

ATTACHMENT G:
PROPOSED AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY FOR HALIFAX

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

1. All maps and schedules of the Municipal Planning Strategy for Halifax are amended to remove those areas located within the Regional Centre Secondary Municipal Planning Strategy Plan Area, as shown on Map 1: Urban Structure Designations, under the Secondary Municipal Planning Strategy for Regional Centre.

2. Amend the “TABLE OF CONTENTS” by:

- (a) deleting the words, numbers, dots, colons, and roman numerals for the following:
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3. Amend the “INTRODUCTION” of Part II, as shown below in **bold** and ~~strikeout~~, by:

- (a) deleting the word, number, and brackets “nine (9)” in the first sentence of the second paragraph, and replacing it with the word, number, and brackets “six (6)”, after the words “there are” and before the words “detailed policy”;
- (b) deleting the words, roman numerals, brackets, and commas “the South End Area (Section V), the Peninsula Centre Area (Section VI),” in the second paragraph, after the words, “statements of policy for” and before the words “the Fairview Area”; and
- (c) deleting the words, roman numerals, brackets, and commas “the Peninsula North Area (Section XI), the Quinpool Road Commercial Area (Section XII),” in the second paragraph, after the word, roman numeral, and brackets “(Section X)”, and before the words “the Western Common Area”.

“INTRODUCTION

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

In accordance with the planning process described in Part I of this document, there are ~~nine (9)~~ **six (6)** detailed policy sections in this part which set out statements of policy for ~~the South End Area (Section V), the Peninsula Centre Area (Section VI), the Fairview Area (Section VII), the Bedford Highway Area (Section VIII), the Mainland South Area (Section X), the Peninsula North Area (Section XI), the Quinpool Road Commercial Area (Section XII), the Western Common Area (Section XIII), the Wentworth Area (Section XIV) and the Bedford West Area (Section XV) respectively.~~ These area plans are enabled by city-wide policies in Part II, Section II and define the detailed policy directions which the Halifax Regional Municipality will employ in decision-making for these specific areas.

Under the provisions of the Halifax Regional Municipality Charter, a municipality cannot regulate directly from a Municipal Planning Strategy; rather, it must regulate from a Zoning By-law adopted by the municipality to carry out the intent of the Plan. It should, therefore, be noted that there is an essential distinction in the policies of the Plan as they relate to this point, such distinction being defined by the use of the words "should" or "shall" in the policies. Where "shall" is used in a policy relating to a land use matter, it points to implementation of that policy through zoning regulations. Similarly, where "should" is used, the policy, for the purposes of land use control, will apply to any decision on a development application, rezoning, or zoning amendment made by Council."

4. Amend "SECTION 1: BASIC APPROACH AND OVERALL OBJECTIVE", as shown below in **bold** and ~~strikeout~~, by:
 - (a) deleting the words "Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns" after the words "the lands located within the" and before the words "as shown"; and
 - (b) adding the words "Regional Centre Secondary Municipal Planning Strategy Plan Area" after the words "the lands located within the" and before the words "as shown".

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

5. Amend SECTION II of Part II by amending Policy 2.1 to remove the words "both on the Peninsula and" after the words "City should occur" and before the words "and on the Mainland", as shown below in ~~strikeout~~:
 - 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.
6. Amend SECTION II of Part II by repealing Policy 2.1.1, in their entirety, as shown below in ~~strikeout~~:
 - 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.~~

7. Amend SECTION II of Part II by repealing Policy 2.5.5, in their entirety, as shown below in ~~strikeout~~:

~~2.5.5 For those areas identified in Policy 2.5.2 above, which are not predominantly residential in use, the City shall use the appropriate policy guidance in this Plan.~~

8. Amend SECTION II of Part II by repealing Policies 2.17 and 2.17.1, in their entirety, as shown below in ~~strikeout~~:

~~2.17 For the property at 6430 Oak Street, Halifax and further to Policies 2.4, 2.4.1, 2.4.2 and 2.4.2.1 of Section II of this Plan, the City may permit, by development agreement, the establishment of a residential pet care facility within a detached one family dwelling house.~~

~~2.17.1 In considering approval of such development agreement for a residential pet care facility, Council shall consider the following:~~

- ~~a) that limitations be placed on the number of pets (dogs, cats) permitted within the facility, and in no case shall the number of pets exceed twelve, exclusive of those of the operator;~~
- ~~b) the hours of operation (for pet drop-off / pick-up and outdoor socialization/play) shall be such that adverse impacts of noise and traffic movements on adjacent residential uses are minimized;~~
- ~~c) that limitations are placed on the floor area devoted to the pet care facility within the dwelling;~~
- ~~d) the lot on which such facility may be operated shall be of a size which allows for adequate separation distance between the facility and abutting properties;~~
- ~~e) that any outdoor activity area associated with such facility be restricted to dogs only, be located within the rear yard, be enclosed by a solid, view obstructing fence and be adequately set back from abutting residential properties;~~
- ~~f) a maximum of one employee, in addition to the operator of the facility, may be permitted;~~
- ~~g) signs for the facility shall be of a size, design and placement on the lot which reduces impacts on adjacent residential uses;~~
- ~~h) all other relevant policies of the municipal planning strategy with particular reference to the Residential Environments section.~~

9. Amend SECTION II of Part II by repealing Policies 2.18, 2.18.1, and 2.18.2, in their entirety, as shown below in ~~strikeout~~:

~~2.18 The property at Lady Hammond Road and Bright Place (PID# 41402884) is a portion of a former municipal street right-of-way which was surplus to municipal needs, excepting a walkway parcel linking Lady Hammond Road with Bright Street. There are benefits in allowing for the property's redevelopment in combination with the adjoining properties at 3631 and 3639 Bright Place (PID#s 00026849 and 00026856) and 6100 Normandy Drive (PID# 00026864) for multi-unit residential development. However, given the site's location, configuration and proximity to adjacent low density residential development, there is a need for specific attention to matters such as appropriate scale, siting and massing of a new multi-unit building. Notwithstanding the Residential Environments objectives and policies of this Section, a new multi-unit residential building at Lady Hammond Road and Bright Place, in conjunction with the adjoining properties at 3631 and 3639 Bright Place and 6100 Normandy Drive, may be permitted by development agreement in accordance with the *Halifax Regional Municipality Charter*.~~

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

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

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

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

10. Amend SECTION II of Part II by repealing Policy 3.7, in their entirety, as shown below in ~~strikeout~~:

~~3.7 In considering applications pursuant to Implementation Policy 3.10, Council shall have regard for the guidelines set out below:~~

- (i) ~~that entrances and exits be arranged in such a way so as to minimize the impact of additional traffic on any adjacent residential areas;~~
- (ii) ~~that the proposed use does not entail an unacceptable nuisance such as traffic, smoke, toxic, or noxious effluents and noise;~~
- (iii) ~~that storage areas be enclosed or be visually screened from the abutting street by such means as planting materials or well-designed fences;~~
- (iv) ~~that service areas for trucks and other vehicles be located in areas other than the front yards;~~
- (v) ~~that front yards of an appropriate size be provided, well landscaped and including provisions for tree planting;~~
- (vi) ~~that drainage from large paved areas be required to be treated in cases where such drainage will result in unacceptable pollution of watercourses or water bodies;~~
- (vii) ~~that appropriate measures be taken to prevent erosion or deposit of sediments away from the development site during construction and afterwards;~~
- (viii) ~~that the building envelope be located in such a manner as to provide a sufficient area for landscaped open space in both front and side yards;~~
- (ix) ~~that areas of significant natural, aesthetic and amenity value be protected as part of the site design in accordance with Policy Sets 7 and 8 of this Plan as appropriate;~~
- (x) ~~that there be an appropriate setback or other separation of any building from abutting residential properties and that a portion of such setback be landscaped; and~~
- (xi) ~~that the applicant provide a statement of the environmental impacts of the proposed development on and off the site and identify the ways and means to mitigate any~~

~~negative effects, particularly as they relate to such aforementioned matters as air and water pollution, erosion and sediment control, and protection of significant natural, aesthetic, and amenity value;~~

- ~~(xii) such other land use considerations as Council may from time to time deem necessary, based on guidance provided by the policies of this Plan.~~

11. Amend SECTION II of Part II by repealing Policies 4.1, 4.1.1, 4.1.1.1, and 4.1.1.2, in their entirety, as shown below in ~~strikeout~~:

~~4.1 On the Peninsula, along the harbour's edge, only those industries which are harbour-related should be encouraged and allowed to grow. Areas for such development to occur shall be designated on the basis of existing uses, possible alternative uses and compatibility with residential areas, major community facilities, and the transportation network as shown on Map 9.~~

~~4.1.1 On the Peninsula, along the waters edge, only those industries which are harbour-related should be encouraged and allowed to grow. On the waterfront, lands designated industrial that are not immediately adjacent to the waters edge should be developed for industrial purposes in response to the demands of the market and needs of the City.~~

~~4.1.1.1 Council may consider the development on non-harbour related commercial and industrial use in areas designated "Industrial" and zoned harbour related uses only by development agreement provided that the long term intent of these area for harbour industrial uses is preserved. In considering such developments Council shall ensure that the proposed use:~~

- ~~a) is not detrimental to the port or other harbour related industries;~~
- ~~b) will generate only a level of vehicle trips that can be reasonably accommodated on the present city street system; and~~
- ~~c) that the long term intent that the area be used for harbour related uses is preserved.~~

~~4.1.1.2 The development agreement shall contain provision for the time when and conditions under which the agreement shall be able to be discharged by Council. This agreement may provide that the buildings be removed to ensure development for harbour related industries continues to be possible.~~

12. Amend SECTION II of Part II by repealing Policy 4.6, in their entirety, as shown below in ~~strikeout~~:

~~4.6 In considering applications pursuant to Implementation Policy 3.10 Council shall have regard for the guidelines set out below:~~

- ~~(i) that uses permitted be restricted to industrial or commercial uses;~~
- ~~(ii) that entrances and exits be arranged in such a way so as to minimize the impact of additional traffic on any adjacent residential area;~~
- ~~(iii) that the proposed use does not entail unacceptable nuisances, such as traffic, smoke, toxic or noxious effluents, and noise;~~
- ~~(iv) that storage areas be enclosed or be visually screened from the abutting street by such means as planting materials or well designed fences;~~
- ~~(v) that service areas for trucks and other vehicles be located in areas other than the front yards;~~
- ~~(vi) that front yards of an appropriate size be provided, well landscaped and including provision for tree planting;~~
- ~~(vii) that drainage from large paved areas be required to be treated in cases where such drainage will result in unacceptable pollution of watercourses or water bodies;~~
- ~~(viii) that appropriate measures be taken to prevent erosion or deposit of sediments away from~~

- ~~the development site during construction and afterwards;~~
- ~~(ix) that the building envelope be located in such a manner as to provide a sufficient area for landscaped open space in both front and side yards;~~
- ~~(x) that areas of significant natural, aesthetic and amenity value be protected as part of the site design in accordance with Policy Sets 7 and 8 of this Plan as appropriate;~~
- ~~(xi) that there be an appropriate setback of any building from abutting residential properties and that a portion of such setback be landscaped; and~~
- ~~(xii) that the applicant provide a statement of the environmental impacts of the proposed development on and off the site and identify the ways and means to mitigate any negative effects, particularly as they relate to such aforementioned matters as air and water pollution, erosion and sediment control, and protection of significant natural, aesthetic, and amenity value;~~
- ~~(xiii) such other land use considerations as Council may from time to time deem necessary, based on guidance provided by the policies of this Plan.~~

13. Amend SECTION II of Part II by amending Policy 6.2 to delete the words and comma following the words "impart to Halifax a sense of its history" and before the period, as shown below in ~~strikeout~~:

6.2 The City shall continue to make every effort to preserve or restore those conditions resulting from the physical and economic development pattern of Halifax which impart to Halifax a sense of its history, ~~such as views from Citadel Hill, public access to the Halifax waterfront, and the street pattern of the Halifax Central Business District.~~

14. Amend SECTION II of Part II by repealing Policies 6.3A and 6.3A.1, in their entirety, as shown below in ~~strikeout~~:

~~6.3A Notwithstanding Policy 6.3, but subject to the Rampart requirements of the Halifax Peninsula Land Use By-law, HRM shall permit an increase in the maximum building height on lands at the south-east corner of Sackville Street and South Park Street from 23 metres to 49 metres, where a new multi-district recreation facility is to be developed in whole or as part of a mixed-use development on the lands known as the CBC Radio and YMCA properties. With the additional height, there shall be provisions for the upper storeys of a building on these lands to be stepped back from Sackville Street and South Park Street.~~

~~6.3A.1 Pursuant to Policy 6.3A, a multi-district recreation facility means a building or part of a building that is a minimum of 6500 square metres of gross floor area, which is used for community recreation activities, for which a membership or instruction fee may be charged, and that includes a gymnasium, an exercise room, a swimming pool, meeting rooms, and community gathering areas.~~

15. Amend SECTION II of Part II by repealing Policies 6.3.2 and 6.3.3, in their entirety, as shown below in ~~strikeout~~:

~~6.3.2 Within the area bounded by North Street, Robie Street and Inglis Street, no development shall be permitted that is visible over the top of the reconstructed earthworks on the Citadel ramparts, from an eye level of 5.5 feet above ground level in the Parade Square of the Citadel.~~

~~6.3.3 Policy 6.3.2 above shall not be deemed to waive any other height or angle controls.~~

16. Amend SECTION II of Part II by repealing Policy 9.2.2, in their entirety, as shown below in ~~strikeout~~:

~~9.2.2 The City shall investigate the potential for use of all or part of the railway cut on the Peninsula~~

~~as a route for trucks and transit vehicles.~~

17. Amend Part II by repealing the following maps under Section V: SOUTH END AREA PLAN OBJECTIVES AND POLICIES in their entirety:

- a) Map 1: Planning Districts (South End Area Plan);
- b) Map 2-1: Height Precincts – District 1;
- c) Map 2-2: Height Precincts – District 2;
- d) Map 2-3: Height Precincts – District 3;
- e) Map 2-4: Height Precincts – District 4;
- f) Map 2-5: Height Precincts – District 5;
- g) Map 2-6: Height Precincts – District 6;
- h) Map 2-7: Height Precincts – District 7;
- i) Map 2-8: Height Precincts – District 8;
- j) Map 2-9: Height Precincts – District 9;
- k) Map 3: Schmitzville Heritage Conservation District;
- l) Map 4: Areas where Converted Multiple Dwelling Houses are Permitted; and
- m) Map 9A: Generalized Future Land Use – South End.

