

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: July 28, 2021

SUBJECT: Centre Plan (Package B)

SUPPLEMENTARY REPORT

ORIGIN

- June 3, 2021, Harbour East and Marine Drive Community Council Item 13.1.2, Regional Centre Secondary Municipal Planning Strategy and Land Use By-law (Package B), and a list of recommended amendments to the planning documents.
- June 22, 2021, Halifax and West Community Council Item 13.1.1, Regional Centre Secondary Municipal Planning Strategy (SMPS) and Land Use By-law (LUB) Review, and a list of recommended amendments to the planning documents.
- June 23, 2021, Community Design Advisory Committee (CDAC) Item 9.1, Centre Plan Package B and a list of recommended amendments to the planning documents.
- June 23, 2021, Heritage Advisory Committee (HAC) Item 6.1, Centre Plan Package B and list of recommended amendments to the planning documents.
- June 28, 2021, Regional Centre Community Council Item 13.1.1, Centre Plan Package B and a list of recommended amendments to the planning documents.
- July 14, 2021, Community Planning and Economic Development Standing Committee (CPED) Item 12.1.2, Regional Centre Secondary Municipal Planning Strategy and Land Use By-law (Package B), and a list of recommended amendments to the planning documents.

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that Committee of the Whole recommend that Regional Council:

1. Direct the CAO to amend the draft Regional Centre Secondary Municipal Planning Strategy (Plan), the Regional Centre Land Use By-law (LUB), and amendments to existing planning documents, as set out in the staff report dated May 7, 2021, by implementing the changes recommended by staff in:
 - a) Attachment A: Staff Responses to Committee and Community Council Recommendations; and
 - b) Attachment B: Changes to the Draft Plan and LUB Identified and Recommended by Staff;and return to Regional Council with the revised Plan and LUB for first reading and to schedule a public hearing.
2. Direct the Chief Administrative Officer to:
 - a) draft amendments to Administrative Order Number 48, the *Community Council Administrative Order*, to
 - (i) grant the Regional Centre Community Council the powers to hear site plan and variance appeals, and to amend the Regional Centre Land Use By-law, within the Regional Centre Plan boundary, except for Lakeshore Park Terrace and Wallace Heights which fall outside the Centre Plan Area as defined by the *HRM Charter*, and
 - (ii) that the areas of the Regional Centre Community Council be excluded from the jurisdiction of Halifax and West Community Council, and Harbour East and Marine Drive Community Council with respect to these powers; and
 - b) return to Council for consideration of these amendments after provincial approval of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law;
3. Direct the Chief Administrative Officer to:
 - a) draft amendments to Administrative Order 2019-011-GOV, the *Design Advisory Committee Administrative Order*, to update the applicable area and references to the Land Use By-law concerning the types of site plan approval applications reviewed by the committee; and
 - b) return to Council for consideration of these amendments after provincial approval of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law;
4. Direct the Chief Administrative Officer to:
 - a) draft amendments to Administrative Order 2020-007-ADM, the *Incentive or Bonus Zoning Public Benefits Administrative Order*, and Administrative Order 2020-008-ADM, *Grants for Affordable Housing Administrative Order*, to update the permitted use of money-in-lieu funds as outlined in the discussion section of this report; and
 - b) return to Council for consideration of these amendments after provincial approval of the Regional Centre Plan Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law.

5. Direct the Chief Administrative Officer to:
 - a) prepare a report to initiate a process to amend the Regional Centre Secondary Planning Strategy to develop site specific Comprehensive Development District (CDD) policies and an associated development agreement to enable a neighbourhood scale affordable housing development on the Southdale Future Growth Node site; and
 - b) return to Council for consideration of the initiation report after the notice is published in a newspaper informing the public that the municipal planning strategy and its implementing land-use by-law are in effect.

BACKGROUND

The Regional Centre is the urban core of the region, with a dense population, commercial industries, and major institutions that are key to the social, cultural, and economic development of the Municipality. In coordination with Municipal programs and investments, the proposed Regional Centre Secondary Municipal Planning Strategy (Plan) and Land Use By-law (LUB) will guide the growth and development of the Regional Centre including support for housing, business, institutions, parks, and the environment. The proposed Plan and LUB apply to the Regional Centre Plan Area (Package A and B lands), except for the areas of the Barrington Street and the Old South Suburb Heritage Conservation Districts (HCDs).

Known as the the Centre Plan, the planning process for the Regional Centre was first identified in the 2006 Regional Plan and initiated in 2011 with additional Council direction received in 2015, 2017, and 2019. The Centre Plan process is being implemented in two phases:

- Package A (approved on September 18, 2019) established planning policies and land use by-law regulations for high growth areas, including Downtown Dartmouth, Centres, Corridors, Higher Order Residential areas, and Future Growth Nodes; and
- Package B (proposed) incorporates Package A lands and establishes planning policies and land use by-law regulations for Parks and Community Facilities, Downtown Halifax, Established Residential areas, Industrial Employment, and Institutional Employment lands. Lands located within the Old South Suburb Heritage Conservation Districts (HCD) and the Barrington Street HCD are not included at this time.

On May 28, 2021, the Municipality published the proposed [Plan and LUB](#) following a detailed public engagement process outlined in the following reports:

- the [“What We Heard Report – Centre Plan Package B”](#) presented to CDAC on March 2, 2021, which summarized the community engagement process, including key themes and detailed feedback; and
- the [May 7, 2021 staff report](#), which outlined the overall Centre Plan process, including key polices, regulations, changes in response to previous Council direction and public feedback.

Committee Review Process

In June and July of 2021, several Municipal committees reviewed the proposed Plan and LUB and provided a number of recommendations for Council’s consideration. All Committees and Community Councils recommended the proposed planning documents, with some recommending changes for Regional Council’s consideration:

- Community Design Advisory Committee (CDAC) recommendations made on June 23, 2021 and reported through Community Planning and Economic Development (CPED) Standing Committee on July 14, 2021;
- Heritage Advisory Committee (HAC) recommendations made on June 23, 2021 and reported through CPED on July 14, 2021;
- Design Review Committee (DRC) recommendations made on June 10, 2021;
- Harbour East–Marine Drive Community Council (HEMDCC) recommendations made on June 3, 2021;
- Halifax and West Community Council (HWCC) recommendations made on June 24, 2021;

- Regional Centre Community Council (RCCC) recommendations made on June 28, 2021; and
- Community Planning and Economic Development Standing Committee (CPED) recommendations made on July 14, 2021.

This report summarizes the above recommendations and provides additional information and recommendations for Council's consideration.

DISCUSSION

Reports and recommendations from each committee and Community Council are attached to this report. The key items emerging from this review process include the following:

- the importance of aligning Centre Plan policies with implementation and infrastructure plans in areas of employment creation and retention, community services, energy, mobility, parks and green space, water and sewer, and the environment;
- a number of proposed site-specific changes to zoning, maximum allowable heights and Floor Area Ratios (FAR) and related regulations;
- adjustments to the boundary of the Southdale Future Growth Node and a recommendation to initiate the master neighbourhood planning process;
- revisions to the Young Avenue Special Area and Sub-Special Area to further align proposed regulations with the existing built form of the area;
- the expansion of the proposed Five Corners Heritage Conservation District;
- zoning review between Charles St., Buddy Daye St./Harris St. and between Gottingen St. and Agricola St. to align with the area's existing built form;
- minor changes to the landmark building regulations;
- consideration of variations to tower width and setbacks to interior property lines;
- the addition of a second Cluster Housing (CH) Zone specific to mobile home park uses;
- additional development options within the ER-3 Zone to encourage the preservation of existing large homes; and
- new proposed policies to guide the consideration of future Plan and LUB updates concerning Heritage Development Agreements within Downtown Halifax, Renewable Energy, and Affordable Housing.

The following summarizes the staff's advice on committee and Community Council recommendations, outlines additional updates to the planning documents recommended by staff, and provides further information and advice concerning the transition of site plan planning approval applications.

Staff Responses to Committee and Community Council Recommendations (Attachment A)

Staff recommendations and supporting rationale for each committee and Community Council recommendation are outlined in Attachment A. Overall, staff advise that nearly all committee and Community Council recommendations result in recommended revisions to the Plan or LUB, although in some cases, not all components of the recommendations are fully recommended by staff. In addition, the HEMDCC recommendation concerning the proposed Southdale Future Growth Node (FGN) directs future project work, as outlined below.

Proposed Southdale Future Growth Node

As a largely vacant site, the proposed Southdale Future Growth Node (FGN) provides an opportunity to increase the amount of new low-rise and mid-rise housing within the Regional Centre in the short to medium term. Given the promising discussions between the developer, the Municipality and the Province to support the development of more affordable housing options on this site, staff support prioritizing the FGN policy work and further streamlining the planning process by concurrently preparing the development controls needed to enable development. However, as the lands are now only *proposed* as a FGN and this designation is not yet confirmed by Council, staff advise that the planning process cannot be formally initiated until after Package B is approved. Therefore, to ensure the planning work can commence as soon

as possible, staff recommend that Council direct the Chief Administrative Officer to prepare a report to initiate the SMPS amendment and concurrent development agreement process and return to Council for consideration of the MPS amendment initiation report immediately after the Package B planning documents take effect.

Changes to the Draft Plan and LUB Identified and Recommended by Staff (Attachment B)

Staff recommended changes to the draft Plan and LUB and supporting rationale are outlined in Attachment B. Key items include changes related to site plan approval transition, technical updates identified in the May 7, 2021 report, some minor changes to policies and regulations, and corrections and clarifications.

Site Plan Approval Transition

As outlined in the May 7, 2021 report, staff determined late in the Package B review process that current site plan approval applications cannot continue to be considered under the regulations in place at the time the applications were made. Instead, as with as-of-right development, site plan approval applications must complete all review steps and obtain construction permits to be able to proceed under existing Package A and Downtown Halifax regulations. Informed by further research and feedback from applicants, the following outlines the impacts and proposed approach to facilitating the transition to the proposed Package B planning documents.

Downtown Halifax

Staff reviewed the site plan approval applications under the Downtown Halifax plan and have identified five projects that would likely not be able to obtain construction permits before the first notice of the Package B public hearing is published. While the design of the proposed buildings generally continue to be supported by the proposed Package B framework, certain proposed changes to land use regulations may significantly impact building designs. These items include:

- updates to the bonus zoning categories and values to the framework approved under Package A;
- removing the ability to request variations to side lot line requirements; and
- increasing front/flanking setback requirements from 0 to 1 metre.

To support a smooth transition, staff recommend removing five project sites from the Package B planning documents, as outlined in Attachment B. As previously outlined in the May 7, 2021 report, the Downtown Halifax Plan will remain in place in the short-term for the Barrington Street and Old South Suburb HCDs. Through mapping changes, these five project sites can also continue to be regulated under the Downtown Halifax Plan together with the lands located in the two HCDs. This would enable these projects to proceed under the existing Downtown Halifax Plan in the near-term before the remaining Downtown Halifax Plan area is incorporated into the Centre Plan framework through the Downtown Halifax HCD project work; this is targeted for completion by May 2023.

In addition, staff recommend maintaining zero distance front/flanking setback requirements for Downtown Halifax Streets given that the zero setbacks requirements have been in place for many years and that most developments are constructed directly adjacent to the street right-of-way. The proposal to increase the front/flanking setback to 1 metre, therefore, would have limited impact and could unnecessarily impact development projects in the design phase.

Package A Areas

In comparison to projects in the Downtown Halifax Plan Area, impacts on site plan approval applications in Package A areas are more limited as Package B built form and design requirements are generally the same or more flexible. However, upon further review and discussion with applicants, staff have identified several proposed changes to LUB regulations that are more stringent and may impact building designs that are already in progress under the Package A framework.

Removing specific sites from the Package B planning documents is recommended only for certain projects in the current Downtown Halifax Plan area to ease transition to the new planning documents. This can be supported due to more significantly different requirements, and because the Downtown Plan and LUB are already proposed to be maintained for the Barrington Street HCD and Old South Suburb

HCD areas until the Downtown Halifax HCD process is completed (please see the [May 7, 2021](#) staff report). Staff advise that removing Package A lands is not a viable approach given the larger geography, requirements for abutting zones, administrative challenges, and the benefits that other Package B updates provide. Package A planning documents are therefore proposed to be repealed as part of Package B adoption. Further, the goal of the Secondary Plan and Land Use By-law Simplification program is to reduce the number of secondary plans and LUBs.

As an alternative approach, staff recommend a number of revisions to the proposed Package B planning documents to both facilitate a smooth transition to Package B requirements and generally provide greater flexibility to development projects. These items include:

- allowing underground parking within the front/flanking setback of the Downtown Dartmouth (DD) and Downtown Halifax (DH) zones while maintaining the restriction in all other zones to support landscaping and reduce potential land use conflicts with the street right-of-way;
- revising building separation requirements from 6m to 4m when more than one building is located on the lot or is only connected underground, to match the Package A requirement that continues to be sufficient to support site porosity;
- reducing loading space size, height and other requirements to limit impacts on building design and better align with typical vehicle sizes; and
- a site-specific exemption for the former St. Patrick's High School site to continue to enable two proposed tall-mid-rise buildings to be approximately 30 metres in height (one additional storey), which would be permitted under the interpretation of the Package A LUB "tower" definition.

Several of the proposed more stringent LUB regulations are intended to address regulatory gaps or improve Package A regulations that may otherwise create long-term negative impacts. Therefore, revisions or exceptions to these regulations for projects that have not yet received construction permits is not recommended. These items include:

- the proposed Robie Street Transportation Reserve needed to support the Bus Rapid Transit (BRT) initiative;
- revisions to amenity space requirements for the HR-1 and HR-2 zones, which introduce requirements for at least 25% of the required amenity space to be located outdoors to support increased access to open space, which can be located at-grade or on building rooftops;
- updates to coastal elevation requirements to include commercial and institutional uses, with additional flexibility provided within the Waterfront Special Areas;
- updates to balcony encroachment provisions to ensure the encroachments do not undermine the purpose of setback, stepback and separation requirements;
- proposed increases in front/flanking setbacks to more closely reflect existing conditions, support landscaping, provide greater consistency between different portions of some streets, support pedestrian safety, and better align with Nova Scotia Power setback requirements from power poles;
- clarification that the maximum tower dimensions apply to all portions of a high-rise tower above the streetwall, consistent with the original policy intent;
- adjustments to ground floor glazing requirements that increase the minimum percentage for Pedestrian-Oriented Streets from 50% to 60% to better reflect the existing Downtown Halifax LUB requirements of 75% and the introduction of a minimum 25% glazing requirement for all other uses;
- new corner treatment building design requirements to support consistent architectural treatment on both sides of the streetwall;
- updates to sidewall articulation requirements to establish more effective design requirements and recognize that the requirement is not needed where the side setback is less than 2 metres; and
- new rooftop landscaping requirements for roof slabs of underground parking levels that protrude above grade.

Attachment C provides further details on the LUB requirements that are proposed to be made more stringent under Package B and the staff recommendations for either maintaining the requirement or making adjustments to facilitate a smooth transition.

Updates Recommended by Staff

In addition to recommended changes to support the transition of site plan approval applications, staff have identified a number of updates to support the effective implementation of the proposed Plan and LUB. These recommendations are outlined in Attachment B and summarized below.

