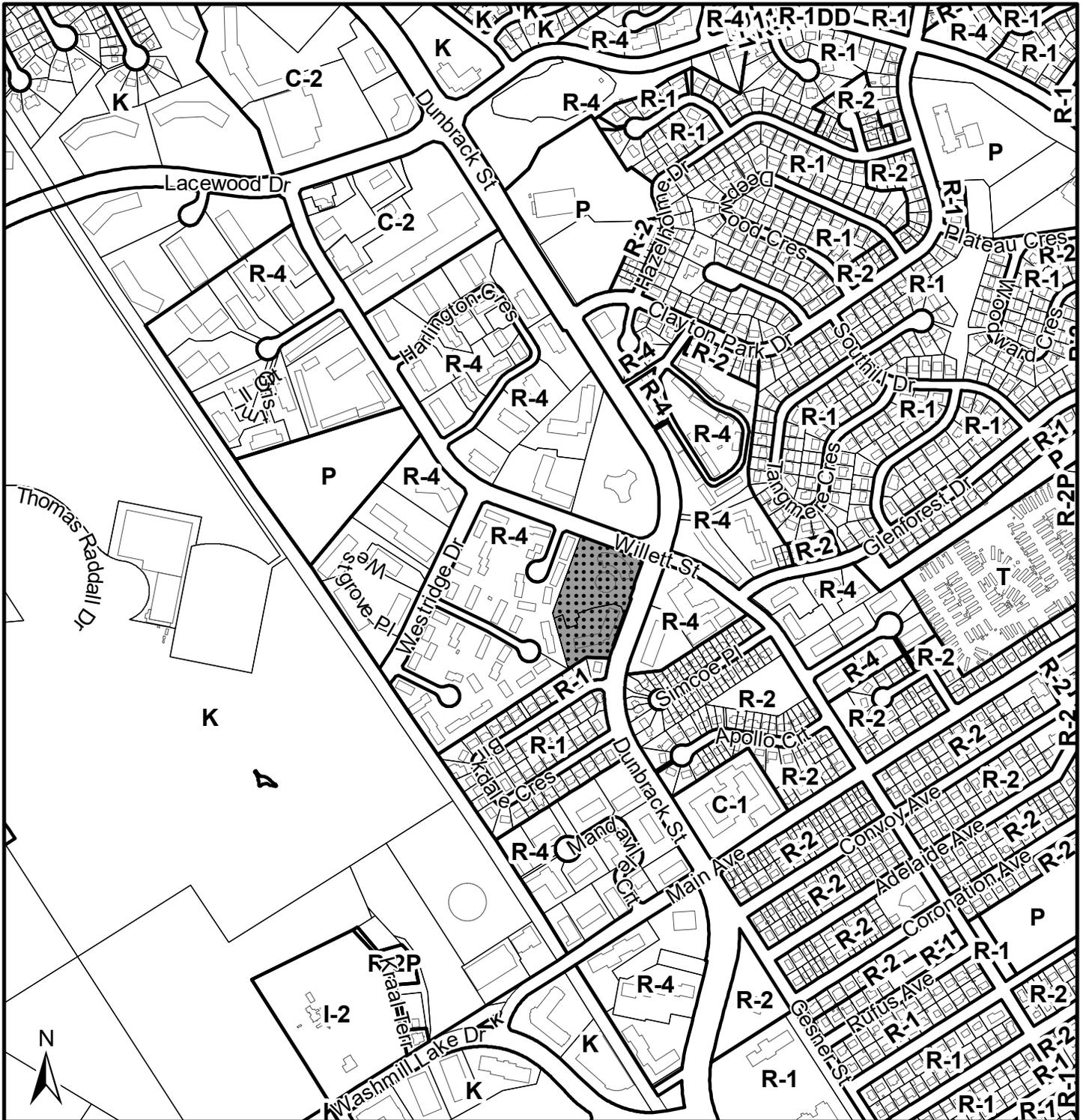
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This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

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

Halifax
Plan Area



Map 2 - Zoning

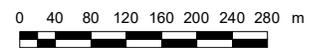
210 & 214 Willett Street
Halifax

 Subject Properties

Zone

- C-1 Local Business
- C-2 General Business
- I-2 Radio Transmitter
- K Schedule K
- P Park and Institutional
- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-2P General Residential
- R-4 Multiple Dwelling
- T Mobile Home Park

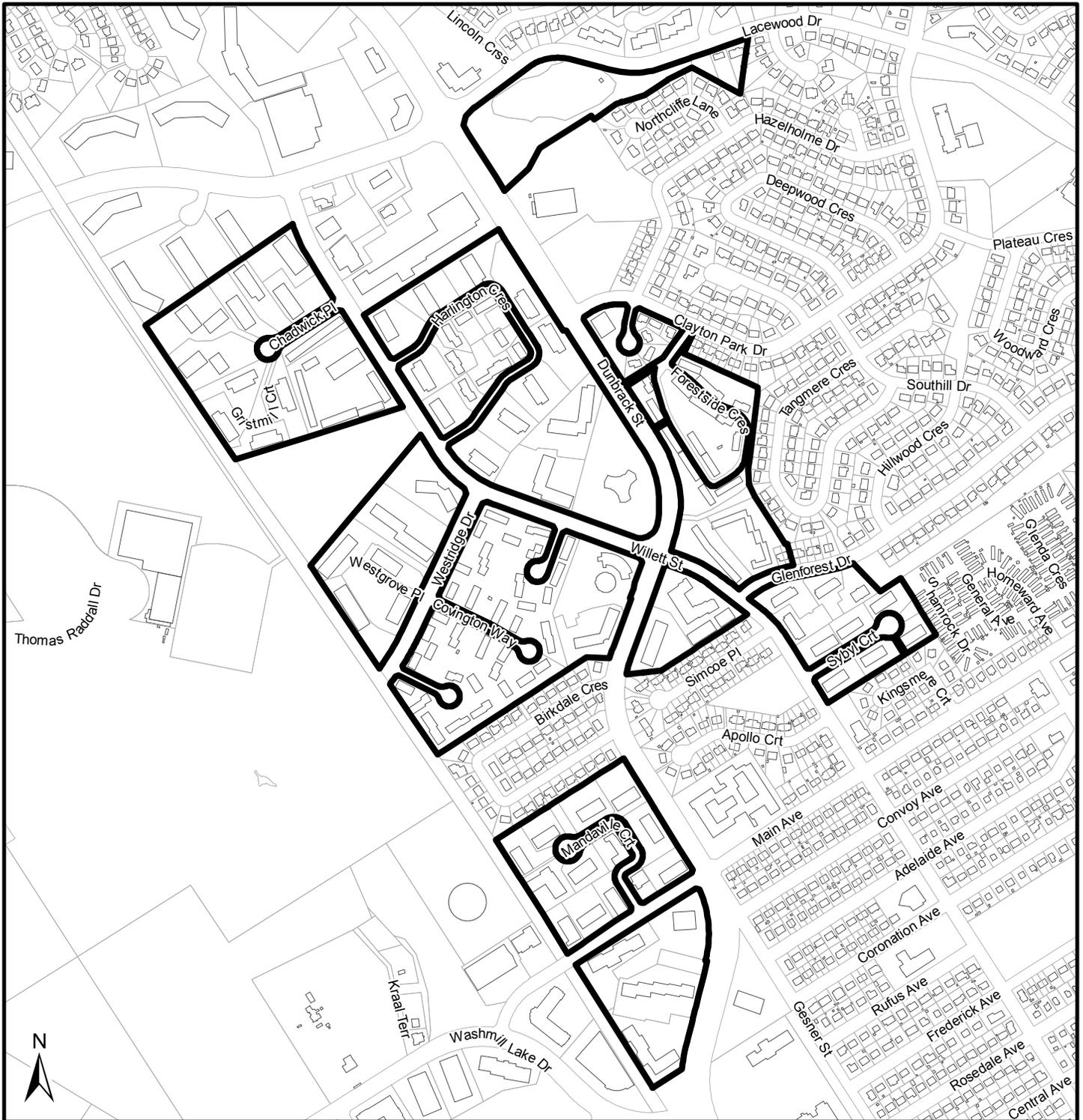
HALIFAX



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 Mainland
Land Use By-Law Area



