



P.O. Box 1749  
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**Item No. 7.2 (i)**  
**Halifax Regional Council**  
**January 12, 2021**  
**January 26, 2021**

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

Original Signed

**SUBMITTED BY:**

\_\_\_\_\_  
Councillor Smith, Chair, Halifax and West Community Council

**DATE:** December 24, 2020

**SUBJECT: Case 22332: Amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland near Dunbrack Street, Halifax**

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### **ORIGIN**

November 18, 2020 special meeting of Halifax and West Community Council, Item 7.1.3, December 9, 2020 special meeting of Halifax and West Community Council, Item 5.1, and December 16, 2020 special meeting of Halifax and West Community Council, Item 4.1.

### **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter*, Part 1, Clause 25(c):

The powers and duties of a Community Council include recommending to the Council appropriate by-laws, regulations, controls and development standards for the community.

### **RECOMMENDATION**

Halifax and West Community Council recommend that Regional Council:

1. Give First Reading to consider:
  - a. the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland as described in Attachments A and B of the October 15, 2020 staff report to be amended to only apply the proposed new designation and zone to 210-214 Willett Street, Halifax and to amend the proposed R-4B Zone as follows:
    - i. increase parking standards to 0.7 spaces per dwelling unit;
    - ii. require that 25% of dwelling units contain a minimum of two bedrooms;
    - iii. increase the side yard setback along the west property line (parallel to Chelsea Lane) of 210-214 Willett Street from 18 metres to 30 metres for the main building closer to Willett Street;
    - iv. increase the side and/or rear setbacks on lots which abut any R-1 or R-2 zones from 8 metres to 10 metres;

**Recommendation Continued on Next Page**

- v. reduce the density of the project to no more than 325 units per hectare; and
    - vi. reduce the maximum permitted height, as shown on the height precinct map (see Attachment B.2), from 26 metres to 20 metres; and
    - vii. re-align the height precinct boundary, as indicated in Attachment B.2, so it is 30 metres from the western property line;
  - b. the proposed amendments to the Land Use By-law for Halifax Mainland, as set out in Attachment B of the October 15, 2020 staff report, to amend the zoning for low-density residential properties to better match existing development, and to rezone parkland to the Park and Institutional Zone; and
  - c. schedule a public hearing;
2. Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland, as amended in Recommendation 1, to Attachments A and B of the October 15, 2020 staff report; and
3. Direct the CAO to continue to consider amendments to the Dunbrack Street study area and commercially zoned properties south of Radcliff Street and adjacent to Dunbrack Street through a comprehensive review process, such as the Regional Plan or Plan and By-law Simplification Program (Suburban Plan), that provides greater detail and consideration of the following:
  - a. appropriate building heights, building forms, site design and the impact of traffic, including from full build-out of potential development, including wind and shadow analysis;
  - b. improving transition to lower density properties, including appropriate setbacks, side yards;
  - c. revising parking standards;
  - d. a greater portion of dwelling units to have two or more bedrooms;
  - e. proposing better active transportation routes and new public green space;
  - f. creating a density bonus regime like that used in the Centre Plan to fund local area improvements and affordable housing;
  - g. options for inclusionary zoning; and
  - h. commercial space including the quantity, form and use.

## **BACKGROUND**

At their November 18, 2020, December 9, 2020 and December 16, 2020 meetings, Halifax and West Community Council received a staff recommendation report dated October 15, 2020 to consider the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland to create a new designation and zone to permit high density redevelopment near Dunbrack and Willett Streets, to amend the zoning for low-density residential properties to better match existing development, and to rezone parkland to the Park and Institutional Zone.

For further information refer to the attached staff report dated October 15, 2020. (Attachment 1)

## **DISCUSSION**

At their November 18, 2020 meeting, Halifax and West Community Council considered the staff report dated October 15, 2020 and deferred this item (Item 7.1.3) to a next meeting.

At their December 9, 2020 meeting Halifax and West Community Council considered the staff report dated October 15, 2020 and deferred this item (Item 5.1) to a next meeting.

At their December 16, 2020 meeting Halifax and West Community Council considered the staff report dated October 15, 2020 and defeated the staff recommendation outlined in the 'Recommendation' section of the report (Attachment 1). Halifax and West Community Council moved a new motion with additional amendments to add part (h). The motion as amended was passed (outlined in 'Recommendation' section of this report), recommending Halifax Regional Council give first reading and schedule a public hearing.

Before giving First Reading, Regional Council would need to direct staff to prepare a supplemental report outlining proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland.

### **FINANCIAL IMPLICATIONS**

Financial implications are outlined in the attached staff report dated October 15, 2020.

### **RISK CONSIDERATION**

Risk consideration is outlined in the attached staff report dated October 15, 2020.

### **COMMUNITY ENGAGEMENT**

In accordance with the July 29, 2020 direction of the Minister of Municipal Affairs and Housing under section 14 of the Emergency Management Act, Community Council meetings are being held virtually.

Meetings held on December 9, 2020 and December 16, 2020 were livestreamed and video recordings are available at Halifax.ca.

Community Council agendas and reports are posted on Halifax.ca, and draft minutes of the meeting will be made available on halifax.ca within three business days.

### **ENVIRONMENTAL IMPLICATIONS**

Environmental implications are outlined in the staff report dated October 15, 2020.

### **ALTERNATIVES**

Halifax and West Community Council did not provide alternatives.

Alternatives are outlined in the attached staff report dated October 15, 2020.

### **ATTACHMENTS**

**Attachment 1** - Staff recommendation report dated October 15, 2020.

**Attachment 2** – Extract from special Halifax and West Community Council Draft Minutes – December 16, 2020

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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: Haruka Aoyama, Legislative Assistant, Municipal Clerk's Office 902.490.6517

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# Attachment 1



P.O. Box 1749  
Halifax, Nova Scotia  
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**Item No. 4.1**  
**Halifax and West Community Council**  
**November 18 and December 10, 2020**  
**December 16, 2020**

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

**SUBMITTED BY:** \_\_\_\_\_  
Kelly Denty, Director of Planning and Development  
Original Signed  
\_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** **October 15, 2020**

**SUBJECT:** **Case 22332: Amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland near Dunbrack Street, Halifax**

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## **ORIGIN**

- Application by Zwicker Zareski Architecture and Planning (ZZap)
- On November 12, 2019, Regional Council initiated the MPS amendment process, to consider modifications to the zoning requirements for R-4 (Multiple Dwelling) zoned properties near Dunbrack Street and Willett Street, Halifax

## **LEGISLATIVE AUTHORITY**

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

## **RECOMMENDATION**

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

1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland, as set out in Attachments A and B of this report, to create a new designation and zone to permit high density redevelopment near Dunbrack and Willett Streets, to amend the zoning for low-density residential properties to better match existing development, and to rezone parkland to the Park and Institutional Zone, and schedule a public hearing; and
2. Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland, as set out in Attachments A and B of this report.

## **BACKGROUND**

On November 12, 2019, Regional Council initiated a process to consider amendments to the Halifax Municipal Planning Strategy (MPS) and the Land Use By-law (LUB) for Halifax Mainland to modify zoning requirements for R-4 (Multiple Dwelling) zoned properties adjacent to Dunbrack Street and Willett Street in Halifax. This was in response to a request by Zwicker Zareski Architecture and Planning (ZZap), on behalf of Timbercreek Asset Management, to permit high-density residential development at 210 and 214 Willett Street, Halifax, which is located at the southwest corner of Dunbrack Street and Willett Street, Halifax.

### **Site Context: 210 and 214 Willett Street**

#### **MPS Amendment Request**

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

#### **Clayton Park West**

Dunbrack Street and Willett Street run through the core of Clayton Park West. These streets have many R-4 zoned properties, including the subject properties (See Map 3). Most R-4 properties are large and have a central building with low-to-moderate lot coverage, with significant parking and open space areas. The area's 40-year old planning framework transformed the area near Dunbrack and Willett Streets into a dense suburban residential area within HRM.

While the R-4 zoned properties near Dunbrack Street and Willett Street have changed little since they were built, the area known as Clayton Park West has changed dramatically. In the early 1990s, Lacewood Drive was extended to Highway 102. This opened about 100 hectares of land, which developed mostly as multi-unit buildings. Later, Washmill Lake Drive was extended, opening more land for multi-unit development. In addition, the Keshen Goodman Public Library, the Mainland Commons, the BMO Soccer Centre, the Canada Games Centre and Halifax West High School have all been built since 2000.

This cluster of R-4 zoned properties is well-served by amenities within a 10 minute walking distance. Shopping, banking, restaurants, clinics and other services are available at shopping plazas at the corner of Lacewood Drive and Dunbrack Street. As described above, other services are located nearby.

Residents have access to high-quality transit. Halifax Transit Route 2 runs along Willett Street and serves Clayton Park, Fairview, Central Halifax and Downtown Halifax. Route 2 is a corridor route, offering the most frequent level of service within HRM's transit network. Additional corridor routes and urban express routes operate on Lacewood Drive and include stops near Willett Street and Dunbrack Street. Two corridor routes run from the Lacewood Terminal to central Halifax and a local route (30) provides service to Kearney Lake Drive. Six express routes offer peak-hour service to Downtown Halifax.

### Study Area

The Regional Plan identifies the site as part of the Clayton Park West Urban Local Growth Centre, but the current zoning does not permit mixed-use development in support of the Regional Plan or the Integrated Mobility Plan. Due to similar development situations on other R-4 zoned properties in Clayton Park West, staff reviewed most of the R-4 (Multiple Dwelling) Zone properties near Dunbrack Street, Willett Street and Lacewood Drive (east of Dunbrack Street). The study area includes the 210 and 214 Willett Street properties. The context of the study area is described below:

<b>Location (Map 2)</b>	R-4 (Multiple Dwelling) Zone properties near Dunbrack Street, Willett Street and Lacewood Drive, Halifax
<b>Regional Plan Designation</b>	Urban Settlement
<b>Current Land Use(s)</b>	Most properties have low-rise apartment buildings, while there are several properties with townhouses and only a small number of properties with single unit dwellings
<b>Surrounding Use(s)</b>	North: Apartments and commercial uses West: Halifax Mainland North Commons East: Low-density, single-family dwellings South: Low-density, single-family dwellings

### Existing Policy: Halifax MPS

In the late 1970s, the first Municipal Planning Strategy (MPS) was created for the former City of Halifax, including Halifax Mainland. Under the Halifax MPS, properties in the study area are designated Residential Environments. There are city-wide objectives and policies for development within Residential Environments. The policies include: maintaining the integrity of existing residential neighbourhoods; retaining the existing character of predominantly stable neighbourhoods; encouraging infill housing and rehabilitation as opposed to widespread neighbourhood redevelopment; and permitting neighbourhood redevelopment at a compatible scale (See Attachment C).

### Existing Regulations: LUB for Mainland Halifax

Properties within the study area are currently zoned R-4 (Multi Unit Dwelling) under the Halifax Mainland Land Use By-law (LUB) (See Map 2 & Attachment D). The R-4 Zone was first applied to properties in Halifax Mainland in the 1960s. It permits a variety of residential uses, including apartment buildings. This zone evolved into its current form in the 1970s. Apartment buildings became subject to additional zoning regulations, including:

- a maximum density of 75 persons per acre;
- minimum open space requirements; and
- angle controls that influence form and restrict building mass.