- revisions to the Plan and LUB to address typographical errors, grammatical errors, minor mapping errors, cross-referencing errors, and to ensure the consistent use of terms within and between maps and planning documents;
- revisions to improve clarity and organization of certain regulations and definitions;
- adjustment to the Secondary Municipal Planning Strategy (SMPS) heritage development agreement policy criteria (CH-7) to clarify the policy intent and the need to consider and, where appropriate, retain any un-registered structures that contribute to neighbourhood character and the visual integrity of the site;
- revision to SMPS Policy IM-19 to allow a development agreement for a use of land and a structure not otherwise permitted in the zone to allow the same use as an existing non-conforming uses where needed to support the Municipal acquisition of land for public purposes;
- removal of side setbacks for HR zones abutting DD, DH, CEN and COR zones to support continued streetwalls;
- revisions to address issues in transition requirements for flag-shaped ER zoned lots;
- addition of the coordinates of the Cavalier building to the Halifax Citadel Rampart Sight Lines Schedule as indicated in the May 7, 2021 report;
- revisions to the threshold for locating waste management areas inside a building from 11 metres in height, to 2,000 square metres in area;
- a decrease to the minimum lot area for end units of townhouses from 245 square metres to 220 square metres to better align with the average lot sizes in the Regional Centre;
- reduced frontage and setback thresholds to improve flexibility for the positioning of cluster housing dwelling units;
- increased flexibility for existing accessory structures to convert to a backyard suite use if the structure does not meet floor area or flanking yard requirements;
- including projecting signs requirements as part of the site plan variation provisions for institutional and park and community facility uses;
- allowing accessory parking lots in the UC-1 Zone to be located near the streetline;
- removing the requirement that all exterior lighting to be equipped with full cut-off light fixtures;
- revisions to requirements for pedestrian pathways through accessory parking lots to be raised to meet the elevation of the abutting pedestrian pathway;
- allowing ground signs in the Halifax Waterfront (HW) Special Area;
- removing regulations pertaining to window signs for accessory uses such as for bed and breakfasts, home occupations, and daycares;
- updates to Map 23 and LUB Schedule 6, Robie Street Transportation Reserve, with more detailed mapping information as indicated in the May 7, 2021 report;
- a number of site-specific zoning changes to reduce non-conformity with proposed regulations, including a number of public housing communities that contain multiple multi-unit buildings on the same lot; and
- adjustments in maximum height permitted on recently registered heritage properties in ER zones to comply with Policy CHR-6.

Next Steps

Following Council direction concerning the changes to the draft Plan and LUB, staff will draft the corresponding edits and return to Council for first reading with revised documents. Prior to returning to Council, staff will also format the planning documents by renumbering sections as needed and adding images to the Plan. While the Package A Plan includes images throughout the document, for the Package B version of the Plan, staff intend to limit images to the title page, Part covering pages, and core concepts. This more streamlined format will enable staff to return to Council for first reading sooner and also facilitate editing for future Plan amendments related to proposed HCDs, Cogswell lands and other Plan amendments that may be needed in the years ahead.

FINANCIAL IMPLICATIONS

There are no immediate financial implications resulting from the recommendations contained in this report. Details relating to policy directions are included in the staff report, dated May 7, 2021.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this report. Further information on risks are discussed in the staff report, dated May 7, 2021.

COMMUNITY ENGAGEMENT

An extensive public engagement program was undertaken in preparing the Regional Centre Plan (Package B). A detailed summary of engagement activities and feedback is included in the staff report, dated May 7, 2021.

ENVIRONMENTAL IMPLICATIONS

Information on potential environmental implications are detailed in the staff report, dated May 7, 2021.

ALTERNATIVES

The Committee of the Whole may recommend that Regional Council direct the Chief Administrative Officer to:

1. Modify or prepare additional amendments to the draft Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law and amendments to existing planning documents as provided in Attachments A and B of this report, or as set out in the staff report dated May 7, 2021 and bring the amendments back to Regional Council for first reading and to set a public hearing date.
2. Prepare amendments to the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law to adopt some or all of Committee and Community Council recommendations that are not recommended by staff in Attachments A and B and bring the amendments back to Regional Council for first reading and to set a public hearing date.

ATTACHMENTS

Attachment A: Staff Responses to Committee and Community Council Recommendations

Attachment B: Changes to the Draft Plan and LUB Identified and Recommended by Staff

Attachment C: Transitioning of Package A Site Plan Approval Applications

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

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Attachment A: Staff Responses to Committee and Community Council Recommendations

#	Recommendation	Source	Staff Response & Recommendation	Rationale
Community Planning and Economic Development Standing Committee (CPED) July 14, 2021				
5. Consider amending the proposed Land Use By-law and Secondary Municipal Planning Strategy to:				
1.	(a) Amending the Centre Plan to zone a portion of 10 Maple Street in Dartmouth, as the Downtown Dartmouth zone with a floor area ratio of 4. The portion of 10 Maple to be zoned Downtown Dartmouth borders 1 Crichton Avenue and should not extend farther north than the rear property lines of neighbouring 173 Ochterloney and 1 Crichton Avenue.	CPED	Support Apply the Downtown Dartmouth (DD) zone and a FAR of 4 to a portion of 10 Maple Street to be aligned with the rear property line of 173 Ochterloney St. and 1 Crichton Avenue.	This minor expansion of the DD zone can help support the redevelopment of the current car garage located at 173 Ochterloney Ave.
2.	b) Consider variation for tower width and setback off of interior property lines be allowed subject to no material increase in developable volume.	CPED/ CDAC	Do not support Retain the proposed maximum building dimensions for towers in all zones.	The key rationale for setting tower dimensions is to minimize wind and shadow impacts on the pedestrian realm. The proposed planning documents carry forward the existing regulations of the Downtown Halifax Plan, and Centre Plan Package A. The maximum building dimensions for towers were developed as part of the HRMbyDesign process, the 2008 Downton Halifax Urban Design Study, and additional technical work for Centre Plan. The tower dimensions in the DH zone are context-specific and vary for properties within and outside of the Downtown Halifax Central Blocks area, and also from properties within other areas in the Regional Centre. Given that the DH zone forms a part of the cultural, financial, commercial, and civic core of the

#	Recommendation	Source	Staff Response & Recommendation	Rationale
			<p>Partial Support</p> <p>Reduce the minimum requirement for side and rear setback above 18.5 metres from interior lot lines be reduced from 5.5 m to 4.5 metres. in the DH zone.</p>	<p>Municipality and includes the most intense mix of uses, the built form regulations include built-in flexibility and the building dimensions are the most generous within the Regional Centre.</p> <p>Current Downtown Halifax LUB regulations state that above a height of 18.5 metres, or the height of the streetwall, the mid-rise portion of a building must be setback from interior lot lines no less than 10% of the lot width or 5.5 metres, whichever is less.</p> <p>In past practice, this regulation was applied to the mid-rise portion of proposed towers in Downtown Halifax above the height of the streetwall, and the setback was determined based on the calculations of 10% of the lot width (frontage). This calculation resulted in insufficient interior lot line setbacks and separation between towers. It was also complicated to implement during the review of substantive site plan approvals.</p> <p>To ensure appropriate and effective urban design measures are taken into consideration during the design phase of any project relating to tower separation, and to provide additional clarity, predictability, and ease of implementation, staff considered the minimum requirement to be 5.5 metres. However, based on feedback and requests from the development</p>

#	Recommendation	Source	Staff Response & Recommendation	Rationale
				and design community to allow for additional flexibility relating to this requirement, staff recommend reducing the minimum requirement to 4.5 metres in the DH zone.
3.	c) Dedicated infrastructure plans be developed to support the Centre Plan in areas of employment creation and retention, community services, energy, mobility, parks and green space, water and sewer, and the environment.	CPED/ CDAC	<p>Partial Support</p> <p>Maintain proposed policies and continue to monitor investments in the Regional Centre and work with other levels of government and private partners to maintain key infrastructure in a state of good repair, and keep up with new demands arising from additional growth.</p>	<p>Policy VCU-1 states that “Investments in public spaces and infrastructure to support current and future growth in the Regional Centre shall be guided by this Plan”.</p> <p>Section 9.9 of the SMPS (Investment in Growth) speaks to the Municipality’s focus on maintaining its assets in a state of good repair, and aligning future investments with growth targets and key social, environmental, and economic objectives.</p> <p>The key role of the Plan is to guide future development and support public realm that attracts and supports growth. While the Plan establishes land use regulations, planning documents cannot bind future Council decisions about planned studies, investments or operations. Given this context, the Plan identifies that future municipal investments in water, wastewater and stormwater systems, streets, streetscapes, transportation links, public transit, public parks, and other public facilities may be needed to both accommodate and attract new residents and private investments. The Plan references and is aligned with a number of Priority Plans including the</p>

#	Recommendation	Source	Staff Response & Recommendation	Rationale
				Economic Growth Plan, HalifACT, Integrated Mobility Plan, Halifax Green Network Plan. The policies for Future Growth Nodes in particular are focused on comprehensive planning, which may include infrastructure charges. The Plan also specifically calls for the completion of a Regional Centre Parks and Open Space Plan.
4.	d) Request a review of the Proposed Regional Centre Land Use By-Law, specifically for those sections relating to the proposed Young Avenue Sub-Area (YA-A), with a view to revising proposals for maximum building height, maximum floor area ratio, minimum front and flanking setbacks, and special lot area frontage and depth requirements.	CPED	Support See HWCC Motion #5d), Item #40	See HWCC Motion #5d, Item #40
Regional Centre Community Council (RCCC) June 28, 2021				
3. Consider amending the proposed Land Use By-law and Secondary Municipal Planning Strategy to:				
5.	Create a policy in 4.2 Cultural Resources of the proposed MPS that will allow that Council may consider adopting a policy to enable development of Heritage Development Agreement policy to apply to built form provisions of the DH1 Downtown Zone, while respecting the rampart and view plane height restrictions;	RCCC	Support Add a new policy to SMPS Section 4.3, Registered Heritage Properties, to indicate that Council may consider adding a development agreement policy specific to Downtown Halifax to incentivise the preservation of heritage buildings by allowing increased built-form flexibility, subject to Citadel rampart and view plan restrictions.	The proposed development agreement policy (CHR-7) for registered heritage properties excludes Downtown Halifax given the detailed building heights framework and the limited ability to provide additional development rights through the development agreement process. However, as there may be other ways to provide incentives for heritage preservation, staff are supportive of continuing to consider the use of the development agreement tool in the Downtown Halifax context through

#	Recommendation	Source	Staff Response & Recommendation	Rationale
			Revise SMPS policy IM-3(g) concerning future Plan reviews, to include a specific reference to strengthening the preservation of registered heritage properties.	future project work. If approved by Regional Council, this topic will be considered as part of the on-going Downtown Halifax HCD planning process and, as needed, future reviews of the Regional Centre planning documents.
6.	Create a policy in Section 9.5 Discretionary Approvals of the MPS either in IM-7 or as its own policy where Council may by policy or resolution endorse a process for a shortened, rapid public engagement and review process for any DA that is entirely or substantially meeting an affordable housing need as recognized by CMHC or Housing NS, and subject to completion of affordable housing enforcement legislation and regulations by the Province of Nova Scotia as required;	RCCC	<p>Support</p> <p>Add a new policy to SMPS section 5.2, affordable Market Housing, to indicate that Council may consider amendments to the Plan to support streamlined planning processes for affordable housing developments, subject to the Province amending the <i>HRM Charter</i> to enable the Municipality to enforce the maintenance on-site affordable housing developments.</p> <p>Revise SMPS policy IM-3, concerning future Plan reviews, to outline Council's intent to consider updates to the Plan if/when the HRM Charter is amended to enable additional land use planning tools to support affordable housing developments, such as inclusionary zoning.</p>	The proposed RC SMPS currently does not support a streamlined development approvals process for affordable housing developments as the Municipality is unable to enforce on-site affordable housing developments under the existing provisions of the HRM Charter. However, given that Council has requested Charter amendments to support affordable housing, staff support the addition of guiding policy that indicate the Municipality's intent to amend the Plan to further support affordable housing if/when the province amends the HRM Charter to provide the Municipality with the additional planning tools.
7.	Create a policy that Council may consider adopting policy to allow implementation of renewable energy technologies in buildings that are designed to meet or exceeded net zero energy ready standards, by incentivizing the use of the post bonus density values as found in the	RCCC	<p>Support</p> <p>Add a new policy to SMPS Section 8.2, Climate Change, to indicate that Council may consider amendments to the Plan to support renewable energy technologies in buildings that are designed to meet or exceed net zero</p>	As outlined in the June 2, 2021 staff report to CDAC, staff do not support adding renewable energy as a bonus zoning public benefits category at this time for a number of reasons, including bonus zoning tool's focus on supporting affordable housing, and the inability of the Municipality to enforce

#	Recommendation	Source	Staff Response & Recommendation	Rationale
	Centre Plan Section XII of the land use by law;		<p>energy standards, subject to the Province amending the Nova Scotia Building Code to establish net-zero construction standards.</p> <p>Revise SMPS policy IM-3, concerning future Plan reviews, to specifically reference potential updates to the bonus zoning program to support renewable energy technology, subject to amendments to provincial legislation that enable the Municipality to enforce net-zero construction standards.</p>	<p>net-zero construction standards. However, as net-zero construction and renewable energy is supported by HalifACT, staff support revisiting the bonus zoning tool if/when the province amends applicable provincial legislation based on expected federal government changes to the National Building Code. This may include the Provincial Government allowing the Municipality to require a more stringent tier of the new energy code in the National Building Code. Support for net-zero construction standards is key to meeting HalifACT targets and building market and industry capacity.</p> <p>Should a new bonus zoning public benefits category be added, staff advise that one or more existing categories may need to be removed to continue to ensure the public benefits provide meaningful impacts.</p>
8.	Create two separate Cluster Housing zones, a CH-1 zone that would prohibit mobile homes; and a CH-2 zone that would allow mobile homes, and zone the Cluster Housing properties in the Regional Centre appropriately;	RCCC	<p>Support</p> <p>Revise the SMPS and LUB to split the CH Zone into the following two zones and re-zone properties as appropriate:</p> <ul style="list-style-type: none"> • CH-1 to apply to lands where clustered housing is permitted, excluding mobile home park uses. • CH-2: to apply to existing mobile home parks • Include both zones Policy E-4 with respect to consideration 	<p>The proposed CH Zone currently supports both mobile home park uses and cluster housing forms. Splitting the zone into two zones would further control the locations where mobile home park uses are permitted versus where other clustered housing forms are permitted. This would provide greater certainty to neighbouring residents about the type of development that may be developed.</p>

