

**ATTACHMENT C:  
AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY FOR DARTMOUTH**

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

1. Unless otherwise repealed under sections 5, 6, 7, 16 and 17 of this amending By-law,] all maps and schedules of the Municipal Planning Strategy for Dartmouth, are amended to remove those areas located within the Regional Centre Plan Area as shown on Map 1: Urban Structure Designations, under the Secondary Municipal Planning Strategy for the Regional Centre.
2. Amend the “Table of Contents” by:
  - (a) deleting the words and numbers “PINECREST - HIGHFIELD PARK SECONDARY PLANNING STRATEGY”, “Pinecrest - Highfield Park Secondary Planning Strategy”, “Map 1: Pinecrest - Highfield Park Secondary Planning Strategy Study Area”, “Map 2: Pinecrest-Highfield Park Secondary Planning Strategy”, and “Map 3: Pinecrest-Highfield Park Secondary (Neighbourhood) Planning Strategy”;
  - (b) deleting the words “DOWNTOWN – PLEASE REFER TO DOWNTON DARTMOUTH SECONDARY PLANNING STRATEGY”;
  - (c) deleting the words and brackets “(q) Lake Banook Canoe Course”;
  - (d) deleting the words and colon symbol “MAP 9s: HEIGHT RESTRICTIONS”; and
  - (e) deleting the words and colon symbol “MAP 9aa: GREEN VILLAGE LANE DARTMOUTH”.
3. Amend the “Introduction” Section, as shown below in **bold** and ~~strikeout~~, by:
  - (a) deleting the words “Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns” after the words “the lands located within the” and before the words “as shown”; and
  - (b) adding the words “Regional Centre Secondary Municipal Planning Strategy Plan Area” after the words “the lands located within the” and before the words “as shown”.

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

4. Repeal the “PINECREST - HIGHFIELD PARK SECONDARY PLANNING STRATEGY” in its entirety, as shown below in ~~strikeout~~:

~~PINECREST – HIGHFIELD PARK SECONDARY PLANNING STRATEGY”~~

~~1.0 – DESCRIPTION OF SECONDARY PLANNING AREA~~

~~For the purposes of this Planning Strategy, the Pinecrest-Highfield Park neighbourhood is bounded by Albro Lake on the east, the Circumferential Highway and Burnside Industrial Park on the north, Victoria Road on the west, and Albro Lake Road on the south (refer to Map 1).~~

~~There are two parts to the area: Highfield Park and Pinecrest. Highfield Park is situated in the north of the planning area, and primarily comprises recently constructed apartment buildings~~

~~along with several highway oriented commercial uses. The Pinecrest area is the older section of the neighbourhood, comprised of a mixture of apartment, two family and single family housing, located between Highfield Park and Albro Lake Road.~~

## ~~2.0 RESIDENTIAL~~

### ~~2.1 NEIGHBOURHOOD STABILITY AND RESIDENTIAL ZONING~~

~~The Pinecrest Highfield Park neighbourhood has one of the highest population densities in the Metro Area. The population is transient in nature, with over 90 percent of the residents renting their dwelling unit. Since people tend to move in and out of apartments much more frequently, the area lacks a sizable core of long term residents.~~

~~The existing R-3 (Medium Density Residential) Zone has contributed to the replacement of single detached housing by medium density apartments. Furthermore, recent residential construction in the Highfield Park area has been almost exclusively apartment buildings.~~

~~Throughout the course of the Neighbourhood Plan's preparation, it was learned that the community's desire was that further apartment construction in the area be prohibited. The objective is to attain a higher level of neighbourhood stability, and this can be achieved, in part, by permitting development which encourages more home ownership and prevents the continued loss of existing single family homes. Therefore, a new zone, R-1M (Modified), will be established in the Land Use By law, to be placed on the older section of the Pinecrest area, where the majority of remaining single family homes exist.~~

~~Besides facilitating increased stability within the neighbourhood, the new R-1M Zone has two additional advantages. Firstly, the zone will permit development on a lot size which is smaller than that allowed under the traditional R-1 Zone. This should translate into reduced lot prices, and also means that smaller housing units will be constructed, thereby significantly contributing to an affordable housing option within the neighbourhood. In order to enable small lot development to occur, an amendment to the City's Subdivision Regulations is required.~~

~~Secondly, the new zone is to be applied to that portion of the Pinecrest area having oversized existing lots (approximately 60 feet by 218 feet). The rear portion of many of these lots is not utilized. By implementing the R-1M Zone, the potential exists to develop single family lots along newly created streets at the rear of the existing lots. This affords development opportunities for existing property owners, and further increases the single family residential character of the neighbourhood.~~

~~Policy 2.1.1 In order to encourage the stabilization of the Pinecrest Highfield Park neighbourhood, it shall be the intention of City Council to establish, in the Land Use By law, a Single Family Modified (R-1M) Residential Zone. The R-1M Zone shall allow those uses permitted in the R-1 (Single Family Residential) Zone. The R-1M Zone shall be applied only to the portion of the Pinecrest Highfield Park neighbourhood, as indicated on Map 2, which presently contains the highest concentration of existing single family dwellings.~~

~~Policy 2.1.2 In order to facilitate affordable single family housing development, it shall be the intention of City Council, within the R-1M Zone of the Land Use By law, to permit development on lots smaller in size than that permitted within the R-1 (Single Family) Zone. Therefore, it shall be the intention of City Council to amend the City's Subdivision Regulations in order to permit the creation of smaller lots within the R-1M Zone.~~

~~Policy 2.1.3 It shall be the intention of City Council to not consider rezonings which would permit higher density Residential development on lands zoned R-1M within the Pinecrest~~

Highfield Park neighbourhood.

~~Policy 2.1.4 It shall be the intention of City Council to apply the R-1 (Single Family Residential) Zone to those properties containing existing single family dwellings which front on Leaman Drive and Ambercrest Place, as shown on Map 3.~~

~~Policy 2.1.5 It shall be the intention of City Council to apply the R-2 (Two Family Residential) Zone to those properties containing existing single family or two family dwellings which front on Monique Avenue as shown on Map 3.~~

~~Policy 2.1.6 It shall be the intention of City Council to apply the TH (Town Housing) Zone to those properties containing existing town housing, including the Cedar Court development, a portion of Leaman Drive and a portion of True North Crescent, as shown on Map 3. The remaining vacant lands on True North Crescent shall also be zoned TH (Town Housing).~~

~~In addition to the application of R-1M zoning to utilize the full potential of oversized existing lots, there is a specific opportunity to incorporate single unit development as part of the City's affordable housing initiatives at True North Crescent.~~

~~The City has undertaken land banking in this area and previously supported townhousing. On its remaining lands, the option of single unit dwellings, alone or in combination with additional townhousing, will be considered. In undertaking this project, the City will have to consider the overall balance of housing on the street in terms of design, affordability and optimum use of public funds. For the purposes of this specific project, the lands will, temporarily, carry "dual" R-1M and TH Zones. Following construction, one of the zones on each property will be removed to reflect its actual use.~~

~~Policy 2.1.7 Notwithstanding Policies 2.1.1 and 2.1.6, Council may apply the R-1M (Single Family [modified] Residential) Zone to lands on True North Crescent.~~

~~Further to Policy 2.1.6 and for the purposes of design and construction of affordable housing, the R-1M Zone may be applied to vacant lands, for a time, in addition to and apart from the TH (Town Housing) Zone which shall also apply to these lands. Following development of the properties, the R-1M or TH Zone may be removed by amendment to the land use by law and the remaining zone shall reflect the use of each property.~~

## 2.2 Building Maintenance and Management

~~Poor property maintenance of some of the rental properties within the Pinecrest Highfield Park area means that residents are living in less than desirable housing conditions, and that parts of the neighbourhood look neglected and unattractive.~~

~~There are two avenues through which this issue can be addressed. The first involves increased enforcement of the City's Minimum Standards of Use and Maintenance of Property By-law. This may necessitate the allocation of additional staff for this purpose. The second involves improving the management of apartment buildings. The role of apartment superintendents is seen as being a key element in assuring high maintenance standards, but many apartment buildings are too small to support full-time superintendents (40 units in one or more buildings is seen as being the minimum number).~~

~~Policy 2.2.1 It shall be the intention of City Council to provide increased enforcement of the City's Minimum Standards of Use and Maintenance of Property By-law in order to more effectively deal with building and site maintenance within the Pinecrest Highfield~~

## Park Neighbourhood.

~~Policy 2.2.2 It shall be the intention of City Council to investigate methods by which the management of apartment buildings can be made more responsive to the needs expressed by the community. This may be achievable through means such as education programs, incentive programs and City-sponsored demonstration projects.~~

### 2.3 Co-op Housing

~~There are a number of successful co-op housing projects existing within the Pinecrest Highfield Park neighbourhood. This form of development should be encouraged and supported by the City, in that it provides residents the opportunity for an affordable housing alternative, a form of home ownership rather than rental, and improved maintenance and upkeep of the properties.~~

~~Policy 2.3.1 It shall be the intention of City Council to continue to encourage and support co-op housing development within the Pinecrest Highfield Park neighbourhood.~~

### 2.4 Back Lot Development

~~As previously described, the new R-IM Zone will provide the opportunity for the development of the rear of existing oversized lots. This can be achieved through the construction of new roadways to access these lands and resubdivision of existing properties to permit the building of new single family housing. The City can assume a leadership role in this development scheme by undertaking a demonstration project(s) and/or developing an incentive program attractive to the private sector.~~

~~Policy 2.4.1 It shall be the intention of City Council to investigate methods by which rear lot development within the R-IM Zone can be realized. This may be achieved through a City-sponsored demonstration project or through the implementation of private sector incentive programs, or both.~~

## 3.0 COMMUNITY DEVELOPMENT

### 3.1 Community Organization

~~One of the major accomplishments of the Neighbourhood Plan process was the formulation of the Ward 5 Citizens' Association. This is a group of community minded residents who want to act as a united voice representing the interests of the Pinecrest Highfield Park area. They will also act as the local representatives in the implementation of the recommendations and capital improvement projects contained within this Strategy and the Neighbourhood Plan report. It is essential that the City provide support and guidance to this newly formed community association.~~

~~Policy 3.1.1 It shall be the intention of City Council to support, as funds permit, the Ward 5 Citizens' Association through the provision of annual financial contributions and education in community organization and development training.~~

### 3.2 Community Development Worker

~~Because of the transient nature of the neighbourhood population, and because of low incomes and lack of community facilities, many residents experience social isolation. There is a need to develop support and self-help groups in the area, particularly for women at risk of abuse or facing poverty, loneliness or health problems.~~

~~To address these and other social issues, the City should provide the area with a community~~

development project worker. This person would work with existing organizations (including John Martin Community School, Ward 5 Citizens' Association, Dartmouth Boys & Girls Club, Headstart Program, Freedom Foundation, Stewart Place, Adult Learning Centre, and so on) and encourage the development of new support groups or networks.

~~Policy 3.2.1 It shall be the intention of City Council to consider appointing a community development worker for the Ward 5 area, in order to promote and improve social and community development through education programs and support group development.~~

~~Policy 3.2.2 It shall be the intention of City Council, through the Healthy Dartmouth Committee, to explore the possibility of developing and implementing a neighbourhood project for the Pinecrest Highfield Park area.~~

### ~~3.3 Community Facilities~~

~~Throughout the Neighbourhood Plan process, it was pointed out that there is a lack of community facilities within the area. Although the John Martin Community School offers a range of services and facilities, it is underutilized, and many residents are not aware of what it has to offer.~~

~~The need for meeting places for specific interest groups was also identified. Students at John Martin, for example, expressed the desire for a teen drop-in centre, increased recreation facilities and more activities for young people.~~

~~Space for senior citizens' organizations is also lacking in the neighbourhood. The Dartmouth North Seniors Club, for example, which currently meets at Northbrook Centre, is seeking a new facility within the Pinecrest Highfield Park area. They need a space which is wheelchair accessible, inexpensive or free, available year round during the day, has parking space and is near transit service.~~

~~A third very important need for the neighbourhood is daycare. There are no subsidized daycare spaces in the area. Other subsidized daycares have long waiting lists and are not easily accessible. There are many single parents and low income families in the neighbourhood who need this support.~~

~~Finally, consideration should be given to the provision of a Community Centre for Pinecrest Highfield Park area. Certain needs, as presented above, have been identified. However, a community-based planning process should be carried out to further define these requirements and identify new needs. The Dartmouth Regional Library has expressed interest in locating a branch library in the North End, and such a facility could form the "anchor" for the overall community centre.~~

~~Policy 3.3.1 It shall be the intention of City Council to apply the S (Institutional) Zone to the John Martin Community School and surrounding lands, and to the John MacNeil School and surrounding lands, as shown on Map 3.~~

~~Policy 3.3.2 It shall be the intention of City Council to develop and implement a plan in order to promote the better utilization of John Martin Community School.~~

~~Policy 3.3.3 It shall be the intention of City Council to identify the community facility needs of specific segments of the neighbourhood population, particularly seniors and youth, and support initiatives to fulfill these needs.~~

~~Policy 3.3.4 It shall be the intention of City Council to promote and support the establishment of daycare facilities within the Pinecrest Highfield Park area. These facilities should include subsidized spaces, and in this regard, City Council shall seek cooperation from the Provincial government to provide increased daycare spaces within this~~

neighbourhood, and Dartmouth in general.