These R-4 Zone requirements have resulted in a few tower-in-the-park developments: tall buildings surrounded by lawns and parking lots. The R-4 Zone also contains step-down regulations, meaning that lower-density dwellings are permitted subject to the requirements of the corresponding zone. These 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
- townhouse buildings, as per the R-2T (Townhouse) Zone requirements.

### Regional Plan Context

The Regional Plan<sup>1</sup> was adopted in 2006 and re-adopted in 2014. Under the Plan, the lands within the study area are within the Urban Settlement Designation. This Designation includes lands which are identified for serviced development. The Regional Plan contains several housing objectives, including:

- developing at least 75% of new housing in the Regional Centre and urban communities;

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<sup>1</sup> Halifax Regional Municipality. 2014. [Regional Municipal Planning Strategy](#).

- focusing new growth in centres where supporting services and infrastructure are available; and
- designing communities that protect neighbourhood stability and support neighbourhood revitalization.

The study area is in the Clayton Park West Urban Local Growth Centre, which provides for a broader mix of uses and increased density as follows:

- low, medium and high-density residential uses;
- a mixture of residential, small office, small institutional and convenience commercial uses;
- pedestrian-oriented building design; and
- high-quality transit that connects to other centres. (See Attachment E)

## **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the Municipal Community Engagement Strategy, the *HRM Charter*, and the Public Participation Program approved by Council on February 25, 1997. The level of community engagement was consultation. Engagement for this application involved providing information and seeking comments through: the HRM website; posting a sign on the subject properties; mailing letters to residents and property owners in the notification area; and receiving phone calls and emails from residents.

HRM hosted a public open house on February 27, 2020. Over 3,500 notices were mailed out and 35 people attended. After the meeting, staff heard from several residents who did not attend the open house because of weather conditions that evening. Attachment F contains a copy of the comments from the open house and the comments are summarized below.

Most people were concerned about:

- spill-over parking onto local residential streets, and most people did not support parking requirements below one space per unit;
- current and future traffic volumes at a busy intersection;
- tall buildings casting shadows, especially on private yards and public parks;
- the proposed density as it was much too high for the area; and
- the potential for similar proposals and more development in the future.

Some people were:

- supportive of the redevelopment in the area, but at a more moderate density than what was proposed (517 units were proposed at 210/ 214 Willett Street);
- concerned about development leading to evictions and higher rents in the area;
- supportive of more uses and services in the area;
- concerned about local school capacity; and
- concerned about buffers between larger buildings and low-density housing.

In general, residents were quite concerned about the scale and height of development being considered. But the most intense concern was traffic and parking as most residents were adamant that lower parking standards, as proposed, were unacceptable and would lead to congestion and parking shortages on local streets.

## **DISCUSSION**

The MPS is a strategic policy document that sets out the goals and direction for long term growth and development in the community. The MPS provides broad direction on appropriate development, but Regional Council may consider amendments to allow development that is inconsistent with existing policies,

to respond to modern circumstances and a better understanding about how a city functions, or to respond to different requirements that weren't considered when the original plan was drafted. MPS amendments are significant undertakings and Council is under no obligation to approve these requests. Council should only consider amendments when it believes circumstances have changed since the MPS was adopted or last reviewed.

### **The Need for New Land Use Regulations**

Staff have reviewed the R-4 Zone applied within the study area and recommend that the existing policy for the area and the R-4 Zone be modernized. The R-4 Zone:

- aligns poorly with existing low-density development on the ground, especially townhouses and single/two-unit dwellings;
- has created several tower-in-the-park developments, which produces open space around buildings as well as large parking lots, which does not lead to pedestrian friendly designed development; and
- caps residential density and allows for limited commercial uses.

Circumstances have also changed since the existing policies were created in the 1970s. Clayton Park West has expanded and new amenities like the Keshen Goodman Library, Canada Games Centre, and the Mainland North Commons were built. Most importantly, planning policies have changed and the R-4 Zone does not support the goals of the Regional Plan, the Integrated Mobility Plan or the Rapid Transit Strategy, which provide high level direction on how neighbourhoods should grow and change as follows:

- the Regional Plan identifies the area as part of the Clayton Park West Urban Local Growth Centre, where high density growth is appropriate;
- the Integrated Mobility Plan recommends increasing density near high-quality transit service. Willett Street and Lacewood Drive are now served by corridor routes that provide frequent transit throughout the day; and
- the Rapid Transit Strategy proposes bus rapid transit (BRT) lines on Dunbrack Street and on Lacewood Drive.<sup>2</sup> Bus rapid transit is frequent and reliable transit service and performs best in high density areas with a mix of uses.

In addition to these strategic planning documents, it is important to understand local service capacity to handle the additional development. Transportation planning staff are supportive of adding density as the major intersections in the study area can manage additional trips and Halifax Transit routes in this area have capacity. Halifax Water did not provide comments on servicing capacity in the broad study area but did review the applicant's servicing study for 210-214 Willett Street, which concluded there is adequate capacity for this proposal. Halifax Water does not reserve capacity within their systems and evaluates projects before building permits are issued. Local schools will have capacity pressures in the short to medium term, but Halifax Regional Centre for Education indicated they are able to absorb new students using portables or temporary expansions.

The Regional Plan directs that a range of uses be permitted within growth centres, while the current zoning only allows for a limited mix of uses. A broader range of uses would support the goals of the Integrated Mobility Plan by reducing the distance that residents must travel to reach work or services. Finally, mixed use development increases demand for transit service, since commercial and institutional uses are important destinations for transit riders. Residential areas are strong origin points but not strong destinations. Mixed-use development would support existing and planned transit service and would support the Integrated Mobility Plan's goal to reduce the percentage of trips taken by private automobile.

The above noted documents and local service capacity suggest that properties near Dunbrack and Willett Streets have the potential for higher-density development. Attachment G contains a review of relevant MPS and Regional Plan Policy as it pertains to the proposed policy approach, which is described below.

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<sup>2</sup> Halifax Regional Municipality. 2020. [Rapid Transit Strategy](#). pg. 20-21.



### **A New Approach to Development**

To bring the subject properties in line with the Regional Plan and the other supporting documents, staff investigated several approaches. The initial application was for site-specific policy for just 210 and 214 Willett Street, but staff determined that other properties within the area have similar development potential. Consequently, staff recommended that Council undertake a broad review of those properties zoned R-4 in the immediate area as shown on Map 1 as the “study area”. To address the situation in a more comprehensive manner, staff did not consider the development agreement approach used within much of Clayton Park for multi unit development, because development agreements require extensive negotiation and administrative capacity for every project.

Instead, staff are recommending a form-based code approach to controlling development like the Regional Centre Land Use By-law (Package A) – through the creation of new zoning requirements. This approach requires the establishment of new policy (ie. new designation) and the creation of new regulations (by adopting a new zone) that controls permitted land uses, building height/size, building mass, setbacks, stepbacks, streetwall heights, lot coverage, parking, and building design. This approach is consistent with HRM’s Plan and By-law Simplification program, which will ultimately review policy and regulations across HRM’s suburban areas.

### **Proposed New Land Use Designation**

Staff has created a new MPS designation for Council’s consideration: the Dunbrack Multi Unit Designation, included as Attachment A. If approved, the designation will cover only a portion of the study area, including properties near Dunbrack and Willett Streets that now have multi unit residential buildings. The Designation identifies areas where growth will be encouraged to permit dense, pedestrian friendly, mixed-use development.

To implement the designation, a new policy will create the R-4B (Dunbrack Multi Unit) Zone which will regulate development through design standards that will create walkable, mixed-use developments. Maximum building heights in the Dunbrack Multi Unit Designation are set in policy and would be between 8 and 16 storeys, depending on the location. Through the R-4B Zone and a new height map in the Land Use By-law, the new zone would regulate: building height and building massing; streetwall size and design; setbacks; landscaping and buffers; permitted land uses; and parking.

Staff recommend that Council apply the R-4B Zone to only the subject properties (210 & 214 Willett Street), as shown in Attachment B. This is a small part of the proposed Dunbrack Multi Unit Designation. The new MPS Designation is appropriate for a broad area, but staff do not recommend the application of the new zone and building heights for every property within the designation without future detailed evaluation.

The Dunbrack Multi Unit Designation can be expanded by Regional Council through an MPS amendment. Council should only apply the Designation to properties that are adjacent to Dunbrack Street, Willett Street or Lacewood Drive and contain existing commercial buildings or existing multi-unit housing. Council should consider the pace of change within the neighbourhood and the ability of services to support high density development when expanding the Dunbrack Multi Unit Designation.

Staff does not recommend that all properties within the Dunbrack Multi Unit designation be zoned R-4B at this time, but the Designation would provide a rezoning process to enable changing from R-4 to R-4B. The rezoning process gives Halifax and West Community Council some ability to manage the pace of change in the neighbourhood and consider the effects of higher density development on neighbouring properties, parks and streets. In addition, Community Council would have an opportunity to consider the impact of new development on municipal services. Finally, a rezoning would also provide Community Council with the opportunity to define appropriate heights through a public process, as directed by policy. In general, taller buildings above 12 floors would only be permitted adjacent to major intersections or major commercial properties.

### **Proposed New Zone (R-4B Zone)**

The proposed R-4B (Dunbrack Multi Unit) Zone would implement the policies of the Dunbrack Multi Unit Designation. The proposed Zone would be a major departure from the existing R-4 Zone as it contains a more comprehensive design approach, which is outlined in Attachment B. Some of the key regulations of the new zone are outlined below:

#### Building Height

The proposed R-4B Zone would permit buildings between 26 metres (8 storeys) and 50 metres in height (16 storeys). Building height would be regulated by a new map in the Land Use By-law and would vary between properties. The tallest height allowed, 16 storeys, would be slightly taller than the largest existing building in the study area, which is a 14-storey residential tower. In general, taller buildings would be permitted closer to major roads and intersections. In addition, transition areas, where building heights are lower, would be required abutting townhouses or single/two-unit dwellings.

#### Streetwall Height & Length

The maximum streetwall height would be 3 storeys in the R-4B Zone, the same as the maximum streetwall height permitted by the Regional Centre Plan. Staff recommend this low-rise streetwall height to allow adequate sun on nearby streets. Above the streetwall, building mass must be stepped back, which helps reduce wind velocity at ground level. For buildings above eight floors, the tower portions would be further restricted to 750 square metres (8,073 square feet) floorplates, similar to the Regional Centre Plan. Again, these floorplate restrictions would reduce the visual impact of towers and reduce the shadow they cast.

The R-4B Zone would limit the length of any one streetwall section to 64 metres (210 feet), or 88 metres (289 feet) if the streetwall is broken up by a recess. The limits on streetwall height and length, along with the requirements for active ground floor uses, will ensure buildings are not wide, dull and monotonous at the ground floor.

#### Building Design

The R-4B Zone proposes controls on ground floor uses and ground floor design. It would require active uses along ground floors facing a public street. Active uses must have building entrances that face the street, which would include at-grade residential units, work-live units, and at-grade commercial uses and provide a more vibrant and interesting street frontage for pedestrians.

#### Lot Coverage / Setbacks

The proposed R-4B Zone would not directly limit density; instead, it would regulate building size and design. The existing R-4 Zone requires hundreds of square feet of open space per residential unit. The proposed R-4B Zone would instead limit building coverage to a maximum of 75% of the lot. Despite the increase in lot coverage, the proposed regulations balance the desire to increase density with the need to produce attractive, pedestrian-friendly neighbourhoods. To achieve this goal, one requirement of the new zone is that proposed buildings be setback between 5 metres and 9 metres from the street. This would fall in line with suburban-sized front yard setbacks but be larger than setbacks required in other high-density zones in HRM.