#	Recommendation	Source	Staff Response & Recommendation	Rationale
			of re-zoning in the Established Residential designation.	
9.	Ensure any access or driveways on the CH zoned properties are from a public road directly to the property;	RCCC	<p>Support</p> <p>No revisions to the proposed LUB are needed as existing LUB provisions already prevent driveway access through a zone that does not permit the cluster housing use.</p>	<p>Proposed LUB Section 41 indicates the following:</p> <p><i>“It is prohibited for a development to access a use in one zone from a different zone, unless the use being accessed is permitted in both zones.”</i></p> <p>The above general provisions applies to the CH Zone and would not permit driveway access through any ER zones, or any other zone that does not permit the cluster housing use.</p>
10.	Include a provision that allows for consideration of additional units through internal conversion in the ER-3 zones;	RCCC	<p>Support</p> <p>Revise the proposed SMPS and LUB to allow existing dwellings at the time of the LUB coming into force in the ER-3 Zone to internally convert to a multi-unit dwelling containing up to 6 dwelling units.</p>	<p>The ER-3 Zone permits dwellings containing up to 3 units, plus accessory suites, and townhouse blocks containing up to 8 townhouse units.</p> <p>While this zone supports the highest densities enable in the Established Residential Designation, staff recognize that some existing dwellings may be large enough to accommodate more dwellings units through internal conversion. The proposed internal conversion option, therefore, would support additional housing options provided the form of these larger homes are maintained. This would also support the preservation of large character homes that are not registered heritage properties. Aside</p>

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				from maintaining the existing building size and design, staff advise that further controls on minimum building or lot size is not requires as only large existing homes will be able to accommodate a higher number of units than already permitted in the proposed ER-3 Zone.
11.	Review the Landmark Buildings Policy to exclude code compliance additions from the 10% that is currently allowed;	RCCC	<p>Support</p> <p>Amend landmark building regulations to replace 10% floor area addition with:</p> <ul style="list-style-type: none"> • maximum of 20% building footprint addition in the rear yard and not exceeding the width of the streetwall • dormer additions that do not exceed 50% of roof length • balconies, and • accessibility adaptations such staircases, entrance adaptations and ramps. 	<p>Policy IE-6 supports the conversion of identified landmark buildings to residential, mixed-use, and commercial uses provided that the size and design of the buildings are substantially maintained. Section 44 of the LUB implements this policy by limiting the expansion of the floor area of the building to 10%; maintaining the height of the existing building except for height exempt features identified in Section 100; and allowing up to 25% of the building's floor area to be commercial uses.</p> <p>While the land use by-law is not able to regulate additional development based on Building Code requirements, staff see merit in providing additional flexibility because the 10% floor area expansion may limit internal conversion and useable floor area to largely existing floor area. Staff therefore support providing additional flexibility through up to 20% building footprint expansion in the rear yard, matched with the width of the streetwall, balconies, dormer additions up to 50% of the roofline, and accessibility adaptations such</p>

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				staircases, entrance adaptations and ramps.
12.	Remove references to wider setbacks on Canal Street and the St. James Church view plane from the Dartmouth Cove Future Growth Node;	RCCC	Support Revise SMPS section 2.9.1.4, Dartmouth Cove Site Specific CDD policies, to remove all references to the 'multi-modal greenway' along Canal Street.	The Canal Street greenway was identified in the 2012 Dartmouth Cove redevelopment plan and continues to be identified as a consideration for the redevelopment of private lands within the Dartmouth Cove FGN policy set. However, the Municipality has focused its investments on other transportation network improvements, and the intended view towards to the St. James Church is expected to be obstructed by new development located outside of the CDD.
13.	Include PID 40612376, PID 40612996, and PID 40612384 in the Dartmouth Cove Future Growth Node and increase FAR value for all properties in the Dartmouth Cove Future Growth Node on the harbour side of the tracks to potentially support mixed-use development, including residential;	RCCC	Partial Support Revise SMPS section 2.9.1.4, Dartmouth Cove Site Specific CDD policies, to clarify that any infilled water lots may be considered under the applicable CDD policies that apply to adjacent lands. Remove FAR policy requirements for Precinct 4, with development density continuing to be controlled by maximum building height and other built form controls. The Precinct 4 policies indicate these lands are intended for low-rise and mid-rise buildings.	Water lots located in the Halifax Harbour may be infilled if approval is granted by the Federal Government. While the LUB contains provisions to interpret the zoning of infilled water lots that are not zoned WA, there is no corresponding policies in the Dartmouth Cove FGN policy set to clarify whether infilled areas can be considered under the FGN policies. Therefore, consistent with existing LUB provisions, staff support clarifying that the identified water lots can be considered under the adjacent CDD DA policies. Precinct 4, generally located on the harbour side of the railway tracks, is intended to continue to accommodate marine industrial uses and through redevelopment may include commercial and institutional uses, and

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				<p>limited residential development. As primarily an industrial area, the use of FAR is not essential for controlling density, which can instead continue be managed though the specific building heights and forms negotiated through the development agreement process.</p> <p>However, staff caution that allowing further residential development in Precinct 4 could give rise to potential land use conflicts with industrial uses. In addition, given that the infrastructure studies did not anticipate significant residential development in this area, if significantly more residential development is directed to Precinct 4, then the density permitted in other precincts within the FGN would need to be correspondingly reduced, or new infrastructure studies and related investments considered. In addition, Precinct 4 is isolated by the CN rail line and is potentially vulnerable to sea level rise/storm surge risks, further constraining the amount of residential development that is suitable for the area.</p>
14.	Increase the height of PID 41496415 from 20 metres to 23 metres;	RCCC	<p>Support</p> <p>Increase max. height from 20 metres to 23 metres on PID 41496415 (Woodland Ave. and Lancaster Dr.)</p>	This property is located on a major roadway, abuts a property zoned HR-1 (14 m) under Package A, and backs on a property proposed to be zoned INS (11 m). This change in height is consistent with the applicable policies of the Plan.
15.	Increase the height of 5 Newcastle Drive to 14 metres;	RCCC	Support	This property abuts HR-1 zoned properties on one side, and ER-1

#	Recommendation	Source	Staff Response & Recommendation	Rationale
			Increase max. height from 11 m to 14 m on 5 Newcastle Drive.	properties on the other side which are located above the subject property and separated by significant grade. This change in height is consistent with the applicable policies of the Plan.
16.	Include 151 Joffre Street as a landmark building;	RCCC	Support Designate 151 Joffre Street as a landmark building.	The property is proposed to be zoned INS as it is a place of worship (New Apostolic Church). The landmark designation would allow it to be modestly expanded and converted to residential uses and limited commercial uses, which could provide additional housing and amenities to this residential area.
17.	Remove Lions Beach from the Boat Club Special area and add PID 00636290, and PID 00094334 to the Boat Club Special Area	RCCC	Support Remove Lions Beach (00094318) from the Boat Club Special Area and add PID 00636290 (Senobe Aquatic Club), and PID 00094334 (HRM) to the Boat Club Special Area	This is a mapping error and staff support the correction to reflect the current use of these lands.
18.	Apply Downtown zoning to the portion of PID 40739831 that is south of the southern lot line of #20 ½ Pleasant Street.	RCCC	Support Apply DD Zone and a FAR of 4 to a southern portion of PID 40739831.	This is an irregularly shaped and deep parcel extending from Pleasant Street to a DD zoned parcel on Portland Street. Given the contiguous zoning, DD zoning with FAR of 4 is consistent with adjacent parcels.
Harbour East Marine Drive Community Council (HEMDCC) June 3, 2021				
Motion 5: Consider the following amendments:				
19.	a) Apply ER-2 zone to properties with frontage on Charles Street;	HEMDCC	Support Change zoning from ER-1 to ER-2 for 3-31 Charles Street, and 5-30 Charles Street, Dartmouth	The properties are currently zoned R-1, and were proposed to be zoned ER-1 under Package B. This would permit single unit dwelling and a secondary or backyard suite on each lot.

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				<p>The properties are located one street over from Woodland Ave. with access to Corridor high-frequency transit routes to Mic Mac Mall and Downtown Dartmouth/Bridge Terminal. The surrounding context includes single unit dwellings to the south, east and north, and to the west is Woodland Ave, zoned ER-3 and with a mix of unit types.</p> <p>The street includes a four (4) 3-unit buildings and one 2-unit building, 17 single unit dwellings and 1 vacant lot. Given the current unit mix and surrounding context, ER-2 zoning is supported.</p>
20.	(b) Apply Higher Order Residential zone to 79 Crichton Avenue (Edgemere);	HEMDCC	<p>Support</p> <p>Change zoning from INS to HR-1 on 79 Crichton Avenue (PID 40580680).</p>	<p>The property is currently zoned DN under the Downtown Dartmouth Plan & LUB with a max. height of 9.14 metres and is proposed to be zoned INS with a maximum height of 11 metres under draft Package B.</p> <p>This property is over 3,500 square metres in size, owned by the NS Housing Development Corp., is located on a prominent Crichton Avenue street frontage, close to Sullivan's Pond and within a predominantly low-density neighbourhood. It includes a historic building as well as a newer addition. HR-1 zoning would permit individual units in addition to shared housing on the site and would support different housing options on this site.</p>

#	Recommendation	Source	Staff Response & Recommendation	Rationale
21.	(c) Zone properties with frontage on Portland Street from Old Ferry Road/Maynard Street to Hawthorne Street, ER-1 instead of ER-2 and ER-3 and adjust the proposed Five Corners Heritage Conservation District identified in Map 20 to include those properties;	HEMDCC	Support Apply ER-1 zone to properties with frontage on Portland Street, Dartmouth from Old Ferry Road/Maynard Street to Hawthorne Street, and adjust the proposed Five Corners Heritage Conservation District identified in Map 20 to include those properties.	This portion of Portland Street from Maynard Street/Old Ferry Road to Hawthorne Street is a contiguous, tree-lined streetscape of late-19 th to early 20 th century residences of various styles, ranging from grand estates to more modest dwellings that is similar to the area already included in the proposed Five Corners HCD.
22.	(d) Increase the permitted height for 48 Rodney Road and PID 41430869 to 20 meters;	HEMDCC	Support Increase the permitted height for 48 Rodney Road and PID 41430869 from 14 metres to 20 metres;	The adjacent COR-zoned properties have assigned height of 20 metres. Transition requirements will require setbacks and stepbacks from ER-zoned properties. This is a vacant land and the change is consistent with Centre Plan policies. Transition requirements would continue to apply,
23.	(e) Increase the permitted height for 317, 321 and 325 Prince Albert Road from 20 metres to 26 metres;	HEMDCC	Support Increase the permitted height for 317, 321 and 325 Prince Albert Road from 20 metres to 26 metres.	These properties abut HR-1 zoned properties, and the change would be consistent with Centre Plan policies.
24.	(f) Reduce the permitted height for HR portion of 10 Maple Street to 11 metres;	HEMDCC	Support Reduce the permitted height for HR portion of 10 Maple Street from 14 metres to 11 metres at the back of PID 00128413 and 00128421. Increase maximum height from 14 metres to 20 metres on the front portion of 5 and 33 Crichton Avenue (PID 00128421).	The back portions of the lots abut an established residential area and are located above a significant slope from low density residential properties. A lower maximum height would better reflect the local context. In addition, staff propose to increase the maximum height on the front portion of 5 and 33 Crichton Avenue to support the potential redevelopment of

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				the current aging institutional buildings, and to complement the designated landmark building (Saint Peter's Church). Height beyond 20 metres is not recommended as the property is not located on a major transit corridor.
25.	(g) Zone properties at the corner of Pine and Myrtle Streets, including 38 Pine, 34 Myrtle, and PID 41463712, ER-3;	HEMDCC	Support Change zoning from ER-2 to ER-3 at the corner of Pine and Myrtle Streets, including 38 Pine Street, 34 Myrtle Street, and PID 41463712.	These corner properties include vacant lands and aging low density residential buildings. The collective size of the parcels can support townhouse or similar low-density development.
26.	(h) Zone 29 Victoria Road as either Downtown Dartmouth or Higher Order Residential with a low FAR value or low height limit to enable the property to be used for accessory surface parking for the adjacent multi-unit building or modest future redevelopment;	HEMDCC	Support Apply DD zone to 29 Victoria Road, Dartmouth with a maximum FAR of 2.25.	The property is owned by the same owner as 101-103 Ochterloney Street. The proposed ER-1 zoning does not permit accessory surface parking. While surface parking is not encouraged, the extension of the DD zone may support future residential or mixed-use development.
27.	(i) Include the undeveloped rear portion of 1 Research Drive (PID 40432924) in the Southdale Future Growth Node and zone that portion of the property CDD-1;	HEMDCC	Do not support Maintain the Light Industrial (LI) zone and a maximum height of 14 metres on the back portion of 1 Research Drive, Dartmouth.	The proposed SMPS and LUB did not include this property in the Southdale FGN given the site's location within the Woodside Industrial Park. Although the back portion is adjacent to the wetland located in the proposed FGN and including this property could support the consideration of open space connections, the current property owner (Innovacorp) indicated that they would like to maintain the back portion of the property in the Light Industrial (LI) zone. Given the limited benefits of including these lands in the master neighbourhood planning

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				process and the importance of maintaining industrial lands in the Regional Centre, staff support maintaining the LI zone on all portions of this property.
28.	(j) Include PID 41280546 at the top of Mount Hope Avenue in the Southdale Future Growth Node and apply the CDD-1 zone;	HEMDCC	Support Redesignate and Rezone PID 41280546 to FGN and CDD-1 with a maximum height of 11 metres.	The proposed SMPS and LUB did not include this property in the Southdale FGN given the site's location within the Woodside Industrial park, and the lands separation from the larger developable area by a large wetland. However, including this property in the FGN may support the consideration of transportation connections and the more detailed planning process can further consider the appropriate use of the lands.
29.	(k) Create site specific policies for 7 and 11 Mount Hope Avenue to allow corridor zone uses through development agreement;	HEMDCC	Partial support Redesignate and rezone 7 Mount Hope Ave and a portion of 11 Mount Hope Ave adjacent to the Dartmouth Hospital as HR-2 with a maximum height of 20 metres. Redesignate and re-zone the remaining portion of 11 Mount Hope Ave as CLI, with a maximum height of 17 metres. Adjust minimum front setback on both properties to 3 metres.	While the proposed SMPS and LUB did not support residential development on this site out of concerns with potential land use conflicts with industrial uses, staff recognize that there are potential synergies with the site's proximity to the Dartmouth Hospital and that a mix of residential, institutional and park uses already exist in this portion of the Woodside Industrial Park. However, rather than using a site-specific development agreement tool, staff support enabling residential development on the parcel located adjacent to the Hospital by applying the HR-2 Zone, which would permit a range of residential uses and up to 25% of total development to be

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				<p>commercial uses. The HR-2 zone allows for a wide range of residential, commercial and institutional uses.</p> <p>To provide additional opportunities for related commercial and industrial uses, and a transition to industrial zoning, staff further recommend applying the CLI Zone on the remaining portion of the site. The CLI zone allows a wider range of commercial, light industrial and some institutional uses, including research and development uses.</p>
30.	(l) Apply PCF zone to PID 41208059.	HEMDCC	<p>Support</p> <p>Apply PCF zone to PID 41208059 with a maximum height of 11 metres and remove from the Historic Downtown Dartmouth Neighbourhoods Special Area.</p>	<p>This parcel is currently zoned PK under the Downtown Dartmouth LUB, it is owned by HRM and is part of the Newcastle Street Park.</p>
31.	(m) Apply PCF zone to 209 Green Village Lane and corresponding walkway property on Marilyn Drive;	HEMDCC	<p>Support</p> <p>Apply PCF zone to 209 Green Village Lane and corresponding walkway property on Marilyn Drive</p>	<p>This parcel is used as a connecting walkway, is owned by HRM and is currently zoned CDD under the Dartmouth LUB.</p>
32.	(n) Apply ER-3 zone to PID 41028531 Green Village Lane;	HEMDCC	<p>Partial Support</p> <p>Apply HR-1 zone with a maximum height of 14 metres to PID 41028531, Green Village Lane.</p>	<p>The land is owned by the Municipality and land use is governed by the Green Village development agreement (DA), which proposes a fire station on this site. The use is specifically permitted and DA section 2.5 controls how the fire station will be sited, but the ability to renew the development agreement may be affected by the</p>