Map 3 - Proposed Study Area

Dunbrack Corridor

HALIFAX

 Proposed Study Area



Halifax
Plan Area

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

Attachment A: Applicant's Application Letter



Zwicker Zareski Architecture + Planning

1 Canal Street, Dartmouth NS B2Y 2W1 | 902 266 2941 | greg@zzap.ca

April 26th, 2019

Miles Agar
Principal Planner
Urban Enabled Applications
Planning & Development | Current Planning
40 Alderney Drive
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CC: Eric Lucic, Manager of Regional Planning
Kate Greene, Program Manager, Planning and Development, Regional Planning

Re: Application for Municipal Planning Strategy Amendment and Development Agreement, 210/214 Willett Street, Halifax, NS (PIDs: 40090086, 40375776)

Dear Miles:

On behalf of our client, Timbercreek Asset Management (Timbercreek), ZZap Consulting Inc. (ZZap) is pleased to submit a Municipal Planning Strategy (MPS) amendment application for a mixed-use development located within the Halifax Plan Area at 210 and 214 Willett Street (PIDs: 40090086, 40375776). To support this application submission, the following materials are included as appendices:

- Completed Planning Application Form
- Appendix A: Amendment Request
- Appendix B: Architectural Drawings and Site Plan
- Appendix C: Wastewater Servicing Study
- Appendix D: Traffic Impact Statement

1.0 Site Description and Location

The subject site is located within the Halifax Plan Area and has direct frontage on Willett Street and Dunbrack Street. The site consists of two PIDs: 40090086 and 40375776 and has a total area of approximately 181,769 ft².

The site is designated "Residential Environment" within the Halifax Municipal Planning Strategy and is zoned R-4 (Multiple Dwelling) within the Mainland Halifax Land Use By-law. This zone allows for apartment houses subject to angle controls and density restrictions.

Subject Site



2.0 Summary of Development Proposal

Timbercreek is seeking to develop a new residential building on the subject sites reaching a height of 19 habitable storeys, plus a non-habitable penthouse. The design of the new development, as illustrated in Appendix B, provides for a total of 517 residential apartment units and 17 two-level townhomes. The proposed development includes driveway access off Willett Street, providing access to approximately 315 underground parking stalls and 10 surface parking spaces located within the site. The FAR of the proposed development is 2.84.

Proposed Design

The proposed development consists of three towers and 17 townhouses along the western lot line. The southernmost tower rises 8 storeys and, moving north, the following towers rise 13 and 19 storeys respectively. These towers share a common 4 storey podium and one level of underground parking, as well as 320 bike parking spaces.

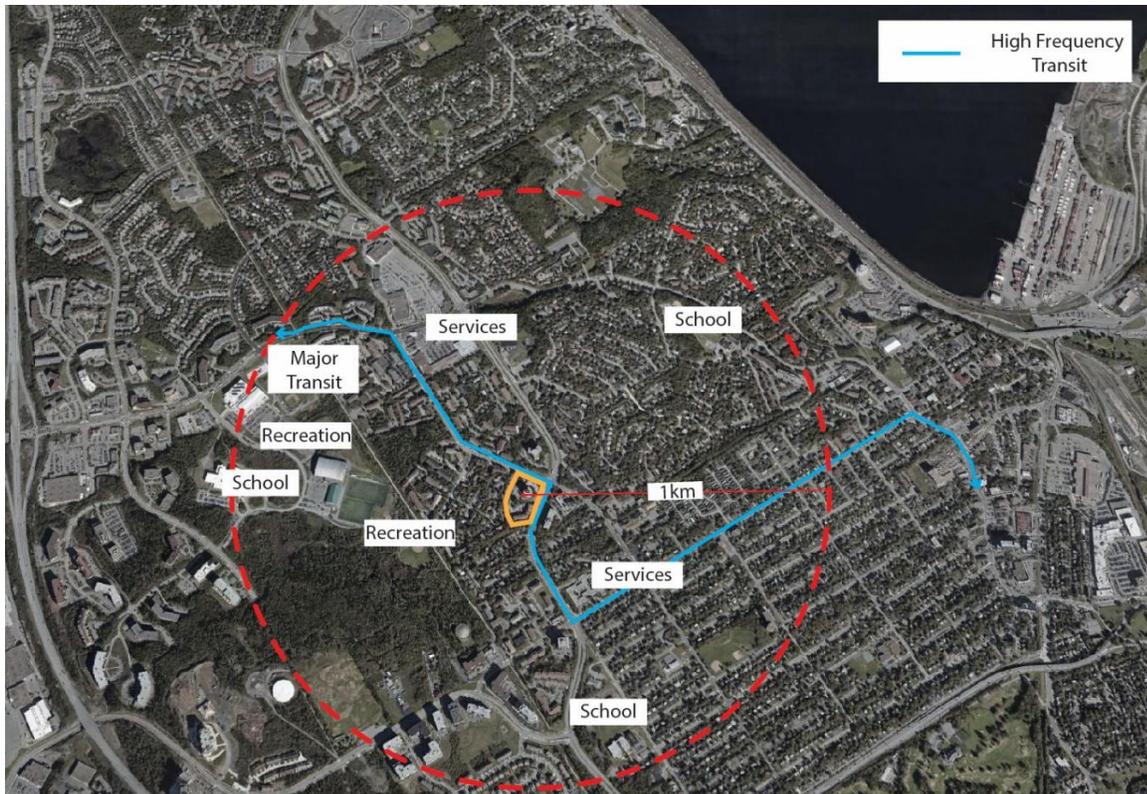
The proposal recognizes the abutting low scale residential buildings and the need to transition to that scale of development. It responds to the this built form by mirroring the townhouse style along the western lot line and stepping down the tower height along the southern lot line as it reaches the abutting single-family homes on Birkdale Crescent. A treed buffer is proposed along the entirety of the western and southern lot lines to soften the building elements.

To promote pedestrian-oriented and human scale design, the main tower is pulled closer to the intersection of Dunbrack Street and Willett Street than the existing tower, and contains residential dwellings with street access on the ground floor, providing frequent entrances and transparent windows.

3.0 Background

The site is within walking distance of a suite of amenities located in the shopping centres at Lacewood Street and Dunbrack Street, as well as parks and open space, the Canada Games Centre, the Lacewood Bus Terminal, Keshen Goodman Library Halifax West High School and Fairview Heights Elementary, and Fairview Junior High.

Surrounding Area Services



Timbercreek has owned 210/214 Willett Street since 2007 however, the current structures have existed since the early 1970s and are at the end of their usable life. The building located at 210 Willett Street (PID: 40090086) is in a state of disrepair and is not suitable for occupancy. The mechanical systems are failing, and the waterproof membrane was not installed correctly causing the structure to become waterlogged. The structures located at 214 Willett Street (PID: 40375776) are in similar state and also uninhabitable.

Existing Structure (210 Willett)



The building condition is the major driver for the property owner. The cost to upgrade the existing envelope to current standards is not insignificant and, considering that constraint, Timbercreek Asset Management requires an increase in the revenues produced by the property in order to secure adequate financing for new construction. This is to be achieved by increasing the total number of units producing rent and by realizing energy savings from improvements. As Timbercreek's intention is to maintain long term ownership of the building, the realized energy savings can be transferred onto residential tenants.

As part of the conceptual design development, Timbercreek has met with HRM staff, and the area councillor, to gather feedback on the initial concept.