18. Amend Part II by repealing Section V: SOUTH END AREA PLAN OBJECTIVES AND POLICIES in its entirety, as shown below in ~~strikeout~~:

~~SECTION V: SOUTH END AREA PLAN OBJECTIVES AND POLICIES~~

CONTENT

~~The detailed objectives and policies for the South End shall be considered as part of this Municipal Development Plan, pursuant to Part II, Section II, Policy 2.5.2.~~

~~There is no description herein of the analytic underpinnings for the objectives and policies. The reader is referred to the official City of Halifax report entitled South End Detailed Area Plan (City of Halifax, 1981) for a description of the analysis and general premises of this Plan.~~

AREA DEFINITION

~~For the purpose of this Municipal Planning Strategy, the South End Area shall be as set out in Map 4 of this Section V.~~

DEFINITION OF TERMS

~~Definition of certain terms used in this Section are as follows and have been included for clarification.~~

~~TERM DEFINITION~~

~~This Plan Means the South End Detailed Area Plan.~~

~~Interior Conversion of Existing Structures Involves the rearrangement of internal space within a building to change its unit structure. Conversions may involve the addition of stairways or porches to provide access to new units created in the conversion process.~~

~~Family-type Housing Accommodation Means a dwelling unit containing two or more bedrooms.~~

Neighbourhood

~~Commercial Use~~ ————— Means a grocery store or drug store.

Schmidtville Heritage

~~Property~~ ————— Means a property identified as containing a Schmidtville Heritage Building as shown on Map 3, Schmidtville Heritage Conservation District.

1. RESIDENTIAL ENVIRONMENTS

~~Objective: The maintenance of the South End as vital inner city neighbourhoods with a broad mix of family and non family housing accommodation.~~

~~1.1 Residential neighbourhoods shall be maintained and expanded by encouraging retention and rehabilitation of existing structures and units and by permitting new stock through infill and complementary redevelopment.~~

~~1.1.1 Several forms of infill housing shall be encouraged by the City as appropriate to the diverse physical characteristics of the individual districts and neighbourhoods.~~

~~1.1.1.1 Forms of infill housing which shall be permitted in the South End include:~~

- ~~(a) the interior conversion of existing structures; —————~~
- ~~(b) additions to existing structures, either through infilling between existing structures or additions to the rear of existing structures;~~
- ~~(c) building on vacant lots in the forms prescribed by this Section of the Plan; and~~
- ~~(d) low rise housing within the densities prescribed by this Section of the Plan.~~

~~1.1.1.2 The Zoning By-law shall further define elements of scale, proportion, setback and use consistent with the policies of this Plan to ensure compatibility with the districts and neighbourhoods.~~

~~1.1.2 Residential redevelopment shall be permitted in the areas designated pursuant to this Plan and may be encouraged elsewhere provided it is consistent with the policies of this Plan.~~

~~1.2 Residential uses should be buffered from non-residential uses which are inappropriate to a stable, healthy, enjoyable living environment.~~

~~1.3 The City shall encourage the retention and creation of family type housing accommodation in the South End.~~

~~1.3.1 In order to achieve these purposes, the City does hereby request that the Halifax School Board not effect any complete school closures in the South End without prior consultation with the Council of the City of Halifax, in order that the Council may first ascertain whether such closures may work to the detriment of the retention and creation of family oriented neighbourhoods, and the nature of any prudent actions the Council may seek to take or direct in furthering its Plan.~~

~~1.3.2 In the preparation of Zoning By-law regulations to carry out the intent of this Plan, the City shall have regard to the following for family type housing accommodation:~~

- ~~(i) that buildings containing family type dwelling units should provide, on the lot, both soft-surfaced and hard-surfaced open space areas for the exclusive use of the building's occupants;~~
- ~~(ii) that any new residential development containing more than fourteen family type dwelling units provide adequate open space of appropriate size to accommodate the requirements of the residents, enclosed on all sides, landscaped and buffered; and~~

~~(iii) that such space be visible from the building.~~

~~1.4 For the purposes of this Plan, the City shall further define residential environments as comprising three categories:~~

- ~~(i) Low Density Residential;~~
- ~~(ii) Medium Density Residential; and~~
- ~~(iii) High Density Residential.~~

~~1.4.1 Areas shown as "Low Density Residential" on the Future Land Use Map of this Plan shall be regarded as areas for family type housing accommodation. All new residential developments in these areas shall be detached single family dwellings.~~

~~1.4.1.1 In low density residential areas conversion of existing housing stock shall be permitted, provided that:~~

- ~~(i) a maximum number of dwelling units in any building shall be three;~~
- ~~(ii) family type dwelling units shall be at least 1,000 square feet in floor area;~~
- ~~(iii) where the conversion is to two units (that is, adding an additional dwelling unit), one of the units shall be a family type dwelling unit; and~~
- ~~(iv) where the conversion is to three units (that is, adding two units), two of the three units shall be family type dwelling units.~~

~~1.4.1.2 The area bounded by Oakland Road, Bellevue Avenue, Inglis Street, and Beaufort Avenue contains a development pattern which is not closely aligned with the requirements of the R-1 (Single Family) Zone under the Halifax Peninsula Land Use By-law. In order to better reflect the existing character of the aforementioned area under the Halifax Peninsula Land Use By-law, the latter shall be amended to introduce an area specific zone titled R-1A (Single Family A) Zone. While the R-1A Zone shall share similar permitted uses and requirements as the R-1 Zone, it shall differ in terms of minimum lot area, minimum lot frontage and front yard requirements.~~

~~1.4.1.3 1017 and 1021 Beaufort Avenue are located in the area described by Policy 1.4.1.2 and combine to create an area of land large enough to allow for the development of a new public street. In order to enable an alternative to public road construction that acts to protect significant features on these lands while also allowing for development that reflects the existing character of the area, detached one family dwelling development may be considered by development agreement in accordance with the *Halifax Regional Municipality Charter*.~~

~~1.4.1.4 In considering development agreements pursuant to policy 1.4.1.3, Council shall consider the following:~~

- ~~(a) the development contains a maximum of six detached one family dwelling houses, all of which may be located on a consolidated lot;~~
- ~~(b) the development includes a tree preservation plan generally consistent with the character of surrounding development;~~
- ~~(c) the architectural design of each house is generally consistent with the character of surrounding houses;~~
- ~~(d) the height of each house is consistent with the permitted height of surrounding houses;~~
- ~~(e) the appropriate placement of each house in relation to surrounding properties;~~
- ~~(f) the separation distance between each house;~~
- ~~(g) the footprint and gross floor area of each house;~~
- ~~(h) the size, location and design of accessory buildings;~~
- ~~(i) the types of home occupations;~~
- ~~(j) provision for vehicular access and egress;~~

- ~~(k) provision for on-site parking;~~
- ~~(l) provision for site disturbance, erosion control, site grading, and stormwater management; and~~
- ~~(m) provision for historical on-site signage.~~

~~1.4.2 Areas shown as Medium Density Residential on the Future Land Use Map of this Plan shall be regarded as residential environments which provide a mix of family and non-family dwelling units in buildings of not more than four storeys. For such areas, the City shall amend its Zoning By-law in accordance with Policies 1.4.2 to 1.4.2.3 inclusive. In any building a minimum of 50 percent of the units shall be family-type dwelling units.~~

~~1.4.2.1 The forms of infill housing permitted in Medium Density Residential Areas shall include:~~

- ~~(a) interior conversion;~~
- ~~(b) additions to existing structures;~~
- ~~(c) infilling between existing structures; and~~
- ~~(d) small-scale development on vacant lots.~~

~~1.4.2.2 In Medium Density Residential areas, family-type dwelling units shall be a minimum of 800 square feet.~~

~~1.4.2.3 In Medium Density Residential areas, the City shall not permit any building to be converted or added to such that more than 14 dwelling units are contained within the building.~~

~~1.4.3 Areas shown as High Density Residential on the Future Land Use Map of this Plan shall be regarded as primarily non-family residential areas.~~

~~1.4.3.1 In High Density Residential areas the City shall amend its Zoning By-law to require a minimum of one family-type housing unit for every two non-family units in each building and the minimum size for such family units shall be 800 square feet.~~

~~1.4.3.3 The City shall review the open space, angle control and density requirements of the Zoning By-law, and shall consider such alternative control mechanisms as lot coverage, ratio of floor area to site area, and setback requirements for siting of apartment buildings, provided that the intents of this Plan will be furthered.~~

~~1.4.3.4 Pursuant to Policy 1.4.3.3 and within six months of the approval of this Plan, the City shall confirm or amend, as appropriate, such controls.~~

~~1.5 The City shall have regard for the servicing of residential areas by public transit and shall, as necessary, make appropriate representations to the Metropolitan Transit Corporation for the purposes of promoting efficient and sufficient service.~~

~~1.6 The disposition of all City-owned land shall be in accordance with the policies of this Plan.~~

~~1.6.1 When disposing of City-owned lands in residential areas, consideration will be given first to recreation uses; second, to residential uses; and third, to any other use compatible with residential areas which meet the needs of the residents of the area.~~

~~1.7 The City shall revise its zoning by-laws to provide that, under the provisions of Section 33(2)(b) of the Planning Act, an apartment building existing on the date of adoption of this Plan destroyed by fire or otherwise, may be reconstructed to its original size and use, notwithstanding the provisions of the Zoning By-law which may apply to the property.~~

~~1.8 The City shall revise its zoning by laws to provide that through-block development shall not be permitted for residential uses.~~

2. COMMERCIAL FACILITIES

Objective: Provision for a variety of commercial uses in appropriate locations to serve the needs of the area and compatible with the needs of the City.

- 2.1 — In the South End it is the HRM's intent to allow for neighbourhood shopping facilities and minor commercial facilities. Commercial uses shall not be encouraged other than in accordance with Part II, Section II of the Municipal Planning Strategy.
- 2.2 — Spot rezonings to permit neighbourhood shopping facilities pursuant to and consistent with Part II, Section II, Policy 3.1.1 of the Municipal Development Plan may be permitted.
- 2.2.1 — Pursuant to Policies 2.1 and 2.2, the City shall amend its Zoning By-law to provide for a residential neighbourhood commercial zone which provides for a maximum of six residential units and one neighbourhood commercial use in any given development.
- 2.3 — Minor commercial uses shall be permitted in areas designated as "Commercial" or "Residential Commercial Mix" on the Future Land Use Map of this Plan.
- 2.3.1 — In areas designated as "Residential Commercial Mix", the City shall permit the following uses:
- (i) residential uses;
 - (ii) in new buildings, residential uses with minor commercial uses occupying the ground floor, provided that the commercial uses have independent and direct access to the street; and
 - (iii) in existing buildings, minor commercial uses and a mix of minor commercial and residential uses.
- 2.3.2 — In areas designated as "Residential Commercial Mix", the City shall not require provision of family type housing accommodation in any building.
- 2.3.3 — Pursuant to Policy 2.3.1, the City shall amend its Zoning By-law to provide for two residential commercial zones which would permit residential uses consistent with medium density and high density residential areas respectively, and each of which would permit minor commercial uses.
- 2.4 — Minor commercial uses shall be permitted only in the areas so designated in the Plan and expansion of these areas may be permitted only through amendment to this Plan.

3. INDUSTRIES

Objective: The encouragement of industrial uses in specified areas.