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				approval of Centre Plan. Halifax Regional Fire and Emergency confirmed that they continue to require the land for a future potential fire station. To provide for continued opportunity to build a fire station on the site, staff recommend applying the HR-1 zone with a 14 metre maximum height. A maximum height of 14 metres is compatible with the surrounding context and is similar to the permissions within the existing DA.
33.	(o) Apply Higher Order Residential zone to 25 Arthur Street;	HEMDCC	Support Apply HR-1 zone to 25 Arthur Street (PID 00245456) with a maximum height of 14 metres.	This is an existing 4-storey multi-unit residential building and adjusting the zone from ER-3 to HR-1 will reflect the current use.
34.	(p) Apply ER-2 zoning to the portion of 10 Lancaster Drive that fronts on Cannon Terrace between 74 Cannon Terrace and 4 and 8 Viridian Drive. The ER-2 portion should align with the rear property line of 74 Cannon Terrace;	HEMDCC	Support Apply ER-2 zoning to the portion of 10 Lancaster Drive that fronts on Cannon Terrace between 74 Cannon Terrace. and 4 and 8 Viridian Drive, with the zoning boundary aligned with the rear property line of 74 Cannon Terrace.	The change in zoning to ER-2 along Cannon Terrace from INS to ER-2 will improve consistency along a portion of the street that may not be required for institutional development in the rear.
35.	6. Amend the zone on 64, 67, 80, and 91 on True North Crescent in Dartmouth from Establish Residential-3 (ER-3) to Higher-Order Residential -1 (HR-1) with a maximum height of 11 metres; and	HEMDCC	Support Apply HR-1 zone with a maximum height of 11 metres on zone on 64, 67, 80, and 91 on True North Crescent, Dartmouth, and Apply the HR-1 with a maximum height of 11 metres on PID 40414138 (51-65 True North Crescent, Dartmouth)	This change in zoning will provide additional flexibility to a planned affordable housing development while maintaining a low-rise development form. The parcels are in close proximity to a school, parks and other amenities. In reviewing Council motion, staff identified that the adjacent property (51-65 True North Crescent) owned by the True North Crescent Housing Co-

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				operative contains an 8-unit residential building. A significant portion of the site is currently vacant and could provide an opportunity for infill but could not be achieved under the ER-3 zone without subdivision. The property is in close proximity to a school and other amenities and is adjacent to other HR-1 zoned properties, therefore staff recommend also applying the HR-1 zone to these adjacent lands.
36.	7. Initiate a process to develop site specific CDD development agreement requirements and an associated development agreement for the Southdale Lands Future Growth Node for inclusion in the Regional Centre Secondary Municipal Planning Strategy (SMPS) immediately following the completion of the Centre Plan Package B review and adoption process. Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.	HEMDCC	Support Direct the CAO to prepare an initiation report, including public participation program, to initiate the process to development SMPS amendments concerning site specific CDD development agreement requirements and an associated development agreement for the Southdale Lands Future Growth Node immediately following Council approval of Centre Plan Package B.	As a largely vacant site, the proposed Southdale Future Growth Node (FGN) provides an opportunity for new low-rise and mid-rise housing within the Regional Centre in the short to medium term. Given the promising discussions between the developer, Municipality and Province to support the development of more affordable housing options on this site, staff support prioritizing the FGN policy work and further streamlining the planning process by concurrently preparing the development agreement needed to enable development. However, as the lands are now only proposed as a FGN, and the FGN area is not yet confirmed by Council, staff advise that the planning process cannot be formally initiated until after Package B is approved. Therefore, to ensure the planning work can commence as soon as possible, staff recommend that Council direct the CAO to prepare a report to initiate the SMPS amendment and concurrent

#	Recommendation	Source	Staff Response & Recommendation	Rationale
				development agreement process and return to Council for consideration of the initiation report immediately after provincial approval of the Package B planning documents.
Halifax and West Community Council (HWCC) June 22, 2021				
5. Consider the following amendments to proposed Land Use Bylaw and Secondary Municipal Planning Strategy (as applicable) as follows:				
37.	a) such that the entirety of Grafton Park (the former Memorial Library lands) including the side of the lot with the old library building PID 00076943 be rezoned PCF.	HWCC	Support Apply PCF zone to the entirety of Grafton Park (the former Memorial Library lands) including the side of the lot with the old library building PID 00076943, and apply a maximum height to the back portion of the site containing the library building to 17 metres.	Grafton Park is a central public space which was originally transferred to the Municipality by the province with the provision that it be only used for a park and a library, in addition to its existing use as a cemetery. In 2020 it was designated as a municipal registered heritage property. It is currently zoned ICO/DH-1 under the Downtown Halifax LUB with a maximum post-bonus height of 28 metres. The front portion is also proposed as a shadow-protected park. The PCF zone would permit both park and community facilities. However, to align with Centre Plan policies related to maximum height on PCF zoned parcels staff recommend that the maximum height at the rear of the site be lowered 17 metres.
38.	b) so the proposed zoning for the former Ben's Bread lands between Shirley and Pepperell be zoned ER-3 and HR-1 20 metres as appropriate.	HWCC	Support Apply HR-1 zone and a maximum height of 20 metres to PID 41425091. Apply HR-1 zone to PID 41470931 and retain the proposed maximum permitted building height of 11 metres.	The current DA enables a 6-storey, multi-unit dwelling on PID 41425091. Submitted plans exceed the maximum permitted height for a mid-rise building by 0.75 m, but the draft LUB includes provisions that exempt certain rooftop features that extend beyond the maximum permitted building height.

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			<p>Apply ER-3 zone to PIDs 41470949, 41470956, 41470964, 41470972, 41470980, 41470998, 41471004, 41471012, 41471020, and retain the proposed maximum permitted building height of 11 metres.</p>	<p>The DA also requires more generous setbacks to buffer the building height and density from the adjacent single unit dwelling use on Pepperell Street, comparable with requirements of the LUB.</p> <p>The current DA enables a 3-storey multi-unit dwelling on PID 41470931. The maximum building height for these parcels is currently proposed at 11.0 metres. Submitted plans show a maximum building height of 12.2 metres, including peaked roofs. The draft LUB allows for the uninhabitable portion of a main building within a sloped roof to exceed the maximum required height of 11 m, by up to 4.5 metres. Based on submitted plans this appears to address the additional 1.2 metres.</p> <p>The current DA enables townhouses for the remaining group of parcels (PIDs 41470949, 41470956, 41470964, 41470972, 41470980, 41470998, 41471004, 41471012, 41471020). The maximum building height for these parcels is currently proposed at 11.0 metres which accommodates the maximum building height shown on submitted plans at 10.7 metres.</p>
39.	c) to reduce the allowable heights in the LUB such that the ER-1 zoned lands	HWCC	<p>Support</p> <p>Apply maximum height of 8 metres on ER-1 properties within the proposed</p>	<p>Creighton's Fields proposed Heritage Conservation District is characterized by intact and contiguous streetscapes of small-scale workers houses dating</p>

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	in the proposed Creighton Fields HCD have a height limit of 8 metres.		Creighton Fields HCD as illustrated on Map 20.	from the Georgian and Victorian periods of the 19th Century. Many of these homes are currently 2-storeys. The ER-1 zoned properties have a proposed maximum height of 11 metres under Package B. Lowering the maximum height to 8 metres can provide additional protection to these properties until the HCD process is completed. Non-conforming provisions under the LUB can address any non-conforming issues.
40.	d) such that relaxed allowance for built form in the Young Avenue Sub Area A outlined in Sections 85, Section 236 (a) be deleted, the proposed reduced setback of 8m (26') is prescribed in LUB Schedule 18 be deleted and the 12m front yard setback be maintained, and the unit count allowed in the Young Avenue Sub-Area A be increased to five (5) units in new, compliant structures.	HWCC	<p>Support</p> <p>Revise the LUB provisions related to the proposed Young Avenue Special Area and Young Avenue Sub-Area A as follows:</p> <ul style="list-style-type: none"> • only permit 2, 3, 4 and 5 units dwellings on lots that are re-subdivided to meet the lot width and depth requirements of the Young Avenue Special Area (min. lot width of 24.4 m, and min. depth of 30.48 metres); • adjust maximum bedrooms limits for the Young Avenue Sub-Area A to allow a maximum of 15 bedrooms within a 5 unit dwelling; • reduce maximum lot coverage from 50% to 35%; • maintain side setback requirements of 10% of the lot width, to a maximum of 3.0 metres, consistent with the Young Avenue Special Area; 	The proposed SMPS and LUB contains unique provisions for the Young Avenue area to encourage the re-subdivision and development of existing vacant lots in a form that is more consistent with the larger sized homes that characterize the area. Staff advise that the proposed adjustment are consistent with this policy intent by supporting the development of larger, but fewer buildings on the existing vacant lots, which could otherwise be developed as 9 single unit dwellings, plus accessory suites.

#	Recommendation	Source	Staff Response & Recommendation	Rationale
			<ul style="list-style-type: none"> • maintain built form requirements where at least 70% of the area of the roof must have a minimum pitch of 2/12 rise to run; • maintain allowances for a residential penthouse to exceed maximum building heights by 3 metres provided that the penthouse is setback a minimum of 5 metres from the front exterior wall and 2 metres from the side exterior wall. • increase front and flankage setback requirements for the Young Avenue Special Area, inclusive of the Young Avenue Sub-Area A, from 8 to 12 metres; • maintain all building design requirements for the Young Avenue Sub-Area A, as set out in Part VII, Chapter 6; and • Maintain parking requirements specific to the Young Avenue Sub-Area A, as set out in Section 446. 	
41.	e) such that PIDs 00065177, 00065185 and 00065193 on South Bland may be considered subject to the findings of the Halifax Grainary study to allow a zone of HR-1 20 metres.	HWCC	<p>Support</p> <p>Rezone PIDs 00065177, 00065185 and 00065193 to HR-1, with a maximum of 20 metres in height, while also expanding the Halifax Grain Elevator (HGE) Special area to include these lands in the development agreement requirements.</p>	<p>The subject lands and their proximity to amenities and separation from lower density residential use make them generally suitable for multi-unit residential development. However, as a pre-cautionary measure, staff also recommend including the lands in the Halifax Grain Elevator (HGE) Special Area, which allows residential uses only by development agreement to ensure future residential development</p>

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				on the land considers the results of the planned risk assessment study.
42.	f) to allow a height of 20 metres on the lot shared by civic addresses 6139 and 6131 Coburg and 1532 Vernon Street, to better align the height transition between the 10 storey buildings flanking the site (Le Marchant Towers and the Carlyle) and the HR-1 20 metre zone applied to the Capital building across the street.	HWCC	Support Increase maximum height on 6139 and 6131 Coburg and 1532 Vernon Street from 14 metres to 20 metres.	The height adjustment can support a better transition in height from adjacent buildings and is aligned with Centre Plan policies.
43.	g) To provide clarity as to whether the intent of section 371 (4) is that each and every 8 metre section of street wall articulation be completely different from all the others on the same building and re-write if not.	HWCC	Support Replace the word “other“ with the word “abutting” in section 370(4) and 371(4)	The intent of regulation 370 and 371 is to distinguish abutting 8 metre streetwall or exterior wall sections from each other by using at least two methods, and not from all other sections of the streetwall. The proposed change in wording will provide further clarification, and applying the change to both Section 370 and 371 will provide a consistent regulation regardless of the streetwall or exterior wall width.
44.	6. Consider the following amendments to proposed Land Use By-law and Secondary Municipal Planning Strategy as follows: a) Zone the three Properties from 6994 to 7018 Churchill Drive as ER-3.	HWCC	Support Apply the ER-3 zone to 6994 to 7018 Churchill Drive, Halifax.	The Halifax Peninsula Land Use By-law permits internal conversions of up to 6 units in the “West End Area 1”. The conversion regulations were intended to allow gentle density within existing larger buildings. Centre Plan is not proposing to bring forward this conversion clause given the limited number of properties that qualified for the conversion, and to simplify zoning requirements. The ER-3 zone provides gentle density at a similar number of

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				units and is compatible with the surrounding context. See item #10 for additional recommendations concerning the internal conversion of ER-3 zoned properties, which may also apply to these properties.
45.	b) Increase height limit to 38 metres on the HR-2 block bounded by Chebucto Rd, Clinton Ave, Joseph Howe Dr.	HWCC	Support Apply a maximum height of 38 metres on the block bounded by Chebucto Rd, Clinton Ave, Joseph Howe Dr.	Regional Council directed staff to consider maximum height on this block as part of the September 18, 2019 motion on Package B. Draft Package B proposed a 38 metre maximum height on PID 00174516 and 26 metres on the rest of the block. The maximum height on PID 00174516 was reverted to 26 metre in the final document due to a mapping error, and staff recommend that a 38 metre maximum height be restored. This site does not abut any established residential areas, and the proposed heights provide a transition between the CDD lands to the north, and HR-1 zoned lands to the south. HWCC raised a question related to the risk of coastal flooding on this block. As properties on this block do not immediately abut the Atlantic Ocean, they would not be subject to the coastal vertical elevation of the Land Use By-law. Provincial regulations related to coastal flooding are expected to come into force, and one of the key actions arising out of

#	Recommendation	Source	Staff Response & Recommendation	Rationale
				HalifACT 2050 is to develop a detailed coastal risk and vulnerability analysis, and coastal adaptation strategy.
46.	c) To eliminate the West End Special Area.	HWCC	Support Remove West End Special Area and West End Precinct from the SMPS and LUB.	<p>The Established Residential Special Areas create context-specific regulations for built form while not impacting permitted uses. They are intended to maintain the scale of residential development in the areas they are applied.</p> <p>While some of these special areas apply multiple built form controls, the West End Special Area applies only a modest reduction in lot coverage which aligns with the lot coverage in the Halifax Peninsula Land Use By-law. The Special Area lot coverage is 35% compared to a general Centre Plan regulation of 40%.</p> <p>Considering that Centre Plan is supporting gentle density through secondary and backyard suites, staff recommend that the West End Special Area be removed given the limited impact it would have on the scale of development while increasing flexibility for additional housing options.</p>
47.	d) To increase height limit on 7137 Quinpool to 23 metres.	HWCC	Support Increase maximum height to 23 metres on 7137 Quinpool Road	This property abuts a property zoned for a 26 metre maximum height and a property with a 14 metre maximum height. A 23 metre height would provide a better transition and support additional residential development on this sizeable parcel.