On Thursday March 28th 2019, a Public Open House event was held at the Centennial Arena - Multi-purpose Room at 27 Vimy Ave, Halifax. ZZap staff, as well as our client, were present at the meeting to receive comments and feedback from residents. The open house was attended by approximately 60 people. The following items were commonly discussed at the open house:

Theme	Description	Design Response
Sun/Shadow	Community members were concerned about the shadowing effect of the towers/townhouses on neighbouring residents.	Townhouses along the west property line were reduced to two storeys instead of four storeys in order to reduce the shadow impact on neighbouring properties. The proposed towers fall within a 60-degree angle from the North and West property lines to allow ample sun exposure to the properties abutting the site.
Trees/Privacy	Community members were concerned about maintaining the tree buffer on the western and southern property lines. The desire was to keep the tree buffer and consider a privacy fence along the western property line.	The tree buffer along the south and west property lines will be maintained and a 1.8m privacy fence is proposed along those property lines as well.
Traffic/Access	Community members were concerned about the impact of the increased number of residents on traffic. Some neighbouring residents thought a secondary access point would help reduce the impact.	A traffic study was conducted by Harbourside Engineering and the findings indicated that traffic would not be unreasonably impacted by this project. The study is attached as Appendix D.
Affordable Units	Community members were concerned that there were no affordable/low cost units presented as part of the concept.	Timbercreek asset management is open to investigating the feasibility of including affordable units in this development.
Demolition/Construction	Community members were concerned that the demolition/construction process would cause a lot of noise and dust, and potential have negative environmental impacts	These concerns will be considered when preparing a demolition plan and a construction mitigation plan. All provincial environmental regulations will be followed.

Height of Townhomes (Privacy)	Community member were concerned about the height of the townhomes along the western property line. They felt that they would lose their privacy and potentially their access to sunlight.	The townhomes along the west property line were reduced to two storeys instead of 4 storeys to maintain the privacy of the adjacent properties. A 1.8m privacy fence is proposed along the property line to further reduce the privacy impact of this proposal
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Planning Background

The Halifax Municipal Planning Strategy is more than four decades old. Portions of the plan area are currently being re-evaluated by way of the Centre Plan public engagement process, to adapt to current social norms and the desires of the current residents of the area. However, the portion of the plan and connected Land Use By-law are not included as part of the Centre Plan Review. The density limit imposed on these lands (75 persons per acre) are a relic leftover from a time where servicing capacity was limited in the area. Service capacity has vastly improved in this area since that policy came into force and is no longer an issue for this site. It is our understanding that this area will be part of the next phase of Municipal Plan and Land Use By-law reviews, but a timeline has not been established for that project. Under the Regional Plan, this area is identified as the Clayton Park West growth node, and subject to a secondary plan. However, the scope and timeline of that process has not been contemplated yet by staff. Given the uncertain timeline of the completion of the next phase of Municipal Plan review, and the diminishing state of the existing structures on the property, Timbercreek Asset Management requests that Regional Council consider the proposed site-specific changes to the Halifax Municipal Planning Strategy outlined in Attachment A, and direct staff to enter into a Development Agreement with the property owner, to allow them to redevelop these properties using modernized development controls.

4.0 Application Request

Timbercreek Asset Management requests a site-specific amendment to the Halifax Municipal Planning Strategy as outlined in Appendix A.

5.0 Rationale for Application Request

The proposed amendments to the MPS enable a development scenario on the subject properties through policies that are more consistent with HRM's most recent planning frameworks for urban areas within the region (i.e. draft Centre Plan, Downtown Halifax Plan, Integrated Mobility Plan) and are also more reflective of the basic needs of modern residential buildings. Our proposed amendment is keeping within the policy goals of the Halifax Municipal Planning Strategy and the Regional Municipal Planning Strategy, while proposing development controls more aligned with the provisions in the Downtown Halifax LUB and proposed provisions in draft Centre Plan Package A.

Alignment with the Halifax Municipal Planning Strategy

The proposed development aligns with the following Halifax MPS residential policies as outlined in the table below:

Policy		Rationale
2.1	Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.	The proposed development aligns with this policy by providing additional housing options in Mainland Halifax. The servicing study (Attachment C) prepared by DesignPoint Engineering indicates that there is adequate servicing ability in this area for this scale of development.
2.2	The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate	This application does not propose a change in use for the property but does propose an increase in intensity of the current residential use. The proposed increase in intensity of residential uses (534 dwelling units compared to the existing 150 units) is adapting to the changing needs of the community. The current vacancy rate in the "Mainland North" area of Halifax is 1% overall (CMHC Rental Market Report 2018), compared to a 1.6% vacancy rate for the whole of the Halifax Census Metropolitan Area (CMA). This indicates that there is certainly a demand for more housing supply in the area.
2.3	The City shall investigate alternative means for encouraging well-planned, integrated development.	Policies 2.3 -2.3.2 apply to ribbon development and are not applicable to this proposal.
2.4	Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential	The existing character of the area is predominantly residential, and this proposal will maintain that character. Additionally, the surrounding properties are predominantly multi-unit/multi-storey residential buildings and this proposed development maintains that character while incorporating planning and design principles that enhance the public realm and mitigate impact on adjacent uses. A mix of unit types are anticipated with the proposed development including:

	character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.	80% 1 bedroom 15% 2 bedroom 5% 3 bedroom
2.5	The City shall prepare detailed area plans for predominantly unstable neighbourhoods or areas. The priorities and procedures by which the City shall prepare these plans shall conform to the official City report entitled <u>Areas for Detailed Planning</u> and subsequent amendments which may be made by the City thereto as set forth in Part III, Section I of this document.	Not applicable to this proposal. The site is not within the "Areas for Detailed Planning"
2.6	The development of vacant land, or of land no longer used for industrial or institutional purposes within existing residential neighbourhoods shall be at a scale and for uses compatible with these neighbourhoods, in accordance with this Plan and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.	Not applicable to this proposal. The current land is not vacant, or of an industrial or institutional use.
2.7	The City should permit the redevelopment of portions of existing neighbourhoods only at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents. The intent of this policy, including the	The proposed development would not displace any existing residents as the properties are currently vacant. The existing site is considered a "brownfield" site and redevelopment should be considered infill housing and rehabilitation of the existing condition.

	manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.	
2.8	The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).	The proposed development targets the adult active living demographic. This includes seniors who are looking to downsize from existing single-family homes. Timbercreek is open to working with the municipality to make affordable units available in their development to address the housing needs of people with different income levels in the neighbourhood.
2.8-2.18	N/A	Not Applicable to this proposal.

Alignment with Regional Municipal Planning Strategy and other HRM plans

The Regional Plan (RMPS) chapter on settlement and housing includes objectives that focus new growth in centres where supporting services and infrastructure are already available. The objectives also aim to design communities that support complete neighbourhoods (mixed-use, diverse, affordable, accessible) and neighbourhood revitalization. The RMPS designates the area where the subject properties are located as part of the Clayton Park West Urban Local Growth Centre, which calls for high-density residential uses as well as pedestrian-oriented facades.

The Integrated Mobility Plan speaks to the need to support transit-oriented development, development that is located near "existing or proposed high level of transit service to support the development of walkable, affordable transit-oriented communities" (IMP Policy 2.2.5b). The subject properties are located along "Route 2", a designated Corridor Route in the Moving Forward Together Plan, which has a high level of service. It also speaks to a desire for "pedestrian-oriented site design and human scale massing at street level for all new multi-unit housing" (IMP Policy 2.2.5e).

The proposed MPS amendments request minor changes to planning policy in order to provide adequate flexibility to accommodate larger scale, complex, new developments. Therefore, we believe that the proposed amendments are still in alignment with recent planning policies including the RMPS.

Why current SMPS policy is no longer appropriate

Timbercreek is in support of this general intent of the MPS policies as written, however it has become evident that the policies do not include enough flexibility to account for large scale, modern residential buildings that have complex functional elements. Larger scale modern buildings have an inherent demand for larger scale mechanical and other functional building elements. This inherent demand is contemplated in HRM's most recent planning frameworks for urban areas within the region (i.e. draft Centre Plan, Downtown Halifax Plan & Downtown Dartmouth Plan), however it is not contemplated in the Halifax Plan Area MPS and Halifax Mainland Land Use By-law.