- 3.1 — Industrial development shall be encouraged within the areas designated "Industrial" on Map 2 of this Plan.
- 3.1.1 — For the purposes of this Plan, industrial development which is harbour related shall be encouraged pursuant to Part II, Section II of the Municipal Planning Strategy.
- 3.1.2 — The City should seek to strengthen and support the designated industrial areas. In doing so, the City should consider any appropriate incentives proposed which would lead to the strengthening of the City's economy and tax base. Particular attention should be paid to the ways and means of encouraging high technology industries, such as communications, research, computer and electronics firms, which tend to have minimal negative external

~~effects.~~

~~3.2 — In developing zoning by-law regulations to carry out the intent of this section of the Plan, or in reviewing development proposals where a discretionary decision of City Council is requested, the City shall have regard for the following:~~

- ~~(i) compatibility of industrial uses with adjacent residential areas through careful treatment of building siting and form, specifically through establishment of regulations regarding such matters as building height, setback, building proportion and scale, as are necessary for industrial uses; and~~
- ~~(ii) mitigation of negative impacts of industrial uses on adjacent residential areas where such impacts may arise from vehicular service requirements of industrial uses.~~

~~3.2.1 — Pursuant to Policy 3.2, a business service zone shall be established and applied to properties fronting on South Bland and Atlantic Streets. The zone will provide for a range of business and service uses which can be accommodated without being detrimental to the surrounding residential neighbourhood by virtue of aesthetics, environmental degradation, excessive traffic or noise. Outdoor storage and display shall be prohibited and zone requirements established towards building and parking area location and landscaping.~~

~~3.3 — In designated industrial areas, uses accessory to industrial uses, such as commercial uses and commercial services, such as, but not limited to, restaurants which will not detract from the industrial areas, may be permitted by contract agreement, and the City shall amend its Zoning By-law accordingly.~~

4. INSTITUTIONS

~~Objective: The encouragement of institutional uses in specified areas.~~

~~4.1 — For the purposes of this Plan, the City shall consider institutional uses as including three types, as follows:~~

- ~~(i) "Major Institutional Uses" serving primarily City wide or regional needs;~~
- ~~(ii) "Local Institutional Uses" serving primarily the adjacent community; and~~
- ~~(iii) "Universities".~~

~~4.2 — The City shall encourage existing institutional uses to remain in their present locations and shall encourage reuse of existing institutional areas where appropriate in preference to expanding areas where institutional uses may be permitted.~~

~~4.3 — The development of major institutional uses shall be permitted in the areas designated "Institutional" on the Future Land Use Map of this Plan.~~

~~4.3.1 — The City shall pay particular attention in major institutional areas to requirements for building scale, proportion and setback so as to ensure that compatibility with adjacent non-institutional areas is fostered.~~

~~4.3.2 — Redevelopment of properties in the area designated "Historic Park and Institutional Area" within the Schmidville Heritage Conservation District boundary as shown on Map 3, Schmidville Heritage Conservation District, as Historic Park and Institutional Area, shall be considered by development agreement if the construction of any addition to an existing building exceeds a footprint of 1,500 square feet or any new building exceeds a footprint area of 1,500 square feet in accordance with 7.9.8 and Council shall consider the requirements listed in Policy 7.9.9 of the District IX Policies section.~~

~~4.4 — Local institutional uses shall be permitted in areas designated "Commercial" or "Residential/~~

~~Commercial" on the Future Land Use Map of this Plan.~~

- ~~4.5 "University" development shall be restricted to the areas designated for such uses on the Future Land Use Map of this Plan. The City shall amend its Zoning By-law to carry out the intent of this policy and Policies 4.5.1 and 4.5.2 below.~~
- ~~4.5.1 Where university development is proposed adjacent to residential areas, the City shall ensure that such development maintains the scale of residential development, and is compatible with the proportion, setback and building lines of residential development.~~
- ~~4.5.2 Major academic and cultural facilities, such as, but not limited to, laboratories, lecture halls, libraries, theatres and student centres, shall be encouraged to locate within the interior of designated University areas, as defined in Policies 7.2.1 and 7.2.1.1 of this Plan.~~
- ~~4.5.3 The City shall require the orderly development of University areas and shall not consider rezoning applications which would permit an expansion of the boundaries of University areas until such time as potential building sites within the boundaries of university areas have been used.~~
- ~~4.5.5 Pursuant to Policies 4.5.1 and 4.5.2, the City shall amend its Zoning By-law to provide for two University Zones: a high density zone which would allow all university uses, and a low density zone with a height limitation of 35 feet or four storeys which would allow only university uses which would have minimal impacts on adjacent residential uses.~~
- ~~4.5.5.1 Pursuant to Policy 4.5.5, the City shall apply such zones as follows:~~
- ~~(i) the low density zone to the periphery of the St. Mary's University Campus and to the entirety of the Pine Hill Divinity College Campus; and~~
 - ~~(ii) the high density zone to the interior of the St. Mary's University Campus and to portions of Dalhousie University, Sexton Campus that are within the South End Area Plan.~~

5. HERITAGE RESOURCES

- ~~5.1 The City shall continue to seek the retention, preservation, rehabilitation and restoration of areas, streetscapes, buildings, features and spaces in the South End area consonant with the City's general policy stance on heritage preservation (See Section II, Policy Set 6).~~
- ~~5.2 This Plan shall support the Schmidville Heritage Conservation District Plan and the historic character of the Schmidville neighbourhood through the Land Use Bylaw by establishing regulations that support the conservation objectives of the Schmidville Heritage Conservation District.~~
- ~~5.2.1 It shall be the intent of this Plan to preserve the predominantly residential uses as well as the park and institutional uses and existing mixed uses of District IX which delineates the boundary of the Schmidville Heritage Conservation District.~~

6. RECREATION

~~Objective: The maintenance and improvement of existing recreation facilities and the development of new active and passive open space areas to serve the residents of the South End.~~

- ~~6.1 The City shall ensure that existing open space areas are maintained and improved, where necessary, for the enjoyment of residents in the South End or the City as a whole, as appropriate.~~

- ~~6.2 — The City shall ensure that any new public open space areas in the South End abut public streets in order that they may be more accessible, easily viewed and supervised, and to enhance their perception as public spaces.~~
- ~~6.2.1 — The City shall endeavour to provide additional open space through such means as the conversion of publicly-owned land to open space; the conversion of institutionally-owned land to open space through leasing arrangements or purchase; and provision of funds in the City's budget for land acquisition.~~
- ~~6.2.2 — The City should investigate the closure of local streets and lanes which have minimal significance for the movement or storage of vehicles for use as neighbourhood parks.~~
- ~~6.3 — The City shall continue to maintain the character of the Public Gardens as a major open space area, and shall establish development standards which would minimize shadow-casting on the Public Gardens. In this regard, the City shall be guided by the policies for District V of this Plan.~~
- ~~6.4 — Should the Sir Frederick Fraser School be relocated, the City shall endeavour to secure ownership of the site, and shall develop said site for a public park including giving consideration to an extension of Victoria Park to this site.~~

7. DISTRICT POLICIES

District

~~Definition: For the purposes of setting out the detailed district policies of this Plan, the South End is divided into nine districts as shown on Map 1.~~

- ~~7.0 — Height Precincts shall be established by policy in accordance with the general intent for land-use control as defined by the policies of this Plan. These heights are based on:~~
- ~~(i) — the forms of development and distribution of land uses identified on the Generalized Future Land Use Map of this Plan;~~
 - ~~(ii) — the necessity to ensure that appropriate development of any given lot may be secured within the policies of this Plan; and~~
 - ~~(iii) — to fulfill the policy intent that quality residential, commercial, institutional and industrial environments are maintained and encouraged without undue impact on adjacent land use.~~

~~The heights established pursuant to this policy are as shown on Maps 2-1 to 2-9 inclusive.~~

- ~~7.0.1 — The Land Use By-law shall require that heights established by Policy 7.0, for properties zoned R-1A and R-2A and those referred to in Policy 7.4.2, be measured between the highest point of the roof and the mean grade of the finished ground adjoining the building.~~
- ~~7.0.2 — The Land Use By-law shall require that heights established by Policy 7.0, for properties zoned RC-4, R-1, except those referred to in Policy 7.4.2, and R-2, be measured between the highest point of the building, exclusive of any non-habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street.~~
- ~~7.0.3 — The Land Use By-law shall require that heights established by Policy 7.0, for properties other than those referred to in Policies 7.0.1 and 7.0.2, be measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street.~~
- ~~7.0.4 — The Land Use By-law shall include a Height Precinct Map to implement the height limits~~

~~established by Policy 7.0.~~

~~7.0.5 — Any change in the allowable height or any increase in height by a development agreement as shown on Maps 2.1 to 2.9 inclusive, except pursuant to Policies 7.2.1.1, 7.5.2.1, 7.8.2.1, 7.8.2.2, 7.9.8 and 7.9.9 may be permitted only by amendment to the Municipal Planning Strategy.~~

~~7.1 — DISTRICT I~~

~~7.1.1 — To ensure that adjacent institutional uses do not encroach upon the residential character of District I, the City shall not permit the expansion of Dalhousie University and Saint Mary's University into District I.~~

~~7.1.2 — On some areas of Oakland Road, between Robie Street and Beaufort Avenue, a distinctive streetscape is created by large open areas. The configuration of new lots shall be controlled so as to maintain this streetscape.~~

~~7.1.3 — Pursuant to Policies 1.4.1.3 and 1.4.1.4, a development agreement may be considered for a development comprised of detached one family dwelling houses at 1017 and 1021 Beaufort Avenue.~~

~~7.2 — DISTRICT II~~

~~7.2.1 — In preparing zoning by law regulations to carry out the intent of this Plan, the City shall have regard to the following with respect to Saint Mary's University:~~

- ~~(i) — that university uses which generate substantial activity such as, but not limited to, theatres, auditoriums, laboratories and student union buildings be restricted to the interior of the campus; and~~
- ~~(ii) — that University uses adjacent to residential areas at the periphery of the campus be limited as to intensity of use, scale, and setback so as to be compatible with and minimize negative impacts on adjacent residential development.~~

~~7.2.1.1 — The City may consider an application for a university use at the periphery of the Saint Mary's University campus under the provisions of Section 33(2)(b) of the Planning Act, where such an application proposes a use, building height, and/or setback not permitted by the Zoning By-law and, in consideration of such application by City Council, have regard for mitigation of negative impacts on and compatibility with adjacent residential areas.~~

~~7.2.2 — The most appropriate reuse of the parking lot west of the Children's Hospital on South Street and Robie Street shall be considered by the City to be institutional.~~

~~7.2.2.1 — The Land Use By-law shall require that the maximum height of any development on the parking lot shall be 80 feet, and a setback of 20 feet shall be required from any street line.~~

~~7.2.3 — Should the City decide to construct a new fire station for the southern part of the Peninsula to replace Fire Station No. 3, priority consideration shall be given to the existing site, and, where appropriate, in conjunction with City-owned lands to the east.~~

~~7.2.4 — In the disposition of the Halifax Civic Hospital, Welfare Office No. 1, or Fire Station No. 3, the City shall give priority consideration to major institutional uses which are functionally related to the medical and research facilities currently located on or adjacent to University Avenue. If such a use is deemed inappropriate by the City, secondary consideration shall be given to local institutional uses, specialized residential uses or a recreational facility or area.~~

~~7.2.5 The City shall amend its Zoning By law to require that any addition, alteration or replacement of the Sir Frederick Fraser School shall maintain the same setback from University Avenue, a 40 foot setback along South Park from University Avenue, a 40 foot setback along South Park Street, and a 30 foot setback along South Street and Tower Road.~~

~~7.2.5.1 The Land Use By law shall require that the maximum height of any development on this block shall be 55 feet.~~

~~7.2.6 The City shall amend its Zoning By law to zone the Gorsebrook lands in accordance with the medium density residential land use category of this Plan, and the City may consider applications for development for residential uses for the Gorsebrook lands, under the provisions of Section 33(2)(b) of the Planning Act and, in so doing, the City shall have regard for:~~

- ~~(i) the relationship between any new building and Gorsebrook Field to the south and west in terms of setbacks and appropriate transition of the open space;~~
- ~~(ii) that portion of Gorsebrook Field recommended for development as medium-density housing be at a scale compatible with adjacent residential development to the east on Wellington Street;~~
- ~~(iii) that priority consideration be given for rowhousing; and~~
- ~~(iv) that high density residential uses may be permitted, provided such uses front on South Street.~~

~~7.2.6.1 Pursuant to Policy 7.2.6 above, the City may further consider applications for development for institutional uses for said lands under the provisions of Section 33(2)(b) of the Planning Act, and in so doing, the City shall have regard for:~~

- ~~(i) the relationship between any new institutional building to adjacent land uses in terms of setbacks and appropriate transitions of the open space;~~
- ~~(ii) that a portion of the lands be dedicated for park use associated with Gorsebrook Field; and~~
- ~~(iii) that the City would consider an application which included a recreation complex.~~

~~7.3 DISTRICT III~~

~~7.3.1 The City shall zone Pine Hill Divinity College in accordance with the low density university use provision, as set out in Policy 7.2.1 above for Saint Mary's University.~~

~~7.3.1.1 The City may consider an application under the provisions of Section 33(2)(b) of the Planning Act for major university uses on the Pine Hill Divinity College Campus and, in so doing, shall have regard for:~~

- ~~(i) the compatibility of said use if located in a new building with adjacent residential areas, in terms of scale, setbacks, and building mass;~~
- ~~(ii) provision of appropriate side yards for any new building where the building adjoins residential properties;~~
- ~~(iii) access and egress provisions to the public street system; and~~
- ~~(iv) the degree to which the characteristics of the proposed use are consistent with maintenance of the quality of the surrounding residential environment in terms of level of activity, hours of activity, traffic generation and such other considerations as may be determined from a land-use standpoint to be relevant.~~

~~7.4 DISTRICT IV~~

~~7.4.1 Notwithstanding Policy 1.4.2.3, for those properties designated as Medium Density Residential on the Future Land Use Map of this Plan and fronting South Bland Street, the City shall permit a maximum of four units. The Land Use By-law shall further define elements of scale, proportion, setbacks, lot size, lot frontage, coverage and parking consistent with the policies of this Plan to ensure compatibility with the development patterns of this medium density neighbourhood.~~

~~7.4.2 Notwithstanding Policy 1.4.2.3, for those properties designated as Low Density Residential on the Future Land Use Map of this Plan and fronting on the streets of Atlantic (east of Young Avenue), Brussels and McLean, the Land Use By-law shall further define elements of scale, proportion, setbacks, lot size, frontage, coverage and parking consistent with the policies of this Plan to ensure compatibility with the development patterns of this neighbourhood.~~

~~7.5 DISTRICT V~~

~~7.5.1 The City shall encourage continuation of the diversity of land uses currently located in District V, which include university, institutional, open space, commercial and residential uses.~~

~~7.5.2 In the area bounded by College Street, Summer Street, Spring Garden Road, and South Park Street, the City shall amend its Zoning By-law to establish height precincts to ensure the preservation of the character of the Public Gardens as an open space area.~~

~~7.5.3 The Land Use By-law shall require that the maximum height of any development on the north side of Morris Street between Barrington and Queen Streets or the west side of Barrington Street between Morris Street and Spring Garden Road shall be 52 feet. In the remainder of the Sexton Campus of Dalhousie University (formerly the Technical University of Nova Scotia campus), the Land Use By-law shall require that the maximum height of any development shall be 70 feet.~~