Apartment buildings would have to be setback at least 8 metres from neighbouring single/two-unit or townhouse properties, which is also larger than similar setbacks in other new HRM zones. For the properties at 210-214 Willett Street, a setback of 18 metres would be required between any new buildings and the western property line, next to the townhouses on Chelsea Lane. This large setback will provide space for a landscaped buffer. Staff's goal is to create setbacks more in keeping with the area, while still permitting higher-density development.

#### Mix of Uses

The R-4B Zone would permit up to 4,000 square metres (43,056 square feet) of commercial, institutional or cultural uses in each building. For comparison, a stand-alone Shoppers Drug Mart is approximately 1,500 square metres. Staff proposes this floor area on commercial space to meet the Regional Plan direction to

enable more office, institutional and convenience commercial uses in this growth centre. Attachment B contains the proposed R-4B Zone and Attachment G contains the full list of permitted uses.

The proposed R-4B Zone would permit more commercial space than the current R-4 Zone. The current R-4 Zone permits one office of professional or personal services, up to 700 square feet (65 square metres). Other commercial uses are currently only permitted on the ground floors of apartment buildings with over 100 units that are within 120 feet (37 metres) of an intersection. This limits general commercial uses to a handful of buildings in the entire R-4 Zone. Although the initiation report noted that commercial uses should not be expanded, staff now recommend that a broader mix of use is desirable. High density residential development is best supported by a broad mix of uses.

### Parking

The R-4B Zone will require buildings to have a minimum of 0.5 parking spaces for each residential unit. This would be half of the current requirement in the R-4 Zone. Lower parking standards would support the goals of the Rapid Transit Strategy and the Integrated Mobility Plan. The proposed reduction in parking spaces is in response to the Regional Parking Strategy Functional Plan and the Integrated Mobility Plan, which suggest that minimum parking requirements across HRM should be reviewed to encourage sustainable transportation choices<sup>3</sup>. Council recently reduced (and in some cases eliminated) parking standards in the Regional Centre through Centre Plan Package A and amended the Halifax Mainland LUB to reduce the parking requirements in the C-2C (Dutch Village Road Mixed-Use) Zone to 0.5 parking spaces per bachelor and one-bedroom unit and 0.8 parking spaces for other units.

Parking requirements are one of the most controversial parts of land use planning.<sup>4</sup> They were long thought of as technical requirements: engineers and planners would determine the demand for parking and set appropriate minimum standards. The critical goals of parking requirements were to:

- support businesses by providing adequate parking;
- eliminate parking spill-over on nearby streets; and
- make it convenient to drive.

The major downsides to parking requirements have become clearer in recent decades.<sup>5</sup> There is no static, absolute demand for parking. Land use mix, access to transit, personal incomes, the cost of parking and a host of other factors determine how much people drive and how many people own cars. Parking requirements, however, assume most people travel by car most of the time. Requiring parking makes it more attractive to own and drive a car, creating even more demand for parking and driving. This leads to a host of issues: large and unattractive parking lots, pollution and greenhouse gas emissions, congestion, and even increased housing costs. The cost of parking is usually built into the cost of other items, including apartment rents.

Reducing parking spill-over (and keeping local streets peaceful) is a legitimate concern, but high parking requirements tackle this problem by creating other issues. HRM has tools other than minimum parking requirements, including time-limited parking spaces, local parking passes, no parking zones, increased enforcement, charging for parking (parking meters) and street redesign to calm traffic.

### Application of the R-4B Zone

The R-4B Zone is only being applied, at this time, to the subject properties (210 and 214 Willett Street) due to the lack of service information and development details for other properties within the Dunbrack Multi Unit Designation. The application of the R-4B Zone in the future will be done through the rezoning process (See Attachment A).

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<sup>3</sup> Halifax Regional Municipality. 2018. [Integrated Mobility Plan](#). pg. 140.

<sup>4</sup> Donald Shoup. 1999. [The trouble with minimum parking requirements](#). Transportation Research Part A (33) 549 – 574.

<sup>5</sup> Donald Shoup. 1999.

### **Additional LUB Amendments**

Based upon staff's review of the study area and the proposed amendments in Attachments A & B, the proposed new designation and zone should not be applied to all properties within the study area due to existing land uses or inadequate services. To address these areas, which are highlighted in Attachment B, staff are proposing the following amendments:

#### *Recognize Non-Multi Unit Development with Appropriate Zoning*

The existing R-4 Zone permits multi-unit residential buildings but is applied to single-unit dwellings and townhouses. Staff suggest that multi-unit residential development should not be the goal for these properties. The R-4 Zone also applies to HRM land near the corner of Lacewood Drive and Dunbrack Street that includes a reservoir and a park. Staff recommend the HRM park should be rezoned to the Park and Institutional Zone to reflect the current and future use of the property.

Fostering neighbourhood stability is a city-wide goal of the Halifax MPS. Townhouses are low-rise, moderate density housing and many are owner occupied. By retaining townhouse permissions, neighbourhood stability will be promoted, which will be especially important should nearby properties redevelop. Staff recommend that townhouses be rezoned to the R-2T (Townhouse) Zone.

The R-4 Zone is applied to a handful of single-unit properties and a one-storey telecommunications building on Reed Court. Staff suggest that these lots are not viable or desirable locations for multi-unit residential and the current zoning is therefore inappropriate. Similarly, there are 3 small lots on Lacewood Drive zoned R-4. Two of these lots have single family homes and the third is undeveloped. Staff recommend that each of these properties be rezoned to the R-1 (Single Family Dwelling) Zone, which matches the style of housing on this side of Lacewood Drive. The remaining vacant lot has limited potential for multi unit development due to lot conditions and land use by-law provisions. Further, staff does not support the removal of existing housing to expand the potential for multi unit development on this side of Lacewood Drive.

#### *Areas Excluded from Amendments*

The existing R-4 properties near Main Avenue and Sybyl Court meet some of the requirements for being included within the Dunbrack Multi Unit Designation. However, they are not located within easy walking distance of the shopping centres and have less park space nearby. These properties may be a location for higher density development in the future, but more study is needed. Therefore, staff recommend that the properties near Main Avenue and Sybyl Court within the study area not be included within the Dunbrack Multi Unit Designation.

### **Conclusion**

Staff recommend the application of a new MPS designation and zone to enable higher-density development near Willett and Dunbrack Streets. This area has many nearby amenities, including parks, schools, a library, a major recreation centre, transit routes, and shopping plazas. Based on the Regional Plan, the Integrated Mobility Plan and the Rapid Transit Study, this is a good place to direct new, high-density development.

Residents expressed concerns and opposition to the project at 210-214 Willett Street. These included concerns about shadow, wind, privacy and parking spillover. While the proposed R-4B Zone would allow towers up to 16 storeys, the zone also limits the floorplate of towers and includes setbacks and transition areas (with lower heights) between new buildings and low-density housing. Staff advise these measures are reasonable ways to mitigate concerns about shadow, wind and privacy. Staff recommend that parking spillover – if an issue in the future – should be dealt with by changing parking requirements on local streets. Staff recommends parking standards of less than one space per unit in the proposed R-4B Zone.

The existing R-4 zoning does not match some land uses in the study area. Staff propose that existing townhouses be rezoned to R-2T (Townhouse) Zone and single unit home properties be rezoned to R-1 (Single Family Dwelling) Zone. Staff recommend the park at the corner of Lacewood Drive and Dunbrack Street should be rezoned to the Park and Institutional Zone.

A new zone (R-4B Zone Dunbrack Multi-Unit) is proposed for Council's consideration. The zone would initially apply to two properties near the corner of Dunbrack and Willett Streets, but it could be applied more broadly through future rezoning applications where an analysis of the impact on individual sites could be considered. The R-4B Zone would permit buildings between 8 and 16 storeys depending on the site context. The zone would regulate building size, building setbacks and building design to reduce impacts on neighbouring properties. The R-4B Zone would allow much higher densities than existing zoning, which staff recommend is justified in this area.

### **FINANCIAL IMPLICATIONS**

The HRM costs associated with processing this planning application can be accommodated within the approved 2020-2021 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 further environmental implications are identified at this time.

### **ALTERNATIVES**

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

1. Prepare a different set of amendments to the MPS for Halifax and the LUB for Halifax Mainland. If this alternative is chosen, specific direction regarding the requested modifications is required and a supplementary report may be needed.

A decision of Council to approve the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

2. Refuse the proposed amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Mainland. A decision of Regional Council to refuse the proposed amendments cannot be appealed to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

### **ATTACHMENTS**

Map 1: Generalized Future Land Use and Study Area  
Map 2: Zoning

Attachment A: Proposed Municipal Planning Strategy Amendment  
Attachment B: Proposed Land Use By-law Amendment  
Attachment C: Excerpt from Halifax MPS  
Attachment D: Excerpt from LUB for Halifax Mainland

Attachment E: Excerpt from Regional Plan  
Attachment F: Open House Summary  
Attachment G: Policy Review  
Attachment H: Proposed Commercial Uses for R-4B Zone

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

Report Prepared by: Sean Gillis, Planner II, 902.237.3424

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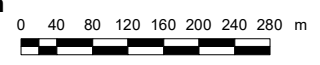


**Map 1 - Generalized Future Land Use for the Study Area**

**HALIFAX**

- Proposed Study Area
  - 210 & 214 Willett Street, Halifax
  - Designations
  - Plan Area Boundary
- Halifax Plan Area

- Halifax Fairview Secondary Plan Designation**
- LDR Low Density Residential
  - MDR Medium Density Residential
- Halifax Plan Designation**
- COM Commercial
  - RES Residential Environments






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

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



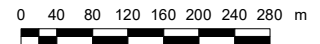


**Map 2 - Zoning for the Study Area**

-  Proposed Study Area
-  210 & 214 Willett Street, Halifax
-  Zones
- Halifax Mainland
- Land Use By-Law Area

- 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.