~~Policy 3.3.5 — To encourage the provision of daycare facilities within the area, it shall be the intention of City Council, within the R-1M Zone of the Land Use By-law, to permit daycare uses as home occupations to a maximum of fifty (50) percent of the total floor area of the dwelling.~~

~~Policy 3.3.6 — It shall be the intention of City Council, in cooperation with the neighbourhood, to investigate the development of a Community Centre within the general Pinecrest-Highfield Park area. Facilities which may be appropriate include a branch library, daycare, seniors' centre, youth centre and meeting rooms.~~

#### ~~4.0 — RECREATION, ENVIRONMENT AND BEAUTIFICATION~~

##### ~~4.1 — Parks and Open Space~~

~~Currently there is a shortage of useable green space in the neighbourhood. The existing park land is seen as unfinished and uninviting. Residents have expressed dissatisfaction with the lack of attractive places to walk, sit or play.~~

~~The distribution of open space is also a concern. In some areas of the neighbourhood there are facilities and few people; in others there are many people and few facilities. There is very little open space, for example, in the older section of the Pinecrest area. A new park is needed in this location. Highfield Park requires additional lot development. Other specific active recreational needs identified include a ball diamond and soccer field.~~

~~Two major recreation uses existing within the neighbourhood are currently being developed. The Pinehill Look-off Park is undergoing trail construction. The park land adjacent the shore of Albro Lake has undergone a trail/boardwalk development. That portion of the lake and shoreline within the Planning Study area has tremendous potential as a recreational focal point for the neighbourhood, and continued improvements to the beach area, parking area and trail system are seen as desirable projects.~~

~~Streetscape improvements are also needed throughout the Pinecrest-Highfield Park neighbourhood. In this regard, the City should continue its implementation of an extensive street tree planting program for all streets and parks within the area.~~

~~Finally, a major concern throughout the neighbourhood, and particularly within the areas of dense apartment construction, is the lack of adequate landscaping. The "greening" of apartment building, properties would provide visual relief and significantly increase the attractiveness of the area.~~

~~Policy 4.1.1 — It shall be the intention of City Council to apply the P (Park) Zone to the major recreation areas and facilities existing within the Pinecrest-Highfield Park neighbourhood, including the Pinehill Look-off Park, the Gray Arena and adjacent recreational area, and lands adjacent the shore of Albro Lake, as shown on Map 3.~~

~~Policy 4.1.2 — It shall be the intention of City Council to undertake a program of park and open space development within the Pinecrest-Highfield Park neighbourhood in order to better meet the recreational needs of all segments of the population.~~

~~Policy 4.1.3 — It shall be the intention of City Council to continue to implement an extensive street tree planting program throughout the Pinecrest-Highfield Park area.~~

~~Policy 4.1.4 — It shall be the intention of City Council, through demonstration projects and~~

~~incentive programs, to encourage apartment owners to improve the landscaping of their properties.~~

#### 4.2 — Garbage and Litter

~~Another issue which contributes to the general unattractiveness of the area is that of litter. Although some improvements have been made, many buildings have no dumpsters, or have unsightly dumpsters which are not adequately screened from view, or are not emptied often enough.~~

~~There is a desire of residents to recycle their household waste, but are unable to because the City curbside newspaper program does not serve larger apartment buildings, and because there is no recycling depot close by.~~

~~Policy 4.2.1 — It shall be the intention of City Council to help rectify the litter problem in the Pinecrest Highfield Park neighbourhood by sponsoring clean-up drives, in cooperation with the Ward 5 Citizens' Association, local schools, or other groups, and by installing trash receptacles on streets and in parks throughout the area.~~

~~Policy 4.2.2 — It shall be the intention of City Council to enforce its Solid Waste By-law and Minimum Standards of Use and Maintenance of Property By-law in order to ensure and maintain adequate upkeep of properties within the neighbourhood.~~

~~Policy 4.2.3 — It shall be the intention of City Council to consider sponsoring a monthly recycling drive, through the John Martin Community School and/or a local commercial facility. It shall also be the intention of City Council to investigate the feasibility of locating a recycling depot within the Pinecrest Highfield Park neighbourhood.~~

#### 5.0 — TRANSPORTATION

##### 5.1 — Internal Neighbourhood Connections

~~Due mainly to the existing street pattern in the Pinecrest Highfield Park area, getting around the neighbourhood is quite difficult. The long blocks contribute to short-cutting through private property by pedestrians and cyclists. The Brule Street Extension that parallels Victoria Road is an irregular road layout which is confusing to motorists and pedestrians alike.~~

~~These problems can be reduced or erased through the construction of a new neighbourhood cross-street connecting lower Pinecrest Drive through to Albro Lake Road. This would eliminate the need for the Brule Street Extension and help alleviate the short-cutting problem by creating smaller blocks. It also affords the opportunity for back-lot development within the R-1M Zone.~~

~~Because of the high number of pedestrians within the neighbourhood it is important that more facilities be provided to facilitate this form of transportation. This includes an extensive sidewalk construction program and the provision of other walkways/bikeways as required.~~

~~Policy 5.1.1 — It shall be the intention of City Council to provide for the construction of a new street or streets within the Pinecrest area in order to (a) facilitate easier vehicular and pedestrian circulation and (b) eliminate the need for the Brule Street Extension.~~

~~Policy 5.1.2 — It shall be the intention of City Council to undertake an sidewalk/walkway construction program throughout the Pinecrest Highfield Park neighbourhood in order to make the area more accessible for pedestrians.~~

##### 5.2 — External Connections

~~The Pinecrest-Highfield Park neighbourhood, although situated in a central city location is isolated from the rest of Dartmouth. As it stands now much of the access between the Pinecrest-Highfield Park area and the surrounding City is restricted by the physical barriers of Albro Lake and limited access roadways such as the Circumferential Highway and Victoria Road Extension.~~

~~Presently there is only one vehicular connection between the Pinecrest area and the Highfield Park area that being a one-way street connection (right turn only from Victoria Road to Highfield Park Drive). Highfield Park Drive links to the Burnside Industrial Park/City of Lakes Business Park however this roadway includes no facilities for pedestrian or bicycle movements. Such connections should be provided in order to facilitate easy movement between a major employment area (Burnside) and a major working population concentration (Highfield Park-Pinecrest).~~

~~Policy 5.2.1 It shall be the intention of City Council to improve transportation connections between the Pinecrest-Highfield Park neighbourhood and other parts of the City, through such means as creating full vehicular turning movements at the Victoria Road/Highfield Park Drive intersection, and constructing safe pedestrian/cycle connections between Highfield Park and Burnside Industrial Park/City of Lakes Business Park.~~

~~Policy 5.2.2 In order to provide for improved vehicular and pedestrian connections between the Highfield Park area and Burnside Industrial Park, it shall be the intention of City Council to investigate the feasibility of constructing a new overpass linking Highfield Park Drive to Thornhill Avenue/Oland Court.~~

## ~~7.0 POLICING AND SECURITY~~

~~Throughout the neighbourhood planning process, residents expressed concern respecting the need for a higher level of policing and security. The Pinecrest-Highfield Park area is perceived to have a high crime rate and a lack of security. This increases fear for personal safety and acts as an obstacle to community involvement.~~

~~Policy 7.1 It shall be the intention of City Council, through the Dartmouth Police Department and in cooperation with the Ward 5 Citizens' Association, to investigate means by which community security concerns can be adequately addressed. Through public workshops, meetings and other community initiatives, topics to be explored may include a Neighbourhood Watch Program, community education programs, increased policing and community-based policing.~~

## ~~8.0 IMPLEMENTATION~~

~~Policy 8.1 It shall be the intention of City Council to utilize the consultant's report entitled "Pinecrest-Highfield Park Neighbourhood Plan, May, 1991, as a guide in considering future improvement projects and budget expenditures.~~

- ~~5. Repeal Map 1: Pinecrest-Highfield Park Secondary Planning Strategy Study Area.~~
- ~~6. Repeal Map 2: Pinecrest-Highfield Park Secondary Planning Strategy.~~
- ~~7. Repeal Map 3: Pinecrest-Highfield Park Secondary (Neighbourhood) Planning Strategy.~~
- ~~8. Amend Policy C-21, under Section (6) Portland Valley/Portland Street, as shown below in ~~strikeout~~, by:~~
  - ~~(a) deleting the words, numbers, and hashtag symbol "102 Penhorn Drive (PID #226183) and",~~

- after the words “described as”, and before the words, numbers, and hashtag symbol “611 Portland Street (PID #73247)”; and  
(b) repealing Clause (d).

Policy C-21 It shall be the intention of Council to consider the redevelopment of parcels described as ~~102 Penhorn Drive (PID #226483)~~ and 611 Portland Street (PID #73247) only by development agreement. In considering the approval of such agreements, Council shall have regard to the following:

- (a) the adequacy of measures to be taken to integrate and buffer the commercial use relative to surrounding land uses. (Integration shall include the height, bulk and scale of the proposed use relative to the overall site and surrounding neighbourhood. Buffering shall refer to measures taken to mitigate impact on adjacent uses, such as separation distances, retention of existing vegetation, and the installation of suitable screening features such as new vegetation, berming and/or fencing;
- (b) the proposed use is defined, from a traffic engineering perspective, as a low traffic generating use unless it can be demonstrated through a traffic impact analysis that a higher volume traffic generating commercial use can be satisfactorily accommodated on the road network serving the proposed development;
- (c) any proposed access/egress to/from 611 Portland Street, directly to/from Portland Street, is restricted to “right-in” and/or “right-out” turning movements only;
- ~~(d) traffic movements between the 102 Penhorn Drive site and the residential neighbourhood on/near Penhorn Drive are prohibited and improvements necessary to prohibit traffic shall be the responsibility of the developer unless otherwise approved by Council;~~
- (e) the adequacy of environmental protection measures and erosion and sedimentation control mechanisms including the implementation of an effective storm water management plan; and
- (f) any and all other applicable matters as set out in Policy IP-1(c).

9. Amend Section “(1) Recreation System” under the Open Space Recreation and Environment Designation to repeal Clause 1(h), as shown below in ~~strikeout~~:

#### (1) Recreation System

The Recreation System provides a framework through which the Recreation Master Plan can be implemented by applying guidelines and policies to individual elements of the system. It also provides definitions for each of the elements, including service radius and possible contents. There are seven major elements in the system with appropriate policies for each.

##### (a) VEST POCKET PARKS AND BOULEVARDS

These small parcels of parkland serve primarily an aesthetic purpose, generally suitable for more passive activity such as walking, sitting, and often plant observation is provided (Policy R- 1 and R-2).

##### (b) NEIGHBOURHOOD RECREATION AREAS

Parklands which are designed to service an area within one-half mile catering to all ages. These parks are normally located adjacent schools and include landscaped areas, benches, grassy play areas, play equipment, and possible hard surfaced areas such as tennis courts (Policy R-3 and R-4).

##### (c) DISTRICT RECREATION AREAS

Areas serving an area of up to two miles in radius and designed for all age groups. Elements of district recreation areas may include athletic fields, parks, beaches, and arenas. District areas are normally located adjacent secondary schools. Map 5A identifies the recreation districts (Policy R-4 and R-5).

(d) CITY RECREATION AREAS

Recreation areas are designed to serve the entire city and all age groups. These areas should be large enough to include sufficiently specialized and large scale facilities to attract users from a wide area. City recreation areas are normally associated with areas that contain special or unique features of the City (Map 5A) (Policy R-6, R-7 and R-8).

(e) LINKAGES

Linkages provide connections between elements of the recreation system including pathways, bikeways, and trails, etc. (Policy R-9 and R-10).

(f) REGIONAL PARKS

A regional park is one which provides recreational facilities or open space for the metro area as a whole. Regional Parks must be large and provide facilities for a wide variety of activities and passive leisure time pursuits and normally have characteristics (physical, historical, etc.) which are unique to the region (Policy R-11).

(g) PRIVATE RECREATION FACILITIES

Recreation facilities provided by non-profit recreational agencies and private clubs serve an important function in meeting the recreational needs of the citizens (boat clubs, curling, tennis, YM-YWCA, etc. (Policy R-12 and R-13).

~~(h) DARTMOUTH COMMON~~

~~In 1788, King George III granted the Common to the community as a whole, for the benefit of all citizens. Since 1988 the citizens of Dartmouth have begun an enhancement plan to reclaim as much of the original Common as possible, and develop it as an open space for outdoor activity. Notwithstanding the need for the open space, there is a requirement for a transit terminal on the Common between Nantucket Avenue, Thistle Street, Dartmouth High School and the Dartmouth Sportsplex, to provide an efficient transit system to the Metro area.~~

~~Council recognizes that a good transit system protects the environment and has economic benefits to the community but that there is also need to clearly limit the size and location of such a facility.~~

10. Amend Policy R-6 under Section “(5) Regulations of Lake and Park Use” under the Open Space Recreation and Environment Designation, as shown below in **bold** and ~~strikeout~~, by:

- (a) deleting the words “Dartmouth Commons and” after the words “develop the” and before the words “the City-owned lands”;
- (b) adding the word “and” after the words and comma symbol “Lake Charles,” and before the words “MicMac”; and
- (c) deleting the comma symbol and words “ , and Banook” after the word “MicMac” and before the words “as strong city wide”.

Policy R-6      It shall be the intention of City Council to protect and develop the ~~Dartmouth Commons~~ and the City-owned lands along Lake Charles, **and** MicMac, ~~and Banook~~ as strong city wide recreation areas.