The density restriction of 75 persons per acre, regulated by the Halifax Mainland Land Use By-law, severely inhibits modernized development and directly impedes the goals outlined for Urban Local Growth Centres in the Regional Plan, and Transit Oriented Development goals outlined in the Integrated Mobility Plan. A modernized development control would be more applicable for sites of this size.

One such modernized development control is the use of Floor Area Ratio (FAR). This type of development control is contemplated under Centre Plan for sites of this size and scale and could prove to be a more useful tool to meet the residential policies under the current Municipal Planning Strategy for similar sized sites. For comparison, the Young Street Superstore site (PID: 41120148) is 4.28 acres and, under the draft Centre Plan, is given a FAR of 7; Timbercreek's proposal has a site area of 4.17 acres and a FAR of 2.84.

Impact on local community and broader region

The proposed MPS amendments will only impact development of the specific properties. The amendments will have a minimal impact on the local community and the broader region as they are minor in nature and are limited to a small geographical area. We believe that the proposed amendments will provide adequate flexibility to enable complex new construction within the Halifax Plan Area, that is aligned with the general intent for development in this area under the Regional Plan and the Integrated Mobility Plan.

Why this consideration cannot wait until the next HRM initiated SMPS review

The urgency of this request stems from two reasons:

1. The deteriorating state of the existing buildings;
2. Historically low interest rates; and
3. The urgent need for rental housing in the Mainland North area of HRM.

As mentioned previously, the existing structures are unfit for occupancy and repairs are cost prohibitive. In order to secure financing for redevelopment, Timbercreek requires increased revenue from the property (i.e. increased unit yield). This financing model is only feasible if Timbercreek can take advantage of historically low interest rates. If a

plan review is required before permitting, and interest rates rise, project financing becomes an issue and the project may not be feasible at that time. Lastly, the most recent CMHC rental market report identified a 1.1% rental vacancy rate in the Mainland North area. This is below the average for Halifax (1.6%) and Canada's overall vacancy rate (2.4%). The need for additional rental housing is pressing and demands additional units. These three factors combined provide the rationale for considering Timbercreek's request before initiation of a secondary plan review.

6.0 Conclusion

Many of the supporting documents included with our application reflect discussions we have had with various HRM planning staff. We remain open to further revisions and improvements to the development plan as we move forward with more a detailed design in a collaborative manner with you and your colleagues.

In recognition of the thorough public and staff consultation process we have undertaken, we request that HRM planning staff move forward with the initiation report and application process in an expeditious manner.

We respectfully request that you provide us with an anticipated schedule for the plan amendment and development agreement process.

Please advise if you require any further information at this time in order to prepare the initiation report for this project.

Kind Regards,

Greg Zwicker MCIP, LPP

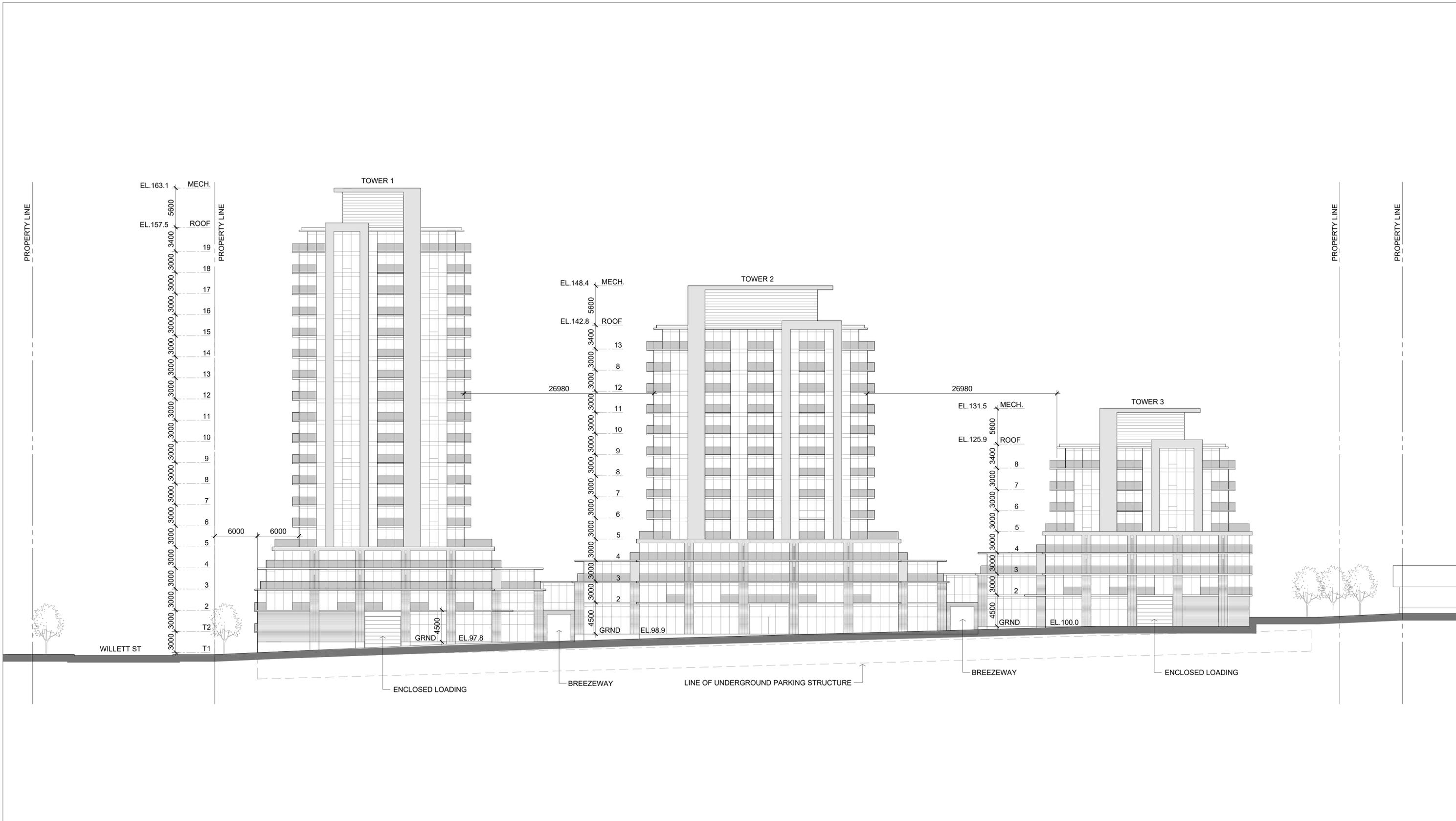
Attachment B: Concept Plan (210 and 214 Willett Street)