## Attachment A

### Amendments to the Municipal Planning Strategy for Halifax

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

1. By amending Map 9 of the Halifax Municipal Planning Strategy to re-designate certain land from Residential Environments to Dunbrack Multi Unit Residential, as shown on Attachment A-1.
2. By adding the following text and policies to Section II, City-wide Objectives and Policies, immediately below policy 2.18.2:

**2.19.1 Dunbrack Multi Unit Designation: The area adjacent Dunbrack Street, Willett Street and Lacewood Drive has a mix of multi-unit residential buildings, including some towers. Many buildings were built in the 1960s and 1970s. Major shopping centres are nearby; parks, libraries, schools and recreation centres are all within approximately 10-minute walk. The area is served by frequent transit.**

**For several reasons, more growth and higher density are desirable in this area. First, the Regional Plan identifies this area as part of the Clayton Park West Growth Centre, where development is encouraged. Second, there a number of services in the immediate area. Third, HRM's Rapid Transit Strategy endorses Dunbrack Street and Lacewood Drive as potential bus rapid transit corridors. Finally, new development creates an opportunity to build a place that is more pedestrian oriented.**

**More density in this area would allow more people to live near shops, services and frequent transit service. The Dunbrack Multi Unit (DMU) Designation will create a new zone designed to encourage transit oriented, mixed-use development. This will allow more residents to chose sustainable transportation options, which aligns with the Integrated Mobility Plan and Regional Plan goals.**

**2.19.2 Council shall establish the Dunbrack Multi Unit (DMU) Designation, which is shown on Map 9: Generalized Future Land Use. The goal of the designation is to enable new, larger buildings that contain a mix of uses, subject to design standards, to create more walkable neighbourhoods. Both the R-4 Zone and the R-4B Zone may be applied within the Dunbrack Multi Unit Designation.**

**2.19.3 Regulating Development Through the R-4B Zone: To regulate development in the Dunbrack Multi Unit Designation, Council shall establish the R-4B (Dunbrack Multi Unit) Zone, which is shown on Map ZM-1: Zoning, in the Land Use By-law for Halifax Mainland.**

**2.19.4 Heights in the R-4B Zone are regulated on Map ZM-34, Maximum Height in the Dunbrack Multi Unit Zone, in the Land Use By-law for Halifax Mainland.**

**2.19.5 The R-4B Zone shall regulate:**

- a) building setbacks;
- b) building dimensions, including streetwall size, step-backs and tower dimensions;
- c) streetwall design and appropriate ground floor uses;
- d) location and design of pedestrian spaces;
- e) landscaping;
- f) setbacks and buffers between different uses; and
- g) parking and vehicle access.

**2.19.6 The R-4B Zone shall permit the following uses:**

- a) apartment houses;
- b) townhouses;
- c) work-live units and home occupations;
- d) retail, office and other commercial uses;
- e) cultural and institutional uses; and
- f) parks and open spaces.

**2.19.7 Site Design and Site Layout:** The area's spacious, treed character is important to residents. The R-4B zone requires front yards that complement this character. Site design shall also create pedestrian oriented places, with buildings near the street.

**2.19.8 The R-4B Zone shall regulate site design as follows:**

- a) building setbacks: buildings' streetwalls shall be located in close proximity to the street to provide a balance between creating enclosure for pedestrians and allowing for a front yard with lawns and trees;
- b) parking: parking lots or structures shall be located either beside or behind the buildings; and
- c) pedestrian paths: paths shall connect building entrances to the public sidewalk.

**2.19.9 MPS Amendments:** When considering an MPS amendment to expand the Dunbrack Multi Unit Designation, Council shall:

- a) consider the recent pace of change in the neighbourhood and the appropriateness of allowing more high-density housing;
- b) only apply the Designation to properties that are adjacent to Dunbrack Street, Willett Street or Lacewood Drive and contain existing commercial buildings or existing apartment houses; and
- c) consider the quality and capacity of municipal services required to support high density housing, such as water systems, sewer and wastewater systems, public parks, transit and roads.

**2.19.10 Rezoning to R-4B:** The R-4B Zone shall only be applied to properties in the Dunbrack Multi Unit Designation. When considering a proposal to rezone a property to R-4B, Council shall consider:

- a) the potential effects of a rezoning, such as wind and shadows, on neighbouring properties adjacent parks, streets, and sidewalks; and
- b) the quality and capacity of municipal services, such as water systems, sewer and wastewater systems, public parks, transit and roads, to determine if a rezoning is warranted.

**2.19.11** When applying the R-4B Zone to new properties or amending the maximum height on an existing R-4B Zoned property, Council shall consider the following when setting building heights:

- a) establishing maximum building heights between 6 storeys and 16 storeys;
- b) allowing buildings of twelve storeys or more only adjacent to major intersections or adjacent large commercial properties;
- c) requiring buildings of no more than twelve storeys adjacent to single unit dwelling, two-unit dwelling and townhomes; and
- d) requiring buildings adjacent to single unit dwellings, two-unit dwellings, townhomes or parks to transition to these uses by reducing their height within a transition area.

I HEREBY CERTIFY that the amendments to the Municipal Planning Strategy for Halifax, as set out above, were duly passed by a majority vote of the Halifax Regional Municipal Council at a meeting held on the day \_\_\_ of \_\_\_\_\_, 2020.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day \_\_\_ of \_\_\_\_\_, 2020.


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Municipal Clerk

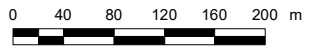


**Attachment A-1**  
 Dunbrack – Willett Corridor, Halifax

**HALIFAX**

 Area proposed to be redesignated from Residential Environments to Dunbrack Multi Unit Residential

**Designation**  
 COM Commercial  
 RES Residential Environments



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.

**Attachment B**  
**Amendments to the Land Use By-law for Halifax Mainland**

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

1. By amending Map ZM-1, Halifax Mainland Land Use By-law, Zoning (North Section), as shown on Attachment B-1.
2. By adding a new map, Map ZM-34, Maximum Height in the Dunbrack Multi Unit Zone, as shown on Attachment B-2 .
3. By amending the “TABLE OF CONTENTS” by adding the words “**R-4B Zone: DUNBRACK MULTI UNIT ZONE**” after the words “R-C1 ZONE” and renumber accordingly.
4. By amending Section 2 “DEFINITIONS” by adding the following new definitions after the definition for “Front Yard”:  
**“Full Cut-Off Light Fixture” means a lighting fixture that projects all of its light in a downward direction;**  
**“Grade-Related Unit” means dwelling unit within a multi-unit dwelling or apartment house use that is accessible by pedestrians from a private entrance that fronts and faces a streetline;**
5. By amending Section 2 “DEFINITIONS” by adding the following new definitions after the definition for “Gross Lot Area”:  
**“Ground Floor” means the first-floor level of the building;**
6. By amending Section 2 “DEFINITIONS” by adding the following new definitions after the definition for “Massage Parlour”:  
**“Medical Clinic” means premises used for the medical examination and treatment of patients on an outpatient basis, for purposes such as family medicine, primary health care, walk-in clinics, dentistry, optometry, nutritional counselling, psychiatry, psychological counselling, crisis intervention, physiotherapy, chiropractic, osteopathy, harm reduction, massage therapy, and other similar uses.**  
**“Mid-Rise Portion” means the portion of a building that exceeds the height of the streetwall but is less than a height of 26 metres from average grade.**
7. By amending Section 2 “DEFINITIONS” by adding the following new definition after the definition for “Stacked Townhouse”:  
**“Stepback” means a horizontal recess, prescribed by this By-law, that breaks the vertical plane of an exterior wall on a main building.**
8. By Amending Section 2 “DEFINITIONS” by adding the following new definition after the defition for “Streetwall Height”:  
**“Streetwall Portion” means a section of a streetwall that is no greater than eight metres in width.**
9. By amending Section 2 “DEFINITIONS” by adding the following new definitions after the definition for “Structure”:

**“Studio Use”** means the commercial use of space for artistic purposes with or without instruction, such as artists’ studios and musical conservatories, excluding any school use, college or university use, religious institution use, cultural use, personal service use, or home occupation use.

**“Tower Portion”** means the portion of a building that exceeds a height of 26 metres from average grade.

10. By amending Section 2 “**DEFINITIONS**” by adding the following new definition after the definition for “**Wetland Areas**”:

**“Work-Live Unit”** means a grade-related unit where a commercial use is permitted in the same dwelling unit but does not include a home occupation use.

By amending Subsection 16(1) by adding the words “R-4B Dunbrack Multi Unit Zone” immediately below the words “RC-1 Neighbourhood Commercial Zone” as shown below in bold:

16(1) The following classes of use zones are established:

R-1 Single Family Dwelling Zone

R-2 Two Family Dwelling Zone

R-2P General Residential Zone

R-2T Townhouse Zone R-2AM General Residential Conversion Zone

R-3 Low-Rise Apartment Zone R-4 Multiple Dwelling Zone

RC-1 Neighbourhood Commercial Zone

**R-4B Dunbrack Multi Unit Zone**

11. By amending Section 16(2) by adding the word and comma “**R-4B,**” following the word and comma “R-C1,” and before the word “C-1” as shown in **bold** below:

16(2) The uses of buildings and land permitted by this by-law in such zones may be referred to as R-1, R-2, R-2P, R-2T, R-2TA, R-2AM, R-3, R-4, R-4A, RC-1, **R-4B,** C-1, C-2A, C-2B, C-2C, C-2D, C-2, C-6, I-1, I-2, I-3, P, U-2, T, H, US, UR, PWS, RDD, WC, WCDD, BWCDD, WCCDD, CD-1 CD-2, CD-3, ICH, RPK, PA and WA uses, respectively.

12. By adding the following new zone after the RC-1 (Neighbourhood Commercial) Zone, as shown below in **bold**:

## **R-4B Zone: Dunbrack Multi Unit Zone**

**34B1 The following uses shall be permitted in the R-4B Zone:**

- a) **apartment houses**
- b) **townhouses;**
- c) **home occupation uses;**
- d) **daycares;**
- e) **work-live units;**
- f) **public parks and community facilities;**
- g) **uses permitted in the C-2C Zone, except;**
  - (i) **lounges, and,**
  - (ii) **gas stations or service stations; and**
- h) **any use accessory to any of the foregoing uses.**

- 34B2 No person shall in any R-4B 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 Section 34B1.
- 34B3 Townhouses shall comply with the requirements of the R-2T zone.
- 34B4 C-2C Zone uses shall be limited to a maximum floor area of 4000 square metres per lot.

## **REQUIREMENTS**

### **HEIGHT**

- 34B5 Building height shall not exceed the maximum height as shown on Map ZM-34, Maximum Height in the Dunbrack Multi Unit Zone. Elevator enclosures and mechanical penthouse may exceed the maximum height of the building, provided they:
- a) are setback from the roof edge a minimum of 5 metres;
  - b) do not exceed 5.5 metres above the maximum building height; and
  - c) are limited to a maximum area of 30 percent of the total area of the roof on which they are located.

### **LOT COVERAGE**

- 34B6 The maximum lot coverage shall be 75 percent.

### **TOWER SIZE, SEPARATION DISTANCE AND STEPBACKS**

- 34B7 The tower portion of a building shall not exceed:
- a) a building depth or building width of 35.0 metres; and
  - b) a floor area of 750 square metres per floor.
- 34B8 Any tower portion of a building shall be separated by a minimum distance of 25 metres from any other tower portion of a building on the same lot.
- 34B9 Any tower portion of a building shall have a setback of at least 12.5 metres from any rear lot line or from any side lot line.

### **STREETWALL HEIGHT AND STEPBACKS**

- 34B10 For buildings with a streetwall width of no greater than 8 metres, a building's maximum streetwall height shall be 11 metres.
- 34B11 For buildings with a streetwall width of more than 8 metres, the height of the streetwall shall be measured in streetwall portions no wider than 8 metres, and separate heights shall be determined at the centre point of each streetwall portion. The maximum height of each streetwall portion shall be 11 metres.

- 34B12** Subject to Section 34B14:
- a) any mid-rise portion of a building shall have a streetwall stepback above its maximum streetwall height of at least 3 metres; and
  - b) any tower portion of a building shall have a streetwall stepback above its maximum streetwall height of at least 4.5 metres.
- 34B13** Subject to Section 34B14, a building shall have a stepback above its maximum streetwall height of at least 3 metres for building walls that face a property zoned R-1 or R-2 Zones.
- 34B14** No streetwall stepback is required for up to 20% of the building width along either a front or flanking lot line.