11. Repeal Policy R-19 under Section “(5) Regulations of Lake and Park Use” under the Open Space Recreation and Environment Designation, as shown below in ~~strikeout~~:

~~Policy R-19 — It shall be the intention of Council, subject to the HRM Charter, to establish a Schedule in the Land Use By law, which identifies a site on the Dartmouth Common located between Nantucket Avenue, Thistle Street, Dartmouth High School and the Dartmouth Sportsplex to be considered for the installation of a Metro Transit Terminal, subject to the Land Use By law and to the provisions as Council requires, to adequately control~~

~~the development and operation of these facilities.~~

12. Amend Section “Environmental Concerns” under the Open Space Recreation and Environment Designation, by deleting Section “(3) Views” in its entirety as shown below in ~~strikeout~~:

~~(3) Views~~

~~NOTE: For information on views within the Downtown Dartmouth Plan Area, please refer to the Downtown Dartmouth Secondary Planning Strategy.~~

~~Since 1974, Dartmouth City Council has been dealing with a variety of views and their protection ranging from window views to the panoramic views from Brightwood.~~

~~In a report to Council dated December 5, 1974, the views to be protected were outlined and policies were established. These views included:~~

~~(iv) views from Brightwood Golf and Country Club~~

~~(d) Under the category of semi-public views, there are the panoramic views of the Halifax skyline, the harbour, and approaches to the harbour as seen from the Brightwood Golf and Country Club. These views, although not available to the general public year round, at present, are among the most magnificent of all views available in Dartmouth.~~

~~The Zoning of the area affected should be such as to protect these panoramic views. In areas where the existing zones may permit development to pierce this view, a height limitation should be applied (Map 7a, Policy Ea-3).~~

13. Repeal Policies Ea-3 and Ea-3a, under Section “(4) Urban Form” of “Environmental Concerns”, in their entirety, as shown below in ~~strikeout~~:

~~Policy Ea-3 — It shall be the intention of City Council to protect the panoramic views of the Halifax Skyline and the harbour as seen from the Brightwood Golf and Country Club. Map 7a identifies a maximum height permitted above the mean sea level necessary to protect this view.~~

~~Policy Ea-3a — Notwithstanding Policy Ea-3, lands within the Brightwood Viewplane and Dartmouth Common Viewplane where the potential for downstream views are negated by existing structures or policy permitted building height, may be developed in a manner where the building height does not further impact the existing Viewplane penetration.~~

14. Delete the words and hyphen “DOWNTOWN – PLEASE REFER TO DOWNTOWN DARTMOUTH SECONDARY PLANNING STRATEGY” after Policy E-9 and before “CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT STRATEGY”.

15. Repeal Section (q) Lake Banook Canoe Course and Policies IP-9, IP-10, and IP-11 under the IMPLEMETATION Section, in their entirety, as shown below in ~~strikeout~~:

~~(q) Lake Banook Canoe Course~~

~~Lake Banook canoe course is one of the best natural canoe courses in the world and it hosts both national and international canoe events. It is the only course of its kind in Atlantic Canada. The paddling and rowing regattas that occur on the lake are major recreational events and have a~~

~~significant historical, economic and social benefits to the region. In 2004, the importance of protecting the Lake Banook Canoe Course from large scale development was highlighted in a Wind Impact Study on the Lake Banook Canoe Course for two developments abutting the lake. Thus, wind impacts resulting from large building developments which prevent the course from holding national and international regattas would have significant regional impacts.~~

~~Due to the importance of protecting the Lake Banook canoe course, the potential for large scale buildings to negatively impact the course and the lack of height restrictions for most land uses, Council shall adopt regulations to restrict building heights around Lake Banook. Further, any height restriction shall apply to all buildings, regardless of how they are developed (by right or through a discretionary approval process).~~

~~Policy IP 9 — It shall be a policy of Council to apply a maximum height restriction through the Land Use By-law to all buildings situated within “Lake Banook Canoe Course Area” as identified on Map 9s”~~

~~Policy IP 10 — Further to Policy IP 9, Council shall not consider any rezoning or development agreement application for buildings having a height greater than 35 feet within the Lake Banook Canoe Course Area.~~

~~Within the Lake Banook Canoe Course Area, there are instances where buildings exceed the maximum height restriction. Generally such buildings would be made non-conforming structures and subject to the provisions of the Municipal Government Act. It is not the intention of Council to require these buildings to comply with the new height restriction nor be prevented from being replaced. Instead, Council objective is to maintain current height conditions and allow for modification and replacement of existing buildings.~~

~~Policy IP 11 — Existing buildings situated within “Lake Banook Canoe Course Area”, as identified on Map 9s, which exceed the height restriction under the Land Use By-law shall be recognized as existing structures.”~~

16. Repeal Map 9aa: Green Village Lane Dartmouth

17. Repeal Map 9s: Height Restrictions

THIS IS TO CERTIFY that the plan of which this is a true copy  
was duly passed at a duly called meeting of the Council of  
Halifax Regional Municipality held on the \_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_\_.

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

\_\_\_\_\_  
Municipal Clerk

**ATTACHMENT D:  
AMENDMENTS TO LAND USE BY-LAW FOR DARTMOUTH**

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

1. Unless otherwise repealed under sections 23 and 24 of this amending By-law, all maps and schedules of the Municipal Planning Strategy for Dartmouth are amended to remove those areas located within the Regional Centre Plan Area as shown on Map 1: Urban Structure Designations, under the Secondary Municipal Planning Strategy for the Regional Centre.
2. Amend SECTION 4: SCHEDULING of the "TABLE OF CONTENTS" by:
  - (a) deleting the words, numbers and colon symbol "SCHEDULE M: DARTMOUTH & DOWNTOWN DARTMOUTH PLAN AREA 14"; and
  - (b) deleting the words and colon symbol "SCHEDULE W: Lake Banook Canoe Course Area 119".
3. Amend "SECTION 2A: GENERAL PROVISIONS", as shown in **bold** and ~~strikeout~~, by:
  - (a) deleting the words "the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns", after the words "to the lands located within", and before the words and number "as shown on Schedule 1"; and
  - (b) adding the words "the Regional Centre Plan Area" after the words "to the lands located within".

2A The Land Use By-law for Dartmouth shall not apply to the lands located within ~~the Centres, Corridors, Higher Order Residential, Future Growth Nodes, and Downtowns~~ **the Regional Centre Plan Area**, as shown on Schedule 1 contained in the Regional Centre Land Use By-law.
4. Amend "SECTION 2: GENERAL PROVISIONS", by repealing Section 18D in its entirety, as shown below in ~~strikeout~~:

~~18D Notwithstanding any other provision of this By-law, on lands known as civic number 36 Wentworth Street, identified as Schedule "L", Council may consider the development of an apartment building and semi-detached dwelling by development agreement, according to Policy DA-22 of the Municipal Planning Strategy.~~
5. Amend Section 18H of "SECTION 2: GENERAL PROVISIONS", as shown in **bold** and ~~strikeout~~, by:
  - (a) adding the word "Number" after the words "known as Civic"; and
  - (b) deleting the words, numbers, brackets, and hashtag symbol "Numbers 102 Penhorn Drive (PID #226183) and", after the words "known as Civic", and before the words, numbers, brackets, and hashtag symbol "611 Portland Street (PID #73247)";

18H Notwithstanding any other provisions of the By-law, on lands known as Civic **Number** ~~Numbers 102 Penhorn Drive (PID #226183) and 611 Portland Street (PID #73247)~~, as identified as Schedule "T", redevelopment for commercial use may be considered in accordance with Policies C-21 and C-22 of the Municipal Planning Strategy.
6. Amend Clause 30(i) of "SECTION 2: GENERAL PROVISIONS", as shown below in **bold** and ~~strikeout~~,

by:

- (a) deleting the comma between the words "Waverley Road" and "Woodland Avenue", and replacing it with the word "and"; and
- (b) deleting the words "and Ferrell Street" after the words "Woodland Avenue" and before the period at the end of the clause.

30. Notwithstanding Section 32A, no billboard shall: (RC-Sep 26/06;E-Nov 18/06)

- (a) exceed a height of twenty-five (25) feet from established grade, and no portion of the sign, or associated features of the sign, be located within twelve (12) feet from the established grade immediately under the sign.
- (b) be located less than 15 feet (4,572 metres) from any street line or abutting lot line, nor be located less than 250 feet (76.2 metres) from a lot which is zoned or used for park, institutional, open space or residential purposes.
- (c) shall contain a sign face which exceeds 200 square feet in area.
- (d) shall have more than two sign faces, and billboards containing two sign faces shall have said sign faces affixed back-to-back.
  - (e) be located within one thousand (1000) feet of another billboard.
- (f) be illuminated between the hours of 11:00 p.m. of any day and 7:00 a.m. of the following day, where such billboard abuts a lot zoned or used for residential, institutional, park or conservation purposes.
  - (g) be located in any zone except the following:
    - C-3 - General Business Zone
    - I-1 - Light Industrial Zone
    - I-2 - General Industrial Zone.
- (h) notwithstanding Section 30 (g) above, no billboard shall be permitted on any C-3 zoned lands abutting Waverly Road or Bel Ayr Avenue.
- (i) notwithstanding Section 30 (g) above, no billboard shall be permitted on any I-1 zoned lands abutting Waverley Road, ~~and Woodland Avenue and Ferrell Street.~~
- (j) notwithstanding Section 30 (g) above, no billboard shall be permitted on any lands zoned C-3, I-1, or I-2 that are situated on the Halifax Harbour side of Pleasant Street or Windmill Road.
- (k) notwithstanding Section 30(g), a permanent identification, sponsorship or directional sign erected by the area Business Improvement District shall be permitted in any Zone within the Main Street Designation.

7. Amend "SECTION 2: GENERAL PROVISIONS", by repealing Section 32 in its entirety, as shown below in ~~strikeout~~:

~~32 All buildings within the "Lake Banook Canoe Course Area" as identified on Schedule "W" that exceeds the maximum height restriction applied to this area shall be considered an existing building and permitted to be repaired and/or replaced provided that the height of the building does not increase." [identified on Schedule "W".~~

8. Amend "SECTION 3: ZONES", by repealing Clause 32(2)(d) under Part 1: R-1 (Single Family Residential) Zone, in its entirety, as shown below in ~~strikeout~~:

32(2) Buildings used for R-1 uses in an R-1 Zone shall comply with the following requirements:

- (a) Lot area minimum - 5,000 square feet
- (b) Lot coverage maximum - 35 %
- (c) Side and rear yards shall be provided on each side and at the rear of buildings as provided by the Building By-laws of the City.
- ~~(d) Height Maximum - 35 feet on all parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W", and within the Main Street Designation as~~

~~identified on Schedule AF.~~

9. Amend "SECTION 3: ZONES", by repealing Clause 32(3) under Part 1: R-1 (Single Family Residential) Zone, in its entirety, as shown below in ~~strikeout~~:

~~32(3) Notwithstanding anything else in this by-law, the following zone requirements shall apply to lots TH-7, TH-8, TH-9, TH-10 and TH-11 on Chineok Court and lots TH-1, TH-2, TH-13, TH-14 and TH-15 on Tutor Court in the Lancaster Ridge Subdivision only:~~

- (a) ~~Zone Requirements:~~
  - ~~Minimum lot area 3000 square feet~~
  - ~~Minimum lot frontage 36 feet~~
  - ~~Minimum front yard 15 feet~~
  - ~~Minimum side yards 5 feet (one side)~~
  - ~~For dwelling 10 feet (other side)~~
  - ~~Minimum rear yard 10 feet~~
  - ~~Maximum lot coverage 35 per cent~~
- (b) ~~For detached garages and accessory buildings, the minimum setback from any side or rear property line is two (2) feet.~~
- (c) ~~For decks and verandahs, the minimum setback from any side or rear property line is five (5) feet.~~
- (d) ~~Notwithstanding Section 3(a), minimum sideyards, where a dwelling includes an attached garage the minimum sideyard for both sides of the dwelling shall be five (5) feet.~~
- (e) ~~On all lots where there is no attached garage, the driveway shall extend into the sideyard of the lot a minimum of fifteen (15) feet beyond the front wall of the structure.~~
- (f) ~~Where a lot fronts on the outside of a street curve having a radius of one hundred (100) feet or less, the required lot frontage may be reduced to a minimum of 25 feet.~~

10. Amend "SECTION 3: ZONES", by amending Clause 33(3)(e) under Part 3: R-2 (Two-Family Residential) Zone, to delete the words and comma "~~Lake Banook Canoe Course Area~~" as identified on Schedule "~~W~~", and within the " after the words "situated within" and before the words "Main Street Designation", as shown below in ~~strikeout~~:

~~33(3) Buildings used for R-2 uses in an R-2 Zone shall comply with the following requirements:~~

- (a) ~~Lot area minimum - 5,000 sq. ft.~~
- (b) ~~Lot coverage maximum - 35%~~
- (c) ~~Side and rear yards shall be provided on each side and at the rear of a building as specified in the Building By-laws of the City.~~
- (d) ~~notwithstanding anything contained in this section, a lot in an R-2 Zone created by the subdivision of a lot containing two semi-detached dwellings shall be permitted, provided that each lot resulting from the subdivision and each individual dwelling unit complies with the following requirements:~~
  - (i) ~~Lot area minimum - 2,500 square feet~~
  - (ii) ~~Lot frontage minimum - 25 feet~~
  - (iii) ~~Lot coverage maximum - 35%~~
  - (iv) ~~compliance with the building by-laws of the City.~~
- (e) ~~Height Maximum -35 feet on all parcels of land situated within the "~~Lake Banook Canoe Course Area~~" as identified on Schedule "~~W~~", and within the Main Street Designation as identified on Schedule AF.~~

11. Amend "SECTION 3: ZONES", by repealing Clause 34(3)(e) under Part 4: R-3 (Multiple Family Residential) Zone, in its entirety, as shown below in ~~strikeout~~:

34(3) Buildings used for R-3 uses in an R-3 Zone shall comply with the following requirements:

- (a) Lot coverage, maximum - 25%
- (b) Area of site required per dwelling unit:

Type of dwelling unit	Area of site required per dwelling unit
One bedroom and bedsitting room	1,300 sq. ft.
Two or more bedrooms	1,800 sq. ft.