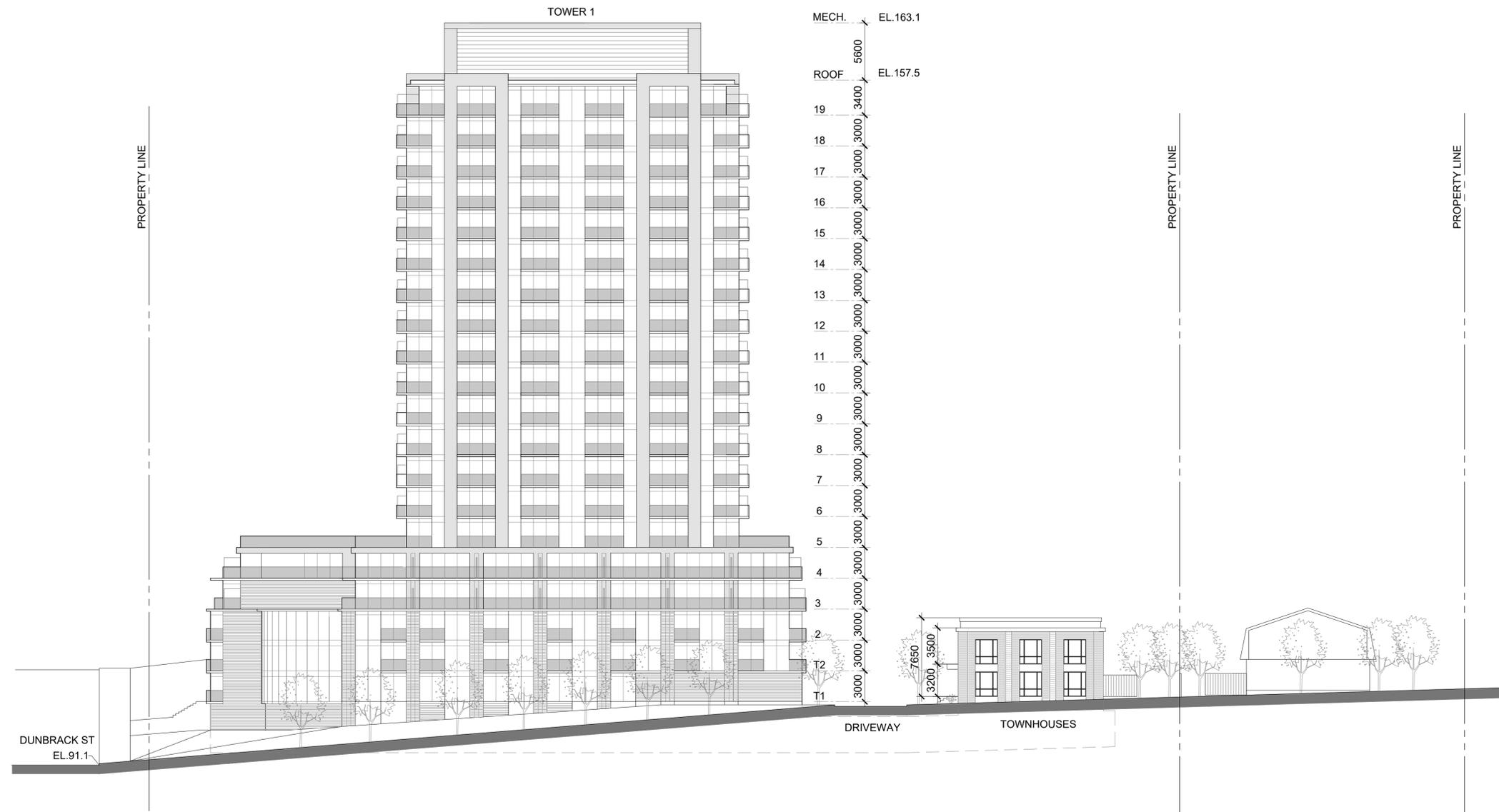




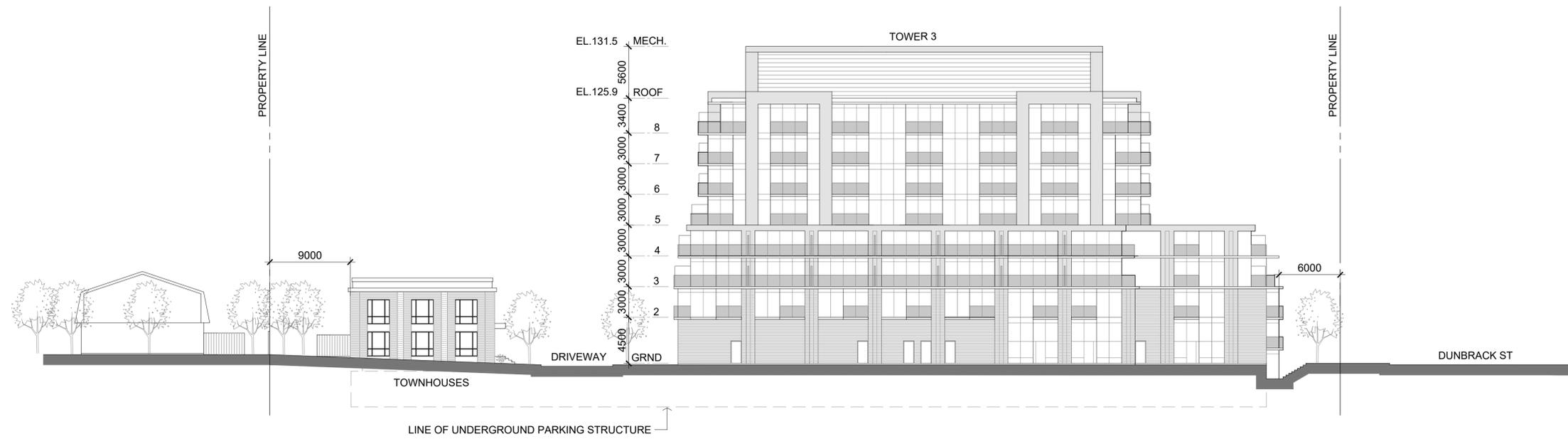
PRELIMINARY DEVELOPMENT ANALYSIS										
SITE ALLOWED				4 AC						
75 PERSONS PER ACRE	75 X 4AC			300 UNITS						
	GBA (sf)				UNITS		STALLS			
PARKING LEVEL P1	140,145						325			
TOWER	GBA (sf)	UNITS	GBA (sf)	UNITS	GBA (sf)	UNITS				
GROUND	20,990	13	19,105	8	19,915	12	2 STOREY (2 BEDROOM)	33	33	
2ND	20,235	6	21,020	11	19,105	7				
3RD	20,990	20	21,450	19	19,915	20				
4TH	20,990	20	21,450	19	19,915	20				
SUB-TOTAL	83,205	59	83,025	57	78,850	59				
5TH	12,590	12	12,540	12	16,350	16				
6TH	8,500	12	8,500	12	11,540	16				
7TH	8,500	12	8,500	12	11,540	16				
8TH	8,500	12	8,500	12	11,540	14				
9TH	8,500	12	8,500	12						
10TH	8,500	12	8,500	12			1 BEDROOM (80%)	387	97	
11TH	8,500	12	8,500	12			2 BEDROOM (15%)	73	73	
12TH	8,500	12	8,500	10			3 BEDROOM (5%)	24	24	
13TH	8,500	12	8,500	10						
14TH	8,500	12								
15TH	8,500	12								
16TH	8,500	12								
17TH	8,500	12								
18TH	8,500	10								
19TH	8,500	10								
SUB-TOTAL TOWERS	131,590	176	80,540	104	50,970	62				
MECH/SERVICE	3,000		3,000		3,000					
SUB-TOTAL TOWERS	217,795	235	166,565	161	132,820	121				
TOTAL TOWERS	517,180	517								
TOWERS PARKING									227	
									78	
									305	
TOWNHOUSES	GBA (sf)		UNITS							
GROUND	14,315	17								
2ND	14,315	17								
SUB-TOTAL	28,630	17								
TOWNHOMES PARKING									17	
									3	
									325	
TOTAL UNITS									534 UNITS	
TOTAL PARKING									325 STALLS	
BICYCLE PARKING (534 UNITS X .6)									320 BICYCLES	
TOTAL ABOVE GRADE			517,180			534 UNITS (133.5 PER ACRE)				
TOTAL ABOVE + BELOW GRADE			657,305							







Project No: 07066	Date 19.04.18
Drawing No: 6PD-13	Page Number .