#### **SITE LAYOUT: PARKING; PATHS; AND BUILDING ENTRANCES**

- 34B15** Development shall meet the following requirements:
- a) parking: surface parking lots or above ground parking structures shall only be placed in rear yards or side yards. Subject to Section 34B37, parking lots or structures placed in a side yard shall be at least 9 metres from the public street and shall have a maximum width of 12 metres;
  - b) pedestrian paths: walkways shall connect all building entrances to a public sidewalk or to a public street; and
  - c) building entrances: where buildings are abutting a public street, the main building entrance shall face the street and be visible from the street.

#### **BUILDING SETBACKS AND STREETWALL DIMENSIONS**

- 34B16** Buildings shall have:
- a) a minimum front or flanking setback of 5 metres;
  - b) a maximum front or flaking setback of 9 metres;
  - c) minimum side and rear setbacks of 5 metres; and
  - d) subject to 34B16 e, a minimum rear or side setback of at least 8 metres for apartment houses on lots which abut any R-1 or R-2 zones;
  - e) a setback of at least 18 metres from properties zoned R-2T for any development at 210 and 214 Willett Street
- 34B17** Subject to Section 34B16, below the height of the streetwall, for any portions of a main building at least 0.6 metres above the average finished grade, no streetwall may be more than 64 metres wide along any streetline.
- 34B18** Below the height of the streetwall, for any portions of a main building at least 0.6 metres above the average finished grade, the streetwall may exceed 64 metres in width, up to 88 metres in width along one streetline, where:
- a) all setbacks, separation distances, and stepbacks are met;
  - b) no more than two towers are placed on the same podium;
  - c) above the streetwall, no dimension of a tower exceeds a width of 21.5 metres facing one streetline; and
  - d) a section of the streetwall at least 16 metres in length and extending the full height of the streetwall, shall be recessed at least 6 metres.



### **LANDSCAPING AND BUFFERING**

- 34B19** Buildings erected, altered, or used for apartment house uses in an R-4B Zone shall comply with the following requirements:
- a) where a rear or side yard abuts any R-1 or R-2 Zone, the required yard shall be landscaped and a 1.9 metre high wooden or stone fence or opaque hedge shall be provided along the abutting property line;
  - b) the landscaped area shall be grassed, or alternatively, water features or natural ground covers such as stone (washed or flat), mulch, perennials, annuals, may be utilized. Within the landscaped area, trees, planters, and shrubs shall be utilized and shall be planted at a rate of one (1) tree (minimum of 45mm caliper) and three (3) shrubs per 4.5 metres of property line next to the yard; and
  - c) any existing tree in a required landscaped buffer may be counted as 2 trees toward the requirements of Clause 34B19 (b).
- 34B20** For the purposes of Section 34B19, the provision of landscaping is required for the alteration of an existing building where such alteration increases the ground floor area of the existing building by at least 20%.

### **RESIDENTIAL UNIT MIX**

- 34B21** At least 25% of all dwelling units in a new apartment house use, rounded up to the nearest whole number, shall contain at least two bedrooms.

### **SIGNS**

- 34B22** Any person(s) carrying on a commercial use permitted in the R-4B Zone may place, upon the front of the building, signage that complies with the following:
- a) where signs are illuminated, they shall be illuminated in such a manner not to cause a glare or hazard to motorists, pedestrians or neighbouring premises;
  - b) fascia signs shall not extend beyond the extremities of a wall on which they are affixed;
  - c) maximum combined size of fascia signs shall be no greater than 10 percent of the total area of the wall to which they are affixed;
  - d) aggregate area of all window signs shall not exceed 25 percent of the window, or glass area of a door, to which they are affixed;
  - e) signs on awnings shall not cover more than 25 percent of the area of the awning and the length of the text shall not exceed 80 percent of the length of the front valance; and
  - f) no signs shall be permitted on the roof of a building.

### **BALCONIES**

- 34B23** Apartment house uses shall comply with the following requirement:
- a) no balcony shall be built closer than 2 m to a side or rear property line. This does not include patios for dwelling units located at grade.

- 34B24** Balconies, unenclosed porches, verandas, canopies, and awnings may project into any required yard, setback, stepback, or separation distance by up to:
- a) 1.5 metres from any exterior wall at the ground floor; or
  - b) 2.0 metres from any exterior wall at the second storey or above, provided that the total horizontal width of the balconies on any one storey is not more than 40 percent of the width of the building wall.

#### **EXTERNAL BUILDING MATERIALS**

- 34B25** The following external cladding materials shall be prohibited for new buildings:
- a) vinyl;
  - b) plywood;
  - c) concrete block;
  - d) exterior insulation and finish systems where stucco is applied to rigid insulation; and
  - e) darkly tinted or mirrored glass (not including spandrel panels) on the ground floor.

#### **GROUND FLOOR USES AND DESIGN**

- 34B26** Grade-related units, work-live units or a combination of the two shall be required on the ground floor of building walls that face a public street when:
- a) ground floor walls are within 9 metres of the public street; and
  - b) residential uses make up more than 50% of the width of the ground floor wall that faces the street.
- 34B27** At least 70% of the ground floor of a building facing a streetline shall:
- a) commence no lower than 0.6 metres below the streetline grade, and
  - b) not commence any higher than 0.6 metres above the streetline grade.
- 34B28** For grade-related unit uses in the streetwall, between 25% and 80% of each unit's ground floor façade shall consist of clear glass glazing.
- 34B29** For at-grade commercial uses in the streetwall, between 50% and 80% of the building's ground floor façade dedicated to commercial uses shall consist of clear glass glazing.

#### **WORK-LIVE UNITS**

- 34B30** Work-live units shall:
- a) only permit the following commercial uses:
    - (i) studio uses,
    - (ii) office uses,
    - (iii) medical clinic uses,
    - (iv) personal service uses, and

(v) the retail of products produced on the premises or associated with a service provided on the premises;

b) only use a maximum of 50% of the total floor area for commercial use purposes, up to a maximum of 140 square metres; and

c) locate the commercial use on a ground floor.

**34B31** The principal operator of a business within a work-live unit shall reside in the unit and may have up to three non-resident employees.

### **AMENITY SPACE**

**34B32** Apartment house uses shall provide amenity space at a rate of 5 square metres per unit in the form of unit patios, unit balconies or terraces, outdoor amenity space and interior amenity space, as follows:

a) interior amenity space shall include one of the following common elements: a fitness room of a minimum size of 40 square metres, or a community room of a minimum size of 40 square metres; and

b) outdoor amenity space shall include at least one of the following common elements: a rooftop patio or deck of a minimum size of 40 square metres or an at grade, private open space of a minimum size of 40 square metres.

**34B33** At-grade private open spaces with a contiguous area of 15 square metres or greater shall provide barrier-free access and permanent seating.

**34B34** At-grade private open spaces with a contiguous area of 15 square metres or greater shall provide one or more of the following materials for groundcover:

a) vegetation;

b) brick pavers, stone pavers, or concrete pavers; or

c) wood or wood-like materials.

**34B35** At-grade private open spaces that abut public sidewalks shall provide pedestrian access by having at least one contiguous connection of not less than 2.0 metres wide, from the at-grade private open space to the public sidewalk.

### **PARKING**

**34B36** Buildings erected, altered or used for R-4B uses in an R-4B Zone shall comply with the following requirements:

a) notwithstanding subsection 9(d), no minimum parking requirements shall apply to retail, service, office and restaurant uses;

b) notwithstanding subsection 9(a), parking for residential uses shall be provided at the ratio of 0.5 spaces per dwelling unit.

c) where parking requirements result in a fraction, the requirement shall be rounded down to the nearest whole number.

**34B37** Parking lots or parking structures that are in a side yard shall be screened from view by a 1 metre to 1.5 metre high wooden or stone fence, or row of shrubs that is parallel to the street. Gaps in the fence or row of shrubs are permitted for driveways or walkways.

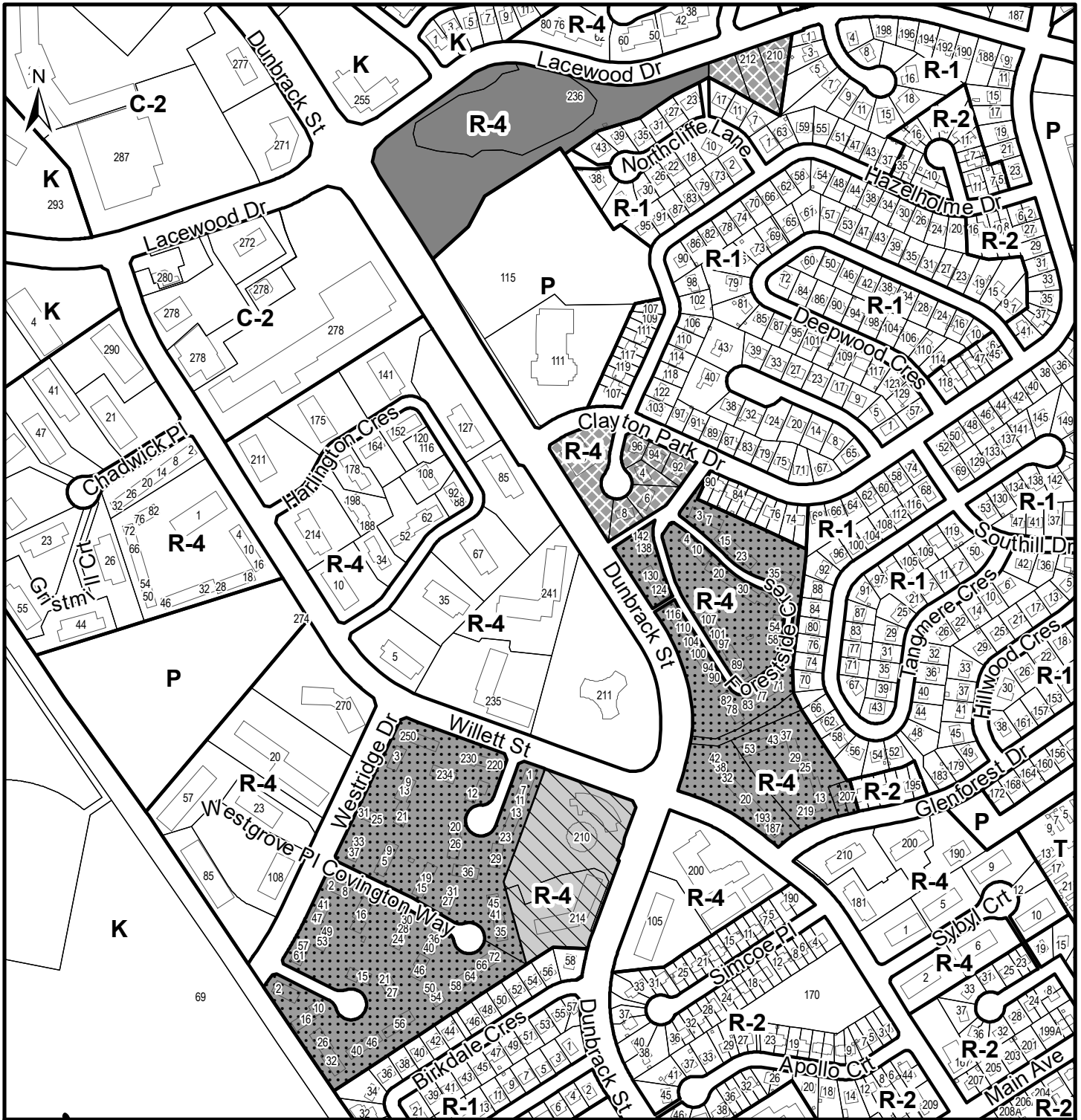
**OUTDOOR LIGHTING**

**34B38** All outdoor lighting shall be oriented in such a manner that it is directed away from adjacent properties and public right of ways.