Provided that where the site area is greater than one acre, the area of the site required per dwelling unit shall be:

Type of dwelling unit	Area of site required per dwelling unit
One bedroom and bedsitting room	1,000 sq. ft.
Two or more bedrooms	1,350 sq. ft.

- (c) On all buildings a minimum side and rear yard clearance of 15 feet shall be maintained and if the building is more than fifty feet high on its highest side the sideyards and rearyards shall have a minimum clearance of not less than one half the height of the adjacent side of the building.
- (d) The yard area located between the street line and the minimum setback line shall be landscaped, and the entire site and all buildings maintained in a neat, tidy manner including the trimming and upkeep of landscaped areas.
- ~~(e) Height Maximum 35 feet on all parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".~~

12. Amend "SECTION 3: ZONES", by repealing Clause 35(3)(e) under Part 5: R-4 (Multiple Family Residential) Zone – High Density, in its entirety, as shown below in ~~strikeout~~:

35(3) Buildings used for R-4 uses in an R-4 Zone shall comply with the following requirements:

- (a) Lot coverage, maximum - 50%
- (b) Area (in square feet) of site required by type of dwelling unit:

<b>TYPE OF DWELLING UNIT</b>				
Number of Storeys	Bed-Sitting Room	One Bedroom	Two Bedrooms	Three or more Bedrooms
1	440 sq. ft.	550 sq. ft.	890 sq. ft.	1230 sq. ft.
2	410	510	820	1130
3	380	470	760	1050
4	350	440	700	970
5	330	410	650	890
6	320	380	610	820
7	310	360	570	770
8	310	350	540	720
9	300	340	510	690
10	300	330	480	660
11 & over	300	330	460	640

- (c) Notwithstanding the provisions of paragraph (b) above, the number of permissible dwelling units for any site may be increased by:
  - (i) 2% where at least one-third of the parking requirements are provided within the building; or
  - (ii) 4% where at least two-thirds of the parking requirements are provided within the building; or
  - (iii) 6% where all of the parking requirements are provided within the building; or
  - (iv) 10% where the building site abuts a public open space having a minimum area of five acres or where the building site is located on the opposite side of a City street from a five acre public open space.
- (d) On all buildings a minimum side and rear yard clearance of fifteen feet shall be maintained and if the building is more than fifty feet high on its highest side the sideyards and rearyards shall have a minimum clearance of not less than one half the height of the adjacent side of the building.
- ~~(e) Height Maximum - 35 feet on all parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".~~

13. Amend "SECTION 3: ZONES", by amending Clause 36(2)(g) under Part 6: TH (TOWN HOUSING) Zone, to delete the words and comma "~~Lake Banook Canoe Course Area" as identified on Schedule "W", and within the~~" after the words "situated within the" and before the words "Main Street Designation", as shown below in ~~strikeout~~:

36(2) Building used for TH uses in an TH Zone shall comply with the following requirements:

- (a) Lot area minimum - 2,000 sq. ft. per unit
- (b) Lot frontage minimum - 20 feet, except where the lot faces on the outside of a curve in a street in which case the minimum frontage shall be not less than 15 ft. and the dimension along the minimum set-back for the lot shall be not less than 20 feet.
- (c) Lot coverage maximum – 45% except for a building containing not more than one storey above grade – 50%
- (d) not more than eight individual housing units shall be included in any one building block.
- (e) A sideyard at least 10 feet in width shall be provided at each end of each building block.
- (f) Every building block shall be located at a distance of not less than 15 feet from the street line.
- (fa) Within the Main Street Designation a rear yard setback of not less than 6.1 metres (20 feet) shall be provided.
- (g) Height Maximum - 35 feet on all parcels of land situated within the "~~Lake Banook Canoe Course Area" as identified on Schedule "W", and within the~~ Main Street Designation as identified on Schedule AF.

14. Amend "SECTION 3: ZONES", by repealing Subsection 37(4) under Part 7: T (MOBILE HOME PARK) Zone, in its entirety, as shown below in ~~strikeout~~:

~~37(4) No Buildings shall exceed 35 feet in height on those parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".~~

15. Amend "SECTION 3: ZONES", by repealing Clause 39(3)(e) under PART 9: C-2 (GENERAL BUSINESS) Zone, in its entirety, as shown below in ~~strikeout~~:

39(3) Buildings used for C-2 uses in a C-2 Zone shall comply with the following requirements:

- (a) Lot area minimum - 5,000 sq. ft.
- (b) Height maximum - 3 storeys for a building with an office function as its primary function.
- (ba) Within the Main Street Designation, except for those lots abutting Lakecrest Drive, residential uses are not permitted on the ground floor of a building, except for entrance lobbies, common areas and accessory uses.
- (c) Maximum Lot coverage - 100% if the requirements for 100% lot coverage in the Building Bylaws of the City of Dartmouth are met, except that a motel building or buildings shall occupy surface area of not more than one-third of the total area of the building lot.
- (d) If lot coverage is not 100%, side and rear yards shall be provided on each side and at the rear of buildings as provided by the Building Bylaws of the City of Dartmouth.
- (da) Within the Main Street Designation, where the yard abuts any R-1, R-1A or R-2 zone, a minimum 6.1 metre (20 ft.) side and rear yard is required.
- ~~(e) Additional Height Maximum - 35 feet on all parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".~~
- (f) Within the Main Street Designation, the maximum height shall be as identified on Schedule AF.

16. Amend "SECTION 3: ZONES", by repealing Clause 40(2)(e) under PART 10: C-3 (GENERAL BUSINESS) Zone, in its entirety, as shown below in ~~strikeout~~:

40(2) Buildings used for C-3 uses in a C-3 Zone shall comply with the following requirements:

- (a) Lot area minimum - 5,000 square feet
- (b) Height maximum - 3 storeys for a building with an office function as its primary function.
- (c) Maximum Lot coverage - 100% if the requirements for 100% lot coverage in the Building Bylaws of the City of Dartmouth are met, except that a motel building or buildings shall occupy surface area of not more than one-third of the total area of the building lot.
- (d) If lot coverage is not 100%, side and rear yards shall be provided on each side and at the rear of buildings as provided by the Building By-laws of the City of Dartmouth.
- ~~(e) Additional Height Maximum - 35 feet on all parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".~~

17. Amend "SECTION 3: ZONES", by repealing Subsection 44(3) under PART 16: P (PARK) Zone, in its entirety, as shown below in ~~strikeout~~:

~~44(3) No Buildings or structures shall exceed 35 feet in height on those parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".~~

18. Amend "SECTION 3: ZONES", by repealing Subsection 44(A)(2) under PART 17: OS (OPEN SPACE) Zone, in its entirety, as shown below in ~~strikeout~~:

~~44(A)(2) No Buildings or structures shall exceed 35 feet in height on those parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".~~

19. Amend "SECTION 3: ZONES", by repealing Clause 45(2)(c) under PART 19: S (INSTITUTIONAL) Zone, in its entirety, as shown below in ~~strikeout~~:

45(2) Buildings used for S uses in an S Zone shall comply with the following requirements:

- (a) Lot area, minimum - 5,000 square feet
- (b) Maximum coverage - 50%
- ~~(c) Height Maximum - 35 feet on all parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".~~
- (ca) Within the Main Street Designation, maximum height shall be as identified on Schedule AF.
- (d) For any new or expanded institutional use, the following landscaping provisions shall apply:
  - (i) Within the front yard area, the first ten (10) feet bordering the road right-of-way shall be fully landscaped, except where driveway or pedestrian access points are required.
  - (ii) Landscaping shall consist of ground cover and a minimum of one shrub for each fifty (50) square feet of required landscaped area and one tree for every fifty (50) feet of lot width.

20. Amend "SECTION 3: ZONES", by repealing Subsection 46(3) under PART 20: C (CONSERVATION) Zone, in its entirety, as shown below in ~~strikeout~~:

~~46(3) No Buildings or structures shall exceed 35 feet in height on those parcels of land situated within the "Lake Banook Canoe Course Area" as identified on Schedule "W".~~

21. Amend "SECTION 3: ZONES", by repealing Clause 48(3)(h) under PART 24: MF-1 (MULTIPLE FAMILY RESIDENTIAL) Zone, in its entirety, as shown below in ~~strikeout~~:

48(3) Buildings erected, altered, repaired, maintained or used for residential uses in a MF-1 Zone shall comply with the following requirements:

- (a) Lot coverage maximum - 40%
- (b) Area of site in square feet required per dwelling unit for apartments:

Number of <u>Storeys Room</u>	Bed-Sitting	TYPE OF DWELLING UNIT		
		<u>One Bedroom</u>	<u>Two Bedrooms</u>	<u>Three or more Bedrooms</u>
1	440 sq. ft.	550 sq. ft.	890 sq. ft.	1230 sq. ft.
2	410	510	820	1130
3	380	470	760	1050
4 & over	350	440	700	970

- (c) The area of site required in sub-section 2 above may be reduced by:
  - (i) 2% where at least one-quarter of the parking requirements are provided within the building;
  - (ii) 4% where at least one-half of the parking requirements are provided within the building;
  - (iii) 6% where at least three-quarters of the parking requirements are provided within the building;
  - (iv) 8% where all the parking requirements are provided within the building;
  - (v) 10% where the building site abuts a public open space having a minimum area of five acres or where the building site is located on the opposite side of a city street from a public open space having a minimum size of five acre.
- (d) Every building shall be located at a distance from the street line as specified by the building line applicable to the street on which the proposed building is to be located.

Where no building line exists the Development Officer may establish a building line for the street. If no building line exists and no building line is established by the Development Officer the building line shall be taken as the mean distance of the set-backs of existing buildings from the street line in the block portion of the street on which the proposed building is to be located or the building line may be set by the Development Officer provided that no part of a building for residential use shall be located with respect to any street so that the height of the part exceeds the set-back plus two-thirds the width of the street on which it fronts.

- (e) Yards having a minimum width of seven and one-half feet each shall be provided on each side and at the rear of the building.
- (f) A minimum side and rear yard clearance of seven and one-half feet shall be maintained for all buildings up to and including three storeys in height, the minimum side and rear clearances shall be increased by five additional feet for each storey over three.
- (g) Maximum height - four storeys exclusive of any storeys not containing one or more apartments.
- ~~(h) Within the "Lake Banook Canoe Course Area" as identified on Schedule "W", no buildings or structures shall exceed 35 feet in height.~~

22. Amend "SECTION 3: ZONES", by repealing Clause 53(b) under PART 26: SC (SERVICE COMMERCIAL) Zone, in its entirety, as shown below in ~~strikeout~~:

53 The following uses only shall be permitted in an SC Zone:

- (a) commercial or industrial enterprises, except:
  - (i) stores for the purpose of retail trade and service other than grocery stores or drug stores;
  - (ii) obnoxious uses, uses creating a hazard to the public and uses creating heat, humidity and glare.
- ~~(b) Within the "Lake Banook Canoe Course Area" as identified on Schedule "W", no buildings or structures shall exceed 35 feet in height.~~

23. Repealing SCHEDULE M: DARTMOUTH & DOWNTOWN DARTMOUTH PLAN AREA.

24. Repealing SCHEDULE W: Lake Banook Canoe Course Area.

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

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

\_\_\_\_\_  
Municipal Clerk

**ATTACHMENT E:**  
**PROPOSED AMENDMENTS TO THE SECONDARY MUNICIPAL PLANNING STRATEGY  
FOR DOWNTOWN HALIFAX**

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

1. Amend all maps and schedules of the *Downtown Halifax Secondary Municipal Planning Strategy* to remove those areas located within the Regional Centre Plan Area as shown on Map 1: Urban Structure Designations, under the Secondary Municipal Planning Strategy for the Regional Centre, except for the following areas, which shall remain within this *Secondary Municipal Planning Strategy*:

- (a) Old South Suburb Heritage Conservation District;
- (b) Barrington Street Heritage Conservation District;
- (c) 1872-1874 Brunswick Street, Halifax;
- (d) 1591 Granville Street and 1568 Hollis Street, Halifax;
- (e) 1649 Bedford Row, Halifax;
- (f) Eight parcels in Halifax identified as: PID# 00077412, 41210386, 00077461, 00034397, 00077404, 00077420, 00077446, and 00077453; and
- (g) three parcels in Halifax identified as PIDs 00076141, 40420143, and 00076109.

2. Amend the "TABLE OF CONTENTS", by:

- (a) deleting the words, dots, and numbers under Chapter 2: Downtown Halifax Urban Design Vision and Principles, Section 2.3 Downtown Precinct Visions, the following:
  - (i) "2.3.1 Vision for Precinct 1: Southern Waterfront .....8",
  - (iv) "2.3.6 Vision for Precinct 6: Upper Central Downtown ..... 11",
  - (v) "2.3.7 Vision for Precinct 7: Historic Properties ..... 12",
  - (vi) "2.3.8 Vision for Precinct 8: Cogswell Area ..... 13",
  - (vii) "2.3.9 Vision for Precinct 9: North End Gateway ..... 14";
- (b) deleting the words, dots, and numbers under Chapter 3: Built Form and Precinct Framework, Section 3.4 Development and Design Review Process, the following:
  - (i) "3.4.9 Waterfront Development ..... 27";
- (c) deleting the words, dots, and numbers "5.3 Cogswell Interchange Lands.....40" under Chapter 5: Economic Development; and
- (d) deleting the words, dots, and numbers "7.2.1 Waterfront Trail ..... 49" under Chapter 7: Transportation, Section 7.2 Active Transportation.