Tower 3 - South Elevation



Townhouses - East Elevation

ATTACHMENT C:
Excerpt from the Halifax Mainland Land Use By-law (LUB)

DEFINITIONS

2 In this by-law:

"Apartment House" means a building other than double duplex dwelling arranged, intended or designed to be occupied by three or more families living independently of each other but does not include a townhouse building in an R-2 P zone;

R-4 ZONE: MULTIPLE DWELLING ZONE

29(1) The following uses shall be permitted in any R-4 Zone:

- (a) R-1, R-2 and R-2T uses;
- (b) boarding house;
- (c) lodging or rooming house;
- (d) apartment house;
- (e) uses accessory to any of the foregoing uses if not specifically prohibited;

OTHER USES

- (f) in any one building, one office for rendering professional or personal services, provided that the net area for such purposes does not exceed 700 sq.ft.;
 - (g) special care home;
 - (h) greenhouse;
 - (i) the office of a consulate located in a single-family dwelling provided such dwelling is used by the consul as his private residence.
 - (j) day care facility (RC-Mar 3/09;E-Mar 21/09)
- 29(2) No person shall in any R-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 (1).
- 29(3) No person shall in any R-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 (1).

COMMERCIAL USES

29A Notwithstanding the provisions of Section 9(d), 14 and 29(1), an apartment house at or within 120 ft. of an intersection, which contains 100 or more self-contained dwelling units may include those commercial uses which are permitted in Section 38A(1), except a bowling alley, a motion picture theatre, a service station and billboard, provided that such uses are located on the ground floor of the apartment and are separately accessible from the building exterior.

SIGNS

29B Exterior advertising of the commercial uses described in Section 29A shall be permitted provided such advertising is not illuminated.

NO WINDOW DISPLAY

- 30 Where any building is used in an R-4 Zone for any of the purposes described in clause (f) of Section 29(1), no display window shall be permitted, nor shall any evidence of the use of such building for such purposes be visible from the exterior of such building, PROVIDED HOWEVER, that nothing contained herein shall prohibit the display of a sign not exceeding one square foot in area and bearing the name and profession as set forth in clause (f) of Section 29(1) of any person occupying such building.

R-1, R-2 AND R-2T USES IN R-4 ZONE

- 31 Buildings erected, altered, or used for R-1, R-2 and R-2T uses in an R-4 Zone shall comply with the requirements their respective zones.

BILLBOARDS

- 32(1) No person shall erect or display any billboard or illuminated sign in an R-4 Zone.

NON-ILLUMINATED SIGN

- 32(2) A non-illuminated sign not to exceed 6 square feet in size may be erected in an R-4 zone, provided such sign will not cause a hazard or nuisance to the public.

- 33 Where any building is erected, altered or used for R-4 uses in an R-4 zone, such building shall comply with the following requirements:

MINIMUM LOT AREA

- 33(1)
- (a) The minimum lot area upon which such building is located shall be 6,000 square feet with a minimum continuous street frontage of at least 60 feet on one street, except when a lot faces on the outer side of a curve in the street, in which case the frontage may be reduced to 30 feet;
 - (b) The Council may, after public hearing if deemed necessary, permit modification of the minimum lot area and continuous street frontage as provided in clause (a) of this subsection if, in the opinion of Council:
 - (i) the amenity, convenience, character, and value of neighbouring properties will not be adversely affected; and
 - (ii) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant.

DISTANCE FROM LOT LINES - 80° ANGLE

- 33(2)
- (a) The distance from any part of such building and any official street line or lines abutting upon such lot shall be not less than 20 feet measured at right angles to any such official street line or lines, provided, however, that such distance may be reduced to not less than 10 feet at right angles to any such official street line or lines if that part of the building which is less than 20 feet from any such official street line or lines is entirely contained within the arms of an 80 degree horizontal angle as determined in subsection (3) of this section;

- (b) The distance from any part of such building and any lot line of such lot other than an official street line shall be not less than 10 feet measured at right angles to such lot line;
- (c) All windows and doors serving habitable rooms in such building shall be located not less than 10 feet from any lot line of such lot measured at right angles to such lot line;
- (d) Notwithstanding the provisions of clauses (a) and (b) of subsection (2), the distance from any part of such building, not containing any windows or doors serving habitable rooms, to any official street line or lot line may be less than the distance prescribed in said clauses (a) and (b) herein or may extend to any such official street line or lot line of the lot upon which such building is located, provided that:
 - (i) The height of such part of the building does not exceed 5 feet above the natural ground level measured at any point on any official street line abutting such lot and extending for a horizontal distance of 10 feet measured at right angles to any such official street line;
 - (ii) The height of such part of the building does not exceed 5 feet above the natural ground level measured at any point on any lot line of such lot other than an official street line; and
 - (iii) The building is so designed that it does not interfere with traffic safety.
- (e) (Deleted)

SIZE OF BUILDING - 60° ANGLE

33(3)

- (a) Subject to the provisions of subsection (2), such building or any part thereof shall not project beyond the angular planes determined by constructing such angular planes over such lot;
 - (i) From each lot line at natural or finished ground level, whichever is the lower, at a vertical angle of 60 degrees above the horizontal and measured perpendicular to such lot line or, in the case of a curved lot line, perpendicular to the tangents of all points of such lot line provided, however, that where the natural ground level at the lot line is more than 5 feet above the finished ground level established at any point on the wall opposite the lot line and where the horizontal distance to the face of any part of such wall or its vertical projection is less than 50 feet, the angular planes shall be constructed over the lot from all points on the intersections of the vertical projection of the lot line and the horizontal projection of the finished level; or
 - (ii) In the case where a lot line of such lot coincides with an official street line from the center line of such street or from any intervening line parallel to such center line provided, however, that:
 - (A) the distance from the line on which the plane is constructed and the lot line does not exceed 30 feet; and
 - (B) the vertical angle of 60 degrees is constructed perpendicular to the line on which the plane is constructed or in the case of a curved line, perpendicular to the tangents of all points of the curved line.

EXCEPTION TO 60° ANGLE

- (b) Notwithstanding the provisions of clause (a) of subsection (3) and subject to the provisions of subsection (2), any part of such building may project beyond any prescribed 60 degree angular plane if:
 - (i) The projection through the plane subtends a horizontal angle not exceeding 80 degrees formed by lines drawn from a point on the line on which the 60 degree angular plane is constructed opposite to the center of the projection; and
 - (ii) The extremities of the projection are enclosed by the arms of such 80 degree horizontal angle.

DISTANCE BETWEEN EXTERNAL WALLS - 65° ANGLE

33(4)

- (a) For the purposes of this subsection:
 - (i) "Base line" means, in the case of a wall rising from the ground, the natural or finished level of the ground adjoining the base of the wall, whichever is lower, and in all other cases means the lowest line of the wall above the natural or finished level of the ground, whichever is lower;
 - (ii) A wall supported by construction above posts, pillars, or other open construction shall be deemed to rise from the ground, and the base line of the wall shall be deemed to be the line on which the projection downward of the face of the wall meets the natural or finished level of the ground, whichever is lower; and
 - (iii) Where external walls are not parallel to each other, but the angle of divergence does not exceed 85 degrees, such walls shall be deemed to face each other.
- (b) The provisions of subsection (4) shall only apply if any part of such building is erected within the arms of horizontal angles of 65 degrees constructed outwards at the natural level of the ground from the nearest extremities of external walls that face each other provided, however, that where the two extremities of one such wall are respectively equidistant from the opposite extremities of the other wall or where the two extremities of one wall are equidistant from the nearest extremity of the other wall, the 65 degree horizontal angle may be constructed from either pair of equidistant extremities;

40° ANGLE

- (c) The distance between any external walls of such building that face each other shall be not less than 50 feet, and any part of such building shall not project beyond any of the angular planes determined by constructing such angular planes outwards from the base line of each such external facing wall of each part of such building at a vertical angle of 40 degrees above the horizontal and measured perpendicular to such line or in the case of a curved base line, perpendicular to the tangents of all points of such curved base line;
- (d) Where two external walls of such building face each other and neither wall contains any door or window serving a habitable room, the provisions of clause (c) of subsection (4) shall not apply; but the distance between such walls shall be not less than 6 feet.

BALCONIES, CORNICES, EAVES, AND CANOPIES

33(5)

- (a) Notwithstanding the provisions of subsection (3) and (4) of this section, separate individual balconies, which are open on three sides, cornices, eaves, and canopies may project through the angular planes as determined in such subsections provided, however, that any part of such balcony, cornices, or eaves shall be not less than 10 feet from any lot line of such lot;
- (b) Notwithstanding clause (a) of subsection (5), canopies may project to within 5 feet of the street line.