~~7.5.5 Notwithstanding the residential/commercial designation at the intersection of Queen Street and Morris Street a residential/ commercial development may be considered only by development agreement which meets the following requirements:~~

- ~~(a) The provisions of the high density residential/mixed commercial or the residential/minor commercial zones in respect to permitted uses, lot area, front and rear yards and parking;~~
- ~~(b) Conditions sufficient to ensure to Council's satisfaction compatibility to adjacent residential uses and streetscapes in respect to scale and architectural design;~~
- ~~(c) No development shall exceed 35 feet in height; and~~
- ~~(d) Such other land use considerations as Council may deem necessary based on the policy guidance of this plan.~~

~~7.6 DISTRICT VI~~

~~7.6.1 Notwithstanding the residential/commercial designation at the intersection of Queen Street and Morris Street a residential/ commercial development may be considered only by development agreement which meets the following requirements:~~

- ~~(a) The provisions of the high density residential/mixed commercial or the residential/minor commercial zones in respect to permitted uses, lot area, front and rear yards and parking;~~
- ~~(b) Conditions sufficient to ensure to Council's satisfaction compatibility to adjacent residential uses and streetscapes in respect to scale and architectural design;~~
- ~~(c) No development shall exceed 35 feet in height; and~~

~~(d) such other land use considerations as Council may deem necessary based on the policy guidance of this plan.~~

~~7.8 DISTRICT VIII~~

~~7.8.1 Any change in use of the lands of the Canadian National Railway shall be the subject of a detailed study by the City. Such study shall include consideration of any change in use within the land use management framework established by the South End Detailed Area Plan, and within the context of the general transportation policy framework of the City of Halifax.~~

~~7.8.2 The Land Use By-law shall require that the maximum height of new industrial development within District VIII, in areas zoned as non-harbour-related industrial, shall be 35 feet.~~

~~7.8.2.1 Pursuant to Policy 7.8.2 above, the City may consider applications for industrial development where such development exceeds the height prescribed under the provisions of Section 33(2)(b) of the Planning Act and, in so doing, the City shall have regard for:~~

- ~~(i) consistency with Policy Set 3 of this Plan; and~~
- ~~(ii) avoidance of significant shadow effects on adjacent residential areas.~~

~~7.8.2.2 Pursuant to Policy 7.8.2 above, the City may consider applications for residential development where the proposed location is adjacent to existing residential uses under the provisions of Section 33(2)(b), and in so doing the City shall consider as guidelines:~~

- ~~(i) that the height of the proposed development is limited to 50 feet or six storeys;~~
- ~~(ii) that family-type accommodation shall not be a requirement for unit mix in such development; and~~
- ~~(iii) that there be adequate buffering from industrial uses which may adjoin the property on which the development is proposed.~~

~~7.8.3 Except as otherwise provided for by the Business Service Zone, where an industrial use abuts a residential zone, the City shall amend its Zoning By-law to require a minimum setback of 25 feet from the street line, or from the residential zone line, as appropriate.~~

~~7.8.4 The City shall seek the full cooperation of proprietors of industrial enterprises in establishing voluntary programmes to improve the visual appearance of industries in the South End.~~

~~7.9 DISTRICT IX~~

~~7.9.1 This Plan shall establish the Schmidville Heritage Conservation District within the boundaries identified as District 9 on Map 3, Schmidville Heritage Conservation District.~~

~~7.9.2 It is the intention of this Plan to ensure that new development is consistent with the character defining elements of the district listed in the Schmidville Heritage Conservation District Plan.~~

~~7.9.3 This Plan shall permit up to four dwelling units in a Schmidville Heritage Building, identified on Map 3, Schmidville Heritage Conservation District.~~

~~7.9.4 This Plan identifies maximum permitted heights on Map 2-9. Existing buildings with more than two storeys are permitted a height of 35 feet and existing buildings with two storeys or less are permitted a height of 25 feet. An addition to a Schmidville Heritage Building may match but cannot exceed its existing height.~~

~~7.9.5 — This Plan shall permit additions on Schmidville Heritage Properties that increases the depth of buildings at the rear of the property while preserving minimum rear yards.~~

~~7.9.6 — This Plan shall permit property located on Map 4, Areas where Converted Multiple Dwelling Houses Are Permitted, to be converted into a multiple dwelling house for residential uses with up to ten units.~~

~~7.9.7 — This Plan shall permit the development of dwellings on through lots with frontage on Wright Avenue to frame this street with buildings that have minimum front yard setbacks.~~

~~7.9.8 — This Plan shall ensure that the properties south of Morris Street, identified on Map 3, Schmidville Heritage Conservation District, as Historic Park and Institutional Area, be limited to park and institutional land uses under the Institutional designation, including a school, daycare, community facility, and other similar uses.~~

~~Redevelopment of these properties shall be considered by development agreement if the construction of any addition to an existing building exceeds a footprint of 1,500 square feet or any new building exceeds a footprint area of 1,500 square feet.~~

~~7.9.9 — In considering a development agreement pursuant to policy 7.9.8, Council shall consider the following:~~

- ~~(a) — the architectural design, articulation, materials, and setback of the development is reasonably consistent with the Schmidville Heritage Conservation District Heritage Design Guidelines;~~
- ~~(b) — the height of the development is consistent with the height of adjacent buildings and may transition to a height not exceeding five storeys;~~
- ~~(c) — provisions for park and open spaces within a minimum depth of 40 feet from the street frontage and for the conservation and planting of trees throughout the property;~~
- ~~(d) — provision for vehicular access and egress;~~
- ~~(e) — provision for on site parking;~~
- ~~(f) — provision for site disturbance, erosion control, site grading, and stormwater management;~~
- ~~(g) — provision for on site signage; and~~
- ~~(h) — any development is reasonably consistent with all other provisions of this Plan.~~

~~7.9.10 — This Plan shall establish the Schmidville Heritage Residential (SHR) designation within the Schmidville Heritage Conservation District boundary as shown on Map 3, Schmidville Heritage Conservation District. The land use by-law shall establish the Schmidville Heritage Residential (SHR) Zone and the Schmidville Heritage Residential Commercial (SHRC) Zone within the Schmidville Heritage Residential designation. It is the intent of this Plan to limit mixed use (commercial and residential) developments under the SHRC Zone to existing mixed uses and to Schmidville Heritage Properties with frontage on Clyde Street.~~

~~7.9.11 — Notwithstanding Policy 7.0.3, the Land Use By-law shall require that heights for properties in the SHR designation be measured between the highest point of the roof and the mean grade of the finished ground adjoining the building. This Plan shall ensure that any addition to a building on a Schmidville heritage property shall not exceed the height of the existing building on the lot.~~

~~7.9.12 — Notwithstanding Policy 6.8 but subject to Policy 7.9.9, Council may not consider a development agreement for any development or change in use in any building, part of a building, or on any lot on which a registered heritage building is situated within the Schmidville Heritage Conservation District.~~

8. TRANSPORTATION

~~Objective: Maintenance of the existing transportation system in the South End with an emphasis on balancing transportation requirements of various land uses so as to maintain the quality of all types of environments in the area.~~

~~8.1 The City shall carry out a study of the transportation network within the South End area as part of a study of the transportation system for the Peninsula, and the terms of reference for such study shall include the following:~~

- ~~(i) a review of the appropriateness of the Morris Street, South Street, and Robie Street streetlines with a view to lifting said streetlines unless definitive need for a widened street in this area is determined;~~
- ~~(ii) a review of the traffic circulation in the immediate vicinity of McLean Street with a view to reducing the degree to which truck traffic presents a conflict;~~
- ~~(iii) a review of the Harvey/Church Street traffic situation;~~
- ~~(iv) attention to the requirement for pedestrian circulation, particularly as it relates to the location of community facilities;~~
- ~~(v) a review of truck routes in or at the edges of the area; and~~
- ~~(vi) attention to the context provided by the City's overall transportation policies as set out in Part II, Section II of the Municipal Development Plan.~~

~~8.2 In reviewing applications for major non-residential uses, the City shall pay particular attention to the proposed access and egress locations to City streets for such applications.~~

9. GENERALIZED FUTURE LAND USE MAP

~~9.1 The Generalized Future Land Use Map (Map 9A) shall be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies outlined in this Plan.~~

~~9.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply, as appropriate, but shall be subordinate to the primary objectives and policies.~~

19. Amend Part II by repealing the following maps under Section VI: PENINSULA CENTRE AREA PLAN OBJECTIVES AND POLICIES in their entirety:
- a) Map 1: Peninsula Centre Sub-Areas;
 - b) Map 9B: Generalized Future Land Use – Peninsula Centre; and
 - c) Map 3: Peninsula Centre Area Plan.

20. Amend Part II by repealing Section VI: PENINSULA CENTRE AREA PLAN OBJECTIVES AND POLICIES in its entirety, as shown below in ~~strikeout~~:

~~SECTION VI: PENINSULA CENTRE AREA PLAN OBJECTIVES AND POLICIES~~

~~CONTEXT~~

~~The detailed objectives and policies for Peninsula Centre shall be considered as part of this Municipal Development Plan, pursuant to Part II, Section II, Policy 2.5.2.~~

~~There is no description herein of the analytic underpinnings for the objectives and policies. The reader is referred to the official City of Halifax report entitled Peninsula Centre Detailed Area Plan~~

~~(City of Halifax, 1981) for a description of the analysis and general premises of this Plan.~~

AREA DEFINITION

~~For the purpose of this Municipal Development Plan, the Peninsula Centre Area shall be as set out in Map 1 of this Section VI.~~

DEFINITION OF TERMS

~~Definitions of certain terms used in this Section are as follows and have been included for clarification.~~

<u>TERM</u>	<u>DEFINITION</u>
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This Plan	Means the Peninsula Centre Detailed Area Plan.
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Interior Conversion of	Involves the rearrangement of internal space within a Existing Structures building to change its unit structure. Conversions may involve the addition of stairways or porches to provide access to new units created in the conversion process.
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Family Type Housing Accommodation	Means a dwelling unit containing two or more bedrooms.
--	---

Neighbourhood Convenience Store	Means a grocery store or a drug store.
--	---

1. RESIDENTIAL ENVIRONMENTS

~~Objective: The maintenance of Peninsula Centre as a predominantly low-rise residential neighbourhood with an emphasis on housing accommodation for family households.~~

~~1.1 In the Peninsula Centre Area, residential development shall occur through retention and rehabilitation of housing stock, and provisions shall be made for infill and, in selected areas, redevelopment.~~

~~1.1.1 The City shall encourage the retention and creation of dwelling units suitable for families with children.~~

~~1.1.2 For the purposes of this Plan, a single definition of infill housing shall not be employed. The diverse physical and social elements of residential areas should be respected through the selective application of several forms of compatible infill housing.~~

~~1.1.3 The forms of infill housing permitted in Peninsula Centre shall include:~~

- ~~(a) interior conversion;~~
- ~~(b) additions to existing structures;~~
- ~~(c) filling in between existing buildings; and~~
- ~~(d) building on vacant lots.~~

~~1.1.4 For the purposes of this Plan, the concept of compatibility shall be deemed to require that infill housing projects are compatible with and enhance the existing development context of a neighbourhood. The City shall use as a guideline in considering rezonings, zoning amendments or contract agreements the key principle of not significantly changing the character of an area when reviewing infill housing proposals.~~

- ~~1.1.5 Without limiting the generality of Policy 1.1.4 above, the City shall, in reviewing proposals for compatibility with the surrounding area, have regard for the relationship of the proposal to the area in terms of the following:~~
- ~~(a) land use;~~
 - ~~(b) scale and height;~~
 - ~~(c) population density;~~
 - ~~(d) lot size, lot frontage, setback, lot coverage and open space; and~~
 - ~~(e) service requirements, including parking.~~
- ~~1.1.6 Further to Policy 1.1.5 above, existing development standards will be assessed against their capacity to achieve the policies of this Detailed Area Plan with respect to infill housing and with respect to preservation of existing housing. Existing development standards will be amended as necessary to implement the policies of this Plan.~~
- ~~1.1.7 Further to Policy 1.1.6 above, open space and landscaping will be given special attention to ensure that amenity space in new development projects is useable and to foster attractive residential environments which address the needs of a variety of household types.~~
- ~~1.1.8 The Zoning By-law shall be amended to include height limitations for development in accordance with Policies 4.6.3, 4.7.2, 8.1.1 and 8.4.1 and in accordance with the general intent for land use control as defined by the policies of this Plan. Where there is not specific guidance by the policies of this Plan for specific height limitations, such limitations shall be included based on:~~
- ~~(i) the forms of development and distribution of land use identified on the Generalized Future Land Use Map (Map 2) of this Plan;~~
 - ~~(ii) the necessity to ensure that appropriate development of any given lot may be secured within the policies of this Plan; and~~
 - ~~(iii) to fulfill the policy intent that quality residential, commercial, institutional and industrial environments are maintained and encouraged without undue impact on adjacent land uses.~~
- ~~1.2 The City shall encourage the retention and creation of family type housing in Peninsula Centre.~~
- ~~1.2.1 Family type housing units should be provided with private open space at grade comprising both soft surfaced and hard surfaced areas for the exclusive use of occupants of the building in which said family units are located.~~
- ~~1.2.2 Any new residential development containing more than twenty family type dwelling units should provide a children's play area enclosed on all four sides, landscaped and buffered appropriately, of not less than 2,000 square feet. Such play areas shall be required to be located on the south or west side of the building and be located in such a manner as to be visible from the building.~~
- ~~1.2.3 In reviewing applications for rezonings, zoning amendments, or contract agreements, the City shall be guided by Policies 1.2.4 and 1.2.5 with respect to family type housing units.~~
- ~~1.2.4 Residential development shall be planned to ensure maximum buffering between children's activity areas and parking areas, streets and other similar safety hazards.~~
- ~~1.2.5 For development applications which include family type housing units, the City shall have regard for the provision of opportunities for visual surveillance and supervision of children's play areas through site designs which maximize the views from windows in the building and from public areas to children's activity areas.~~