#	Recommendation	Source	Staff Response & Recommendation	Rationale
48.	<p>7. Consider the following amendments to proposed Land Use By-law and Secondary Municipal Planning Strategy:</p> <p>a) Change 2481, 2479, 2477, 2475, 2473, 2471 Brunswick St. from HR-1 with a maximum height of 14 metre to maximum height of 11 metres.</p>	HWCC	<p>Support</p> <p>Staff recommend that the maximum height on 2481, 2479, 2477, 2475, 2473 and 2471 Brunswick Street be lowered to 11 metres from 14 metres.</p>	<p>This is a row of townhouse dwellings, approximately 11 metres in height. The 14 metres was applied to recognize the existing multi-unit buildings elsewhere on this lot but does not reflect the context of the subject buildings.</p>
49.	<p>b) Change 2396 Brunswick St. from ER-1 to PCF (Parks and Community Facility)</p>	HWCC	<p>Support</p> <p>Staff recommend that 2396 Brunswick Street be rezoned from ER-1 to PCF.</p>	<p>This site is home to the “Little Dutch Church” National Historic Site of Canada and registered heritage property. It is currently zoned “P” under the Halifax Land Use By-law. The PCF zone permits historic sites in its list of permitted uses, as well as parks, cemeteries, cultural uses and similar uses.</p>
50.	<p>c) Staff review zoning between Charles St., Buddy Daye St./Harris St. and between Gottingen St. and Agricola St. to assess their existing built form and uses to determine any potential adjustments</p>	HWCC	<p>Support</p> <p>Staff recommend zoning changes to the following properties:</p> <p><u>Gottingen Street:</u></p> <ul style="list-style-type: none"> • Apply the COR zone on 2350-58 Gottingen Street and 5515 Buddy Daye Street (corner site) and maintain maximum height of 14 metres; • Apply the COR zone to 2368-2370 Gottingen Street and maintain maximum height of 14 metres; • Apply the COR zone to 2372-76 Gottingen Street and maintain maximum height of 14 metres; 	<p>Staff reviewed the proposed zoning based on Centre Plan policies, existing built form, uses, and Council recommendation.</p> <p><u>Gottingen Street</u></p> <ul style="list-style-type: none"> • 2350-70 Gottingen Street contain mixed commercial and residential land uses and abut low-rise residential buildings proposed to be amended to ER-2 zoning. The COR zone would extend the Gottingen Street Corridor and support existing commercial uses on this property while maintaining 14 metre maximum height. • 2372-76 Gottingen Street are low-rise residential buildings that

#	Recommendation	Source	Staff Response & Recommendation	Rationale
			<ul style="list-style-type: none"> • Apply the HR-1 zone to 2380 Gottingen Street; and • Increase the maximum building height on 2406-12 Gottingen Street from 11 metres approved under Package A, to 20 metres. <p><u>Buddy Daye Street</u></p> <ul style="list-style-type: none"> • Apply the ER-2 zone to 5527-5537 Buddy Daye Street with a maximum height of 11 metres. <p><u>Creighton Street:</u></p> <ul style="list-style-type: none"> • Apply the ER-2 zone to 2395-2417 Creighton Street; • Apply the ER-3 zone to PID 00149310, 00149344, 0014935, and 00149369 • Apply the HR-1 zone to 2414-2450 Creighton Street • Apply maximum height of 8 metres to 2500 Creighton Street 	<p>are being accessed through 2358 Gottingen Street so the same zone and maximum Height are recommended.</p> <ul style="list-style-type: none"> • 2380 Gottingen Street is a residential building adjacent to HR-1 zoned properties. • The Sunrise Manor building on 2406-12 Gottingen Street is a larger multi-unit residential building with vacant land in the back. The maximum height approved under Package A is 11 metres, but a 20 metre maximum Height would more closely reflect the current built form and could result in additional housing in the back of the lot. Any new development would also need to address adjacency to a registered heritage building. <p><u>Buddy Daye Street</u></p> <ul style="list-style-type: none"> • 5527-5537 Buddy Daye Street are single-unit dwellings on individual lots that are consistent with the ER-2 Zone, therefore the ER-2 zone as opposed to HR-1 zone is recommended. <p><u>Creighton Street</u></p> <ul style="list-style-type: none"> • The ER-2 zone is recommended to be applied to existing single or two-unit low-rise buildings. • the HR-1 zone is recommended to be applied to existing multi-unit dwellings on the same lot; while the built form looks like

#	Recommendation	Source	Staff Response & Recommendation	Rationale
				<p>townhouse dwellings, the number of units would exceed the permissions under the ER-3 zone and could pose challenges for minor additions and subdivision.</p> <ul style="list-style-type: none"> 2500 Creighton Street is a recently registered heritage property in the ER designation and lowering maximum height from 11 metres to 8 metres would be consistent with proposed heritage policy CH-6 under Centre Plan.
51.	d) Conduct further analysis in the area of Novalea Dr. between Civic addresses 5521 Duffus St and 3590 Novalea Dr. to change the zoning to HR-1 to COR to allow current uses.	HWCC	<p>Support</p> <p>Amend zone from HR-1 to COR between 5521 Duffus St and 3590 Novalea Dr. and on PIDs 41432717, 41408253, 41408246, and 41408220.</p>	<p>This collection of properties include a strip mall with a range of commercial uses that include a general store (Lawtons), a pharmacy, a bakery, a hardware store, a taxi company and a car dealership. The COR zone would better reflect the current range of commercial uses, and would allow the entire building to be occupied by commercial uses.</p> <p>Staff recommend including all of the properties in the COR zone to support additional uses and more complete community in this part of the Peninsula. Vacant properties currently zoned HR-1 are also included in the recommendation.</p>
52.	e) Change PID: 00173856 from HR-1 to a zone that recognizes the current municipal use	HWCC	<p>Support</p> <p>Apply INS zone with a maximum height of 11 metres to PID: 00173856.</p>	<p>This HRM-owned property was transferred to the Municipality by the Halifax Bridge Commission when the land was deemed surplus to the bridge</p>

#	Recommendation	Source	Staff Response & Recommendation	Rationale
				<p>needs and was originally part of the right-of-way. TPW advises that part of the land may be needed for future functional design improvements to Massachusetts Avenue.</p> <p>PCF zoning is not recommended due to lack of public access, sloping conditions and proximity to the busy Massachusetts Ave. The land could be naturalized but given future municipal needs, staff recommend INS zoning with a maximum height of 11 metres with the understanding that part of the site may be needed for street works in the future.</p>
53.	f) 6379 Almon St mapping error adjust to ER-2	HWCC	<p>Support</p> <p>Apply the ER-2 zone to 6379 Almon Street</p>	This change corrects a mapping error and reduces the depth of the ER-3 zoned properties.
54.	g) 6380 Edinburgh St mapping error adjust to ER-2	HWCC	<p>Support</p> <p>Apply the ER-2 zone to 6380 Edinburgh Street</p>	This change corrects a mapping error and reduces the depth of ER-3 zoned properties.
55.	h) 6324 and 6330 North change from ER-3 to ER-2	HWCC	<p>Support</p> <p>Apply ER-2 zone to 6324 and 6330 North Street</p>	The properties are not located on a frequent transit corridor and are currently zoned R-2 under the HPEN LUB.
56.	i) 6022 North Street – Change from HR-1 with a maximum height of 14 metres to a maximum height of 17 metres	HWCC	<p>Support</p> <p>Change height on 6022 North Street from 14 metres to 17 metres.</p>	This property contains an existing 3-storey building. The modest increase in height on this property is not out of context and can support additional housing units on this transit corridor.

#	Recommendation	Source	Staff Response & Recommendation	Rationale
57.	j) 5527-5531 Duffus St change from ER-2 to HR-1 with maximum height of 17 metres	HWCC	Support Apply the HR-1 zone with a maximum height of 17 metres to 5527-5531 Duffus Street	These properties are zoned R-2 under HPEN and contain two single-unit dwellings. They abut properties currently zoned HR-1 with a maximum height of 20 metres and proposed to be zoned COR in the current staff report based on HWCC recommendation. Across the street on Duffus Street is the outer boundary of the proposed Hydrostone Heritage Conservation District. These two properties abut HR-zoned land in the rear and the 17 metres is an appropriate transition. The properties are served by transit.
58.	k) 5535-5545 Duffus St. change from ER-2 to HR-1 with maximum height of 14 metres	HWCC	Support Apply the HR-1 zone with a maximum height of 14 metres to 5535-5545 Duffus Street, as well as 5553 Duffus Street Street/3507 Isleville Street.	These properties include single-unit and two-unit dwellings, and the corner lot includes a commercial use. Across the street on Duffus Street is the outer boundary of the proposed Hydrostone Heritage Conservation District. The application of HR-1 zone would represent a change in use in this area, but a 14 metre high development could support additional mid-rise housing that is not out of context with the surrounding area.
59.	8. Consider the following amendments to proposed Land Use Bylaw and Secondary Municipal Planning Strategy: a) Zone the property at 6331 and 6351 North Street, Saint Theresa's Rectory to Institutional Employment Designation	HWCC	Support Apply INS Zone to 6331 and 6351 North Street.	This property is part of the Saint Theresa's Rectory and previously proposed to be zoned INS under draft Package B. ER-2 zoning was applied based on property owner request for COR zoning, but INS zoning may provide additional flexibility, it reflects

#	Recommendation	Source	Staff Response & Recommendation	Rationale
				the current use, and has been confirmed with the property owner.

Attachment B: Changes to the Draft Plan and LUB Identified and Recommended by Staff

Number	Item	Recommendation	Rationale
Downtown Halifax Transition			
1.	Case #22322: Jag Hotel - Substantive site plan approval to permit a 12-storey hotel located at 1872-1874 Brunswick Street in Halifax	Retain 1872-1874 Brunswick Street in Halifax within the Downtown Halifax Plan and LUB boundary.	<p>This site plan approval application (Case #22322) was approved by the Design Review Committee on July 25, 2019. The Incentive or Bonus Zoning Agreement for the project was refused by Regional Council on June 9, 2020 and required community engagement.</p> <p>The approved development currently complies with the applicable proposed Centre Plan land use and built form policies and regulations, except for the following:</p> <ul style="list-style-type: none"> • The minimum side interior lot line stepback requirements of 11.5 metres above a height of 33.5 metres; • The density bonusing value and calculations; and • The public benefit category proposed. <p>The planning application is in advanced stages of the site plan approval process, and this request was submitted prior to the May 28th publication of the draft Package B planning documents.</p>
2.	Case# 22444: Skye Halifax - Substantive site plan approval to enable a 21-storey mixed-use development at 1591 Granville Street and 1568 Hollis Street in Halifax	Retain 1591 Granville Street and 1568 Hollis Street in Halifax within the Downtown Halifax Plan an LUB boundary and under Precinct 4 (Lower Central Downtown)	<p>This site plan approval application (Case# 22444) was approved with conditions by the Design Review Committee on November 14th, 2019. The development currently complies with the applicable proposed Centre Plan land use and built form policies and regulations, except for the following:</p> <ul style="list-style-type: none"> • The minimum front setback requirement of 1 metre, which was increased from zero (see item 6 proposed changes to setbacks); • The minimum side interior lot line stepback requirements of 5.5 metres above the streetwall along

Number	Item	Recommendation	Rationale
			<p>the rear property lines (even with the proposed change of 4.5 m the application would not meet the requirement);</p> <ul style="list-style-type: none"> • The minimum side interior lot line setback requirements of 11.5 metres above a height of 33.5 metres; • The maximum building dimensions, tower width, and separation distance between towers; • The density bonussing value and calculations; and • The public benefit category proposed. <p>The applicant submitted this request prior to the May 28th publication of the draft Package B planning documents.</p>
3.	Case #23725: Bedford Row - Substantive site plan approval to permit a 12-storey mixed-use building located at 1649 Bedford Row in Halifax	Retain 1649 Bedford Row within the Downtown Halifax Plan boundary and LUB.	<p>This project completed the public engagement component of the review process and is at the full application stage. It will be presented to the Design Review Committee for a decision in the near future. The proposal complies with the applicable proposed Centre Plan land use and built form policies and regulations, except for the minimum side interior lot line setback requirements of 11.5m above a height of 33.5 metres for high-rise buildings. A density bonussing component is not proposed as part of this project.</p> <p>This request was submitted prior to the May 28th publication of the proposed planning documents.</p>
4.	Case #23726: Mills Brothers Site - Substantive site plan approval to permit an 8-storey mixed-use development on lands bound by Birmingham Street, Spring Garden Road, Queen Street and the rear property line of the “Mary Ann” building on Clyde Street, Halifax	Retain eight parcels identified as: PID# 00077412, 41210386 & 00077461 (Mills Company Holdings), 00034397 (Westwood Dev.), 00077404 (Storme Properties/ Duggers), 00077420 & 00077446 (Micco Companies Ltd), and 00077453 (Calnen Photo) within the Downtown Halifax Plan and LUB boundary.	<p>This project is in the full application stage of the review process and will proceed to the Design Review Committee for a decision in the near future. The proposal complies with the applicable proposed Centre Plan land use and built form policies and regulations, except for the following:</p> <ul style="list-style-type: none"> • The minimum side lot line setback requirements of 5.5 metres along the rear property line; • The density bonussing value and calculations; and • The public benefit category proposed.

Number	Item	Recommendation	Rationale
			The applicant submitted this request prior to the May 28 th publication of the draft Package B planning documents.
5.	Blowers & Granville (PID No. 00076141, 40420143, and 00076109) - Substantive site plan approval to permit 7-storey mixed use building located on the corner of Blowers and Granville Streets in Halifax	Retain three parcels identified as PIDs 00076141, 40420143, and 00076109 within the Downtown Halifax Plan and LUB boundary.	<p>This project is in the pre-application stages of the review process. While the proposal complies with the applicable proposed Centre Plan land use and built form policies and regulations, potential revisions may be required during the site plan approval process. A density bonusing component is not proposed as part of this project.</p> <p>This request was submitted prior to the May 28th publication of the Centre Plan documents. Staff recommend that the applicable properties be removed from Centre Plan Package B and retained under the Downtown Halifax Plan and LUB.</p>
6.	Front/Flanking Setbacks	Revise front/flanking setbacks along Downtown Halifax Streets from 1m to 0m, consistent with the existing 0m setbacks in place under the Downtown Halifax Plan and LUB.	While the proposed increase in front/flanking setbacks from 0 metres to 1 metre was intended to support landscaping and reduce potential conflicts with the right-of-way, staff recognize that the zero distance setbacks requirements have been in place for many years and that most developments are constructed directly adjacent to the right-of-away. Increasing the setback, therefore, would have limited impact and could unnecessarily impact development projects in the design phase.
Package A Site Plan Approval Transition			
7.	Proposed restrictions on underground parking within the front/flanking setback	Allow underground parking within the front/flanking setback of the Downtown Dartmouth (DD) and Downtown Halifax (DH) Zones while maintaining the restriction in all other zones	Many buildings located with the Downtown Dartmouth (DD) Zone and Downtown Halifax (DH) Zone are already built to the streetline and continuing to allow underground parking within these zones is expected to have minimal negative impacts. However, in other zones without a tradition of 0m front setbacks, the cumulative impact can lead to negative impacts by reducing opportunities for soft landscaping (trees) and leading to potential conflicts with public and utility infrastructure located in the right-of-way.