34 Where any building is erected, altered, or used as a boarding house, lodging, or rooming house, or an apartment house in an R-4 Zone, such building, in addition to the requirements hereinbefore set out in Section 33, shall comply with the following requirements:

DENSITY

34(1) The population density of such building shall not exceed 75 persons per acre.

OPEN SPACE

- 34(2) The lot upon which such building is located shall contain a minimum open space of:
- (a) 150 square feet for each bachelor unit/275 square feet for each one-bedroom unit/575 square feet for each two-bedroom unit/950 square feet for each three-bedroom unit/1,325 square feet for each four-bedroom unit and over;
 - (b) At least 80 percent of the open space required in clause (a) of subsection (2) of Section 34 shall be landscaped open space, provided that:
 - (c) For the purposes of subsection (2) the roof or any portion thereof of any part of such building that has no residential accommodation included below such roof or portion thereof may be calculated as landscaped open space provided that:
 - (i) no part of such roof is more than 5 feet above the ground level of at least one lot line of such lot; and
 - (ii) such roof or portion thereof is capable of being used as landscaped open space.

SPECIAL CARE HOME - LANDSCAPED SPACE

- 34(3) A minimum of 35 percent of the lot area of any lot on which a building is erected, altered or used as a special care home, shall consist of landscaped open space.

ATTACHMENT D:
Excerpt from the Halifax Municipal Planning Strategy (MPS)

SECTION II: CITY-WIDE OBJECTIVES AND POLICIES

1. RESIDENTIAL ENVIRONMENTS

Objective: The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.

- 2.1 Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.
 - 2.1.1 On the Peninsula, residential development should be encouraged through retention, rehabilitation and infill compatible with existing neighbourhoods; and the City shall develop the means to do this through the detailed area planning process.
 - 2.1.2 On the Mainland, residential development should be encouraged to create sound neighbourhoods through the application of a planned unit development process and this shall be accomplished by Implementation Policy 3.3. It is the intention of the City to prepare and adopt a planned unit development zone subsequent to the adoption of this Plan.
 - 2.1.3 Repealed.
 - 2.1.4 In accordance with Policy 2.1.3, the City shall permit only limited development with on-site services in that portion of the Mainland South area indicated on Map 1 and this shall be accomplished by Implementation Policy 3.6.
 - 2.1.5 Development in the area shown on Map 1 to the west of the Bicentennial Drive shall be limited due to environmental sensitivity and a lack of municipal services. Only detached single unit residential dwellings and community facilities with on- site services shall be permitted.
 - 2.1.6 Development with on-site services shall be permitted on lots which abut the existing public street network for the area surrounding Kearney Lake Road and currently designated "Residential Environments" on Map 9.
- 2.2 The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.3 The City shall investigate alternative means for encouraging well-planned, integrated development.
 - 2.3.1 The City should restrict ribbon development which does not conform to the policies of this document and should seek ways to remove any such development which may become obsolete.
 - 2.3.2 Ribbon development along principal streets should be prohibited in order to minimize access points required by local traffic.

- 2.4 Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.
- 2.4.1 Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.4.2 In residential neighbourhoods alternative specialized housing such as special care homes; commercial uses such as daycare centres and home occupations; municipal recreation facilities such as parks; and community facilities such as churches shall be permitted. Regulations may be established in the land use by-law to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.
- 2.4.2.1 Pursuant to 2.4.2 the land use by-law may regulate the number, size, height, illumination and location of signs.
- 2.4.3 Further to city-wide residential and heritage policies which recognize the diversity of residential neighbourhoods and encourage the retention of existing structures which reflect the City's heritage, the City recognizes that areas designated and zoned residential-commercial provide opportunities for conversions to residential tourist accommodations uses. To encourage the reuse of buildings in these areas for these purposes, the land use by-law shall establish provisions which permit these uses in existing buildings subject to special controls.
- 2.5 The City shall prepare detailed area plans for predominantly unstable neighbourhoods or areas. The priorities and procedures by which the City shall prepare these plans shall conform to the official City report entitled Areas for Detailed Planning and subsequent amendments which may be made by the City thereto as set forth in Part III, Section I of this document.
1. The City views the neighbourhood as the foundation for detailed area planning. In the process of detailed area planning, residents shall be encouraged to determine what they consider to be their neighbourhoods, and to work with City Council and staff in arriving at an acceptable definition of their neighbourhood and a neighbourhood plan.
 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
 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.
 4. Repealed 6 June 1990.
 5. For those areas identified in Policy 2.5.2 above, which are not predominantly residential in use, the City shall use the appropriate policy guidance in this Plan.

6. The City shall develop detailed policies which reflect its position with regard to the future disposition of the Watershed lands. These policies shall define the City's position with respect to: (a) ownership; (b) public and private land uses; (c) land use distribution; (d) environmental standards which will guide land use distribution; and (e) types(s) and location(s) of access at the boundaries and internally. The City shall place primary importance on public control of these lands and on the provision of extensive public parklands, particularly around all lakes and water courses in the Watershed area.
7. The City shall develop appropriate policies and seek any legislation that may be necessary to affirm its proprietary right to air spaces over City-owned buildings, land and open spaces.
- 2.6 The development of vacant land, or of land no longer used for industrial or institutional purposes within existing residential neighbourhoods shall be at a scale and for uses compatible with these neighbourhoods, in accordance with this Plan and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.7 The City should permit the redevelopment of portions of existing neighbourhoods only at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents. The intent of this policy, including the manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.8 The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).
- 2.9 The City shall actively seek to influence the policies and programs of other levels of government in order to implement the City's housing policies and priorities, and shall also actively seek taxation preference as one method of encouraging rehabilitation of existing housing stock.
- 2.10 For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.
- 2.11 For all residential uses the parking and storage of vehicles such as trailers, boats and mobile campers, shall be restricted to locations on the lot which create minimal visual impact from the street.
- 2.12 Council may permit, by development agreement, new residential uses on lots which do not abut a city owned or maintained street. In considering such proposals, Council shall not approve such a development unless:
 - (i) the proposed use is permitted by the zoning by-law;
 - (ii) the lot was in existence prior to the adoption of this provision;
 - (iii) the lot can be adequately serviced by municipal water or sewer or, where permitted by the by-law, an acceptable well and septic system;

- (iv) the development complies with all other requirements of the by-law with the exception that Council may consider modification to the frontage, area, setback and coverage requirements in accordance with the policies of the plan;
 - (v) the lot abuts an existing recognized travelled way and that the said travelled way provides reasonable passage of motor vehicles, especially emergency apparatus and police protection;
 - (vi) the location and setback of the proposed dwelling does not adversely affect adjacent uses or watercourses, including the North West Arm.
- 2.12A **A The development agreement requirements of section 2.12 shall not apply to any lot zoned Urban Reserve and subdivided pursuant to section 38 of the Subdivision By-law and a development permit may be granted provided that the development conforms with all other applicable requirements of this By-law. (RC-Jun 25/14; E-Oct 18/14)**
- 2.13 The properties identified as 7 Vimy Avenue; Lot A-1B (at the end of Stoneybrook Court); and 45 Vimy Avenue (Granbury Place Apartments); shall permit high density residential development, however, Lot A-1B shall be limited to a maximum of four storeys due its proximity to the existing low density residential neighbourhood on Laurentide Drive.
- 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. (RC-Aug 12/08; E-Oct 11/08)**
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 scale, height and massing of the buildings. (RC-Aug 12/08; E-Oct 11/08)**
- 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.