**34B39** All outdoor lighting, other than ground level lighting for pathways, shall be equipped with full cut-off light fixtures.





I HEREBY CERTIFY that the amendment to the Land Use By-law for Halifax Mainland as set out above, was passed by a majority vote of the maximum number of members that may be elected to Halifax Regional Council, at a meeting held on the [DATE] day of [MONTH], [YEAR].

GIVEN under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

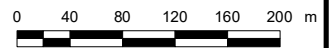


**Attachment B-1**  
Dunbrack – Willett Corridor, Halifax

**HALIFAX**

- |  |  |
|--|--|
|  Area proposed to be rezoned from R-4 (Multiple Dwelling) to R-2T (Townhouse)                         |  Area proposed to be rezoned from R-4 (Multiple Dwelling) to R-1 (Single Family Dwelling) |
|  Area proposed to be rezoned from R-4 (Multiple Dwelling) to Proposed Zone R-4B (Dunbrack Multi-Unit) |  Area proposed to be rezoned from R-4 (Multiple Dwelling) to P (Park and Institutional)   |

- Zone**
- C-1 Local Business
  - C-2 General Business
  - K Schedule K
  - P Park and Institutional
  - R-1 Single Family Dwelling
  - R-2 Two Family Dwelling
  - R-4 Multiple Dwelling
  - T Mobile Home Park



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

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



**Attachment B-2: ZM-34 Maximum Height in the Dunbrack Multi Unit Zone**

**HALIFAX**

 Maximum Heights Precinct (metres)



**ATTACHMENT C:**  
**Excerpts 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.
- 2.2 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.
- 2.4 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.

- 2.4.3 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 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.
- 2.6 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).



**ATTACHMENT D:**  
**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;

**"Boarding House"** means a private dwelling in which three but not more than six rooms are offered for rent and table board is furnished only to roomers and in which no transients are accommodated;

**"Day Care Facility"** means a building, part of a building or other place, whether known as a day nursery, nursery school, kindergarten, play school or by any other name (and known as a 'child care centre' in the Municipal Planning Strategy), with or without stated educational purpose, the operator of which for compensation or otherwise, receives for temporary care or custody, on a daily or hourly basis, during all or part of the day, apart from parents, seven (7) or more children not of common parentage, or nine (9) or more children not of common parentage who are all school-aged up to and including twelve (12) years of age; but does not include a place such as a hospital or school, does not include organized religious or recreational activities, and does not include a nursery school or kindergarten conducted as part of a school, college, academy or other educational institution where instruction is given in Grades Primary to VII.

**"Lodging House" or "Rooming House"** means a building in which three or more rooms are rented and in which no table board is furnished;

**"Special Care Home"** means a building or part of a building in which accommodation, together with nursing, supervisory or personal care is provided or is available for four or more persons with social, health, emotional, mental or physical handicaps or problems, and only such building or part thereof as is licensed by the Homes for Special Care Act, or the Children's Services Act, or operated as a community correctional center under the provisions of the Penitentiary Act of Canada, but does not include a building or part thereof maintained by a person to whom the residents are related by blood or marriage, a public hospital, maternity hospital, sanatorium, jail, prison, reformatory, hotel or hostel;

**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; [*single-unit, duplex and townhouse units*]
- (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 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 security;**
  - (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"> <li>• Mix of low, medium and high density residential, small office, small institutional and convenience commercial uses</li> <li>• In established residential neighbourhoods, low to medium density residential uses</li> <li>• Encourage infill or redevelopment of large parking lots into traditional blocks with streetwalls and step-backs</li> <li>• Pedestrian oriented facades</li> </ul>	<ul style="list-style-type: none"> <li>• Transit to connect to other centres and Regional Centre</li> <li>• Pedestrian oriented transit stops</li> <li>• Enhanced pedestrian linkages</li> <li>• Street, or rear yard parking wherever possible</li> <li>• Access to AT routes</li> <li>• Short interconnected blocks for ease of walkability</li> </ul>	<ul style="list-style-type: none"> <li>• Streetscaping featuring landscaped pocket parks and tree-lined streets</li> <li>• Interconnected private and public open space</li> <li>• Improved quality and quantity of parkland</li> <li>• Focus on waterfront parks and trails</li> <li>• Private and public realm urban forest canopy cover to be maintained and improved</li> <li>• Provisions for food security</li> </ul>	<ul style="list-style-type: none"> <li>• Built and natural heritage to be maintained and improved</li> <li>• Heritage features integrated with new development</li> <li>• Public art integrated with new development</li> <li>• Scenic public views preserved</li> <li>• Cultural heritage corridors</li> </ul>

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.

**HALIFAX REGIONAL MUNICIPALITY**

**Public Open House**

**Case 22332**

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

---

**Wednesday, February 27, 2020**

**6:00 p.m.**

**Open House at Our Lady of Lebanon Church Hall**

**STAFF IN**

**ATTENDANCE:** Jesse Morton, Planner, HRM Planning and Development  
Sean Gillis, Planner, HRM Planning and Development  
Paul Boucher, Planner, HRM Planning and Development  
Genevieve Hachey, Planning Controller, HRM Planning and Development

**ALSO IN**

**ATTENDANCE:** Councillor Russell Walker, District 10

**PUBLIC IN**

**ATTENDANCE:** Approximately 35

Notes from the public.

- 1) Rental Cost Rising/Affordable Housing
  - i) More affordable housing
  - ii) Affordable housing, will it be mandated?
  - iii) Rental costs are rising
    - (1) worry about evictions to make way for newer pricier buildings
    - (2) But demographics are changing and there's demand for the type of units proposed
  - iv) Would like to see flexibility for small secondary suites and smaller lot sizes
  - v) How does low income housing fit into the proposed plan?
  - vi) Lower rent may be lost to higher rent with new buildings
  - vii) Have affordable housing
  
- 2) Evicting Current Tenants



## Attachment F: Open House Summary

- 3) Changing demographics – more demand for units
- 4) [Residents] Like ‘Mary Clayton Park’ Want it protected
  - i) Lots of activities, lots of animals, what about educating people about species and etiquette
- 5) Sun and shade
  - i) Losing sun
  - ii) Tall building will block out even more of the afternoon sun
  - iii) Don’t want to lose our sun
  - iv) Shadow issues
  - v) Sun, sun, sun
  - vi) (Planner Comment) Top design complaints – lots of shade
  - vii) Keep as much sun as possible on neighbors (townhouses, singles)
  - viii) (Planner Comment) Push mass into podium (shade Dunbrack and parking lots instead of neighbors)
  - ix) Shadowing dislike
  - x) Too much shadow
  - xi) As you will see by the attached map (provided to HRM planner by resident Bruce E. Smith) there is a larger, low-density property, owned by Killam Properties, between Willett and Dunbrack Streets. Area 5. Should the proposed by-law amendments be approved for case 22332 the gates will open for and even larger development on the Killam property. The heights of such buildings would completely block the afternoon sun from a large part of upper Clayton Park, as indicated by Area 1. The Forest Green apartment buildings, on the east side of Willett and Dunbrack Streets, has been very successful in accomplishing that task. With our short summers, we cherish the ability to enjoy the afternoon sun from our properties. Such a development would completely eliminate that simple pleasure.
- 6) High speed and volume on nearby roads
  - i) Chelsea Lane
    - (1) Crosswalk by Westridge
    - (2) Bus stop there
    - (3) Needs crosswalk there
    - (4) Very dangerous
    - (5) Need more max speed signs – on Willett near Lacewood – speeding is a problem
    - (6) Speed sign and crosswalk
  - ii) Intersection [Dunbrack and Willet] is bad due to curve in the road
- 7) People like green space
  - i) Washmill lake dev. – no greenery or street trees, not sure of the approval process
  - ii) Want to require more trees and greenery
  - iii) Vegetation is very important for neighborhood – requires more vegetation
  - iv) [Resident} Very unimpressed that the city would ask about open space
  - v) Green space – will there be less?

## Attachment F: Open House Summary

- vi) There are no trees on Washmill and Main, no green space, it's ugly, we need more green space and trees
  - vii) People like some of the things about existing tower, the spacious feel and trees
  - viii) (Planner Comment) Top design complaints – Green space, trees
  - ix) Landscaping and amenity space should be differentiated. Landscaping is to the benefit of both the multiple-dwelling residents and the community at large by creating: habitat for wildlife, visual breaks to concrete and other structures, and a feeling of cohabitation with nature within a suburban community.
  - x) Landscaped/green rooves should be permitted
  - xi) Both soft and hard landscaping should be regulated, such that “green” space or gardens are included in designs, rather than designs being dominated by hard landscaping that deters from the benefits of “green” space.
  - xii) Green area between condos and development - contact board of management of condos
  - xiii) Will this decrease green space? I can't tell. Clayton developments did a good job of this.
- 8) Ensure no cut through – people don't want it.
- 9) Duck pond off Chadwick – Protect it
- i) Check duckpond off Chadwick, urban wildlife in little wetland
- 10) Overflow Parking/Lack of Parking
- i) Concern, is there enough parking with hundreds of units
  - ii) Not enough parking – people who don't live in neighborhood park here
  - iii) Concern about parking – too little – it is not their experience that people have less cars, they have 94 units and 94 parking spaces and there is a waitlist for people who want two spots, younger people have two cars
  - iv) Other buildings in area have residents that are looking for parking spots
  - v) 514 units with 315 parking spots will put pressure on local parking
  - vi) Not enough parking
  - vii) Will there be visitor parking?
  - viii) Not enough parking
  - ix) Less people will bike than you think, people can't shop in Bayers Lake on a bike
  - x) Overflow parking – not enough parking
  - xi) Parking place for each and provisions for residents with multiple vehicles
  - xii) Parking minimum of less than 1 space per unit is very unrealistic versus the needs. Many people in units require more than 1 space, not less
  - xiii) Thought all the parking was going to be underground
  - xiv) Parking spaces should be retained at the current standard of one space per unit. By reducing available parking, this will create issues along neighboring streets where tenants will be forced to park when they either have no parking spot assigned to them, or if they have multiple vehicles.
  - xv) If parking spaces were reduced, the community at large will be negatively impacted including: loss of spaces along nearby residential roadways, increased traffic in adjacent neighborhoods, and increased challenges to winter road clearing when cars are not moved.