3. Amend key strategy "(4) Integrate the Cogswell and Cornwallis Park Gateway", under Section 2.2 The Ten Big Movies, under Chapter 2: Downtown Halifax Urban Design Vision and Principles, as shown below in **bold** and ~~strikeout~~, by:

- (a) deleting the words "the Cogswell and Cornwallis", after the word "Integrate", and before the words "Park Gateway", and replacing them with the words "Peace and Friendship";
- (b) deleting the words "the Cogswell Interchange and Cornwallis", after the words "The transformation of", and before the words "Park gateways", and replacing them with the words "Peace and Friendship";
- (c) deleting the words "gateways", after the word "Park" and before the words "will serve",

- and replace it with the word “gateway”;
- (d) deleting the words “catalysts”, after the word “will serve as” and before the words “for revitalization”, and replace it with the word “catalyst”;
- (e) deleting the words “the redevelopment of the Cogswell Interchange and”, after the words “Public support for”, and before the words “rejuvenation of”;
- (f) deleting the words “Cornwallis”, after the words “rejuvenation of”, and before the words “Park is tremendous”, and replacing them with the words “Peace and Friendship”; and
- (g) deleting the words and comma “, particularly in the Cogswell area”, after the words “Park is tremendous”, and before the words “due to opportunities”.

#### 4. Integrate the ~~Cogswell and Cornwallis~~ **Peace and Friendship** Park Gateways

The transformation of the ~~Cogswell Interchange and Cornwallis~~ **Peace and Friendship** Park gateways will serve as catalysts for revitalization and the attraction of new residents and businesses to downtown. Public support for the ~~redevelopment of the Cogswell Interchange and rejuvenation of Cornwallis~~ **Peace and Friendship** Park is tremendous, ~~particularly in the Cogswell area~~ due to opportunities to provide more public open space and amenities, and new residential and commercial development.

#### 4. Amend Section 2.3 Downtown Precinct Visions, under Chapter 2: Downtown Halifax Urban Design Vision and Principles, as shown below in **bold** and ~~strikeout~~, by:

- (a) deleting the word “nine”, before the words “distinct precincts”, and after the words “Downtown Halifax features”, and replacing it with the word, brackets, and number “four (4)”;
- (b) deleting Subsection 2.3.1 Vision for Precinct 1: Southern Waterfront in its entirety;
- (c) deleting Subsection 2.3.6 Vision for Precinct 6: Upper Central Downtown in its entirety;
- (d) deleting Subsection 2.3.7 Vision for Precinct 7: Historic Properties in its entirety; and
- (e) deleting Subsection 2.3.8 Vision for Precinct 8: Cogswell Area in its entirety; and
- (f) deleting Subsection 2.3.9 Vision for Precinct 9: North End Gateway before Policy 1.

### 2.3 DOWNTOWN PRECINCT VISIONS

Downtown Halifax features ~~nine~~ **four (4)** distinct precincts as shown on Map 2, each with varying characters, functional identities and building forms. The objective of defining these precincts is to help focus and direct land uses, define appropriate character for development, protect heritage, and direct public investment. The following precinct-specific vision statements articulate long-term goals for these areas that support guidelines for development and public spaces established in the Design Manual and through future functional plans outlined in this Plan.

#### ~~2.3.1 Vision for Precinct 1: Southern Waterfront~~

~~Centred on the southern end of Lower Water Street and anchored by the Halifax Harbourwalk, Cornwallis Park, and the seawall, the southern downtown waterfront is poised to become one of the downtown’s most desirable neighbourhoods. Building on the existing residential area, significant residential intensification alongside a mix of other compatible civic and commercial uses can serve to create both a great new destination and a splendid place to live overlooking the Harbour and within enviable proximity to all the amenities that downtown living has to offer.~~

~~New mixed-use, mid-rise buildings and strategically placed signature point towers will be the emphasis of the new infill, which will serve to introduce a significant critical mass of people while closing the gaps in the southern waterfront streetscape. These developments will solidify the link between the central downtown and its southern extent anchored by the train station. Building on~~

~~the existing residential character and heritage resources, new developments will create an integrated and harmonious high density neighbourhood with an exceptional street level vibrancy including convenience retail outlets, sidewalk cafes, specialty shops, end of street plazas and grade access residential units.~~

~~Defining landmark developments and improvements will include the adaptively reused and integrated power plant facility, a landmark development of signature architectural quality at the southern terminus of Lower Water Street, and new waterfront plazas framed by new potential cultural attractions at the foot of Morris Street and Marginal Road. In concert with open space and streetscape improvements, a strong linkage will be established between the Halifax Harbourwalk and Cornwallis Park to complete the connection between the downtown's southern destination anchors and further stimulate pedestrian movement throughout the area. The southern waterfront is a precinct defined by the Harbour, with open spaces along the Halifax Harbourwalk, at the end of the streets leading to the Harbour. New buildings will fill in existing gaps along the streetscape. Lower Water Street will have great sidewalks, landscaping and a streetwall that emphasizes its meandering qualities. Pedestrian-oriented retail shops and services will frame open spaces.~~

### 2.3.2 Vision for Precinct 2: Old South Suburb Heritage Conservation District (RC-Jan 14/20; E Aug 15/20)

The heritage value of the Old South Suburb Heritage Conservation District lies in its associations with the early settlement of Nova Scotia as one of the first contiguous suburbs of the once fortified town of Halifax. The district is valued as an area of traditional architecture, especially from the Georgian and Mid-Victorian periods. It is also valued for its associations with the early social and economic life of the waterfront city, including its vibrant railway industry of the 1920s and 30s with Cornwallis Park, the CN Railway Station, and Hotel.

Improvements to Cornwallis Park and its framing streetscapes will enhance the image and prestige of the park and serve as a catalyst for revitalizing the area. This will occur through the creation of a traditional urban square framed by continuous at-grade commercial uses, cafes, hotels and key civic destinations, including the train station. Speciality shops, restaurants and services will be drawn to the distinct architectural character of south Barrington and Hollis Streets, providing the local and surrounding residential population with convenience and complementary amenities. Infilling of vacant lots combined with streetscape improvements will greatly strengthen the precinct's role as a link between the south end, the Spring Garden Road area, the waterfront and the central downtown.

Defining landmark developments and improvements will include the enhancement of Cornwallis Park to establish and formalize its civic function as the third anchor point in the triangle of downtown public squares, which includes the Grand Parade and Public Gardens. The framing of Cornwallis Park will be completed with a signature development at its south face, which can integrate the existing grocery store function while providing a compelling architectural landmark and public art installations to terminate the Barrington and Hollis view corridors. (RC-Jan 14/20; E Aug 15/20)

### 2.3.3 Vision for Precinct 3: Spring Garden Road Area

This precinct is one of downtown's most appealing and vibrant mixed-use areas centred on the lively Spring Garden Road commercial corridor. With proximity to major health and academic institutional complexes, and surrounded by tremendous green amenity, the Spring Garden Road precinct will play a leading role in defining the image of downtown as a livable, enriching and sustainable place to live, work and play. Intensified small-scale commercial uses and enhancements to the streetscapes will further strengthen the precinct's critical pedestrian function as a link between the downtown and the institutions and neighbourhoods to the west and east.

Residential, office and mixed-uses in mid to high-rise buildings will continue to ensure the critical density of people and activity that lend to the precinct's vitality while providing for greater utility and physical enclosure to the surrounding open spaces. New, large scaled developments will be carefully designed to ensure that pedestrians on Spring Garden Road continue to enjoy sunlight for significant periods throughout the day. Infill opportunities along Clyde Street, adjacent to the historic Schmidville neighbourhood, will reinforce its residential character while providing for buildings along Clyde Street that transition in height from the mid-rise buildings permitted along Spring Garden Road, to the existing low-rise buildings of Schmidville to the south. The mixed use nature of the new buildings along Clyde Street will also provide a transition in intensity of use from the active retail required along Spring Garden Road to the primarily residential uses in Schmidville. Infill developments along Spring Garden Road to the east of Queen Street will reinforce the area's distinct qualities characterized by historic civic monuments with generous landscaped setbacks.

Defining landmark developments and improvements will include the enhancement of Spring Garden Road as the key east-west downtown pedestrian connection that links the Public Gardens to the Barrington Street Heritage Conservation District. The former Halifax Infirmary property and sites on the north side of Clyde Street will be infilled with a mix of uses that will serve to fill the major 'gaps' in the precinct while complementing the adjacent established and historically significant neighbourhoods.

#### 2.3.4 Vision for Precinct 4: Lower Central Downtown

Fronting on the central waterfront, and containing a large concentration of downtown office towers, hotels and major regional attractions, this precinct will continue to serve as the primary regional hub for commerce, culture and tourism. The gaps along the waterfront will be infilled with a mix of uses that integrate parking facilities and are focused around a series of distinctly designed waterfront plazas at the ends of the streets leading to the Harbour. Most significant of these plazas is at the terminus of the Grand Promenade, which serves as a splendid east-west spine that links the waterfront, Grand Parade and the Citadel. The design of the Grand Promenade will provide an appealing route for pedestrians to traverse the steep slope to access many downtown attractions and destinations.

New mid and high-rise developments along the waterfront will step down in height to ensure a low-rise frontage along the Halifax Harbourwalk, while infill within the historic block and street pattern will be massed to ensure that buildings have proportional relationships to the shallow depths of the blocks and narrow widths of the streets. In addition to major new office complexes, substantial new high-density residential developments will help to balance the mix of uses in the precinct and ensure a vibrant street life throughout the day and in all seasons.

Defining landmark developments and improvements will include the infill of major vacant sites to the south and along the waterfront, the redevelopment of the ferry terminal to create an identifiable civic landmark, and major enhancements to the public realm that include key streetscape improvements, new plazas and key public art installations.

#### 2.3.5 Vision for Precinct 5: Barrington Street Heritage Conservation District (RC-Jan 14/20; E Aug 15/20)

The Barrington Street Heritage Conservation serves as the central retail spine that connects to all but one of the downtown's precincts. Building on its exceptional assets, which include great accessibility, traditional 'main street' charm, and an extraordinary assembly of historic resources, this precinct will transform into one of the downtown's key destinations for shopping, dining, galleries, entertainment and cultural attractions. Sensitive adaptive re-use, additions and infill will help to revitalize the corridor while reinforcing its historic character. A residential population and small-scale businesses in the creative sector will be drawn to the loft spaces and prestigious character associated with the grandeur of the historic buildings.

The heritage value of the Barrington Street Heritage Conservation District lies in the historic and architectural significance of its buildings and civic open spaces, and its evolution as Halifax's principal downtown commercial street for the past 260 years. The open spaces, churches, and historic government buildings at the northern and southern ends of the precinct provide tangible reminders of the downtown's social, civic, and religious development in the late 18th and early 19th centuries, and the continuation of these functions in the present day.

The northern and southern ends of the precinct are characterized by historic government buildings and churches with a high order of architectural design set in landscaped open spaces, and defined by formalized paths, perimeter walls, and public monuments. The old commercial part of the precinct between these historic open spaces has a dense urban form based on the original block pattern of sixteen, 12.2m x 18.3m lots per block. Some buildings occupy single lots; others occupy double lots or larger lot consolidations. Buildings vary in width and height, from two to six storeys, with most in the three or four storey range, giving the streetscape a varied skyline and block profile. Some buildings are low and narrow, others higher and wider, in many cases with a projecting cornice or parapet at the roof-line. This varied profile is an important character-defining element of Barrington Street and contributes both to the architectural variety and human scale of the street and the varied sunlight and shadow conditions.

#### 2.3.6—Vision for Precinct 6: Upper Central Downtown

~~Fronting on the Citadel, anchored to the north and south by major civic destinations, and in close proximity to Barrington Street, this precinct has enhanced appeal as a location for the hospitality and entertainment industry. The fine grained historic block and street pattern lends well to the concentration of pedestrian-oriented alternative shops, restaurants, bars, night clubs, sidewalk cafes and cultural venues such as performing arts theatres. Infill and redevelopments will continue to intensify this area's distinct function as the downtown's arts and entertainment district by accommodating complementary uses such as hotels, small-scale offices for creative related ventures, galleries and artist studios.~~

~~With the exception of the publically sponsored convention centre together with retail, hotel, residential or office, and underground parking space, (RC-Apr 29/14; E-May 10/14) new low to mid-rise buildings will be designed to ensure proportional relationships to the shallow depths of the blocks and narrow widths of the streets. Streetscape improvements will accommodate the area's high pedestrian volumes and support spill out activities, including a grand esplanade along the base of the historic Citadel. The Metro Centre's facade on the Grand Promenade will be readapted to provide a positive frontage. To provide a new civic focus to the precinct, the Sackville Promenade is a potential catalyst for revitalizing the area and serve as a new community gathering space framed by cafes and restaurants. Designed into the steep grade, the Sackville Promenade may be designed as a series of steps, which will lend well to the staging of outdoor events and festivals.~~

~~A central feature to the Upper Central Downtown Precinct and an exception to its low to mid-rise buildings shall be the development of the publically sponsored convention centre together with retail, hotel, residential or office, and underground parking space, pursuant to Policy 90E. (RC-Apr 29/14; E-May 10/14)~~

#### 2.3.7—Vision for Precinct 7: Historic Properties

~~This contiguous and intact heritage environment will continue to serve as a major attraction and hub of social and commercial activity in the downtown. Anchored by the waterfront and the Granville Street Pedestrian Mall, this precinct's character is defined by low-rise buildings and the intimate spaces they frame. The convergence of small-scale retail uses, a market, restaurants, bars, NSCAD University, galleries, and hotels, creates a charming and vibrant 'urban village' in the heart of downtown. This unique function will be further strengthened with the transformation~~

of the Cogswell Interchange, which will place this precinct in a central position to serve as an area focus and primary pedestrian linkage to newly developed areas to the north.

Sensitive adaptive re-use, additions and infill will help to revitalize the precinct while reinforcing its historic character. The Granville Street Pedestrian Mall will be further enhanced by the development of the site to its north, which will reinforce the low-rise street wall and provide a complementary landmark feature to mark its north view terminus. Enhancements to the streetscapes and crosswalks, as well as a potential plaza to the north, will help to strengthen east-west pedestrian connections and links to the waterfront.