Number	Item	Recommendation	Rationale
8.	Building separation requirements	Revise the building separation requirements from 6 metres to 4 metres to reflect the 4 metre Package A requirement	While building code requirements control for safety, the separation distance requirement is intended to support site visual porosity where more than one building is located on a lot or only connected underground. The Package A requirement for 4 metres is suitable for this purpose while providing slightly more flexibility than the 6 metres proposed in Package B.
9.	On-site loading space requirements	<p>Reducing loading space size and height requirements as follows:</p> <ul style="list-style-type: none"> • Reduce 'Type B' minimum clearance height from 4.5 to 4.3 metres. • Revise 'Type A' requirements by: <ul style="list-style-type: none"> - reducing the minimum depth from 9 to 6 metres; - reducing the minimum width from 3.5 to 3 metres; and - reducing the minimum clearance height from 4 to 3 metres. • Reduce the threshold for requiring on-site loading space requirements from 30 to 40 dwelling units, consistent with the Package A requirements. • Reduce landscaped buffering requirements for surface off-street loadings spaces for developments located in and abutting COR, CEN.-2, DD and DH Zones provided the area is screened with fencing and does not abut ER, RPK and PCF zones; • Maintain all other proposed Package B loading space requirements. 	These changes are intended to support curbside management as the Municipality expands its AAA bike network and transit infrastructure, which will place higher demand on curbside space. However, to address potential impacts to building design, the specific loading space dimension requirements can be reduced to better align with the typical size of loading vehicles (moving trucks) and Package A requirements. While this may impact the design of some buildings, these less stringent requirements will reduce impacts.

Number	Item	Recommendation	Rationale
10.	Former St. Patrick's High School Site	<ul style="list-style-type: none"> Establish a site-specific exemption for the former St. Patrick's High School site to continue to enable two proposed tall-mid-rise buildings to be approximately 30 metres in height (one additional storey), consistent with architectural drawings reviewed under the Package A site plan approval pre-application process. 	<p>The Package A LUB contains unintended wording that allows restrictions on the dimensions of high-rise towers to apply to the portion of the tower above 26 m, instead of all portions of the towers above the streetwall. While the draft Package B LUB corrects this oversight, staff acknowledge that the site-plan approval application for the former St. Patrick's High School Site based its designs on the Package A LUB wording of tower dimension requirements and was sufficiently advanced before the most recent version of the Package B planning documents were published on May 28, 2021. Therefore, to recognize the advanced stage of the building design, staff recommend a site-specific exemption for this site to enable the two tall mid-rise buildings to continue to be designed to the Package A regulations, which would allow one additional storey in height while still meeting shadow protocol requirements. Staff advise that there are no other site-plan approval applications for high-rise buildings in progress that are significantly impacted or on file with the Municipality before May 28, 2021.</p>
Substantive Changes and Additions to the Draft Plan and LUB			
11.	Registered Heritage Property Development Agreement Policy (SMPS Policy CHR-7)	Adjust development agreement policy criteria to clarify the policy intent, including the policy criteria concerning the assessment of any un-registered structures for heritage value or neighbourhood character, and where appropriate, require the visual integrity of these assets to be retained	Policy CHR-7 is intended to provide increased flexibility for the redevelopment of registered heritage properties to recognize unique development constraints and provide additional incentive for heritage preservation. To encourage the conservation of assets on a development site that are not already registered, staff advise that the specific wording of the development agreement policy criteria should be revised to further clarify that Council should consider whether these assets are retained and integrated into the development to preserve neighbourhood character and heritage value.
12.	Relocation of Non-conforming Uses to support public investments in	Revise SMPS Policy IM-19 to allow a development agreement for a use of land and a structure not otherwise permitted in	Additional flexibility is needed to enable the non-conforming gas station located at the corner of Connaught Ave and Bayers Road to relocate to an adjacent property to facilitate

Number	Item	Recommendation	Rationale
	transportation and open space networks.	the zone to allow the same use as an existing non-conforming uses where needed to support the Municipal acquisition of land for public purposes.	the development of planned transit network improvements along Bayers Road. As similar needs may arise in the future, staff recommend allowing a development agreement to allow the current non-residential non-conforming uses to be enabled to relocate on the existing property, or be permitted on another property, where needed to support the Municipal or provincial acquisition of land for public purposes. The use of the development agreement tool will enable Community Council to consider site-specific constraints and controls.
13.	Side setbacks for HR zones abutting DD, DH, CEN and COR zones	Revise LUB 198 of the LUB to remove the 2.5 metre side setback requirement that would apply when abutting DD, DH, CEN-1, CEN-2 and COR zones.	The DH, DD, CEN and COR zones require no side setback when next to an HR zone, but the HR Zones do require a 2.5 metre setback when next to these zones. This can result in a break in the streetwall in more dense parts of the Regional Centre. Staff recommend removing the setback in these abutting conditions to create consistency with the other mixed-use zones and to support continuous streetwalls.
14.	Transition Requirements for flag shaped ER zoned lots	<p>Zone the 'pole' portion of applicable ER-1, ER-2, ER-3 and CH-1 zoned flagged lots that protrude into otherwise contiguous COR or HR zoned areas as COR or HR.</p> <p>Revise the LUB text as needed to ensure that access to the low-density residential uses are permitted through the COR, HR-2 and HR-1 zones.</p> <p>Add a row to Tables 1A-1D to indicate "access and servicing for a cluster housing use" and allow the new use in the COR, HR-2, and HR-1 zones.</p>	<p>In rare cases, flag lots with limited frontage on a COR or HR zoned street, are zoned ER-1, ER-2, ER-3 or CH-1 to enable appropriate land uses on the main 'flag' portion of the lot. However, when the 'pole' portion of the lots is also placed in a low-density zone, transition provisions that require a 6 m side setback also apply. As these transition requirements are intended for the main use and not driveway access, minor revisions to the LUB zoning and map and text to ensure these transition requirements do not apply to driveways located in the 'pole' portion of applicable flag shaped lots.</p> <p>This change is related to site specific requests (ParkingLot408 & 425) highlighted in staff Memo to CDAC dated June 21, 2021 where adjacent property owners to CH lands expressed concern over transition requirements on the flag portion of CH lots, and CH property owners were concerned about zoning the flag portion as a different zone.</p>

Number	Item	Recommendation	Rationale
15.	Development Permit Exemptions [LUB Section 9]	Remove the word “planters” from Clause 9(1)(c).	Planters are exempted if they were less than 0.6 metres high, which would indicate that if one was more than 0.6 metres high, a development permit was required. However, HRM has historically never required permits for planters and remaining silent would support this current practice.
16.	Halifax Citadel Rampart Sight Lines [LUB Section 411 and List of Schedules Subsection 30(1)]	<p>Re-naming “Schedule 27” to “Schedule 27A” and add references to Schedules 27B and 27C for the coordinates of the Cavalier Building within the Halifax Citadel Grand Parade.</p> <p>Re-organize Subsection 411(4).</p>	<p>As indicated in the May 7, 2021 staff report, the new Schedules provide survey coordinates for the Cavalier Building located in the Parade Square of the Halifax Citadel.</p> <p>The addition of the two new Schedules would allow more built form flexibility for developments outside of Citadel Hill if a Halifax Citadel rampart sight line was being blocked from its viewing position by the Cavalier Building.</p> <p>The re-organization of Subsection 411(4) will improve readability and clarify for administrative purposes that only the Cavalier Building can interrupt a rampart sight line.</p>
17.	Solid Waste Management Areas [LUB Section 49]	<p>Change the threshold for locating waste management areas inside a building from 11 metres in height, to 2,000 square metres in area.</p> <p>Revise the diagram to remove the 11.0-metre height reference.</p>	A floor area threshold is more appropriate than a height threshold for requiring solid waste management areas to be located inside a building given that large scale buildings may not be taller than 11 metres in height.
18.	LUB Table 2: Minimum lot area requirements	Decrease the minimum lot area for end units of townhouses from 245 square metres to 220 square metres.	The townhome end unit minimum lot area could result in requiring lots deeper or wider than those typically found in the Regional Centre. To meet the lot area requirement, townhome end lots would need to be nearly as large and as wide as single unit dwelling lots in the ER-2 and ER-1 zones and may not fit with the scale of typical townhome developments. This minor reduction of lot area requirements is not expected to create a significant impact on abutting uses and will make townhome developments more efficient and achievable. All other requirements would need to be met.

Number	Item	Recommendation	Rationale
19.	Additional Cluster Housing Siting Requirements [LUB Section 243]	Increase the frontage threshold from 10.0 m to 12.0 m and the setback threshold from 6.0 m to 8.0 m; and	To improve flexibility for the positioning of cluster housing dwelling units and to clarify requirements for administrative purposes.
20.	Backyard Suites and Existing Accessory Structure Footprint and Area [LUB Section 345]	<p>Add the words “floor area” in Subsection 345(2) after the word “footprint,”.</p> <p>Add a new Subsection in Section 345 to permit existing accessory structures located in flanking yards to convert to a backyard suite use.</p>	Adding the reference to floor area corrects an unintended omission. Relaxing floor area and flanking setback requirement for existing accessory structures will enable existing accessory structures located within flanking yards on corner lots to convert to a backyard suite use. Corner lots offer direct access to abutting streets and allowing existing accessory structures to convert to a backyard suite supports increased opportunities for adding gentle density.
21.	Site Plan Approval Variation: Unique Building Design [Section 406]	Add a new clause to enable variations to projecting signs requirements.	Including projecting signs in this variation would allow additional flexibility for certain uses through the site plan approval process, which may be needed to consider unique signage proposals for theatres, museums and other similar uses.
22.	UC-1 Zone Accessory Parking Lot Requirements [LUB Section 454]	Add the UC-1 Zone to the list of zones in Subsection 454(3), which permits accessory parking lots, and remove it from Subsection 454(5), which prohibits accessory parking lots near the streetline.	Restrictions on locating accessory parking lots along the streetline are intended to support the pedestrian experience. This requirement is generally applied to mixed-use zones targeted for growth, including CEN-1, CEN-2, COR, DH and DD zones, with adjustments between some zones to reflect the specific zone context. While the UC-2 Zone supports a similar urban form, the UC-1 Zone supports an open space campus setting and is not intended to meet this accessory parking lot requirement, given the large lot sizes and need to provide flexibility for the use and development of large university and college campuses.
23.	Exterior Lighting [LUB Section 42]	Remove Subsection 42(2), which requires all exterior lighting to be equipped with full cut-off light fixtures.	The requirement for full-cut off light fixtures is intended to help prevent light pollution. However, the provision would be difficult to administer and could prevent decorative lighting that supports the urban design goals of the plan. Exterior lighting would continue to be required to be directed away from abutting lots or streets.

Number	Item	Recommendation	Rationale
24.	Pedestrian Pathways Through Accessory Parking Lots [LUB Section 455]	Remove the following words from Subsection 455(4): “required to be raised to meet the elevation of the abutting pedestrian pathway, and”.	The change of colour and material are sufficient to delineate a pedestrian pathway. Furthermore, the driving aisle would inevitably need to be raised to meet the pedestrian pathway, to avoid a drastic change in grade.
25.	Ground Signs [LUB Section 473]	Allow ground signs in the Halifax Waterfront (HW) Special Area.	For additional flexibility on the Halifax Waterfront where ground signs may be needed to guide visitors.
26.	Window Signs for Bed and Breakfast, Home Occupation Uses, Daycare Uses, and the Sale of Urban Agricultural Products as an Accessory Use [LUB Section 478 and 479]	Remove the words “window sign”.	Staff advise that given the acceptance of more accessory uses in residential areas that there is limited benefit to regulating window signs.
27.	Ground Floor Uses for Buildings Containing A Multi-Unit Dwelling Use on Non Pedestrian-Oriented Commercial Streets [LUB Section 67]	Add an exclusion for entrances to internal parking and portals.	To ensure there is sufficient flexibility for smaller scale developments.
Site Specific Changes			
28.	Public housing properties with multiple buildings on a lot - Bayers Westwood	Apply the HR-1 zone with a maximum height of 11 metres to the following properties owned by Halifax Regional Municipality to the area between Bayers Road and Chisholm Avenue (PIDs00111021, 00111039, 00085019, 00085027, 00085035, 00085043).	This community is comprised of several PIDs with multiple low-rise multi-unit dwellings located on large lots. Public housing communities of similar style were often zoned R2 or R3. Although the built form represents townhouse and single-unit dwelling built form and is currently zoned R-2 under the Halifax Peninsula LUB, the large number of units would greatly exceed ER-3 zone permissions and would make future subdivision challenging as illustrated by some of the site-specific submissions received by Council. To apply a more consistent zone while respecting the overall character of the community, the HR-1 zone with a low height of 11 metres is recommended. The HR-1 zone with a low height would more closely reflect the current land use and built form character than the ER-3 zone.
29.	Public housing properties with multiple buildings on a lot - Uniacke Square	Apply the HR-1 zone with a maximum height of 11 metres to the following properties owned by Canada Mortgage	This community is comprised of two PIDs, which include a number of low-rise multi-unit dwellings located on the same lot. Although the built form represents townhouse and

Number	Item	Recommendation	Rationale
		and Housing Corporation to the area between Gottingen Street and Brunswick Street (PIDs 00127720, 00127738)	single-unit dwelling built form and is currently zoned R-3 under the Halifax Peninsula LUB, the large number of units would greatly exceed ER-3 zone permissions and would make future subdivision challenging, and cost prohibitive as illustrated by some of the site-specific submissions received by Council. Public housing communities of similar style were often zoned R2 or R3. To apply a more consistent zone while respecting the overall character of the community, the HR-1 zone with a low height of 11 metres is recommended.
30.	Multi-unit properties on Gottingen Street	Apply HR-1 Zone and Maximum height of 11 metres to PID 40268500 as well as 2513-2559 Gottingen Street.	These properties are owned by Housing NS and Municipal Affairs and Harbor City Homes, are located on a frequent transit route, and contain existing low-rise multi-unit dwellings that are zoned R3. The HR-1 zone with a low height would more closely reflect the current land use and built form character than the ER-3 zone.
31.	Multi-unit properties on the same lot, Wood Ave, Halifax	Apply HR-1 Zone and Maximum height of 11 metres to 2513-2559 and 2383 Wood Ave, Halifax	These properties owned by the Halifax Regional Municipality contain multiple low-rise multi-unit dwellings with separate buildings located on the same lot. They are currently zoned R3 under the Halifax LUB. The large number of units would exceed ER-3 zone permissions and would make future subdivision challenging as illustrated by some of the site-specific submissions received by Council. The HR-1 zone with a low height would more closely reflect the current land use and built form character than the ER-3 zone
32.	4 Mount Hope Ave, Dartmouth, PID 00232827 2B Mount Hope Ave, Dartmouth)	Change Zone from INS to COR on PID 00232827	This property is currently zoned R-3 under the Dartmouth Land Use by-law and governed by a development agreement. The current use is a 14-room shared housing residential facility managed by a non-profit organization. Part of an adjacent property is proposed to be zoned COR, and COR zoning would provide more flexibility for potential future expansion of housing and associated services for the organization. No change to the maximum 20 metre height change is recommended.
33.	2123 Creighton Street, Halifax	Amend zoning boundary and FAR precincts on 2123 Creighton Street Halifax (PID 41275561) from CEN-1 and FAR 6 to as follows:	Part of the lot facing Creighton Street is vacant and part of it contains a building. Under Package A, the entire lot was zoned CEN-1 with a FAR of 6.