## Attachment F: Open House Summary

- xvi) While creating several bikes spaces is beneficial, Clayton Park is not downtown Halifax and many individuals will require vehicles to commute to their places of work.
- xvii) Not enough parking spots

### 11) Walkability – Cover from wind and rain

- i) Walkability – canopies, arcades

### 12) Buffer from other properties

- i) Buildings should be setback from sidewalk property lines, lights, etc.
- ii) Original green space backing onto condo 20' wide. Original trees taken down, court action to replace
- iii) Should have R-4 regs that transition into neighborhood in terms of vegetation – not an open site, abuts a sensitive area
- iv) Make good buffers between this site and existing buildings
- v) Look at fencing to stop cut-throughs
- vi) (Planner Comment) Top design complaints – needs buffers
- vii) Keep buffers
- viii) Buffers (greenspace) behind houses and development to stay
- ix) Fence line trees
- x) Should have R-4 requirements that transition into the neighborhood, specifically in terms of vegetation
- xi) Landscaping reg's should ensure that mature trees are planted

### 13) No changes to townhouses

- i) Would like to keep them, they have great trees and it's nice to have a mix
- ii) My first reaction, as a resident of Westridge Drive, when I received the notice and "maps" showing the "study area" was: why are the established and townhouse areas

### 14) Study area too big

- i) Scale back area of rezoning
  
- a) Reservoir
- b) Townhouses

### 15) Many buildings have good life left

- i) Why can't what's there be fixed

### 16) More traffic

- i) Light coming onto Dunbrack very short, only two cars able to come out
- ii) Don't want more traffic issues/congestion
- iii) Traffic implications are the greatest concern, Dunbrack is really bad for traffic
- iv) Intersection is bad due to the curve in the road
- v) Traffic may get busier and affect locals
- vi) Traffic implications are the biggest concern for this area

## Attachment F: Open House Summary

- vii) Traffic – entry/exit is in a very busy spot – 500 units?
- viii) Additional units will add to congestion in this area. Dunbrack/Lacewood intersection already too congested and dangerous to vehicles and people. New development will bring same to Dunbrack and Willett intersection.
- ix) Current light system needs to be changed before adding extra

### 17) Too tall

- i) Buildings are too high
- ii) (Planner Comment) Top design complaints – Too much/too high
- iii) Currently, there are large apartment complexes on the Washmill Road that already provide opportunities for dense population growth. These complexes are actually more widely spaced relative to the R-4 zones in the study region of the Case 22332 and the buildings proposed for 210 and 214 Willet. In addition, the properties on Washmill Road are not adjacent and do not surround nearby single-dwelling residences.
- iv) Maximum building height should continue to be regulated in order to preserve the privacy of nearby single-dwelling residences, reduce the potential for building shadows onto adjacent properties, preserve the community atmosphere, and retain the natural setting of the adjacent Park area.
- v) The buildings proposed for 210 and 214 Willett Street are too tall and too close to the street and nearby single-dwelling residences. By removing the existing building mass requirements, structures will detract from the above-mentioned benefits permitted by the current multiple dwellings in the R-4 zoned areas.
- vi) Preference needs to be given to the maximum height of buildings over the floor-area-ratio (FAR). Building heights should not exceed 3 stories where they are adjacent to single-dwelling residences.
- vii) Wide bases and step backs would only be necessary for very large buildings, but these should not be considered for the R-4 zones in Case 22332.
- viii) Need reasonable control over excessive building height
- ix) We don't want to look like Toronto!!! Too high buildings

### 18) Density

- a) Too much
  - i) Should permit varying densities throughout the study area; lower density on the last side of Willett (around Harrington Court)
  - ii) Would like to see less development
  - iii) 19 is too high, not in keeping with neighborhood
  - iv) Tripling density is not sustainable, inviting more traffic
  - v) Density and traffic
  - vi) Density and impact on overall community
  - vii) Lighter/lower density east of Willet and Harlington Crescent 5 and 6
  - viii) Cut density in half
  - ix) 250-300 reasonable (units)
  - x) Density is too high, I live in this area because of the low density
  - xi) Vacant is also not good

## Attachment F: Open House Summary

- xii) The density proposed is too high, only one exit and one entrance
  - xiii) Density is too high
  - xiv) Density- look at mixture of use – townhouses/houses rather than buildings
  - xv) Too much congestion as it is with past development (e.g. Lacewood and Washmill)
  - xvi) Visitor Parking
  - xvii) Only minimal increase in population density should be considered
  - xviii) The R-4 zoned areas are situated in locations that are near and abut single-dwelling residences in the Clayton Park community. In addition, much of the region is adjacent to the Halifax Mainland Linear Trail and the neighboring forest and park area. The restricted size of the current apartment complexes in the R-4 zoned areas are ideal to preserving the community atmosphere, retaining privacy of the single-dwelling residences, reducing crime associated with dense populations, and preserving the esthetic of the Halifax Mainland Park area.
- b) Ok
- i) Density is not bad
  - ii) Reducing Parking requirements is a good idea
- 19) One entrance doesn't work
- i) One entry and one access point, density will add issue
  - ii) Entrance/exit
  - iii) One entry point isn't enough
  - iv) One entrance/exit – traffic on Willett is very busy now
  - v) One driveway/entry point isn't enough for a building of this scale
  - vi) One entrance only?
- 20) Mix building types in study area
- i) Mixed development
  - ii) Need Mixture
- 21) Don't change rules for developers
- i) Don't want any of the regulations to change
- 22) School capacity
- 23) Mitigation plan during construction
- i) Pest control during construction
  - ii) Construction mitigation plan
  - iii) Pest control
  - iv) Blasting
  - v) No mention of a pest control strategy
- 24) Will decrease property values
- i) Such results would have a devastating negative impact on all properties values and quality of life within the outline areas, as well as, the established vegetation across this upper

**Halifax Municipal Planning Strategy**

**SECTION II: CITY-WIDE OBJECTIVES AND POLICIES**

<b>Policy</b>	<b>Comments</b>
<p><b>Objective:</b> The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.</p>	<p>The proposed Dunbrack Multi Unit Designation and R-4B Zone would permit needed housing units and ensure high-quality urban design.</p>
<p><b>2.1</b> 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.</p>	<p>The proposed policy would enable more housing in Halifax Mainland, within the capacity of existing services.</p>
<p><b>2.2</b> 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</p>	<p>The proposed policy would enable high density, multi unit development only on sites that already have multi-unit buildings. Policy would increase the scale of the neighbourhood, but in a way that is consistent with the character of the area and its role as a growth centre.</p> <p>Implementation Policies 3.1 and 3.2 have been repealed.</p>
<p><b>2.3</b> The City shall investigate alternative means for encouraging well-planned, integrated development.</p>	<p>The proposed Designation and Zone would provide a new tool (as-of-right zoning) for high-density development. Recent development in Mainland North has been primarily by development agreement.</p>
<p><b>2.4</b> 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.</p>	<p>The proposed Designation and Zone attempt to find a balance between neighbourhood stability (as directed by the Halifax MPS Policy) and allowing new development and new housing (as directed by the Regional Plan and Integrated Mobility Plan).</p> <p>The proposed land use policy encourages growth by:</p> <ul style="list-style-type: none"> <li>• Removing density restrictions</li> <li>• Removing angle controls</li> <li>• Reducing minimum parking requirements</li> </ul> <p>The proposed policy and zoning encourage stability and respond to neighbourhood character by:</p> <ul style="list-style-type: none"> <li>• Rezoning existing townhouse properties from R-4 (Multiple Dwelling) Zone to R-2T (Townhouse) Zone.</li> <li>• Rezoning existing single unit dwelling lots from R-4 (Multiple Dwelling) Zone to R-2T (Townhouse) Zone.</li> <li>• Applying the Dunbrack Multi Unit Designation only to properties that currently have multi unit dwellings;</li> </ul>

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- Requiring buffers between new multi unit buildings and neighbouring low-rise residential properties
  - Encouraging high rise buildings only near major intersections or next to large commercial properties
  - Controlling the height and floor plate size for new towers
  - Requiring suburban sized front setbacks
- 

**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.

The proposed R-4B Zone permits buildings up to 50 metres (16 storeys) in height at 210-214 Willett Street. The taller building now on site is 11 storeys tall and a 14 storey building is on the other side of Willett Street. The proposed zoning permits taller buildings, but not dramatically taller buildings. Policy would increase the scale of the neighbourhood, but in a way that is consistent with the character of the area

The proposed R-4B Zone does permit much higher lot coverage than the existing R-4 Zone. Staff suggest higher lot coverage (and streetwall requirements) will result in buildings that frame the street and create a more walkable environment.

Commercial, cultural and institutional uses are permitted in the R-4B Zone, up to 4,000 square metres of floor area. High density residential areas are best supported by permitting a mix of uses.

The proposed R-4B Zone permits larger multi-unit buildings, but staff indicate that these buildings are reasonable given the scale of the neighbourhood. Neighbourhood stability is encouraged by only enabling new multi unit buildings on properties that already have multi-unit buildings.

Implementation Policies 3.1 and 3.2 have been repealed.

**2.5** 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

The proposed R-4B Zone permits buildings up to 50 metres (16 storeys) in height at 210-214 Willett Street. The taller building now on site is 11 storeys tall and a 14 storey building is on the other side of Willett Street. The proposed zoning permits taller buildings, but not dramatically taller buildings. The proposed R-4B Zone does permit much higher lot coverage than the existing R-4 Zone. Staff suggest higher lot coverage (and streetwall

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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.

requirements) will result in buildings that frame the street and create a more walkable environment.

The proposed Dunbrack Multi Unit Designation is the MPS policy that will enable high density development. Staff recommends this Designation only be applied to properties that currently have multi-unit buildings, in an area adjacent to Willett and Dunbrack Streets. This means some townhouse properties will not be enabled for multi unit development, supporting neighbourhood stability.

The proposed policy will allow new residents to live in the area. As currently proposed, the new R-4B Zone at 210-214 Willet Street would not dislocate residents.

The proposed R-4B Zone would permit redevelopment at higher densities. Staff recommends applying this zone only to 210-214 Willett Street at this time. A rezoning process would be required to apply the zone to other properties that are designated Dunbrack Multi Unit.

The rezoning process can support neighbourhood stability by:

- Directing Community Council to review the adequacy of local services to support increased density; and
- Directing Community Council to consider the effect of new development on nearby properties.

The proposed policy for rezoning to R-4B provides Community Council with the ability to set different maximum heights for different properties or portions of properties.

Implementation Policies 3.1 and 3.2 have been repealed.

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## **HRM Regional Municipal Planning Strategy (Regional Plan)**

### **CHAPTER 3: SETTLEMENT AND HOUSING**

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#### **3.1 Objectives**

#### **Comments**

1. Direct growth so as to balance property rights and life-style opportunities with responsible fiscal and environmental management;

Not applicable.