- ~~1.3 For the purposes of this Plan, the City shall further define residential environments as comprising three categories:~~
- ~~(i) low density residential;~~
 - ~~(ii) medium density residential; and~~
 - ~~(iii) high density residential.~~
- ~~1.4 All new developments in areas designated as low density residential shall be single family dwellings, except as otherwise provided by Policies 1.8, 2.1 and 6.1.1 of this Plan.~~
- ~~1.4.1 The City shall, for areas designated as low density residential on the Future Land Use Map of this Plan, amend its Zoning By-law to provide for interior conversions only of any residential building in existence on the date of adoption of this Plan to convert to a maximum of three units, provided that any such unit is a minimum of 1,000 square feet, that the building does not increase in height or volume, and that one parking space per unit is provided with a requirement that there shall be no parking in the front yard.~~
- ~~1.5 Areas shown as medium density residential on the Future Land Use Map of this Plan shall be regarded as family oriented neighbourhoods which provide a mix of predominantly family housing units in single family dwellings, semi detached dwellings, duplexes, and, where appropriate, rowhousing and buildings which, through conversions or additions, provide apartment accommodation.~~
- ~~1.5.1 In areas designated as medium density residential areas, two family type housing units shall be required for each non family type housing unit in each building, except as otherwise provided for by Policies 1.5.4 and 1.7 of this Plan.~~
- ~~1.5.2 For those areas designated as medium density residential on the Future Land Use Map of this Plan, the City shall amend its zoning by laws to permit interior conversions of or additions to existing buildings to permit up to a maximum of four dwelling units, provided that two family type dwelling units are provided for each non family type dwelling unit, and provided that:~~
- ~~(a) this provision shall apply only to buildings existing on the date of adoption of this By-law;~~
 - ~~(b) one unit shall be permitted where the lot size is less than 3,300 square feet; two units where the lot size is between 3,300 and 5,000 square feet; three units where the lot size is between 5,000 and 6,000 square feet; and a maximum of four units where the lot size is greater than 6,000 square feet;~~
 - ~~(c) 300 square feet of open space shall be provided per family type unit and 50 square feet of open space per non family type unit;~~
 - ~~(d) for buildings with more than two units, one parking space shall be provided per family type unit and one parking space shall be provided for every two non family type units;~~
 - ~~(e) no parking shall be permitted in front yards; and~~
 - ~~(f) no part of the addition, if any, shall exceed the height of the existing structure.~~
- ~~1.5.3 For areas designated as medium density residential on the Future Land Use Map of this Plan, the City shall amend its zoning by laws, specifically the standards for lot size and lot frontage, to accord with the characteristic measurements of a lot in the area.~~
- ~~1.5.4 The City shall, for the properties abutting Coburg Road between Oxford and Spring Garden Road, and the properties abutting Robie Street between Pepperell Street and South Street, which are designated as medium density residential, amend its zoning by laws to permit interior conversions only of existing buildings, provided that any such dwelling units created in such conversions shall be a minimum of 600 square feet, and provided that there is no change in height or volume of such buildings.~~

~~1.5.4.1 The City shall not permit further encroachment of non-residential uses in said areas, except as provided for by Policy 2.1 of this Plan.~~

~~1.5.5 Because of the unique configuration of the property designated medium density on the Future Land Use Map of this Plan and identified as P.I.D. 00137273 Cedar Street and its relationship to abutting properties, no development, other than a detached single unit dwelling, shall be permitted, except by development agreement~~

~~1.5.5.1 Any development permitted pursuant to Policy 1.5.5 shall:~~

- ~~(a) be limited to those uses permitted by the R-2 General Residential Zone;~~
- ~~(b) meet the provisions of the R-2 General Residential Zone of the land use by law; and~~
- ~~(c) be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:
 - ~~(i) land use;~~
 - ~~(ii) architectural design;~~
 - ~~(iii) scale, height and massing of the building;~~
 - ~~(iv) population density;~~
 - ~~(v) lot size, lot frontage, setback, lot coverage and open space;~~
 - ~~(vi) adequacy of the servicing capacity~~
 - ~~(vii) the location and amount of parking provided;~~
 - ~~(viii) accesses to the site and building;~~
 - ~~(ix) site landscaping including buffering; and~~
 - ~~(x) building materials~~~~

~~1.6 Buildings in areas shown as high-density residential on the Future Land Use Map of this Plan shall be required to provide, at a minimum, a mix of family and non-family type dwelling units at a ratio of 1:2.~~

~~1.7 Notwithstanding the policies above, where a residential building is proposed to contain a maximum of two units, only one unit shall be required to be a family-type unit.~~

~~1.8 In areas designated as low density residential or medium density residential, the City shall consider, under the provisions of Section 33(2)(b) of the Planning Act (contract zoning provisions), applications for rowhousing and, as part of that consideration, the City shall require the following:~~

- ~~(i) a minimum site size of 10,000 square feet;~~
- ~~(ii) no demolition of housing stock in existence on the date of adoption of this Plan;~~
- ~~(iii) conformance in all other respects to the rowhousing provisions in the Zoning By-law;~~
- ~~(iv) frontage on a public street;~~
- ~~(v) a minimum unit size of 1,500 square feet;~~
- ~~(vi) a distance of 15 feet between any rowhousing unit and any existing buildings; and~~
- ~~(vii) a side yard of ten feet at each end of the development.~~

~~1.9 In reviewing applications for rezonings, zoning amendments or contract agreements in areas where the Plan provides for a change in use from non-residential uses to residential uses, the City shall be guided by Policies 1.9.1 to 1.9.6 of this Plan.~~

~~1.9.1 Public expenditure for new services which may be required for development at the time of application shall not exceed those currently provided for within the City's capital budget.~~

- ~~1.9.2 The City shall ensure that any trees or other natural vegetation or open spaces affected by the proposed development shall be preserved where possible.~~
- ~~1.9.3 The City shall have regard for the adequacy of outdoor lighting in public and private areas of the development and the sight lines to those areas from all parts of the development.~~
- ~~1.9.4 The City shall have regard for the proximity of the development to recreational facilities including neighbourhood parks, district parks and regional parks. In addition, the availability of informal paths of an active recreational setting within a development shall be assessed and encouraged where appropriate.~~
- ~~1.9.5 The City shall have regard for the serviceability of the development by public transit and give due consideration to any changes in the routing of public transit vehicles or public transit stops to accommodate said development, and, where appropriate, it shall take action through representations to the regional transit authority.~~
- ~~1.9.6 The City shall have regard for the creation of pedestrian linkages between the proposed development, neighbourhood commercial uses, and recreational facilities. Where possible, the City shall encourage improved pedestrian linkages through sidewalk renewal, improved lighting, and appropriate street furniture.~~
- ~~1.10 The City shall consider any disposition of lands which it owns in Peninsula Centre within the policy framework established by this Plan.~~
- ~~1.10.1 When disposing of City owned land, the City shall give priority consideration to residential uses unless said use would be in conflict with the policies of this Plan.~~
- ~~1.10.2 If, by the policies of this Plan, a residential use is inappropriate, the City shall have regard for the areas designated by this Plan for institutional, commercial and/or university areas, and shall seek to promote uses compatible with said land use designations.~~
- ~~1.11 The City shall pay particular attention in developing appropriate zoning regulations to carry out the policies of this Plan, and in reviewing applications for rezonings, zoning amendments or contract agreements for areas of transition between residential and non residential uses, to the relationship between such uses, and shall attempt to minimize any negative impacts which may potentially occur.~~
- ~~1.12 The City shall revise its zoning by laws to provide that, under the provisions of Section 33(2)(b) of the Planning Act, any residential building existing on the date of adoption of this Plan destroyed by fire or otherwise, may be reconstructed to its original size and use, notwithstanding the provisions of the zoning by law which may apply to the property.~~
- ~~1.13 The City shall not seek amendments to legislation of the Province of Nova Scotia respecting Rosebank and Norwood Subdivisions.~~
- ~~1.17 Lands located on Quinpool Road, Pepperell Street, Preston Street and Shirley Street were formerly developed with a commercial bakery (Ben's Bakery Limited). Since the bakery no longer operates, alternative residential, commercial and mixed use redevelopment which does not meet the zoning applied to the lands may be accommodated in this area, provided any proposal properly integrates new uses with adjacent residential areas.~~

~~Therefore, notwithstanding the Medium Density Residential designation and any other policies of this Municipal Planning Strategy, and in conjunction with Policy 2.11 of Section XII of this Municipal Planning Strategy, the Municipality shall consider a comprehensive redevelopment proposal for the entirety of the lands identified by Map 3 of this Section by~~

development agreement, as enabled in accordance with the *Halifax Regional Municipality Charter*.

1.17.1 In considering a development agreement pursuant to Policy 1.17, overall building heights (not including non-habitable space) shall not exceed those shown on Map 3 of this Section. In addition, Council shall have regard for the following:

- a) ~~A comprehensive plan for the development of the lands is provided;~~
- b) ~~The development may include uses permitted by the zoning applied to the lands, or a mix of residential, commercial and institutional uses, provided the form of development respects the residential nature of Pepperell Street, Preston Street and Shirley Street, and directs commercial uses to Quinpool Road;~~
- c) ~~The development provides a range of housing options, by including a mix of residential unit types and sizes. The development may include residential uses permitted by the zone applied to the site, or:
 - i. ~~townhouses on Shirley Street;~~
 - ii. ~~stacked townhouses on Preston and Pepperell Street;~~
 - iii. ~~apartment units, in a range of unit sizes, on Pepperell Street and Quinpool Road;~~
 - iv. ~~supportive housing.~~~~
- d) ~~Where possible, residential units at grade level have individual entrances from the public sidewalk, and use architectural and landscape design details for visual privacy from sidewalks;~~
- e) ~~Residential units have access to on-site amenity space;~~
- f) ~~The development includes high-quality architectural and site design, including:
 - i. ~~high-quality durable exterior building materials for larger buildings;~~
 - ii. ~~defined streetwalls no more than two or three storeys high, with upper storeys stepped back, to ensure human-scaled design for larger buildings;~~
 - iii. ~~setbacks from side and rear property lines and stepbacks in building massing to ensure appropriate transition and mitigate effects on adjacent residential properties, especially for larger buildings;~~
 - iv. ~~variations in the façade and mass of buildings to provide visual interest and establish vertical rhythm, especially for long building frontages;~~
 - v. ~~massing or architectural design features to mitigate the effects of wind where tall buildings are proposed;~~
 - vi. ~~landscaping elements, especially vegetation, in yards and outdoor areas (including rooftops) to provide useable amenity space and act as buffers to adjacent properties;~~~~
- g) ~~The development encourages pedestrian-friendly design by:
 - i. ~~setting buildings back from the street to allow for landscaping;~~
 - ii. ~~including active commercial uses with large windows at the ground floor on Quinpool Road;~~
 - iii. ~~designing details such as entrance treatments, landscaping, lighting and signage to provide visual interest for people walking;~~
 - iv. ~~providing an exterior pedestrian walkway accessible to the public connecting Quinpool Road and Pepperell Street, which includes appropriate landscaping and lighting;~~
 - v. ~~defining vehicular and pedestrian access and egress routes to prioritize people walking, and designing vehicular driveways with appropriate paving materials and landscaping elements to clearly prioritize the pedestrian realm;~~
 - vi. ~~providing an adequate supply of bicycle parking;~~
 - vii. ~~limiting surface parking for vehicles; and~~
 - viii. ~~designing underground parking structures so that a building's ground floor facing the public street is at or near the grade of the sidewalk.~~~~

2. COMMERCIAL FACILITIES

~~Objective: The provision for a variety of neighbourhood convenience stores and minor commercial uses in convenient and accessible locations which do not adversely affect adjacent residential uses.~~

~~2.1 Neighbourhood convenience stores shall require that a limited distance be travelled and should be located within a residential neighbourhood so as to minimize the use of private automobiles to reach them. They should be located at the intersection of local streets, and should occupy only the ground floor of a building. The floor area of grocery stores shall not exceed 1,000 square feet, and the floor area of drug stores shall not exceed 1,400 square feet.~~

~~2.1.1 The City shall not predesignate the location of new neighbourhood convenience stores and shall approve such convenience stores only through a rezoning process to a neighbourhood commercial zone.~~

~~2.1.2 Pursuant to Policies 2.1 and 2.1.1, the City shall amend its Zoning By-law to provide for a residential neighbourhood commercial zone which provides for a maximum of four residential units and one neighbourhood commercial use in any given development.~~

~~2.2 Minor commercial centres should service several neighbourhoods and may include a variety of retail, professional and local office uses in accordance with Part II, Section II, Policy 3.1.2 of the Municipal Development Plan. Minor commercial uses shall be permitted in areas designated as commercial on the Future Land Use Map of this Plan.~~

~~2.2.2 The City shall deny rezonings to permit a minor commercial use in areas not designated as commercial on the Future Land Use Map of this Plan.~~

~~2.3 Commercial uses of a City-wide or regional nature shall not be permitted in Peninsula Centre in accordance with Part II, Section II, Policies 3.2 and 3.2.1 of the Municipal Development Plan.~~

3. INSTITUTIONS

~~Objective: The provision of local institutional uses to serve the needs of the residents of Peninsula Centre and adjacent residential areas, and the containment of major institutional uses of a City-wide, regional or provincial nature within prespecified boundaries.~~

~~3.1 The development of institutional uses shall be restricted to the area designated for such uses on the Future Land Use Map of this Plan.~~

~~3.1.1 The City shall, in considering rezoning applications for institutional uses in designated areas, normally not approve major institutional uses such as hospitals and such institutional uses as clubs where the specific use requested is not restricted to a use which is primarily recreational in nature. The City in considering such applications shall have regard for impacts on adjacent residential areas, other institutional uses and whether the use proposed is appropriate in terms of the intents of this Plan.~~

~~3.1.2 The City shall ensure that the built form of major institutional developments is compatible with the scale, proportion and setback of adjacent non-institutional uses.~~

~~3.1.3 Facilities related to major institutional uses shall not be permitted to locate in residential areas. Such facilities shall be required to locate within the areas designated for said uses.~~

~~3.2 Institutional uses of a local nature, such as, but not limited to, schools and places of~~

worship shall be encouraged to remain in their present locations.