Number	Item	Recommendation	Rationale
		<ul style="list-style-type: none"> • Apply the CEN-2 zone and maintain a FAR of 6 on a portion of the property aligned with the eastern boundary of 5516/5518 Cornwallis Street • Apply the CEN-2 zone and a FAR of 3.5 to align with the property boundary of 5518 and 5532 Cornwallis Street • Maintain the CEN-1 zone and apply a FAR of 3.5 to the rest of the parcel, aligned with the eastern boundary of 5532 Cornwallis Street, and Creighton Street. 	<p>Under proposed Package B the FAR on a portion of the property zoned as CEN-1 was adjusted based on the property owners request, and to comply with policy under the Plan that CEN-1 zones in general can have a max. FAR of 3.5. However, FAR on a portion of the property was reduced to 1.75 due to a mapping error.</p> <p>Given that this particular property is not part of the proposed HCD and that the property owner is in the process of developing a development proposal, it is recommended to apply a FAR of 3.5 to approximately half of the property and maintain a FAR of 6 on a portion closer to Gottingen Street. The CEN-2 portion is proposed to be slightly extended, but with a lower FAR of 3.5. The proposed changes are consistent with a proposed concept plan for this property.</p>
34.	1480 Oxford Street	Amend zone PID 00078212 from INS to HR-1 (1480 Oxford Street)	This property was approved as HR-1 under Package A. The change corrects a mapping error.
35.	5657 North Street, Halifax	Amend the zone on Deepwater Church at the corner of North and Fuller in Halifax from ER-1 to INS with a maximum height of 11 metres	This is an institutional building within a proposed Heritage Conservation District and a registered heritage property. The change corrects an unintended mapping oversight.
36.	40449753, Dartmouth	Amend the zone on PID 40449753 from HR-1 to PCF with a maximum height of 11 metres	This is HRM-owned walkway that should be zoned as PCF.
37.	Schedule 18	Adjust minimum front setback from 7.5 metres to a setback consistent with abutting properties for properties proposed to be zoned as Light Industrial (LI) under draft Package B and where the zone was changed to a CLI or other mixed-use zone.	There are a number of properties previously proposed to be zoned industrial, but with a more recent change to a CLI or COR Zone, the minimum front setback should be reduced.
38.	Height adjustments for newly registered heritage properties in the ER zones	Adjust maximum heights for recently registered heritage properties as follows:	Policy CH-6 includes maximum heights and FARs for registered heritage properties. A similar policy was approved by Council under Package A, which intends to support heritage preservation while also allowing for larger scale developments by development agreement. The

Number	Item	Recommendation	Rationale
		<p>26 Elliot Street, Dartmouth, PID 00235010 Findlay School in the PCF zone: apply maximum height of 11 metres;</p> <p>6047 Jubilee Road, Halifax, PID 00137414 Dr. Martin Murphy House in the ER-2 zone: apply a maximum Height of 8 metres;</p> <p>5381 Spring Garden Road, Halifax, PID 00076943 Poor House Cemetery and Grafton Park in the DH zone, but recommended by HWCC to be zoned PCF: apply a maximum height of 17 metres;</p> <p>2500 Creighton Street, Halifax, PID 00149203 Surveyor General's Office in the ER-2 zone: apply a maximum height of 8 metres;</p> <p>1342 Robie Street, Halifax PID 00134577 Smith-Rankin House in the ER-3 zone: apply a maximum height of 8 metres;</p> <p>2381 Moran Street, Halifax PID 00150789 in the ER-1 zone: apply a maximum height of 8 metres.</p>	<p>identified properties were recently approved by Council as registered heritage properties and are mostly in the ER and PCF zones.</p>
Corrections and Clarifications			
39.	Correction of drafting errors and omissions (SMPS and LUB)	<p>Revise the draft SMPS and LUB as needed to:</p> <ul style="list-style-type: none"> • correct typos, formatting issues, and grammatical errors; 	To support readability and proper administration without making material changes to the proposed regulations.

Number	Item	Recommendation	Rationale
		<ul style="list-style-type: none"> • remove redundant wording; • correct cross-referencing errors and omissions; and • ensure the consistent use of technical terms within and between maps and planning documents. 	
40.	Clarification of draft LUB provisions	Rephrase and reorganize certain LUB provisions as needed to clarify the intent and administration of regulations.	To support readability and proper administration without making material changes to the proposed regulations.
41.	SMPS Land Acknowledgement	Revise wording relating to land acknowledgement in Preface and under SMPS Section 1.1.1 (Historical Settlements) to “The Municipality is located in the Sipekni'katik and Eskikewa'kik districts of Mi'Kmaq'i, the traditional and ancestral lands of the Mi'Kmaq First Nations. The Regional Centre and Halifax in general is commonly known to the Mi'Kmaq as K'jipuktuk, meaning Great Harbour.”	Upon further review, staff identified minor adjustments to the land acknowledgements language contained in the SMPS to clarify the references to Mi'Kmaq'i districts and the relationship to the Municipal and Regional Centre geographies.
42.	Maximum floor area and dimensions of high-rise towers	Revised SMPS Policy UD-9 to clarify that the maximum floor area and dimensions apply to allow portions of the tower above the streetwall.	The draft LUB addresses an inadvertent drafting error included in the Package A LUB that allowed restrictions on the dimensions of high-rise towers to apply to the portion of the tower above 26 metres, instead of all portions of the towers above the streetwall. The proposed revisions to related SMPS policies is intended to further clarify the intent of this important LUB regulation.
43.	CDD-1 and CDD-2 General Development Agreement Criteria	Revise SMPS Policy F-5(2) to clarify that CDD developments are also subject to the requirements of the Regional Subdivision By-law and Halifax Charter.	To clarify the relationship between development agreement controls related to subdivision and the general requirements contained in the Regional Subdivision By-law.
44.	Coastal Elevation Requirements [LUB Section 72]	Revise wording related to the special provisions for the Downtown Dartmouth and Downtown Halifax Waterfront Special Areas to clarify the qualifications and	To support the more effective administration of flood mitigation requirements.

Number	Item	Recommendation	Rationale
		scope of the optional flood mitigation report.	
45.	LUB Table 1A: Permitted uses by zone (DD, DH, CEN-2, CEN-1, COR, HR-2, and HR-1) LUB Table 1B: Permitted uses by zone (ER-3, ER-2, ER-1, and CH)	Add black dots with the number 15 to select residential uses in the HR-2, HR-1, ER-2 and ER-1 columns. Footnote 15 references the Halifax Grain Elevator (HGE) Special Area and the requirement to proceed through a development agreement for new or expanded residential uses.	To correct omissions, as there are certain lands zoned HR and ER zones that fall within the HGE Special Area.
46.	LUB Table 1D: Permitted uses by zone (HCD-SV)	Correct footnote number 19 to specify that it is the “HCD-SV zone” instead of the ER-2 zone”.	Correction of zoning reference error.
47.	LUB Table 3: Minimum lot area requirements for Established Residential Special Areas	Add two additional lot areas for townhouse dwelling uses in North End Halifax 2 (NEH-2) Special Area, one for interior units and one for end units.	To correct two omissions, as townhouses are permitted in some parts of the North End Halifax 2 (NEH-2) Special Area.
48.	LUB Table 6: Minimum lot frontage requirements for Established Residential Special Areas	Add the lot frontage value for end units of townhouse dwelling uses in the North End Halifax 2 (NEH-2) Special Area.	To correct an omission, as townhouses are permitted in some parts of the North End Halifax 2 (NEH-2) Special Area.
49.	Grade-Related Dwelling Units [LUB Sections 285 and 302]	Delete Sections 285 and 302.	Grade-related dwelling units only apply in the context of a multi-unit dwelling use, which is not permitted in either the UC-2 or UC-1 zone, and therefore should not be included as a requirement from these zones.
50.	Variation: Maximum Building Dimensions in the CEN-2, COR, or HR-2 Zone [LUB Section 404]	Revised LUB section 404 to clarify that the building width or building depth of a mid-rise building or a tall mid-rise building, above the streetwall is limited to a maximum of 64.0 metres.	To add supporting text to help in the determination of when a break is necessary above the streetwall for a mid-rise building or a tall mid-rise building.
51.	LUB Schedule 3C	Remove North End Halifax 3 (NEH-3) from Schedule 3C	North End Halifax 3 (NEH-3) is no longer referenced in the LUB and should be removed from Schedule 3C.
52.	Development Permit Applications [LUB Section 10]	Add an exclusion for “height exempted building rooftop features” in Clause 10(h).	Clarity for administrative purposes.

Number	Item	Recommendation	Rationale
53.	Part V, Chapter 1: General Built Form Requirements	Add a new Section after Section 92, titled “General Requirement: Maximum Rear Setbacks” to specify that no maximum rear setback applies in any zone under the By-law.	To clarify for administrative purposes.
54.	General Requirement: Building Rooftop Features [LUB Section 100] General Requirement: Height Exemption for Sloped Roofs [LUB Section 101]	Add two new Subsections to clarify that building rooftop features do not count towards building height, building typology, and height determination for pedestrian wind impact assessment reports.	To clarify for administrative purposes.
55.	Requirements for Transportation Reserves related to Streetwalls and Grade-Oriented Premises	Add the words “or a transportation reserve” after the word “streetline” where it appears in sections related to: Maximum Streetwall Heights, Minimum Streetwall Heights, Streetwall Setbacks, Ground Floor Requirements, and Grade-Oriented Premises.	To correct an omission that did not include transportation reserves in streetwall and grade-oriented premises requirements given that the transportation reserves are intended to become the future streetline:
56.	Variation: Streetwall Articulation [LUB Section 402]	Replace the words “sculpted walls” with the words “distinct curves or forms on the streetwall”.	To improve clarity, as the term “sculpted walls” is not defined in the By-law, and if it were, it would be defined as “distinct curves or forms on the streetwall”.
57.	Soft Landscaping for Accessory Parking Lots or Off-Street Loading Spaces [LUB Section 427]	Limit the requirements contained in Section 427 to only the portion along the lot line adjacent to the accessory parking lot or off-street loading space.	The intent of the regulation is to screen a parking lot or loading space and, therefore, the requirement should not be applied to the full length of the lot line if those uses are not present.
58.	Screening for Daycares [LUB Section 433]	Add the following text “along the portions of the lot line that runs adjacent to the outdoor recreational spaces or play areas,” in the introductory sentence.	For additional clarity to limit where the screening is required.
59.	Calculation of the Public Benefit for a Development Exceeding 2,000 Square Metres in a DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, or CLI Zone [LUB Section 483]	Remove the CLI Zone from the list of zones that incentive or bonus zoning requirements apply and make adjustments to the header.	To correct an error as the SMPS does not require incentive or bonus zoning in the CLI Zone given that residential uses are not permitted.
60.	Definition for “Chemical Storage Facility” [LUB Subsection 508(52)]	Shorten the definition for “Chemical Storage Facility” by deleting the words	The definition should directly define the use, and not relate it to the use that it may be accessory to. The definitions of

Number	Item	Recommendation	Rationale
		"related to a university and college use or a research and development facility use".	"University and College Use" and "Research and Development Facility Use" would cover a chemical storage facility. There are also industrial uses that could have such a facility.
61.	Definition for "Religious Institution Use" [LUB Subsection 508(205)]	Revise the definition of "Religious Institution Use" to add "columbarium" to the list of "such as" examples.	To correct an omission. A columbarium is a structure or a room in a structure for the respectful and usually public storage of funerary urns, holding cremated remains of the deceased.
62.	LUB Schedule 23	Revise Schedule 23 to identify commercial use properties.	Schedule 23 does not identify commercial mixed use as per the approved Schmitville HCD SHRC Zone in the Halifax Peninsula LUB.
63.	LUB Schedule 6	Update Transportation Reserve Mapping on Schedule 6 based on more detailed coordinates and Council direction on a preferred option for rapid bus transit.	This change will provide more detail about the intended extent of the Transportation Reserve, as indicated in the May 7, 2021 staff report.
64.	LUB Schedule 49	Remove the following INS parcels from the Schedule 49 - Areas where accessory surface parking lots are prohibited in the Downtown Halifax (DH) Zone:00077099413538714135388940708 422000771074143068700002618	To correct a drafting error based on amended surface parking regulations.
65.	Grain Elevator Bonus Zoning Bonus Zoning Requirements and the Halifax Grain Elevator (HGE) Special Area	Revise SMPS policies and LUB provisions to clarify that the Halifax Grain Elevator development agreement provisions require incentive or bonus zoning, consistent with the requirements of the underlying zone.	To correct an omission or bonus zoning should continue to be required for lots zoned HR-1, which are subject to the proposed development agreement provisions.
66.	LUB Table 1C: Permitted uses by zone (CLI, LI, HRI, INS, UC-2, UC-1, DND, H, PCF, RPK, and WA)	Add a black dot with the number 7 in the HRI column under the row for "studio use".	To continue allowing these uses in the Halifax Seaport area, which is captured by the Mixed Industrial Commercial (MIC) Special Area, as shown on Schedule 3F.
67.	LUB Table 1D: Permitted uses by zone (HCD-SV)	Add a black dot with the number 10 under the row for "daycare use" and remove the black dot with the number 10 from the row for "pet daycare use".	This is to correct an error. The black dot with the number 10 is intended to appear in the row for "daycare use".

Number	Item	Recommendation	Rationale
68.	Small shared housing uses in the ER-3, ER-2, ER-1, or CH zone	Revise the LUB to clarify that: <ul style="list-style-type: none"> - Accessory suites and backyard suites cannot be used as a shared housing use and must be accessory to a dwelling unit; - the maximum number of bedrooms permitted on a lot include both dwelling units and shared housing uses 	Small shared housing uses are intended to be permitted in established residential zones at a similar density as traditional dwelling units. Revisions to the LUB provisions concerning maximum bedroom counts are needed to clarify that any lots containing both a dwelling unit and a shared housing use must still meet the maximum bedroom count for both uses combined, instead of allowing for additional density, (bedrooms) on the lot.
69.	General Requirements: Pedways [LUB Section 96]	Add "maximum building dimensions" to the list of excluded built form requirements for pedways under Subsection 96(3).	Pedways are not intended to be counted as part of the calculation for maximum building dimensions.
70.	Grade-Oriented Premises [LUB Sections 119, 140, 168, 188, and 206]	Add an exclusion for entrances to internal parking and portals.	To address a potential conflict, increase flexibility and clarify for administrative purposes.
71.	Quonset Huts [LUB Section 346]	Allow in the CLI Zone	To correct an omission.

Attachment C: Transitioning of Package A Site Plan Approval Applications

Centre Plan Package A was approved by Council in September 2019 and is currently controlling the type and scale of development in Package A areas. Given that Package A was only recently approved, the proposed Package B planning documents generally incorporate the approved Package A policies and regulations concerning key items such as density, building heights, land uses and built form. However, the proposed Package B documents do include several adjustments to Package A items in response to public and stakeholder feedback, and the Municipality's experience administering the new policies and regulations. From a Package A to B transition perspective, the impacts on active site plan approval applications in Package A areas are generally limited as Package B built form and design requirements are generally the same or more flexible. However, there are several LUB revisions that are more stringent or introduce new controls that may impact building design. The following table compares these more stringent items and the approach recommended by staff for transitioning to the proposed Package B LUB requirements.