#### 2.3.8—Vision for Precinct 8: Cogswell Area

Over the mid to long term of the 25-year life of this Plan, the dismantling of the Cogswell Interchange will enable the transformation of this area into a coherent and appealing mixed-use precinct that will serve to reconnect the downtown with the north end, provide a compelling northern gateway, and accommodate a significant density of office, commercial and residential uses. The development of contemporary landmark towers of signature architectural quality will enhance and update the downtown skyline and potentially redefine its image. These high densities will be supported by a network of pedestrian scaled blocks framed by high-quality streetscapes and public spaces. Existing buildings and structures that were once inward-looking will be readapted to provide positive street frontages with retail use at grade.

New streets and improved alignments will enhance pedestrian connections to the waterfront and to the north end neighbourhoods. Towers will sit on low-rise podiums that reinforce human-scaled streetscapes while accommodating rooftop gardens and amenity spaces for their inhabitants. Building heights will step down toward the neighbourhoods to the north and the Harbour while further enhancing the shape of the skyline. The approach and entry into the downtown from Barrington and Cogswell Streets will be greatly enhanced through ceremonial-quality streetscaping and clearly defined gateways with landmark public art installations.

Before the redevelopment potential of the Cogswell Interchange area is realized, the vacant and under-utilized sites in the other downtown precincts should commence. Additionally, a detailed Cogswell Interchange Area Masterplan should be undertaken. These two important steps will ensure that the livability of the central downtown will improve in the short term, and that when redevelopment of the Cogswell area does begin in the mid to long term, it will follow a rational plan that yields optimal functionality and vibrancy.

#### 2.3.9—Vision for Precinct 9: North-End Gateway

Fronting onto the Citadel and interfacing with the existing historic neighbourhoods of the north end, this precinct will become one of the downtown's most desirable residential neighbourhoods afforded with tremendous views of the Harbour and proximity to the Commons and the services and shops of Gottingen Street. This area's role as a major gateway into the downtown will be signified by a high quality open space and public art installation and signature architecture at the prominent corner framed by Cogswell Street and Rainnie Drive. The transformation of Cogswell into a ceremonial boulevard and the esplanade treatment of Rainnie will serve to provide this precinct's residents, businesses and visitors with tremendous amenity, while enhancing these important pedestrian connections into the downtown from the surrounding areas.

Existing civic and recreational facilities will be integrated into new, mixed-use developments that frame the streets while providing architectural features to enhance important north-south view corridors from the areas to the north. The low to mid-rise buildings will provide interior courtyard gardens accessed through mid-block connections. Their massing and material quality will provide for a complementary transition to the distinct character of the neighbourhood to the north. Gottingen's intersection with Cogswell and its link to Rainnie will become an important civic focus for the area that will extend the 'main street' character to a celebratory terminus at the Citadel

## ~~Esplanade.~~

Policy 1 HRM shall, through the applicable provisions contained in the Land Use By-law and Functional Plans, implement the vision for downtown Halifax as outlined in this chapter to guide future development and investment in public space in downtown Halifax. This vision consists of the following components:

- (a) Downtown Halifax Vision Statement;
- (b) Guiding Principles;
- (c) The Ten Big Moves; and
- (d) Downtown Precinct Visions.

5. Amend Subsection 3.3.1(g) under Section 3.3 Building Height and Massing, under Chapter 3: Built Form and Precinct Framework, by replacing the word “Ramparts” before the words “requirements from” and after the words “the Citadel View Planes” with “Halifax Citadel Ramparts Sight Lines”, as shown below in ~~strikeout~~:

### 3.3.1 Heights Framework

For the sake of ensuring clarity and predictability in the desired height and building pattern for downtown Halifax, this Plan establishes a maximum heights framework for development. For developments to achieve the maximum heights as shown on Map 5, developments must (1) conform with the built form and design provisions of the Land Use By-law and (2) provide public benefits in accordance with the bonus zoning provisions discussed in this Chapter. Except for minor architectural features, the maximum heights framework can only be modified through an amendment to this Plan.

The maximum heights framework provides a rational and balanced height pattern resulting from the synthesis of a complex set of urban design considerations tailored to the downtown Halifax context including:

- (a) protection of the pedestrian street level experience with a height-to-width ratio of approximately 1:1 which promotes skyviews and sunlight penetration to the street;
  - (b) reinforcing the existing and desired character of the nine downtown precincts;
  - (c) the introduction of Heritage Conservation Districts;
  - (d) respecting the modestly scaled historic block and street pattern;
  - (e) a transition in heights to the Citadel, heritage areas, low-rise neighbourhoods and the waterfront;
  - (f) reinforcing a distributed and varied height pattern by directing taller buildings to areas where they already exist; and
  - (g) upholding the Citadel View Planes and ~~Ramparts~~ **Halifax Citadel Ramparts Sight Lines** requirements from the Land Use By-law for Halifax Peninsula.
6. Amend Section 3.3 Building Height and Massing, under Chapter 3: Built Form and Precinct Framework, as shown below in ~~strikeout~~, by:
- (a) deleting the preamble relating to the YMCA recreation facility starting after Policy 9 with the words and numbers “In 2011, a new YMC recreation facility”, and ending with the words “and at the intersection three streets”; and
  - (b) repealing Policies 9A and 9B.

~~In 2011, a new YMCA recreation facility was proposed as part of a mixed-use development, extending from the south-east corner of Sackville and South Park Streets, on lands known as the CBC Radio and YMCA properties. Part of the proposal included a residential tower, to a maximum height of 49 metres, on lands where the maximum permitted height is 23 metres. The change in the height requirement to accommodate the proposal was viewed favourably given the public~~

~~benefit of the establishment of a recreation facility. In addition, allowing greater height on this site has limited impact upon Citadel Hill and provides an important corner building at the edge of the Spring Garden Road Precinct and at the intersection of three streets.~~

~~Policy 9A — Notwithstanding the maximum building heights shown on Maps 4 and 5, but subject to the Rampart requirements of the Land Use By-law, HRM shall establish provisions in the Land Use By-law to permit an increase in the maximum building height on lands at the south-east corner of Sackville Street and South Park Street from 23 metres to 49 metres, where a new multi-district recreation facility is developed in whole or as part of a mixed-use development on the lands known as CBC Radio and YMCA properties. With the additional height, there shall be provisions for the upper storeys of a building on these lands to be stepped back from Sackville Street and South Park Street.~~

~~Policy 9B — Pursuant to Policy 9A, a multi-district recreation facility means a building or part of a building that is a minimum of 6500 square metres of gross floor area, which is used for community recreation activities, for which a membership or instruction fee may be charged, and that includes a gymnasium, an exercise room, a swimming pool, meeting rooms, and community gathering areas.~~

7. Amend Subsection 3.4.3 Bonus Zoning under 3.4 Development and Design Review Process, under Chapter 3: Built Form and Precinct Framework, as shown below in ~~strikeout~~, by:

- (a) replacing the words “Citadel Ramparts” in the first paragraph before the words “regulations” and after the words “View Planes and” with “Halifax Citadel Ramparts Sight Lines”; and
- (b) replacing the words “Citadel Rampart” in the second paragraph before the words and comma “regulations, a bonus in FAR” and after the words “View Planes and” with “Halifax Citadel Ramparts Sight Lines”.

### 3.4.3 Bonus Zoning

Subject to the provisions of the Land Use By-law, View Planes and ~~Citadel Ramparts~~ **Halifax Citadel Ramparts Sight Lines** regulations, a bonus in height is offered as an incentive for specific public benefits in excess of the minimum development requirements set out in this Plan. The maximum achievable building height as shown on Map 5 can only be achieved through the bonus zoning provisions of this Plan. The pre-bonus heights as defined on Map 4 will in all cases be approximately 30% lower than those shown on Map 5. To encourage redevelopment and to provide further incentive for the conservation and re-use of heritage resources, the bonus zoning provisions shall not be applied within the Barrington Street Heritage Conservation District (precinct 5), the Old South Suburb Heritage Conservation District (Precinct 2), or to low-rise building forms.

Subject to the provisions of the Land Use By-law, View Planes and ~~Citadel Ramparts~~ **Halifax Citadel Ramparts Sight Lines** regulations, a bonus in FAR is offered in the Old South Suburb Heritage Conservation District (Precinct 2) as an incentive for heritage conservation within the precinct boundary or cash-in-lieu.

8. Amend Section 3.4 Development and Design Review Process, under Chapter 3: Built Form and Precinct Framework, as shown below in ~~strikeout~~, by repealing Subsection 3.4.9 after Policy 28 and before Subsection 3.4.10 Spring Garden Road Precinct.

### 3.4.9 Waterfront Development

~~The Halifax waterfront includes lands extending from the east of Lower and Upper Water Streets to the water's edge. These lands are a significant public resource and define the image and~~

~~identity of downtown Halifax. The majority of undeveloped lands within this area are owned by the Waterfront Development Corporation Limited (WDCL), the provincial crown corporation responsible for purchasing, consolidating, redeveloping, and revitalizing lands around Halifax Harbour. WDCL works with private sector developers to facilitate investment in public infrastructure and amenities to further reinforce the waterfront as a vibrant place to live, do business, invest and visit.~~

~~The waterfront is uniquely characterized by an organic and diverse built form with many opportunities for intensification and redevelopment. A higher degree of design discretion is required to respond to this unique development pattern and ensure future waterfront development responds to public interests and objectives in relation to the water's edge. The water's edge and the terminus of the east-west Harbour streets are fundamental components of the open space network for downtown, as are the goals of public and visual access to the water. The east-west orientation of buildings as typified by Historic Properties is an established character to be reinforced through the design review process anticipated by this Plan. HRM is undertaking a mapping study through the development of the Halifax Harbour Functional Plan, which is a directive of the Regional Municipal Planning Strategy, to examine the effects of anticipated sea level rise and storm surge as a result of climate change. It is critical for public safety reasons that new development along the Halifax waterfront include design measures to mitigate the impacts of climate change in accordance with these findings. These considerations will be addressed as part of the design review program anticipated by this Plan.~~

~~In recognition of the shared mandate for planning the public use of these lands, HRM shall seek to negotiate an agreement with WDCL, with appropriate capital and operating cost sharing strategies, that will guide the following design objectives for the waterfront:~~

- ~~(a) Encourage low, medium, and high-rise development at appropriate locations and massing that will enhance the waterfront experience through well-designed architecture and public spaces.~~
- ~~(b) Ensure visual and public access to the water's edge and views of the Harbour through the extensions of east-west streets as public open space, and a continuous public boardwalk along the water's edge.~~
- ~~(c) Establish appropriate funding arrangements for capital public realm improvements.~~
- ~~(d) Ensure a continuous, pedestrian scale streetwall along the east side of Lower Water Street.~~
- ~~(e) Encourage linear building forms perpendicular to Lower Water Street that step down in height as they approach the water's edge.~~
- ~~(f) Encourage the redevelopment of surface parking lots and restrict future surface parking.~~
- ~~(g) Ensure development mitigates the impacts of climate change and where possible, incorporates sustainable design principles.~~

~~Policy 29 HRM shall establish provisions in the Land Use By-law to apply to lands along the Halifax waterfront east of Lower Water Street. The Land Use By-law shall include special provisions for site plan approval within this area to address the following matters:~~

- ~~(a) provide a higher degree of discretion over the design and form of development;~~
- ~~(b) ensure appropriate transitions in heights stepping down to the water's edge;~~
- ~~(c) maximize skyviews, sun penetration to public spaces and streets, and visual and public access to the water;~~
- ~~(d) allow for flexibility in building forms that reinforce the east-west orientation of development;~~
- ~~(e) when water lots are to be infilled, the development shall ensure public use and access to the water's edge; and~~
- ~~(f) incorporate provisions to ensure development considers measures to mitigate the effects of sea level rise and storm surge events.~~

~~Policy 30 — In accordance with Policies 49 & 58 of this Plan, HRM may seek to negotiate an agreement with Waterfront Development Corporation Limited to further implement the development and public realm objectives for the Halifax Waterfront.~~

9. Amend Chapter 5: Economic Development, as shown below in ~~strikeout~~, by repealing Section 5.3 Cogswell Interchange Lands after Policy 49 and before Chapter 6.

### ~~5.3 — COGSWELL INTERCHANGE LANDS~~

~~The Cogswell Interchange lands present a significant opportunity for transforming the downtown at its northern gateway. Repeatedly, throughout project consultations, the community has been nearly unanimous in requesting that the Cogswell Interchange be removed and a grid of city blocks and new development parcels be restored; an approach that is consistent with the Ten Big Moves. However, this redevelopment requires careful planning to ensure the timing and land use mix optimizes and supports the strategies laid out in this Plan related to filling in of vacant or underutilized lands in the traditional CBD (precincts 4, 5, 6, and 7). A master plan is needed to give consideration to:~~

- ~~(a) Land use and long term economic functions for downtown Halifax.~~
- ~~(b) Appropriate transition in form and land use to nearby neighbourhoods.~~
- ~~(c) Special attention to the design of the street network to ensure it meets the urban design objectives of the plan related to extension of the street grid pattern.~~
- ~~(d) The timing of bringing Cogswell Interchange lands into the development market once vacant and underutilized lands in the traditional CBD are developed.~~

~~This Plan reflects HRM's commitment to move forward with the planning and design work related to the redevelopment of the Cogswell Interchange lands. This approach will capitalize on the momentum of the this Plan, and will enable sound decision making on the future use of these lands.~~

~~Policy 50 — HRM shall consider undertaking a Cogswell Interchange Functional Plan as a priority to ensure the future use and urban design of these lands.~~

10. Amend Policy 61 under Section 6.4 Views & Visual Character, under Chapter 3: Built Form and Precinct Framework, by replacing the words “Citadel Ramparts” before the words “HRM shall further protect” and after the words “Citadel View Planes and” with “Halifax Citadel Ramparts Sight Lines”, as shown below in ~~strikeout~~:

~~Policy 61 HRM shall through the Land Use By-law, protect designated views from the Citadel including the Citadel View Planes and Ramparts views **Halifax Citadel Ramparts Sight Lines**. HRM shall further protect designated window views along east-west streets from the Citadel to the Harbour as defined on Map 11 through the waterfront view corridors provisions of the Land Use By-law.~~

11. Amend Section 7.3 Public Transit, under Chapter 7: Transportation, as shown below in ~~strikeout~~, by repealing Subsection 7.2.1: Waterfront Trail after Policy 72 and Before subsection 7.3.