~~3.2.1 The City shall give priority consideration to re-use of properties previously used for local institutional uses to uses which are neighbourhood-serving and which include medium-density residential, recreation, community facilities and/or private non-profit activities.~~

~~3.3 For that area located generally between Coburg Road, South Street, Oxford Street and the railway cuts designated as "Institutional", the City may consider applications for rezoning to low density university use.~~

~~4. UNIVERSITIES~~

~~Objective: The continued development of university areas as a focal point for academic, social and cultural activities, and the containment of university uses within prespecified boundaries.~~

~~4.1 University uses shall be restricted to the areas designated for such uses on the Future Land Use Map of this Plan, and within such areas university uses shall be encouraged.~~

~~4.2 The City shall require the orderly development of areas designated "University" and unless extraordinary circumstances warrant changes, the City should not consider amendments to this Plan which would allow expansion of said areas until such time as all potential building sites within said areas have been used.~~

~~4.3 Where a university prepares a master plan for its campus, the City shall request participation in that process and shall respond to such plans within the context of the policies of this Plan.~~

~~4.4 The City shall amend its Zoning By-law to require that development at the interface of residential areas maintains the scale of existing residential areas and is compatible with the proportion, setback and building lines of those areas.~~

~~4.5 Pursuant to Policy 4.4 above, the City shall amend its Zoning By-law to provide for two university zones: a high density zone which would allow all university uses, and a low-density zone which would allow only university uses which would have minimal impacts on adjacent residential uses.~~

~~4.6 In areas which are zoned for high-density university use, pursuant to the policies of this Plan, the City shall allow intense university uses and university uses which generate a significant level of activity, except as provided for by Policy Set 4.6 herein.~~

~~4.6.1 The City shall amend its Zoning By-law to permit intense university uses at the periphery of university areas where they front on City streets, as set out in Policies 4.6.2 and 4.6.4 below, provided that design and circulation elements of any proposal are sufficient so as to ensure that potential negative impacts on adjacent residential areas are minimized, and provided that the scale and setback of buildings is appropriately regulated.~~

~~4.6.2 In any area designated as university on the Future Land Use Map of this Plan, the City shall amend its Zoning By-laws to require a setback along South Street from LeMarchant Street to Oxford Street, along Oxford Street from South Street to Coburg Road, and along Coburg Road from Oxford Street to LeMarchant Street of a minimum of 50 feet.~~

~~4.6.3 Pursuant to Policy 4.6.2 above, the Zoning By-law shall be amended to provide that any development which is located within the area designated as university and which borders the 50 foot setback requirement shall be restricted to a height of 55 feet or five storeys, such height limitation to be maintained to a distance from the street line of 75 feet for all~~

~~streets except Coburg Road, where the distance shall be required to be 100 feet and the buildings should be required to include facade articulation elements for those facades which face City streets.~~

- ~~4.6.3.1 The City shall amend its Zoning By law to permit a structure to a maximum height of five feet within the setback area defined in Policy 4.6.3 above, provided such structure is set back a minimum of 15 feet from the street line.~~
- ~~4.6.4 The City shall amend its Zoning By law to permit intense university uses to the street line along University Avenue west of Robie Street and to require a rear yard setback of 20 feet for any university use which abuts University Avenue between Henry Street and Robie Street.~~
- ~~4.7 In areas which are zoned for low density university uses, the City shall amend its Zoning By law to require careful treatment of said uses and consideration shall be given to the following:~~
- ~~(i) uses which are located on local streets shall, for the most part, be limited to uses for academic offices, seminar rooms and university residential uses;~~
 - ~~(ii) university residential uses shall be developed in conformity with the scale and character of the surrounding residential area;~~
 - ~~(iii) the siting of buildings on lots shall be required to generally conform to the characteristics of surrounding residential areas; and~~
 - ~~(iv) parking lots shall not be permitted in such areas unless such parking lots are adequately buffered from City streets or from adjacent residential uses.~~
- ~~4.7.1 The City shall encourage re-use of existing buildings for university uses in areas zoned for low density university use and shall encourage renovation and a greater intensity of uses within the scale and characteristics of surrounding residential areas.~~
- ~~4.7.2 In areas which are zoned for low density university uses, such zone shall include provisions to restrict heights of buildings to 35 feet or four storeys, and to require setbacks which accord with the characteristic setback on the street.~~
- ~~4.7.3 The City shall permit rezoning to periphery university use only where the existing zoning is residential in the area designated "university" on the Future Land Use Map of this Plan between LeMarchant and Robie Streets, and where the intended use does not front on University Avenue, provided that all other intents of this Plan are satisfied.~~
- ~~4.8 The City shall encourage the provision of adequate parking facilities associated with university uses.~~
- ~~4.8.1 The City shall encourage Dalhousie University to continue its present policy of attempting to buffer parking areas and attempting to introduce high quality design standards for university uses at the periphery of university areas.~~
- ~~4.8.2 The City shall amend its Zoning By law to require that all parking lots in areas on the periphery of the university area be buffered from adjacent residential uses.~~
- ~~4.8.3 The City shall require that, as new university development proceeds at a minimum, parking shall be maintained at its present level, which, at the time of adoption of this Plan, was 1,730 parking spaces.~~
- ~~4.8.4 The City shall encourage Dalhousie University, should it consider a major parking facility, to locate such facility in an appropriate manner within the context of the policies of this Plan adjacent to South Street and opposite the present Sports Complex location.~~

~~4.9 The City shall continue to encourage effective use of public transit by university employees and students.~~

~~4.10 The City shall not permit any university use in areas which are not designated for same on the Future Land Use Map of this Plan unless such uses are permitted by the Zoning By-law and except as provided for by Policy 3.3 of this Plan.~~

5. COMMUNITY FACILITIES

~~Objective: The provision of community services and facilities for residents of Peninsula Centre in a variety of settings readily accessible to residential areas.~~

~~5.1 The City shall encourage the maintenance of existing community facilities of both a public and private nature in their present location.~~

~~5.2 In considering the re-use of existing community facilities such as schools, the City shall consult with the residents of the area through a public meeting forum to determine priorities for re-use of such facilities.~~

6. HERITAGE RESOURCES

~~6.1 The City shall continue to seek the preservation, rehabilitation and restoration of areas, streetscapes, buildings, features and spaces in the Peninsula Centre area consonant with the City's general policy stance on heritage preservation (See Section II, Policy Set 6).~~

~~6.1.1 For the registered heritage property, known as Thornvale, Thornvale Avenue, the City may permit by contract agreement any use other than those permitted by the zoning designation of the area (for instance, a professional office use) where said use would not unduly disrupt adjacent residential uses in terms of traffic generation, noise, hours of operation, parking requirements and such other land use impacts as may be identified as part of the review process.~~

7. TRANSPORTATION

~~Objective: Maintenance of the existing transportation system in the Peninsula Centre area with an emphasis on discouraging through traffic on local streets.~~

~~7.1 The City shall carry out a study of the transportation network within the Peninsula Centre area and the terms of reference for such study shall include the following:~~

- ~~(i) an emphasis on reducing through traffic on local streets and an emphasis on reducing the volume of traffic on streets which are primarily residential in use and which are not designed as major arterials;~~
- ~~(ii) attention to the requirement for pedestrian circulation particularly as it relates to the location of community facilities; and~~
- ~~(iii) attention to the context provided by the City's overall transportation policies as found in Part II, Section II of the Municipal Development Plan.~~

~~7.2 Notwithstanding Policy 7.1 above, the City shall continue to attempt to reduce the incidence of through traffic on residential streets in the Peninsula Centre area where such streets are not equipped to handle volumes of traffic of a level suited to arterial streets.~~

~~7.3 The City shall require that particular attention be paid in preparation of the Quinpool Road Detailed Area Plan to the potential for increased residential traffic in adjacent~~

~~residential areas in the Peninsula Centre area.~~

~~7.4 In reviewing applications for rezonings, zoning amendments or contract agreements for major non-residential uses, the City shall pay particular attention to the proposed access and egress locations to City streets for such applications.~~

~~7.5 The City shall actively seek to reduce the use of residential streets for commuter parking, including seeking authority for a residential parking sticker system.~~

8. SUB-AREA POLICIES

Sub-Areas

~~Definition: For the purpose of setting out the detailed sub-area policies of this Plan, sub-areas shall be identified as shown on Map 1.~~

8.2 NORTHWEST ARM SUB-AREA

~~8.2.1 In any area shown as low density residential, which is located within the area defined in Policy 8.2.1.1 along the present shoreline of the Northwest Arm only single family dwellings shall be permitted and development by agreement pursuant to Policy 1.8 shall not be considered. For those lots which front on the Northwest Arm such dwellings shall be on lots with a minimum lot area of 8,000 square feet, a minimum distance of 30 feet between buildings, and a minimum setback from the shoreline of 30 feet.~~

~~8.2.1.1 The area for which Policy 8.2.1 applies shall be that area between the Northwest Arm and a line as follows: beginning at the northern boundary of Peninsula Centre at Armview Avenue, extending along Armview Avenue to Pryor Street, along Pryor Street to Jubilee Road, along Jubilee Road to Fairfield Road, along Fairfield Road to a line extending southerly along the eastern boundaries of the properties between Fairfield Road and Coburg Road, to Coburg Road, thence along Birchdale Avenue to the southernmost property line of Civic No. 1462 Thornvale Avenue, thence along said property line to Thornvale Avenue, thence southerly along Thornvale Avenue to its intersection with Webster Terrace, thence along Webster Terrace to South Street, thence along the rear property lines of the properties fronting on the Northwest Arm to the southern boundary of Peninsula Centre.~~

~~8.2.1.2 Notwithstanding the provisions of Policy 8.2.1, for the area identified in Policy 8.2.1.1, the City shall exempt Lots 6 and 7 of Thornvale Subdivision from such provisions in the Zoning By-law and shall require that said lots be developed in accordance with the provisions of the R-1 Zone.~~

~~8.2.1.3 Notwithstanding the provisions of Policy 8.2.1 for the area identified in Policy 8.2.1.1, the addition of an 18th dwelling unit through interior conversion of the existing building identified by civic number 6770 Jubilee Road (LRIS PID No. 00079038) may be considered by an amendment to the existing development agreement for the subject property (approved by Council on July 15, 1982).~~

~~8.2.1.3.1 Any development permitted pursuant to Policy 8.2.1.3 shall be designed so that there are no change in the scale, height, and lot coverage of the existing building. When determining whether to enter into such an amending agreement, consideration shall be given to the following matter:~~

~~1. That structural changes to the exterior of the existing building are of a minor nature.~~

~~8.2.2 The City shall seek to provide a public pathway along the Northwest Arm only in the following ways:~~

- ~~(i) on publicly owned lands when control of use is available in such a manner as to prevent nuisance to adjacent properties; and~~
- ~~(ii) in cases where redevelopment is proposed, where the conditions identified in (i) above obtain, and where agreement with the landowner can be negotiated.~~

~~8.2.3 The City shall require that any change in use of lands in an area designated as institutional shall be restricted to uses primarily recreational in nature and related to the Northwest Arm.~~

~~8.2.4 The City shall require that views down existing City streets to the Northwest Arm be maintained.~~

~~8.4 CAMP HILL SUB-AREA~~

~~8.4.1 The City shall amend its zoning by law, as it applies to the property of Camp Hill Hospital, to include:~~

- ~~(i) a requirement for a setback equivalent to the facade of the existing building from the Robie Street street line for any building fronting on Robie Street; and~~
- ~~(ii) a height limitation of six storeys at the setback line identified in (i) above for any building fronting on Robie Street.~~

~~8.4.2 The City shall discourage the use of Jubilee Road as a main thoroughfare to and from the institutional areas on Robie Street.~~

~~8.4.3 In any development of the Camp Hill Hospital Complex, the City shall consider as access requirement that the primary access to the site be located on Summer Street and that the primary traffic egress from the site be located on Robie Street with right turns only permitted at that point.~~

~~9. GENERALIZED FUTURE LAND USE MAP~~

~~9.1 The Generalized Future Land Use Map should be considered as the expression of intent of the City of Halifax for a future land use pattern, based on the policies outlined in this Plan.~~

~~9.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.~~

21. Amend Part II by repealing the following maps under Section XI: PENINSULA NORTH AREA PLAN OBJECTIVES AND POLICIES in their entirety:

- a) Map 1: Peninsula North Plan Area Boundary;
- b) Map 3: Brunswick Street Heritage Area;
- c) Map 9Ga: Peninsula North Planning – Area 1;
- d) Map 9Gb: Peninsula North Planning – Area 2;
- e) Map 9Gc: Peninsula North Planning – Area 3;
- f) Map 9Gd: Peninsula North Planning – Area 4;
- g) Map 9Ge: Peninsula North Planning – Area 5;
- h) Map 9Gf North: Peninsula North Planning – Area 6 – North;
- i) Map 9Gf South: Peninsula North Planning – Area 6 – South;
- j) Map 9Gg: Peninsula North Planning – Area 7; and

k) Map 9Gh: Peninsula North Planning – Area 8.