Regulation	Package A	Package B	Recommended Transition Approach	Rationale
Transportation Reserves	<ul style="list-style-type: none"> Package A established the Dundas Street extension transportation reserve. Transportation Reserves designate lands for public right of ways and development is prohibited within a Transportation Reserve. The reserves are subject to the requirements of the HRM Charter and will automatically revert to the underlying zoning after 5 years. If, during the 5 years, a landowner requests that the Municipality acquire the lands within the reserve then Municipality must acquire the lands within one year, or the lands revert to the underlying zoning. S. 39 and Schedule 28. 	<ul style="list-style-type: none"> Package B adds the Proctor Street and Robie Street Transportation Reserves. The Robie Street Transportation reserve is intended to support the Integrated Mobility Plan and the Rapid Transit Plan. A more detailed schedule for the Robie Street Transportation Reserve is expected to be introduced following further Council direction. S.37, Schedules 4, 5 and 6. 	<ul style="list-style-type: none"> Maintain proposed Package B revision. 	The two new Transportation Reserves are intended to prevent new development on lands that the Municipality intends to acquire within 5 years.
Amenity Space	<ul style="list-style-type: none"> High density dwelling uses must provide 5 square metres of amenity space per dwelling. At least 50% must be provided indoors. 	<ul style="list-style-type: none"> The overall minimum amount of amenity space to be provided is not proposed to change (5 square metres per unit). Minimum outdoor space requirement in the HR zones for 	<ul style="list-style-type: none"> Maintain proposed Package B revision. 	The revision in Package B is minor in nature and responds to research and feedback concerning access to open space highlighted by the COVID-19 pandemic. The

Regulation	Package A	Package B	Recommended Transition Approach	Rationale
	<ul style="list-style-type: none"> Some minimum space and dimension requirements. S.58. 	<p>high density buildings (those with 13 or more dwelling units) is specified at 25% and may be located either at-grade or on a rooftop.</p> <ul style="list-style-type: none"> Previous at-grade open space design requirement clarified as an outdoor amenity space design requirement (see design requirements section below for more detail). S. 65. 		<p>proposed new requirement is not onerous to meet and should not require significant building design changes.</p>
Coastal Areas/Coastal Elevation	<ul style="list-style-type: none"> Requirement that all residential uses must be 3.2 metres above CGVD2013, consistent with Regional Plan policy direction. S. 64. 	<ul style="list-style-type: none"> The requirement remains at the same elevation, and is expanded to include commercial and institutional uses, with additional flexibility provided within the Waterfront Special Areas of the Downtown Dartmouth (DD) Zone, and Downtown Halifax (DH) Zone. S. 72. 	<ul style="list-style-type: none"> Maintain proposed Package B revision. 	<p>As Package A excluded Downtown Halifax, the proposed changes to the Coastal elevation requirements has little to no impact on Package A areas. In addition, the proposed change supports the direction contained in HalifACT and flexibility is provided within the Downtown Dartmouth (DD) Zone, and Downtown Halifax (DH) Zone.</p>
Balcony Encroachment Into Setbacks and Stepbacks	<ul style="list-style-type: none"> Downtown Halifax Land Use By-law: balconies may encroach into required setbacks and stepback provided the aggregate width does not exceed 50% of the horizontal width of a building face. Centre Plan Package A: Balconies may encroach into required stepbacks and setbacks by up to 2 metres S. 76 (d)). 	<ul style="list-style-type: none"> Consistent with the existing Downtown Halifax Land Use By-law, balconies may encroach into required setbacks and stepback provided the aggregate width does not exceed 50% of the horizontal width of a building face. This revision supports the development of balconies while continuing to control the massing and scale of buildings. S. 93. 	<ul style="list-style-type: none"> Maintain proposed Package B revision. 	<p>The proposed revision is intended to address a gap in the Package A regulation that would allow balcony encroachments to undermine the purpose of setbacks, stepbacks, and separation distance requirements. In addition, a reduction in balcony encroachments do not necessarily change the overall design of a building that is currently designed under the Package A framework.</p>

Regulation	Package A	Package B	Recommended Transition Approach	Rationale
Front and Flanking Setbacks	<ul style="list-style-type: none"> • Minimum setbacks are established throughout the plan area and are set contextually to support pedestrian activity, provide space for landscaping, to support plan policy, and based on the local context. • Schedule 9. 	<ul style="list-style-type: none"> • Minimum front setbacks on a number of streets are adjusted between 0.5 and 3.0 metres to reflect the existing built form and to support greater front yard landscaping requirements, pedestrian oriented environment, and better align with Nova Scotia Power requirements. 	<ul style="list-style-type: none"> • Reduce front/flanking setback requirements along Downtown Halifax Streets from 1 metre to 0 metre, consistent with the existing zero distance setbacks under the Downtown Halifax Plan. • Maintain proposed Package B revisions for all other streets. 	<p>Package A established minimal front/flanking setbacks on many streets to enable buildings to be constructed close to the street. However, through the Package B review process staff gained new insights on the negative cumulative impacts that small front/flanking setbacks can result in over the long-term including reduced opportunities for landscaping, increased need for encroachments in the right of way, and conflicts with Nova Scotia Power setback requirements from power poles. While some projects designed for Package A may need to be adjusted, staff advise that exceptions would undermine the purpose of the small increases to front/flanking setbacks.</p> <p>For Downtown Halifax, however, staff recognize that zero distance setback requirements have been in place for many years and that most developments are constructed directly adjacent to the right-of-away. Therefore, increasing the setback would have limited impact and could unnecessarily impact development projects in the design phase.</p>

Regulation	Package A	Package B	Recommended Transition Approach	Rationale
Restriction on Below Grade Portion of Buildings in the Required Front/Flanking Setback	<ul style="list-style-type: none"> • Portions of buildings below grade can extend beyond the minimum required setback up to the property line. • S.91. 	<ul style="list-style-type: none"> • Below grade portions of buildings are not permitted to extend past the minimum required front yard setback to support landscaping and reduce potential conflicts with public infrastructure. • S.107, S.128, S.156, S.176, S.196, S.214, S.229, S.241, S.251, S.259, S.275, S.292, S.309, S.317, S.331 shown on schedule 18. 	<ul style="list-style-type: none"> • Revise Package B to allow underground parking within the Front/Flanking setback on lots located in the Downtown Dartmouth(DD) Zone. • Consistent with the proposed change to allow zero front setbacks in the Downtown Halifax (DH) Zone, clarify related LUB provisions as needed to also allow zero front setbacks for underground parking areas. • Maintain the restriction on locating underground parking areas within the front/flanking setbacks in all other zones. 	<p>Many buildings located with the Downtown Dartmouth (DD) Zone and Downtown Halifax (DH) Zone are already built to the streetline and continuing to allow underground parking within these zones is expected to have minimal negative impacts. However, in other zones without a tradition of small front setbacks, the cumulative impact can lead to negative impacts by reducing opportunities for soft landscaping (trees), and lead to potential conflicts with public and utility infrastructure located in the right-of-way.</p>
Separation Distances	<ul style="list-style-type: none"> • Above the streetwall height all buildings on the same lot are required to be separated between 6 and 25 metres, depending on building typology. • S. 95 (1). • Where more than one main building is permitted on a lot, the same section also provides a minimum separation at grade of 4.0 metres. • S.95 (2). 	<ul style="list-style-type: none"> • Where more than one main building is located on a lot, all buildings must be separated at grade by at least 6.0 metres, an increase of 2.0 metres compared to the Package A requirement. • High-rise buildings must be separated by 25 metres, the same in Package A. • The above-streetwall separation distances for mid-rise and tall mid-rise buildings on the same lot are removed (increased flexibility) • S. 122, S.142, S.152, S. 171, S.191, S.209, S.255, S.270, S.304. 	<ul style="list-style-type: none"> • Revise Separation Distance Requirements to 4 metres to reflect Package A requirements. 	<p>While building code requirements control for safety, the separate distance requirements in the LUB is intended to support visual porosity where more than one building is located on a lot or only connected underground. The Package A requirement for 4 metres is suitable for this purpose and provides more flexibility than the 6 metres proposed in Package B.</p>

Regulation	Package A	Package B	Recommended Transition Approach	Rationale
<p>Maximum Building Dimensions – Maximum High-rise Tower Floor Plate</p>	<ul style="list-style-type: none"> • The maximum high-rise floor plate area is 750 square metres. • The policy intent was for this maximum to apply to all storeys above the height of the streetwall and was clearly communicated to the public, design professionals, development community and Regional Council through numerous engagement materials and events. • A drafting error in the land use by-law inadvertently permits the floors below a height of 26 metres to exceed this requirement. • S.96, definition of “tower portion.” 	<ul style="list-style-type: none"> • The drafting error is addressed, and the original intent is carried out. • The corrected sections now clearly indicate that the maximum tower floor plate is 750 square metres above the height of the streetwall. • This is not a change in the intended requirement and is considered a housekeeping amendment to clarify the requirement. • S. 172, S.210, S. 271, S. 305, and definition of “tower portion.” 	<ul style="list-style-type: none"> • Establish a site-specific exception for the former St. Patrick’s High School site • Maintain proposed Package B revision to tower definitions. 	<p>The proposed Package B adjustment is intended to address an inadvertent drafting error and increase the consistency of the regulations with the original intent of Package A building design controls. However, staff acknowledge that the site-plan approval application for the former St. Patrick’s High School Site based its designs on the Package A LUB wording of tower dimension requirements and was sufficiently advanced before the most recent version of the Package B planning documents were published on May 28, 2021. Therefore, to recognize the advanced stage of the building design, staff recommend a site-specific exemption for this site to enable the two tall mid-rise buildings to continue to be designed to the Package A regulations, which would allow one additional storey in height while still meeting shadow protocol requirements. Staff advise that there are no other site-plan approval applications for high-rise buildings in progress that are significantly impacted or on file with the Municipality before May 28, 2021.</p>

Regulation	Package A	Package B	Recommended Transition Approach	Rationale
Transparency	<ul style="list-style-type: none"> For commercial uses, 50-80% of the ground floor must be clear glass glazing. S. 127. 	<ul style="list-style-type: none"> The minimum requirement is increased to 60% on pedestrian-oriented commercial streets. Elsewhere the requirement for commercial uses is simplified to 50%, with no maximum. A new requirement of 25% is proposed for all others uses. S.377. 	<ul style="list-style-type: none"> Maintain proposed Package B revision. 	<p>The small increase in minimum glazing requirement is intended to reflect the higher requirements under the existing Downtown Halifax Plan of 75%. In addition, the 25% glazing requirement is intended to address a gap in the Package A requirement that otherwise allows no glazing for any non-commercial use. Staff are not aware of any existing proposal under Package A that would have difficulty meeting these revised glazing requirements.</p>
Corner Treatment	<ul style="list-style-type: none"> No comparable design requirement. 	<ul style="list-style-type: none"> New design requirement is introduced related to architectural treatment of corners. The intent is to create opportunities for consistent architectural treatment on both sides of the streetwall, and at least one other method. There are several options for the designer to choose from and they are intended to be minimally prescriptive to enable a range of design choices. S. 372 	<ul style="list-style-type: none"> Maintain new proposed Package B requirement. 	<p>The addition of corner treatment design requirements are intended to address a gap in the Package A building design regulations. The requirements are flexible and projects in the design phases should not have difficulty meeting the new requirement.</p>
Side Wall Articulation	<ul style="list-style-type: none"> Where a building faces a side yard the façade treatment on the wall facing the side yard must be continued for a depth equal to or greater than the side yard setback. 	<ul style="list-style-type: none"> Buildings with side setbacks 2.0 metres or greater must provide façade treatment double the side setback distance. 	<ul style="list-style-type: none"> Maintain proposed Package B revision. 	<p>The proposed changes are intended to establish more effective design requirements. On one hand, the requirement is made more flexible by waiving the requirement where</p>

Regulation	Package A	Package B	Recommended Transition Approach	Rationale
	<ul style="list-style-type: none"> • CEN, COR, and D zones usually require no side setbacks. • HR zones have setbacks that are contextual but are usually 3.0 metres. • In most cases, this means that only HR buildings would be subject to this requirement, or in cases where a development intentionally creates a side yard. • S.123. 	<ul style="list-style-type: none"> • No side wall articulation is required for buildings with side setbacks less than 2.0 metres. • As with Package A, few buildings are required to have a side yard in most zones. • The side yards in the HR zones and most other zones are 3.0 metres or 6.0 metres when beside an ER zone. • S.373. 		<p>the side is less than 2.0 metres given that the side of the building is not easily seen from the street. However, in cases where the side setback is greater, the façade treatment is required to run further back from the street. The articulation requirement is not expected to require significant changes to the design of buildings.</p>
Rooftop Landscaping for Underground Parking Structures	<ul style="list-style-type: none"> • No requirement. 	<ul style="list-style-type: none"> • Roof slabs of underground parking levels that protrude above grade are required to have soft or hard landscaping. • S.429 	<ul style="list-style-type: none"> • Maintain new proposed Package B requirement. 	<p>The proposed new regulation is intended to address a gap in the LUB regulations. The requirement should not require significant changes to the design of buildings.</p>
Off-Street Loading (Curbside Management)	<ul style="list-style-type: none"> • Multi-unit buildings with more than 40 units must provide 30 square metres of loading area. • Depending on the size of the use, commercial buildings must provide between 30 and 60 square metres of loading area. • The spaces must be internal to a building, in a parking structure or located on an accessory parking lot. • S. 214 	<ul style="list-style-type: none"> • Creates definitions for Type A and Type B loading spaces to recognize different loading needs. • Depending on the use, Type A or Type B loading spaces may be required to a maximum of 2 type A spaces, and 1 type B space. • The dimensional requirements of the required spaces are similar to Package A requirements, but a minimum clearance (height) is also provided. • Type A Loading Space must be: <ul style="list-style-type: none"> - minimum depth of 9 metres; - minimum width of 3.5 metres; and - minimum clearance of 4.0 metres. • Type B Loading Space must be: <ul style="list-style-type: none"> - minimum depth of 17 metres; 	<ul style="list-style-type: none"> • Reduce 'Type B' minimum clearance height from 4.5 to 4.3 metres. • Revise 'Type A' requirements by: <ul style="list-style-type: none"> - reducing the min. depth from 9 to 6 metres; - reducing the min. width from 3.5 to 3 metres; and - reducing the min. clearance height from 4 to 3 metres. • Reduce the threshold for requiring on-site loading space requirements from 30 to 40 dwelling units, consistent with the Package A requirements. 	<p>Changes to off-street loading requirements are intended to support curbside management as the Municipality expands its AAA bike network and transit infrastructure, which will place higher demand on curbside space. However, to address potential impacts to building design, the specific loading space dimension requirements can be reduced to better align with the typical size of loading vehicles (moving trucks) and Package A requirements.</p>

Regulation	Package A	Package B	Recommended Transition Approach	Rationale
		<ul style="list-style-type: none"> - minimum width of 3.5 metres; and - minimum clearance of 4.5 metres. • The threshold for the first required loading space in multi-unit buildings is lowered from 40 units to 30 units. • S. 464, S. 465, S. 466. 	<ul style="list-style-type: none"> • Reduce landscaped buffering requirements for surface off-street loadings spaces for developments located in the COR, CEN.-2, DD and DH Zones provided the area is screened with fencing and buffering requirements to lower density zones continue to apply. • Maintain all other proposed Package B loading space requirements. 	