### 7.2.1 — Waterfront Trail

~~The Harbourwalk waterfront trail is a significant component in the development of a network of active transportation infrastructure in downtown Halifax. This trail not only connects communities to one another, but also enables connections to be made to other parks, open spaces and natural~~

~~areas. However, with restrictions to access in some areas along the Harbour, it is important to note that the trail may veer away from the water at specific locations, such as through the HMC Dockyard.~~

~~Policy 73 — HRM shall consider opportunities to extend and improve the continuous Harbourwalk waterfront trail through the DHSMPs plan area, acknowledging that at certain points, it will be necessary for the trail to diverge from the waterfront.~~

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

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

\_\_\_\_\_  
Municipal Clerk

**ATTACHMENT F:  
AMENDMENTS TO THE LAND USE BY-LAW FOR DOWNTOWN HALIFAX**

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

1. Unless otherwise repealed under section 12 of this amending By-law, amend all schedules and maps of the Land Use By-law for Downtown Halifax to remove those areas located within the Regional Centre Plan Area as shown on Map 1: Urban Structure Designations,, and for greater certainty, the areas excluded on Map 1 shall remain within the Land Use By-law for Downtown Halifax.
  
2. Amend the "TABLE OF CONTENTS" of the Downtown Halifax Land Use By-law, as shown below in ~~strikeout~~ and **bold** by:
  - (a) deleting the words "View Plane Requirements" under Built Form Requirements;
  - (b) deleting the words "Rampart Requirements" under Built Form Requirements;
  - (c) adding the words, numbers, and colon "Map 14: Halifax Citadel View Planes";
  - (d) adding the words, numbers, and colon "Map 15A: Halifax Citadel Rampart Sight Lines";
  - (e) adding the words, numbers, and colon "Map 15B: Halifax Citadel Cavalier Building Coordinates 1"; and
  - (f) adding the words, numbers, and colon "Map 15C: Halifax Citadel Cavalier Building Coordinates 2".
  
3. Repeal the definition of "Ramparts" under Clause 2(bi) under Definitions, and add a new Clause 2(bia) Halifax Citadel Ramparts Sight Lines after Clause 2(bh) and before Clause 2(bj), as shown below in ~~strikeout~~ and **bold**:

~~2(bi) Ramparts means the Citadel Ramparts pursuant to Section 26B-A of the Halifax Peninsula Land Use By-law and as depicted on Schedule ZM-26 Halifax Citadel Ramparts of the Halifax Peninsula Land Use By-law, as amended from time to time.~~

**2(bia) Halifax Citadel Ramparts Sight Lines means the rampart sight lines pursuant to Section 8(14A) and 8(16A), and as depicted on Maps 15A, 15B, and 15C of this By-law.**
  
4. Repeal the definition of "View Plane" under Clause 2(ci) under Definitions, and add a new Clause 2(cia) Halifax Citadel Ramparts Sight Lines after Clause 2(ch) and before Clause 2(cj), as shown below in ~~strikeout~~ and **bold**:

~~2(ci) View Plane means a View Plane as defined in Part I of the Halifax Peninsula Land Use Bylaw and as depicted on the Schedule ZM-25 Halifax Citadel View Planes of the Halifax Peninsula Land Use By-law, as amended from time to time.~~

**2(cia) View Plane means a view cast in a perspective projection that is tied to a geographic location.**
  
5. Amend the Definitions sections, and add a new Clause 2(cea) Surveyor after Clause 2(ce) and before Clause 2(cf), as shown below in **bold**:
  - 2(ce) Structure means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure, and includes buildings, walls signs, and fences exceeding 2 metres in height.
  - (cea) Surveyor means a land surveyor who is a registered member in good standing of the Association of Nova Scotia Land Surveyors.**
  - (cf) Through lot means a lot that abuts two streets, but is not a corner lot.

6. Amend the Definitions sections, and add a new Clause 2(abb) Development after Clause 2(aba) and before Clause 2(ac), as shown below in **bold**:

2(aba) Drive-thru means a built form established to provide or dispense products or services, through an attendant or a window or an automated machine, to persons remaining in vehicles that are in a designated stacking aisle.

**(abb) Development means the erection, construction, alteration, placement, location, replacement, or relocation of, or addition to, a structure and a change or alteration in the use made of land or structures.**

(ac) Dwelling Unit means 1 or more rooms used or designed to be used by one or more persons as a place of abode which contains not more than one kitchen and includes but is not limited to living, sleeping and sanitary facilities.

7. Amend Clause 5(4)(f) under (4) Development Permit: Application, under Section 5 Development Permit, as shown in ~~strikeout~~ and **bold**, by:

(a) deleting the word "Ramparts" after the words "View Plane and" and before the words "height limitation"; and

(b) adding the words "Halifax Citadel Ramparts Sight Lines" after the words "View Plane and" and before the words "height limitation".

#### Development Permit: Application

(4) An application for a development permit shall be accompanied by a site plan drawn to scale showing the following:

(f) elevations prepared by a surveyor licensed in the Province of Nova Scotia confirming compliance with View Plane and ~~Ramparts~~ **Halifax Citadel Ramparts Sight Lines** height limitations, where applicable; and

8. Amend Subsection 6(2) Zone, Precinct, and Schedules, under "Interpretation" by deleting the words and letter "Schedule W Waterfront Development Overlay", as shown below in ~~strikeout~~:

Zones, Precincts and Schedules

(2) For the purpose of this By-law and the map entitled Map 1, Zoning and Schedule, the following zones and schedules are hereby established:

Downtown Halifax Zone	DH-1
Institutional, Cultural & Open Space Zone	ICO
<del>Schedule W</del>	<del>Waterfront Development Overlay</del>

9. Amend the title "Residential Uses: Precincts 3 and 9 – Landscaped Open Space Requirements" and Subsection 7(11A) under Section 7 Downtown Halifax Zone (DH-1), under "Land Use Requirements", as shown below in ~~strikeout~~ by:

(a) deleting the words and number "and 9" and deleting the "s" at the end of "Precincts" in the title of the section; and

(b) deleting the words, number, and colon "or Precinct 9: North End Gateway" after the words "Spring Garden Road Area" and before the comma and words ", the lot on";

Residential Uses: Precincts 3 ~~and 9~~ – Landscaped Open Space Requirements:

7(11A) Where any building is erected, altered, or used primarily for residential purposes in Precinct 3: Spring Garden Road Area ~~or Precinct 9: North End Gateway~~, the lot on which such building is

located shall contain landscaped open space.

10. Repeal Subsections 7(15A) and 7(15B) "Publically-Sponsored Convention Centre", under Section 7 Downtown Halifax Zone (DH-1), under "Land Use Requirements", as shown below in ~~strikeout~~ by:

~~Publically-Sponsored Convention Centre~~

~~(15A) Notwithstanding any provision of this By-law except subsections (14) through (18) (RC-Apr 29/14;E-May 10/14) of section 8, a publically sponsored convention centre together with retail, hotel, residential or office, and underground parking space, may be developed on the lands (RC-Apr 29/14;E-May 10/14) bounded by Argyle Street, Prince Street, Market Street and Sackville Street in accordance with the drawings attached as Appendix "B" to this By-law. The development shall include a vehicular and pedestrian passageway extending from Prince Street to Sackville Street as set out in Appendix "B". (RC-Apr 29/14;E-May 10/14) For the purposes of this subsection, "publically sponsored convention centre" means an establishment funded or otherwise financially supported by any or all levels of government which is used for the holding of conventions, seminars, workshops, trade shows, meetings or similar activities, and which may include dining and lodging facilities for the use of the participants as well as other compatible accessory facilities.~~

~~(15B) In addition to the requirements of subsection (15A), the requirements of subsection (6) of section 5 shall apply. The Development Officer shall refer the application for site plan approval to the Design Review Committee for their approval of the proposal's qualitative elements as set out in section 1.1 b. of the Design Manual.~~

11. Repeal Subsections 7(15C) "Sackville and South Park multi-District Recreation Facility", under Section 7 Downtown Halifax Zone (DH-1), under "Land Use Requirements", as shown below in ~~strikeout~~ by:

~~Sackville and South Park Multi-district Recreation Facility (RC-Jun 25/14;E-Oct 18/14)~~

~~(15C) Notwithstanding Sections 8(6), 8(7), and 11(3), but subject to all other requirements of this By-law, a multi-district recreation facility, in whole or as part of a mixed-use development, shall be permitted on lands at the south-east corner of Sackville Street and South Park Street, as shown on Appendix C, pursuant to the building height requirements specified therein.~~

12. Repeal Subsections 8(14), 8(15), and 8(16) View Plane Requirements and Subsection 8(17) Rampart Requirements under Built Form Requirements in their entirety, and add Subsections 8(14A) General Requirements: View Planes and Halifax Citadel Rampart Sight Lines, 8(15A) View Plane, and 8(16A) Halifax Citadel Rampart Sight Lines under Built Form Requirements, as shown below in ~~strikeout~~ and **bold**:

**View Plane Requirements**

~~8(14) Notwithstanding any provision of this By-law, no building shall be erected, constructed, altered, reconstructed, or located in any zone so as to protrude through a View Plane except as permitted pursuant to Section 24 of the Halifax Peninsula Land Use By-law, as amended from time to time.~~

~~(15) Any permit issued by the Development Officer pursuant to plans and data presented by the applicant shall not, at any time, be deemed to be permission to protrude through a View Plane.~~

~~(16) No building shall be constructed so that it is parallel to a view plane, unless such view plane is parallel to a street line.~~

**Rampart Requirements**

~~(17) Notwithstanding any provision of this By-law, no building shall be erected, constructed, altered, reconstructed, or located in any zone so as to be visible above the ramparts as specified by Section 26B-A of the Halifax Peninsula Land Use By-law, as amended from time to time. (RC-Sep 18/19;E-Nov 30/19)~~

## **General Requirements: View Planes and Halifax Citadel Rampart Sight Lines**

- 8(14A)** (1) A development shall not protrude into a view plane, or a Halifax Citadel Rampart Sight Line.
- (2) An application for a development that could potentially protrude into, abut, or be subject to:
- (a) a View Plane, as shown on Map 14; or
  - (b) a Halifax Citadel Rampart Sight Line, as shown on Map 15A,
- shall include plans, certified by a surveyor, to demonstrate that the development will not protrude into a required View Plane, or a Halifax Citadel Rampart Sight Line.

### **View Planes**

- 8(15A)** (1) The Halifax Citadel view planes are set out and shown on Map 14.
- (2) Subject to Subsection 8(15A)(3), a structure shall not be erected, constructed, altered, reconstructed, or located so that it protrudes into a View Plane. Under no circumstance shall the maximum required building height, as shown on Map 15A, be exceeded.
- (3) Where a structure that lawfully existed on the coming into force date of this By-law protrudes into a required View Plane, as shown on Map 14, a new structure may be erected, constructed, altered, reconstructed, or located so that it protrudes into the required View Plane if the new structure does not increase the existing protrusion when viewed as follows:
- (a) for view planes 1, 3, and 5 from viewing position A;
  - (b) for view plane 6 from viewing position B;
  - (c) for view planes 2, 4, 7, 8, and 10 from viewing position C; and
  - (d) for view plane 9 from viewing position D.

### **Halifax Citadel Rampart Sight Lines**

- 8(16A)** (1) Coordinates describing the following are shown on Maps 15A, 15B, and 15C:
- (a) the locations and elevations of the Halifax Citadel ramparts;
  - (b) the locations and elevations of 12 viewing positions in the Parade Square of the Halifax Citadel; and
  - (c) the location, elevation, and massing of the Cavalier Building.
- (2) Subject to Subsection 8(16A)(4), the Halifax Citadel Rampart Sight Lines shall be projected in a 360-degree view above the ramparts from each viewing position.
- (3) Subject to Subsection 8(16A)(4), a structure shall not be erected, constructed, altered, reconstructed, or located outside of the Parade Square of the Halifax Citadel so that it protrudes into any rampart sight line, from any of the 12 viewing positions in the Parade Square of the Halifax Citadel.
- (4) A new structure that would protrude into a required Halifax Citadel Rampart Sight Line may only be permitted to be erected, constructed, altered, reconstructed, or located outside of the Parade Square of the Halifax Citadel, if:
- (a) there is an existing protrusion by the Cavalier Building into a Halifax Citadel Rampart Sight Line from its respective viewing position;
  - (b) the entire structure is blocked from view by the Cavalier Building from the viewing position; and

(c) it cannot be seen from any other viewing position.

- (5) No structure shall protrude into a required Halifax Citadel Rampart Sight Line, unless permitted under Subsection 8(16A)(4).
- (6) When considering whether a structure protrudes into a required Halifax Citadel Rampart Sight Line from the 12 viewing positions, the only structure located inside of the Parade Square of the Halifax Citadel that shall be considered is the Cavalier Building.