22. Amend Part II by repealing Section XI: PENINSULA NORTH AREA PLAN OBJECTIVES AND POLICIES in its entirety, as shown below in ~~strikeout~~:

~~SECTION XI: PENINSULA NORTH SECONDARY PLANNING STRATEGY~~

~~AREA DEFINITION~~

~~The Peninsula North Area shall be as set out in Map 1 of this Section.~~

~~OVERALL OBJECTIVE~~

~~To create a lively and interesting environment in Peninsula North with a mixture of land uses and a physical environment that is aesthetically pleasing, safe, and well-maintained.~~

~~1. RESIDENTIAL ENVIRONMENTS~~

~~Objective: Stable residential communities in Peninsula North that offer a variety of housing types to meet the needs of a range of income and age groups.~~

~~1.1 To foster stable residential areas and to preserve the character of Peninsula North, the retention and rehabilitation of structurally sound housing units shall be encouraged.~~

~~1.1.1 Where redevelopment is proposed for sites with structurally sound housing units, the retention and rehabilitation of such existing units and the integration of new structures with these shall be encouraged.~~

~~1.1.2 In the area bounded by Cunard, Robie and Oxford Streets, and Chebucto and Quinpool Roads, those forms of housing that provide opportunities for low-rise senior citizen accommodation shall be encouraged.~~

~~1.1.3 The property located at the southeast intersection of Harvard Street and Chebucto Road (6328 Chebucto Road; LRIS PID No. 133496) shall be zoned to permit a corner grocery store.~~

~~1.1.4 In the area bounded by North, Robie, Cogswell and Barrington Streets, with exception of the portion falling outside of Peninsula North Area, housing options for all income levels will be encouraged; developments that address the needs of surrounding community and help promote neighbourhood stability shall also be encouraged.~~

~~1.2 In this Section, residential environments means:~~

- ~~(i) low density residential;~~
- ~~(ii) medium density residential; and~~
- ~~(iii) high density residential.~~

~~1.2.1 In areas shown as low density residential on the Generalized Future Land Use Map of Section XI, single-detached housing development shall be permitted.~~

~~1.2.2 Further to Policy 1.2.1 the land use by-law requirements for development shall be more in keeping with the present development pattern in respect to such matters as lot size, lot area and front yard setbacks.~~

~~1.3 In areas shown as medium density residential on the Generalized Future Land Use Map of~~

~~Section XI, residential development in the following forms shall be permitted:~~

- ~~(i) single family dwellings;~~
- ~~(ii) duplex housing;~~
- ~~(iii) semi-detached housing; and~~
- ~~(iv) buildings containing three or four units.~~

~~1.3.1 In medium density residential areas the conversion of structures existing at the date of approval of the applicable area of Section XI as shown on Map 1 to a maximum of two apartment units per structure, shall be permitted provided:~~

- ~~(i) there is no increase in the height or volume of the building;~~
- ~~(ii) that one unit contains two or more bedrooms;~~
- ~~(iii) there is one parking space for every dwelling unit; and~~
- ~~(iv) the minimum parking size and location on the lot is regulated.~~

~~1.3.2 Notwithstanding the medium density residential designation and Policy 1.3, along the north side of North Street between Clifton Street and Gladstone Street certain properties shall be zoned to use. More specifically, Civic 6129 North Street shall be zoned minor commercial; and Civic 2609 Gladstone Street shall be zoned high density residential.~~

~~1.3.3 In Area 5 of this Section, the conversion of buildings existing on 14 July 1979 in the Medium Density Residential areas south of Russell Street (NIP III area), for more intensive residential uses shall be encouraged in order to promote investment in the existing residential buildings, and to strengthen the residential character of the area.~~

~~1.3.3.1 In the area described in Policy 1.3.3 above, the conversion of an existing building to a maximum of four residential units per structure shall be permitted provided that:~~

- ~~(i) there is no increase in the height or volume of the building;~~
- ~~(ii) at least one of the units in the converted building contains 2 or more bedrooms.~~

~~1.3.4 The conversion of buildings existing on 14 July 1979 in the Medium Density area bounded by North, Gottingen, Cogswell, North Park and Agricola Streets (NIP I) for more intensive residential uses shall be encouraged in order to promote investment in the existing residential buildings and to strengthen the residential character of the area.~~

~~1.3.4.1 In the area described in Policy 1.3.4 above, the conversion of an existing building to a maximum of four residential units per structure shall be permitted provided that:~~

- ~~(a) there is no increase in the height and volume of the building;~~
- ~~(b) at least one of the units in the converted building contains two or more bedrooms.~~

~~1.3.5 Notwithstanding the Medium Density Residential designation and Policy 1.3, certain properties within Area 7 of this Section shall be zoned as general residential conversion and townhouse to maintain the conformity of some existing developments and to allow limited redevelopment potential for other properties.~~

~~1.3.6 Notwithstanding the Medium Density Residential designation and Policy 1.3, certain townhouse developments shall be zoned to use in order to maintain conformity. More specifically, Civic 2414-2450 Creighton Street and 2096-2122 and 2012-2020 Bauer Street shall be zoned as general residential conversion and townhouse.~~

~~1.3.7 In Areas 6 and 8 of this Section, the land use by law shall include specific provisions for the development of one family dwelling houses with respect to lot size, side yard setbacks, and lot coverage, in order to maintain the traditional development pattern characterized by the~~

~~size of lots and building placement.~~

- ~~1.3.8 — In Areas 6 and 8 of this Section, the land use by law shall include a provision to allow the development of any lot existing on the date of adoption of this Section for a one family dwelling house if the lot does not meet minimum lot frontage and lot area requirements.~~
- ~~1.4 — In areas shown as high density residential on the Generalized Future Land Use Map of Section XI, residential development in the following forms shall be permitted:~~
- ~~(i) — low density residential;~~
 - ~~(ii) — medium density residential;~~
 - ~~(iii) — apartment houses.~~
- ~~1.4.1 — In the area bounded by North, Robie, Cogswell and Barrington Streets, with exception of the portion falling outside of Peninsula North Area, housing options for all income levels will be encouraged; developments that address the needs of surrounding community and help promote neighbourhood stability shall also be encouraged.~~
- ~~1.4.6 — In Area 7 of this Section, the land use by law shall include a height limit to maintain the existing medium rise form and to protect surrounding residential uses, for certain properties designated High Density Residential on the west side of Gottingen Street.~~
- ~~1.4.7 — In Area 6 of this Section, the land use by law shall include a height limit to maintain the existing low rise form and ensure compatibility with the character of surrounding neighbourhoods, for any property designated High Density Residential.~~
- ~~1.6 — In Area 3 of this Section Implementation Policy 3.14 may be used in considering development agreements to permit the reconstruction of any non-conforming residential use destroyed by fire or otherwise to an extent of 75 percent or more of market value.~~
- ~~1.8.3 — Notwithstanding any other policies, the Land Use By law shall allow for the reconstruction of an apartment building that was in existence immediately before it was demolished on March 3, 2006, at the South East corner of Creighton and Buddy Daye Streets (PID 40877202).~~

~~2. COMMERCIAL FACILITIES~~

~~Objective: A variety of appropriately located commercial facilities to serve the needs of both the resident and working populations of Peninsula North and the City as a whole.~~

- ~~2.2 — In areas designated as minor commercial centres, commercial centres, commercial uses serving more than one neighbourhood shall be permitted. They shall include such uses as retail shops, rental services, household repair shops, personal services, offices, specified entertainment uses, institutions, restaurants, service stations, community centres, but shall not include billboards. Medium density residential uses shall also be permitted.~~
- ~~2.2.1 — In areas designated as minor commercial centres, a mix of residential and commercial uses in one structure should be encouraged and the land use by law shall permit this. Residential uses shall be encouraged to locate in commercial buildings provided that the following conditions are met:~~
- ~~(i) — that residential uses are located above the first floor;~~
 - ~~(ii) — there is a maximum of four dwelling units;~~
 - ~~(iii) — there is separate access at the ground level;~~
 - ~~(iv) — provision of one parking space for every unit of two or more bedrooms and for every four or less bachelor and one bedroom units.~~

~~2.2.3 Notwithstanding the Minor Commercial designation and Policy 2.2, certain commercial uses shall be zoned as general business in order to maintain conformity. More specifically, Civic 5663-69 and 5562-68 Cornwallis Street and 2223 North Park Street shall be zoned as general business.~~

~~2.2.4 The land use by law shall include provisions for the Minor Commercial zone, which require building setbacks and the buffering of any on-site parking areas, to protect residential areas from the impact of adjacent commercial uses.~~

~~2.5 In Area 6 of this Section, the land use by law shall include a height limit to maintain the existing low rise form and ensure compatibility with the character of surrounding residential neighbourhoods, for any property zoned as general business.~~

~~3. INSTITUTIONS~~

~~Objective: An environment in which institutional uses may co-exist in harmony with surrounding uses.~~

~~3.1 Concentrations of institutional uses shall be discouraged. In addition to areas shown as Institutional on the Generalized Future Land Use Map of this Peninsula North Strategy, future institutional uses may be considered in all areas through rezoning.~~

~~3.1.1 Rezoning to institutional use in areas designated residential shall be considered only where the use or uses permitted in the zone are related to and serve the needs of the residents of the area, and are compatible with adjacent uses in terms of scale, height, and architectural features.~~

~~3.3 Where federally owned land is no longer required for such purposes as Canadian Armed Forces and Canadian National Railways use, the City shall encourage the use of the land for purposes in accord with the policies of this Section.~~

~~4. RECREATION~~

~~Objective: The increase and improvement of the variety and useability of recreation land and facilities in Peninsula North.~~

~~4.1 The improvement of existing recreation spaces shall be sought by such means as upgrading facilities, improving landscaping, and adding new facilities.~~

~~4.2 On City owned recreation land in Peninsula North, the City shall emphasize intensity of use and shall attempt to provide a variety of activities for a variety of user groups.~~

~~4.3 The City shall, after consultation with the community, attempt to provide adequate lighting of community playing fields to improve the safety and promote greater use of these spaces.~~

~~4.4 The City shall seek additional land for the creation of tot lots, neighbourhood, and community parks. The City should consider potential recreation sites that are a minimum of 5,000 square feet.~~

~~4.5 In the acquisition of land for small scale recreation use, the preference shall be given to locations that are:~~

- ~~(i) appropriately dispersed throughout the area;~~
- ~~(ii) removed from principal streets, truck routes, or busy intersections;~~
- ~~(iii) close to concentrations of housing units;~~

- ~~(iv) visible from the street; and~~
- ~~(v) of suitable topography to accommodate a variety of uses.~~

~~4.5.1 In the development of sites for community or neighbourhood recreation spaces, the following should be provided:~~

- ~~(i) a sense of enclosure;~~
- ~~(ii) protection from the wind;~~
- ~~(iii) the multi-use of recreation spaces by such means as creating small playing and activity spaces; and~~
- ~~(iv) a sense of safety by such means as positioning parks to maximize surveillance from the street and adjacent residential structures.~~

~~4.6 The City shall provide opportunities for the participation of people living within a one-half kilometre radius of a neighbourhood park and for community parks, within a one-kilometre radius in the planning of facilities for small-scale City-owned recreation spaces.~~

~~4.6.1 The City should make use, whenever possible, of land on a temporary basis for recreation purposes where permanent park facilities are not available.~~

~~4.6.2 The City shall seek to negotiate the use of large parking lots as multi-use courts when they are not in use for parking.~~

~~4.7 The City shall investigate the use of public rights-of-way, public or private lanes or sections of local streets for neighbourhood open spaces, pedestrian and/or bicycle paths where the location is suitable for such use.~~

5. TRANSPORTATION

~~Objective Transportation facilities in Peninsula North that will decrease the negative effects of through traffic on residential streets, facilitate the movement of vehicles associated with light-industrial, business and service uses, and minimize traffic conflicts.~~

~~5.1 Means of promoting the safety of bicycle use between residential areas of Peninsula North and the Central Business District shall be investigated.~~

~~5.2 The traffic implications of proposals for any large-scale developments shall be assessed and developers encouraged to take measures to alleviate or avoid potential traffic problems, particularly on residential streets.~~

~~5.3 The possibility of providing municipal parking lots in Peninsula North in appropriate locations when alternate parking solutions are not possible shall be investigated. Such parking lots should be paved and adequately buffered from the street and adjacent uses and should only be provided on a cost-recovery basis.~~

~~5.3.1 A study to investigate parking solutions for the problems created by the winter parking ban shall be undertaken.~~

6. ENVIRONMENT

~~Objective: An energy-efficient lifestyle in Peninsula North and an aesthetically pleasing environment for the activities that take place in the area.~~

~~6.1 Whenever possible, on lands in Peninsula North that are in the ownership of the City, the City shall encourage the inclusion of energy-efficient design features in any new residential development projects and the siting of structures in a southerly direction.~~

- ~~6.2 — The City shall continue its tree planting program to ensure that all streets benefit.~~
- ~~6.3 — The City should consider, wherever appropriate, the use of coniferous trees in its tree planting or landscaping programs.~~
- ~~6.4 — In all cases in which landscaping or buffering is required, the use of coniferous trees on the north, west and east sides of the property, and deciduous trees on the south side shall be encouraged unless inappropriate to the specific use or site.~~
- ~~6.5 — Means of improving the environment of minor commercial areas shall be investigated. Improvements should include such items as public benches for use by shoppers, the use of planters or trees along the street, and improvements of sidewalk conditions.~~

7. CANADIAN FORCES BASE STADACONA

~~Objective: An environment in which CFB Stadacona can develop and grow in a manner which both benefits the economy of the City of Halifax and the Metropolitan region and respects the surrounding urban fabric.~~