- 2.16 Pursuant to Policies 2.1, 2.2 and 2.4 a multi-unit building may be considered for civic numbers 7, 9, 11, and 13 Springvale Avenue (LRIS PID Nos. 207019, 207027, 207035 and 207043) 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) architectural design of the building including 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
- 2.17 **For the property at 6430 Oak Street, Halifax and further to Policies 2.4, 2.4.1, 2.4.2 and 2.4.2.1 of Section II of this Plan, the City may permit, by development agreement, the establishment of a residential pet care facility within a detached one family dwelling house. (RC-Apr 21/09; E-Jun 20/09)**
- 2.17.1 **In considering approval of such development agreement for a residential pet care facility, Council shall consider the following:**
- a) **that limitations be placed on the number of pets (dogs, cats) permitted within the facility, and in no case shall the number of pets exceed twelve, exclusive of those of the operator;**
 - b) **the hours of operation (for pet drop-off / pick-up and outdoor socialization/play) shall be such that adverse impacts of noise and traffic movements on adjacent residential uses are minimized;**
 - c) **that limitations are placed on the floor area devoted to the pet care facility within the dwelling;**
 - d) **the lot on which such facility may be operated shall be of a size which allows for adequate separation distance between the facility and abutting properties;**
 - e) **that any outdoor activity area associated with such facility be restricted to dogs only, be located within the rear yard, be enclosed by a solid, view-obstructing fence and be adequately set back from abutting residential properties;**
 - f) **a maximum of one employee, in addition to the operator of the facility, may be permitted;**
 - g) **signs for the facility shall be of a size, design and placement on the lot which reduces impacts on adjacent residential uses;**
 - h) **all other relevant policies of the municipal planning strategy with particular reference to the Residential Environments section. (RC- Apr 21/09; E-Jun 20/09)**
- 2.18 **The property at Lady Hammond Road and Bright Place (PID# 41402884) is a portion of a former municipal street right-of-way which was surplus to municipal needs, excepting a walkway parcel linking Lady Hammond Road with Bright Street. There are benefits in allowing for the property's redevelopment in combination with the adjoining properties at 3631 and 3639 Bright Place (PID#s 00026849 and 00026856) and 6100 Normandy Drive (PID# 00026864) for multi-unit residential development. However, given the site's location, configuration and proximity to adjacent low- density residential development, there is a need for specific attention to matters such as appropriate scale, siting and massing of a new multi-unit building. Notwithstanding the Residential Environments objectives and policies of this Section, a new multi-unit residential building at Lady Hammond Road and Bright Place, in conjunction with the adjoining properties at 3631 and 3639 Bright Place and 6100**

Normandy Drive, may be permitted by development agreement in accordance with the *Halifax Regional Municipality Charter*. (RC-Apr 5/16;E-May 14/16)

2.18.1 Any development permitted pursuant to Policy 2.18 shall comply with the following building heights and setback requirements:

- a) Facing Lady Hammond Road, the maximum building height shall be six storeys above the residential lobby and parking level. The low-rise portion of the building facing Normandy Drive shall be limited to three storeys in height above the lobby and parking level;**
- b) The six-storey portion of the building shall be set back a minimum of 50 feet from the Normandy Drive street line, a minimum of 60 feet from the nearest abutting property line of 6092 Normandy Drive and a minimum of 75 feet from the nearest abutting property lines of 3612 High Street and 3618/3620 High Street; and**
- c) The three-storey portion of the building shall be set back a minimum of 20 feet from the nearest abutting property line of 6092 Normandy Drive. (RC-Apr 5/16;E-May 14/16)**

2.18.2 In considering a development agreement pursuant to Policies 2.18 and 2.18.1, Council shall consider the following additional matters:

- a) Adequate site landscaping features shall be provided at the ground and podium levels to allow for visual screening of portions of the building from abutting residential properties and useable open space areas for building residents shall be provided;**
- b) Ground-level dwelling units along the portions of the building facing Normandy Drive and the public walkway between Normandy Drive and Lady Hammond Road shall have direct pedestrian access to the exterior of the building and adequate site landscaping shall be provided in these areas;**
- c) High quality exterior building materials shall be utilized;**
- d) Safe vehicular and pedestrian access and egress shall be provided;**
- e) Sufficient vehicular and bicycle parking shall be provided for the development;**
- f) There shall be suitable solid waste facilities; and**
- g) There shall be adequate servicing capacity for the site. (RC-Apr 5/16;E-May 14/16)**

ATTACHMENT E:
Excerpt from the Regional Plan (RMPS)

CHAPTER 3: SETTLEMENT AND HOUSING

3.0 INTRODUCTION

HRM seeks a balanced approach to growth and will direct much of its investment to a series of centres where services such as transit, wastewater and water distribution services can be economically provided.

3.1 OBJECTIVES

- 1. Direct growth so as to balance property rights and life-style opportunities with responsible fiscal and environmental management;**
- 2. Target at least 75% of new housing units to be located in the Regional Centre and urban communities with at least 25% of new housing units within the Regional Centre over the life of this Plan;**
- 3. Focus new growth in centres where supporting services and infrastructure are already available;**
- 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) of this Plan;**
 - (b) are accessible to all mobility needs and are well connected with other communities;**
 - (c) promote energy efficiency and sustainable design;**
 - (d) protect neighbourhood stability and support neighbourhood revitalization;**
 - (e) preserve significant environmental and cultural features;**
 - (f) promote community food security¹⁴;**
 - (g) provide housing opportunities for a range of social and economic needs and promote aging in place;**
- 5. Maintain the character of rural communities;**
- 6. Preserve agricultural and resource lands;**
- 7. Provide opportunities to establish a network of interconnected greenbelts and open spaces; and**
- 8. Support housing affordability.**

3.3 PLANNING AND DESIGN FOR GROWTH CENTRES

Tables 3-1 and 3-2 outline the types of centres intended for the Urban Settlement and Rural Commuter Designations respectively and the associated design characteristics which are to be supported when preparing secondary planning strategies. Table 3-3 lists other Rural Centres which are no longer targeted for growth, but will continue to be recognized for their role in the rural settlement pattern. Directives for preparing a secondary planning strategy for the Regional Centre are found under Chapter 6.

Table 3-1: Future Characteristics of Urban Settlement Growth Centres

Centre Type	Centre Name	Land Uses and Design	Transit, AT and Parking	Open Space	Cultural Heritage
Urban Local Growth Centre	Herring Cove Lakeside/Beechville Timberlea Village Clayton Park West Birch Cove Kearney Lake Bedford Mill Cove Lower Sackville Main Street Middle Sackville Morris Lake North Westphal Cole Harbour Eastern Passage	<ul style="list-style-type: none"> • Mix of low, medium and high density residential, small office, small institutional and convenience commercial uses • In established residential neighbourhoods, low to medium density residential uses • Encourage infill or redevelopment of large parking lots into traditional blocks with streetwalls and step-backs • Pedestrian oriented facades 	<ul style="list-style-type: none"> • Transit to connect to other centres and Regional Centre • Pedestrian oriented transit stops • Enhanced pedestrian linkages • Street, or rear yard parking wherever possible • Access to AT routes • Short interconnected blocks for ease of walkability 	<ul style="list-style-type: none"> • Streetscaping featuring landscaped pocket parks and tree-lined streets • Interconnected private and public open space • Improved quality and quantity of parkland • Focus on waterfront parks and trails • Private and public realm urban forest canopy cover to be maintained and improved • Provisions for food security 	<ul style="list-style-type: none"> • Built and natural heritage to be maintained and improved • Heritage features integrated with new development • Public art integrated with new development • Scenic public views preserved • Cultural heritage corridors

S-9 HRM shall prepare secondary planning strategies for the centres outlined in Tables 3-1 and 3-2 and generally illustrated on Map 1 with consideration given to:

- a) the objectives presented in section 3.1 and the general characteristics presented in Tables 3-1 and 3-2;
- b) the specific boundaries, population targets and detailed design policies related to the layout of the centres, range of permitted uses and criteria for conversion of uses, allowable development densities and mechanisms for implementation;
- c) the recommendations of any plans and studies identified by this Plan that have been accepted or endorsed by Regional Council; and
- d) any other relevant objectives and policies of this Plan.