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<p>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;</p>	<p>Enabling high density redevelopment through the Dunbrack Multi Unit Designation and R-4B Zone would permit growth within the existing urban communities.</p>
<p>3. Focus new growth in centres where supporting services and infrastructure are already available</p>	<p>The proposed policy would permit growth within the Clayton Park West Urban Local Growth Centre.</p>
<p>4. Design communities that are:</p> <p>(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;</p> <p>(b) are accessible to all mobility needs and are well connected with other communities;</p> <p>(c) promote energy efficiency and sustainable design;</p> <p>(d) protect neighbourhood stability and support neighbourhood revitalization;</p> <p>(e) preserve significant environmental and cultural features;</p> <p>(f) promote community food security;</p> <p>(g) provide housing opportunities for a range of social and economic needs and promote aging in place;</p>	<p>The Growth Centre has access to commercial, recreation and education services. The proposed Zone and Designation regulate building design to create attractive and walkable neighbourhoods. The proposed policy support the goal of building complete, walkable neighbourhoods.</p> <p>The area is well served by transit and within walking distance of many services. The proposed policy supports this goal by placing more residents in a walkable area with good transit.</p> <p>The policy encourages neighbourhood stability while allowing new development and revitalization. New development will create new housing options in the area.</p>
<p>5. Maintain the character of rural communities;</p>	<p>N/A</p>
<p>6. Preserve agricultural and resource lands;</p>	<p>N/A</p>
<p>7. Provide opportunities to establish a network of interconnected greenbelts and open spaces; and</p>	<p>The proposed policy does not contain a tool or goal to acquire more open space. The proposed Zone would require suburban sized setbacks to be landscaped (these would be private yards, not public open space).</p>
<p>8. Support housing affordability.</p>	<p>Creating new housing units helps ensure there is a strong supply of housing units, which is important for the overall affordability of market housing.</p> <p>The proposed policy does not contain density bonusing requirements, which could support the Municipality's affordable housing fund. The Municipality does not have the authority to require affordable or subsidized units within a development.</p>

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

	Land Uses and Design	Transit, AT and Parking	Open Space	Cultural Heritage
Policy	<ul style="list-style-type: none"> <li>- Mix of low, medium and high density residential, small office, small institutional and convenience commercial uses</li> <li>- In established residential neighbourhoods, low to medium density residential uses</li> <li>- Encourage infill or redevelopment of large parking lots into traditional blocks with streetwalls and step-backs</li> <li>- Pedestrian oriented facades</li> </ul>	<ul style="list-style-type: none"> <li>- Transit to connect to other centres and Regional Centre</li> <li>- Pedestrian oriented transit stops</li> <li>- Enhanced pedestrian linkages</li> <li>- Street, or rear yard parking wherever possible</li> <li>- Access to AT routes</li> <li>- Short interconnected blocks for ease of walkability</li> </ul>	<ul style="list-style-type: none"> <li>- Streetscaping featuring landscaped pocket parks and tree-lined streets</li> <li>- Interconnected private and public open space</li> <li>- Improved quality and quantity of parkland</li> <li>- Focus on waterfront parks and trails</li> <li>- Private and public realm urban forest canopy cover to be maintained and improved</li> <li>- Provisions for food security</li> </ul>	<ul style="list-style-type: none"> <li>- Built and natural heritage to be maintained and improved</li> <li>- Heritage features integrated with new development</li> <li>- Public art integrated with new development</li> <li>- Scenic public views preserved</li> <li>- Cultural heritage corridors</li> </ul>
Comments	<ul style="list-style-type: none"> <li>- Proposed Designation and Zone would enable high density development and a mix of uses</li> <li>- Zone contains urban design requirements to require pedestrian oriented facades</li> </ul>	<ul style="list-style-type: none"> <li>- The area has frequent transit</li> <li>- Council endorsed BRT Study which recommends bus rapid transit routes in this area</li> </ul>	<ul style="list-style-type: none"> <li>- Private open space is required, either at-grade or on rooftops</li> <li>- The Municipality has limited planning tools to create or acquire new parkland in developed areas</li> <li>- The area adjacent to Dunbrack and Willett has several existing parks, including the Mainland North Common</li> </ul>	<ul style="list-style-type: none"> <li>- There are no registered heritage buildings in the area; no open space or natural areas are affected</li> <li>- The proposed policy does not contain requirements for public art. HRM by-laws may use density bonusing as a way to require public art, but in this case density bonusing is not recommended due to the complexity of the process.</li> </ul>

## Attachment H: Proposed uses in the R-4B Zone

The proposed R-4B (Dunbrack Multi Unit) Zone would permit the following uses:

- (a) townhouses;
- (b) apartment house (apartment buildings);
- (c) home occupation uses;
- (d) daycares;
- (e) work-live units;
- (f) public parks and community facilities;
- (g) up to 4,000 square metres of uses permitted in the C-2C Zone, except;
  - (i) lounges; and,
  - (ii) gas stations or service stations; and
- (h) any use accessory to any of the foregoing uses.

The uses permitted under **g)** are the following:

- retail and rental stores excluding:
  - (i) motor vehicle dealers;
  - (ii) motor vehicle repair shops which such shops are not primarily engaged in providing service station facilities; and
  - (iii) adult entertainment uses
- health clinic;
- appliance and small scale repair shops;
- personal service uses such as shoe repair shops, barber and beauty shops, dry cleaners, and funeral services;
- bowling alley;
- a theatre;
- offices;
- a bank and other financial institutions, excluding drive-throughs;
- a restaurant, excluding drive-throughs;
- community facilities;
- commercial recreation uses;
- day care facility;
- micro breweries;
- coffee roasteries;
- ferment-on-premises facility, as defined by the Province of Nova Scotia Liquor Control Act;
- brew pub;
- institutional uses;
- government or public buildings

## **Attachment 2**

**Re: Case 22332**

**Extract from special Halifax and West Community Council Draft Minutes – December 16, 2020**

### **4.1 Case 22332: Municipal Planning Strategy and Land Use By-law Amendments for the R-4 Zone near Dunbrack Street, Halifax**

The following was before Community Council:

- Staff recommendation report dated October 15, 2020
- Correspondence from Jason Shannon
- Correspondence from Bruce Smith
- Correspondence from Walk and Roll Halifax

MOVED by Councillor Cuttell, seconded by Councillor Morse

**That Halifax and West Community Council recommend that Halifax Regional Council:**

**1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland, as set out in Attachments A and B of the staff report dated October 15, 2020, to create a new designation and zone to permit high density redevelopment near Dunbrack and Willett Streets, to amend the zoning for low-density residential properties to better match existing development, and to rezone parkland to the Park and Institutional Zone, and schedule a public hearing; and**

**2. Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland, as set out in Attachments A and B.**

**MOTION PUT AND DEFEATED.**

MOVED by Councillor Morse, seconded by Councillor Mason

**That Halifax and West Community Council recommend that Regional Council:**

1. **Give First Reading to consider:**
  - a. **the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland as described in Attachments A and B of the October 15, 2020 staff report to be amended to only apply the proposed new designation and zone to 210-214 Willett Street, Halifax and to amend the proposed R-4B Zone as follows:**
    - i. **increase parking standards to 0.7 spaces per dwelling unit;**
    - ii. **require that 25% of dwelling units contain a minimum of two bedrooms;**
    - iii. **increase the side yard setback along the west property line (parallel to Chelsea Lane) of 210-214 Willett Street from 18 metres to 30 metres for the main building closer to Willett Street;**
    - iv. **increase the side and/or rear setbacks on lots which abut any R-1 or R-2 zones from 8 metres to 10 metres;**
    - v. **reduce the density of the project to no more than 325 units per hectare; and**
    - vi. **reduce the maximum permitted height, as shown on the height precinct map (see Attachment B.2), from 26 metres to 20 metres; and**
    - vii. **re-align the height precinct boundary, as indicated in Attachment B.2, so it is 30 metres from the western property line;**
  - b. **the proposed amendments to the Land Use By-law for Halifax Mainland, as set out in Attachment B of the October 15, 2020 staff report, to amend the zoning for low-density**

- residential properties to better match existing development, and to rezone parkland to the Park and Institutional Zone; and
- c. schedule a public hearing;
2. **Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland, as amended in Recommendation 1, to Attachments A and B of the October 15, 2020 staff report; and**
  3. **Direct the CAO to continue to consider amendments to the Dunbrack Street study area and commercially zoned properties south of Radcliff Street and adjacent to Dunbrack Street through a comprehensive review process, such as the Regional Plan or Plan and By-law Simplification Program (Suburban Plan), that provides greater detail and consideration of the following:**
    - a. **appropriate building heights, building forms, site design and the impact of traffic, including from full build-out of potential development, including wind and shadow analysis;**
    - b. **improving transition to lower density properties, including appropriate setbacks, side yards;**
    - c. **revising parking standards;**
    - d. **a greater portion of dwelling units to have two or more bedrooms;**
    - e. **proposing better active transportation routes and new public green space;**
    - f. **creating a density bonus regime like that used in the Centre Plan to fund local area improvements and affordable housing; and**
    - g. **options for inclusionary zoning.**

The Community Council continued its discussions, the following points were noted:

- The importance for new applications to be reviewed in the context of what staff are proposing for the study area now;
- Members questioned whether or not underground parking could be located beneath the buffer, the timeframe, the amount of parking allowed as of right and what the original terms of reference focused on;
- The importance of commercial and residential development; and
- That it is a good area for redevelopment but would like to see better framework developed for the study area that does not require such a comprehensive review.

In response to the Community Council, Sean Gillis, Planner II, Regional Planning, indicated it is their understanding that the buffer is surface level and underground parking could be located under it, the as of right parking is one parking stall per unit and the original terms of reference had a focus on the potential and problems, density and building form. Staff are targeting January 2021 to bring forward the amendments regarding 210-214 Willett Street to Council. It was also noted that the Community Council may want to think about how public engagement should be approached and what Council should do with other potential requests in this area.

The following amendment was proposed:

MOVED by Councillor Cuttell, seconded by Councillor Cleary

**That Halifax and West Community Council add part h) Commercial space including the quantity, form and use in section 3 of the whole motion.**

**MOTION TO AMEND PUT AND PASSED.**

The Motion before Community Council now reads:

MOVED by Councillor Morse, seconded by Councillor Mason

**That Halifax and West Community Council recommend that Regional Council:**

1. **Give First Reading to consider:**
  - a. **the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland as described in Attachments A and B of the October 15, 2020 staff report to be amended to only apply the proposed new designation and zone to 210-214 Willett Street, Halifax and to amend the proposed R-4B Zone as follows:**
    - i. **increase parking standards to 0.7 spaces per dwelling unit;**
    - ii. **require that 25% of dwelling units contain a minimum of two bedrooms;**
    - iii. **increase the side yard setback along the west property line (parallel to Chelsea Lane) of 210-214 Willet Street from 18 metres to 30 metres for the main building closer to Willett Street;**
    - iv. **increase the side and/or rear setbacks on lots which abut any R-1 or R-2 zones from 8 metres to 10 metres;**
    - v. **reduce the density of the project to no more than 325 units per hectare; and**
    - vi. **reduce the maximum permitted height, as shown on the height precinct map (see Attachment B.2), from 26 metres to 20 metres; and**
    - vii. **re-align the height precinct boundary, as indicated in Attachment B.2, so it is 30 metres from the western property line;**
  - b. **the proposed amendments to the Land Use By-law for Halifax Mainland, as set out in Attachment B of the October 15, 2020 staff report, to amend the zoning for low-density residential properties to better match existing development, and to rezone parkland to the Park and Institutional Zone; and**
  - c. **schedule a public hearing;**
2. **Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Land Use By-law for Halifax Mainland, as amended in Recommendation 1, to Attachments A and B of the October 15, 2020 staff report; and**
3. **Direct the CAO to continue to consider amendments to the Dunbrack Street study area and commercially zoned properties south of Radcliff Street and adjacent to Dunbrack Street through a comprehensive review process, such as the Regional Plan or Plan and By-law Simplification Program (Suburban Plan), that provides greater detail and consideration of the following:**
  - a. **appropriate building heights, building forms, site design and the impact of traffic, including from full build-out of potential development, including wind and shadow analysis;**
  - b. **improving transition to lower density properties, including appropriate setbacks, side yards;**
  - c. **revising parking standards;**
  - d. **a greater portion of dwelling units to have two or more bedrooms;**
  - e. **proposing better active transportation routes and new public green space;**
  - f. **creating a density bonus regime like that used in the Centre Plan to fund local area improvements and affordable housing;**
  - g. **options for inclusionary zoning; and**
  - h. **commercial space including the quantity, form and use.**

**MOTION AS AMENDED PUT AND PASSED.**