- ~~7.1 — The city recognizes the importance of CFB Stadacona to the economy of the City of Halifax and to the metropolitan region. As such, the city encourages development and growth at CFB Stadacona which will contribute to the future growth of employment and the economic base of Halifax.~~
- ~~7.2 — CFB Stadacona is located within an urban area and is surrounded by commercial, residential and industrial uses. Changes on CFB Stadacona have the potential to impact these surrounding areas. Given this, the city encourages the Canadian Armed Forces to consult with the city if it anticipates change which:~~
- ~~(i) — affects any registered heritage building on CFB Stadacona;~~
 - ~~(ii) — directly affects the visual presentation of the periphery of the base to city streets and to surrounding properties. These changes include: the removal of mature trees; landscaping; the demolition and erection of fences and walls; and signage;~~
 - ~~(iii) — involves the acquisition of properties for base expansion.~~
- ~~7.3 — CFB Stadacona should be restricted to the area designated on the Future Land Use Map of this Plan as Canadian Forces Base, and within this area, such military uses shall be encouraged.~~
- ~~7.3.1 — Any expansion of the base to the north should retain a clear division between CFB Stadacona and private residential uses.~~
- ~~7.4 — The city encourages the Canadian Armed Forces to seek cooperative solutions to parking issues related to CFB Stadacona.~~
- ~~7.4.1 — The city encourages the use of public transit by military employees at CFB Stadacona.~~

8. INDUSTRIES

- ~~8.1 — The areas designated "Industrial" shall be governed by Part II, Section II, the Industries Policy Set.~~

9. HERITAGE RESOURCES

~~Objective: The preservation, maintenance and enhancement of buildings, areas, streetscapes and~~

~~conditions which contribute to the heritage character of certain areas of Peninsula North.~~

~~9.1 — The City shall control the height of new development within the Peninsula North area in the vicinity of Citadel Hill, pursuant to Policies 6.3, 6.3.1, 6.3.2 and 6.3.3 of Section II.~~

~~9.2 — All new buildings shall be located so that the views to the Harbour from Citadel Hill, as specifically delineated in the City of Halifax land use by-law regarding viewplanes, are maintained.~~

~~9.3 — In order to preserve existing structures which are not registered heritage properties, and to promote new development which reflects the architectural character of existing heritage structures and maintains the streetscapes of Brunswick Street, the city shall, through the land use by-law, identify areas where specific architectural controls, standards for building placement, and criteria for building conversion would be desirable.~~

~~9.3.1 — In the area identified in the land use by-law pursuant to Policy 9.3 above, and shown on Map 3: Brunswick Street Heritage Area, the conversion of a building existing on the date of approval of this section into a converted multiple dwelling house, in the Medium Density Residential Area, shall be permitted in order to encourage the retention of existing buildings in the Brunswick Street area which contribute to the heritage streetscape.~~

~~9.3.1.1 — In the area identified in the land use by-law pursuant to Policy 9.3.1 above, the conversion of an existing building, which is not a registered heritage property or an accessory use, to a converted multiple dwelling house shall be permitted provided that:~~

- ~~(i) — there is no increase in the height or volume of the building;~~
- ~~(ii) — there are not major changes to the facade of the existing building;~~
- ~~(iii) — at least one unit for every five in the converted building contains two or more bedrooms.~~

~~9.3.2 — In the area identified in the land use by-law pursuant to Policy 9.3 above, a new apartment house with over four dwelling units, or an addition to an existing building which produces an apartment house with over four dwelling units, may be permitted in areas zoned as general residential by development agreement; any such residential development in the area zoned as general residential conversion and townhouse, multiple dwelling, or general business, shall only be by development agreement.~~

~~9.3.2.1 — In considering agreements pursuant to Policy 9.3.2, Council shall consider the following:~~

- ~~(a) — the building or addition shall complement adjacent properties and uses, particularly any adjacent registered heritage buildings;~~
- ~~(b) — the impact of vehicle access and egress and parking on adjacent properties and uses shall be minimized;~~
- ~~(c) — the new development shall complement or maintain the existing heritage streetscape of Brunswick Street, by ensuring that features, including but not limited to the following, are similar to adjacent residential buildings particularly any registered heritage properties in the area identified in the land use by-law pursuant to Policy 9.3 above, on which Council shall specify conditions to be met in the development agreement:
 - ~~(i) — architectural design including building forms such as roofs, entrances, porches and dormers;~~
 - ~~(ii) — height, scale and massing;~~
 - ~~(iii) — location and style of building details such as doors, windows and exterior walls;~~
 - ~~(iv) — front and side yard setbacks;~~
 - ~~(v) — building materials.~~~~
- ~~(d) — open space and landscaped areas shall be provided where appropriate;~~

~~(e) other relevant land use considerations which are based on the policy guidance of this Section.~~

~~9.4 Any development or change in use of any registered heritage property, not otherwise permitted by the land use by law, shall comply with the provisions set out in the Heritage Resources policies of Section II.~~

~~9.5 Any development on the west side of Brunswick Street, located outside the Brunswick Street Heritage Area, should reflect the heritage character of existing structures on Brunswick Street.~~

~~9.6 To promote the residential development of the Brunswick Street Heritage Area, through traffic on Brunswick Street between North and Cornwallis Street should be discouraged and alternate routes for this traffic investigated.~~

~~9.6.1 The City shall encourage development at CFB Halifax (Dockyard) which does not conflict with Policy 9.6 of this Section.~~

10. GENERALIZED FUTURE LAND USE MAP

~~10.1 The Generalized Future Land Use Map (Map 9G) should be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies in this Peninsula North Strategy.~~

~~10.2 The areas of future land use shown on the Generalized Future Land Use Map (Map 9G) shall be determined primarily by the objectives and policies that correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.~~

~~10.3 Notwithstanding any other provision of this Strategy, a Development Permit may be issued by the Development Officer for a project in respect of which approval was given by Council and where no decision of the Municipal Planning Board has been given reversing such approval, provided that the development agreement is completed within the time limit specified in the development agreement.~~

23. Amend Part II by repealing the following maps under Section XII: QUINPOOL ROAD COMMERCIAL PLAN OBJECTIVES AND POLICIES in their entirety:

- a) Map 1: Quinpool Road Commercial Area Plan Boundary; and
- b) Map 9H: Generalized Future Land Use – Quinpool Road.

24. Amend Part II by repealing Section XII: QUINPOOL ROAD COMMERCIAL PLAN OBJECTIVES AND POLICIES in its entirety, as shown below in ~~strikeout~~:

~~SECTION XII: QUINPOOL ROAD COMMERCIAL AREA PLAN OBJECTIVES AND POLICIES~~

~~AREA DEFINITION~~

~~For the purposes of this municipal planning strategy, the Quinpool Road Commercial Area Plan includes the area shown on Map 1.~~

~~OVERALL OBJECTIVE~~

~~The encouragement of commercial and mixed commercial/residential development which strengthens the community function of the Quinpool Road area, and is in keeping with the scale and character of the adjacent residential neighbourhoods.~~

2. COMMERCIAL FACILITIES

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

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

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

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

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

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

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

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

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

~~Any development over 62 metres shall only be considered if:~~

- ~~(a) the property owner provides a contribution in the form of:
 - ~~(i) ten affordable housing and all electric and utility wires adjacent to the development be buried underground along Quinpool Road and Robie Street; or~~
 - ~~(ii) twenty affordable housing units; or~~
 - ~~(iii) Council accepts money in lieu of the contribution of an equivalent value for affordable housing units; and~~~~
- ~~(b) an incentive or bonus zoning agreement is entered into, as set out in the land use by-law.~~

~~2.10.3 The land use by law may set conditions, including performance standards, that shall be met before a development permit may be issued.~~

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

- ~~(a) the proposal is a comprehensive plan for the development of the lands in their entirety and does not include phasing;~~
- ~~(b) Policies 2.10.1 and 2.10.2 are satisfied;~~
- ~~(c) the tower portion of the development shall comply with the following massing and height requirements:
 - ~~(i) the tower shall not exceed:
 - ~~(A) an overall height of 78 metres, inclusive of all mechanical spaces, penthouses, and other structures,~~
 - ~~(B) a width of 39.6 metres in the elevation parallel to Quinpool Road,~~
 - ~~(C) a width of 17.7 metres in the easternmost third of the building facing the Halifax North Common, and~~
 - ~~(D) a width of 22.6 metres in its western elevation; and~~~~
 - ~~(ii) the tower shall be located on the site to maximize distance between it and the adjacent low density residential uses on Parker Street;~~~~
- ~~(d) the podium portion of the development shall comply with the following massing, height, and design requirements:
 - ~~(i) the podium shall transition in height from no greater than:
 - ~~(A) 5 storeys at the northeast corner of the site,~~
 - ~~(B) 7 storeys addressing the intersection of Quinpool Road and Robie Street,~~
 - ~~(C) 5 storeys at the southwest corner of the site, and~~
 - ~~(D) 4 storeys at the northwest corner of the site,~~~~
 - ~~(ii) the podium portion of the development shall:
 - ~~(A) be visually permeable and conducive to uses that will encourage an active streetscape at grade,~~
 - ~~(B) include a decorative or artistic element as a part of the building architecture which reflects the local cultural and historic significance of the Quinpool Road and Robie Street intersection, and~~
 - ~~(C) implement high quality materials in such a pattern than mitigates the horizontal massing of the development;~~~~~~
- ~~(e) the development above the podium level is oriented and dimensioned in a manner which minimizes shadow impact on the Halifax North Common, with this impact being tested through shadow study and any resulting design alterations paying specific attention to limiting shadow on active recreation facilities in the area;~~
- ~~(f) the development is comprised of a mixture of residential and compatible commercial uses;~~
- ~~(g) the ground floor land uses facing Quinpool Road and Robie Street shall be primarily commercial in nature to maximize the activity at street level;~~
- ~~(h) the location of parking access ramps is limited to the northwest corner of the development site along Parker Street and shall be further subject to review of Municipal~~

engineers;

- ~~(i) the development is tested for the impact it would have on wind both within shared amenity spaces on the development site itself, as well as within nearby public spaces, with mitigating architectural techniques implemented to ensure the development does not worsen the existing wind conditions within the public realm;~~
- ~~(j) the architectural design of the building, including a high quality design using durable exterior building materials, variations in the façade and mass of the building shall provide visual interest;~~
- ~~(k) the size and visual impact of utility features such as garage doors, service entries, and storage areas are minimized and that mechanical equipment are concealed;~~
- ~~(l) a minimum of 50% of the dwelling units are at least two bedrooms, have a minimum area of 69.68 sq. m., and are located throughout the development;~~
- ~~(m) there is an adequate supply of motor vehicular parking and bicycle parking;~~
- ~~(n) useable on-site amenity space and recreational amenity space is provided of a size and type adequate for the resident population;~~
- ~~(o) there are suitable onsite solid waste facilities; and~~
- ~~(p) the capacity of sewer and water servicing for the site is adequate.~~

4. GENERALIZED FUTURE LAND USE MAP

~~4.1 The Generalized Future Land Use Map (Map 9h) shall be considered as the expression of intent of the City of Halifax for a future land use pattern, based on the policies outlined in this Section.~~

~~4.2 The areas of future land use shown on the Generalized Future Land Use Map (Map 9h) shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.~~

~~4.3 Notwithstanding any other provision of this Section, a Development Permit may be issued by the Development Officer for a project in respect of which approval was given by Council prior to the date of approval of this Section, and where no decision of the Municipal Board has been given reversing such approval, provided that the development is completed within the time limit specified in the development agreement.~~

25. Amend Policy 3.0 of IMPLEMENTATION POLICIES, as shown below in **bold** and ~~strikeout~~, by:

- a) deleting the words and commas “and the Zoning By-law, Peninsula Area, both” after the words “Mainland Area” and before “of the City of Halifax”; and
- b) replacing the word “they” after the words “substantially as” and before the words “presently exist” with the word “it”; and
- c) replacing the words “those by-laws” after the words and comma “this Plan, except” and before the words “shall first be revised” with the words “that by-law”.

3. Pursuant to the authority of Section 33 of the Planning Act, the City shall adopt the Zoning By-law, Mainland Area ~~and the Zoning By-law, Peninsula Area, both~~ of the City of Halifax substantially as ~~they~~ **it** presently exist to further the objectives and policies of this Plan, except ~~those by-laws~~ **that by-law** shall first be revised according to the directions established by the detailed policies below.

26. Repeal Policies 3.10 and 3.10.1 of IMPLEMENTATION POLICIES, in their entirety, as shown below in ~~strikeout~~:

~~3.10 — Further to Policies 1.7, 2.5, 2.6, 2.6.1, 3.3, 5.1.1, 7.2.1.1, 7.2.6, 7.2.6.1, 7.3.1.1, 7.5.2.1, 7.5.4, 7.5.5, 7.6.1, 7.7.3, 7.8.2.1 and 7.8.2.2 respectively in Section V of this Plan, the City may, pursuant to the authority of Section 33(2)(b) of the Planning Act, issue a development permit under an agreement with Council pursuant to Section 34(1) of the Act for a development which would not otherwise meet the provisions of the Zoning By-law.~~

~~3.10.1 — In entering agreements pursuant to Policy 3.10, Council shall be guided by the policies contained in Section V of this Plan, and shall not enter into agreements which are inconsistent with these policies of this Plan.~~

27. Repeal Policies 3.11 and 3.11.1 of IMPLEMENTATION POLICIES, in their entirety, as shown below in ~~strikeout~~:

~~3.11 — Further to Policies 1.8, 1.12, 6.1.1, 8.1.2, 8.1.3, 8.1.4, and 8.3.3 respectively in Section VI of this Plan, the City may, under the development agreement provisions of the Planning Act, issue a development permit for a development which would not otherwise meet the provisions of the Land Use By-law.~~

~~3.11.1 — In entering agreements pursuant to Policy 3.11, Council shall be guided by the policies contained in Section VI of this Plan, and shall not enter into agreements which are inconsistent with these policies of this Plan.~~

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

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

Municipal Clerk