13. Repeal Subsections 11(1) and 11(2), under Precinct 1: Southern Waterfront, under Section 11 Precincts: Additional Requirements, as shown below in ~~strikeout~~ by:

~~Precinct 1: Southern Waterfront~~

~~11(1) In addition to all other requirements of this By-law, the following shall apply to Schedule W as shown on Map 1:~~

- ~~(a) multiple buildings on a lot shall be permitted provided they are designed in a manner that permits future subdivision;~~
- ~~(b) all buildings shall be setback no less than 8 metres from the ordinary high water mark;~~
- ~~(c) the maximum height of any building shall be 12.5 metres;~~
- ~~(d) building height in clause (c) may increase at a rate of 1 metre for every additional 1 metre of setback from the minimum required setback from the ordinary high water mark;~~
- ~~(e) the width of any building face parallel to the ordinary high water mark shall not exceed 21.5 metres;~~
- ~~(f) any portion of a building above a height of 33.5 metres feet shall be a maximum width of 21.5 metres parallel to Lower Water Street and a maximum depth of 38.5 metres.~~
- ~~(g) the width of any low-rise or mid-rise building face parallel to the ordinary high water mark may increase at a rate of 1 metre for every additional 1 metre setback from the ordinary high water mark;~~
- ~~(h) buildings on lots with a streetline width greater than 27.5 metres shall be setback from interior lot lines no less than 10 % of the lot width or 8 metres, whichever is less. Where a lot has more than one streetline, the greater lot width shall apply; and~~
- ~~(i) clauses (b) through (e) apply to any building or portion thereof within 30 metres of the ordinary high water mark.~~

~~(2) The requirements of subsection (1) may be varied by site plan approval where the relaxation is consistent with the criteria of the Design Manual.~~

14. Repeal Subsections 11(3) and 11(4), under Precinct 3: Spring Garden Road Area, under Section 11 Precincts: Additional Requirements, as shown below in ~~strikeout~~ by:

~~Precinct 3: Spring Garden Road Area~~

~~(3) On the south side of Spring Garden Road, between Queen Street and South Park Street, and on the east side of South Park Street between Spring Garden Road and Sackville Street, above a height of 17 metres measured at the streetline, buildings shall be setback an additional 0.9 metres from the streetline, for every 0.6 metres in height.~~

~~(4) On the lands commonly known as the Clyde Street Parking Lots, P.I.D. Nos. 00077875 and 00077438:~~

- ~~(a) a minimum stepback of 3 metres above the streetwall shall apply to that portion of a building facing Clyde Street that is a maximum of 28 metres in height;~~

- ~~(b) new development shall maintain a minimum of 210 or more parking spaces in total on the two lots; and~~
- ~~(c) every application for a development permit shall be accompanied by a statement containing such information as may be deemed necessary by the Development Officer to ensure compliance with the requirements of subsection (b).~~

15. Repeal Subsections 11(5) and 11(6), under Precinct 4: Lower Central Downtown, under Section 11 Precincts: Additional Requirements, as shown below in ~~strikeout~~ by:

~~Precinct 4: Lower Central Downtown~~

- ~~(5) In addition to all other requirements of this By-law, the following shall apply to Schedule W as shown on Map 1:~~

- ~~(a) the requirements of subsection (1); and~~
- ~~(b) on lots having less than 27.5 metres of frontage, streetwalls abutting Upper Water Street shall be 100% of the lot width at the streetline.~~

- ~~(6) The requirements of subsection (5) may be varied by site plan approval where the relaxation is consistent with the criteria of the Design Manual.~~

16. Repeal Map 1: Zoning and Schedule W.
17. Repeal Appendix B: Publically Sponsored Convention Centre.
18. Repeal Appendix C: Building Height Limited Pursuant to Clause 7A.
19. Add Map 14: Halifax Citadel View Planes.
20. Add Map 15A: Halifax Citadel Rampart Sight Lines.
21. Add Map 15B: Halifax Citadel Cavalier Building Coordinates 1.
22. Add Map 15C: Halifax Citadel Cavalier Building Coordinates 2.
23. Amend the "TABLE OF CONTENTS" of **Schedule S-1: Design Manual** by:
- (a) deleting the numbers, hyphen, and words "2.2 P1 – Southern Waterfront 2", under Chapter 2: Downtown Precinct Guidelines;
  - (b) deleting the numbers, hyphen, and words "2.7 P6 – Upper Central Downtown 5", under Chapter 2: Downtown Precinct Guidelines;
  - (c) deleting the numbers, hyphen, and words "2.8 P7 – Historic Properties 5", under Chapter 2: Downtown Precinct Guidelines;
  - (d) deleting the numbers, hyphen, and words "2.9 P8 – Cogswell Area 6", under Chapter 2: Downtown Precinct Guidelines;
  - (e) deleting the numbers, hyphen, and words "2.10 P9 – North End Gateway 6", under Chapter 2: Downtown Precinct Guidelines;
  - (f) deleting the numbers, and words "2.11 Waterfront Overlay 7", under Chapter 2: Downtown Precinct Guidelines; and
  - (g) deleting the numbers, and words "2.11 Publically-Sponsored Convention Centre 7", under Chapter 2: Downtown Precinct Guidelines.
24. Amend Chapter 2: Downtown Precinct Guidelines of **Schedule S-1: Design Manual**, as shown in ~~strikeout~~, by:
- (a) repealing Subsection 2.1 Precinct 1: Southern Waterfront, in its entirety;
  - (b) repealing Subsection 2.6 Precinct 6: Upper Central Downtown, in its entirety;
  - (c) repealing Subsection 2.7 Precinct 7: Historic Properties, in its entirety;
  - (d) repealing Subsection 2.8 Precinct 8: Cogswell Area, in its entirety;
  - (e) repealing Subsection 2.9 Precinct 9: North End Gateway, in its entirety;
  - (f) repealing Subsection 2.10 Downtown Halifax Waterfront, in its entirety; and
  - (g) repealing Subsection 2.11 Precinct 1: Publically-Sponsored Convention Centre, in its entirety.

## **2.1 Precinct 1: Southern Waterfront**

The following general criteria shall apply:

- a. ~~Fill existing gaps created by vacant properties and parking lots with new development.~~
- b. ~~Create a system of open space that includes:~~
  - ~~extensions of east-west streets between Lower Water Street and the Harbour as key components of an open space network;~~
  - ~~the boardwalk;~~
  - ~~sidewalks along Lower Water Street, and;~~
  - ~~plazas and small parks where the extensions of the east-west streets intersect the boardwalk.~~
- c. ~~Tall and slender towers provided that their placement and design are consistent with the objectives identified for this precinct and with the design guidelines.~~
- d. ~~Ensure that development along Lower Water Street has streetwall and landscaping conditions that emphasize its meandering qualities and emergence as an important street. Encourage measures such as sound-proofing requirements for new development to reduce the conflict created by truck traffic travelling along Lower Water Street.~~
- e. ~~Permit surface parking lots only when they are an accessory use and are in compliance with the Land Use By-Law and design guidelines.~~
- f. ~~New waterfront development shall adhere to section 2.10 of the Design Manual~~

## **2.6 Precinct 6: Upper Central Downtown**

The following general criteria shall apply:

- a. ~~Encourage low to mid-rise mixed use development while respecting the historic block pattern.~~
- b. ~~Improve the appearance and street-level functionality of larger buildings such as the Metro Centre with street-oriented infill and landscaped roofs.~~
- c. ~~Encourage the historic downtown grid to be reinstated over the Metro Centre as redevelopment occurs.~~
- d. ~~Development must appropriately frame Citadel Hill through the provision of consistent, animated streetwalls of superior quality and design.~~
- e. ~~Improve public amenity along Brunswick Street and provide small areas of formal open space on the Citadel side of Brunswick Street as opportunities for views to the Harbour along east-west streets.~~
- f. ~~Require that vacant sites be developed in a way that provides a continuous streetwall and uninterrupted pedestrian experience.~~
- g. ~~Prohibit new surface parking lots of any kind.~~
- h. ~~Pedestrian activity and retail commerce shall be encouraged by the protection of sidewalks from weather through the use of canopies and awnings.~~
- i. ~~East-west streets shall provide views between the Citadel and the Harbour.~~
- j. ~~George Street shall be established as an important east-west street, a grand promenade, given the linkage between the Town Clock, the Grand Parade, and the Harbour.~~
- k. ~~Focus pedestrian activities at sidewalk level through the provision of weather-protected sidewalks using well-designed canopies and awnings.~~
- l. ~~The Argyle Street and Blower Street area shall be reinforced as a vibrant area of low to mid-rise buildings, small-scale retail uses, restaurants, bars, potential for permanent sidewalk cafes, hotels, cultural uses, and residential uses.~~
- m. ~~As roofscapes are highly visible from the Citadel in this precinct, they shall be well-designed, carrying the architectural language of the building onto the roof. Flat roofs are required to be landscaped, with living "green roofs" given strong preference.~~

## **2.7 Precinct 7: Historic Properties**

The following general criteria shall apply:

- a. ~~Protect and enhance the existing character of the precinct by preserving the existing buildings and their relationship to the street.~~
- b. ~~New development shall respond the historic character of this precinct through complementary or differentiated building materials and design.~~
- c. ~~Continue to promote the area for pedestrian activity by allowing for storefronts to spill-out~~

- ~~onto the pedestrian mall and by permitting permanent sidewalk cafes.~~
- d. ~~Provide public access to, and open space on waterfront lands, which shall include continuous public access along the water's edge with the boardwalk system.~~
- e. ~~The Granville Mall shall be preserved and enhanced as a major public open space, and its connections to the waterfront shall be improved.~~
- f. ~~Prohibit new surface parking lots of any kind.~~

### **2.8 Precinct 8: Cogswell Area**

The following general criteria shall apply:

- a. ~~Remove the interchange infrastructure and reestablish streets, blocks, and open spaces that are an extension and reinforcement of the historic downtown grid and that provide connectivity between the north end and downtown.~~
- b. ~~Encourage the historic downtown grid to be reinstated as redevelopment occurs.~~
- c. ~~Allow high rise, mixed use development comprised of relatively large podiums with point towers so as to maintain views of the water.~~
- d. ~~Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.~~
- e. ~~Define the area with modern landmark buildings.~~
- f. ~~Redevelop larger existing sites such as Scotia Square and Purdy's Wharf with street-oriented infill.~~
- g. ~~Provide for public access and open space on the waterfront lands which shall include continuous public access at the water's edge and green space at the terminus of each east-west street extension (i.e. Cogswell).~~
- h. ~~Require that development step down to the water's edge and to the existing low-rise neighbourhoods to the north.~~
- i. ~~Enhance important vistas and focal points such as the view of the water.~~
- j. ~~Ensure that there are pedestrian oriented street level uses, particularly at water's edge and fronting open spaces.~~
- k. ~~Encourage intensification of underdeveloped existing sites such as the Trademart building and the police station.~~
- l. ~~Consider this precinct as being an important location for new transit and parking facilities.~~
- m. ~~Permit surface parking lots only when they are an accessory use and are in compliance with the Land Use By-Law and design guidelines.~~
- n. ~~Architectural and open space design shall respond to the significant grade changes in this area. Refer to Section 3.2.5 of the Design Manual for further guidance.~~

### **2.9 Precinct 9: North End Gateway**

The following general criteria shall apply:

- a. ~~Establish a low and mid-rise development pattern that is an extension of the neighbourhood to the north.~~
- b. ~~Open up and preserve the views of the Citadel from the north-south streets and ensure that development frames these views. Given the significant grade changes between Cogswell Street and Rainnie Drive, views may be preserved over the rooftops of new development.~~
- c. ~~Encourage signature architecture befitting this precinct as a gateway to the downtown.~~
- d. ~~Permit surface parking lots only when they are an accessory use and are in compliance with the Land Use By-Law and design guidelines.~~

### **2.10 Downtown Halifax Waterfront**

*This section applies to waterfront lands in precincts 1 and 4 that lie between Lower Water Street and the Harbour, in addition to the requirements of precincts 1 and 4 above.*

The downtown Halifax Waterfront presents unique challenges in structuring development regulations. Because the parcels tend to be very large, and because the location of the water's edge is changeable, the creation of building massing rules based on front, side and rear property lines, like those in the rest of downtown, is not feasible. Additionally there is the requirement for the provision of public open space on a continuous boardwalk along, and unimpeded public access to, the waterfront.

~~These special conditions call for a special set of development rules that demand the highest level of development quality and public amenity while still being agile enough to respond to, and accommodate, a wide range of design solutions. Therefore, for waterfront lands in precincts 1 and 4 located between Lower Water Street and the Harbour, a more flexible, design guideline-driven development review process is required. To that end, HRM will work collaboratively with the landowners along this section of the waterfront to fulfill the objectives of the DHSMPs.~~

~~The Waterfront Development Corporation Limited (WDCL), as the primary landowner in this area, has a special and ongoing role to play in the development of the waterfront. WDCL is the provincial Crown Corporation responsible for purchasing, consolidating, redeveloping and revitalizing lands around Halifax Harbour. The WDCL works with private sector developers to facilitate public and private investment in public infrastructure and amenities to further reinforce the waterfront as a vibrant place to live, do business, invest and visit. In recognition of this, HRM and WDCL will seek to negotiate an agreement to ensure that the respective mandates of the two organizations are co-operatively fulfilled through the administration of the DHSMPs.~~

~~*Waterfront Objectives:*~~

~~In addition to the requirements of the underlying precincts (1 and 4), the following objectives shall therefore apply to all properties located between Lower Water Street and the water's edge within these precincts:~~

- ~~a. Ensure that public access to the waterfront is maintained and improved, and that the waterfront is in use around the clock in all four seasons.~~
- ~~b. Ensure that a generally complete and consistent streetwall is built along Lower Water Street that permits visual and physical access to the harbour along the eastward extension of the east-west streets to the water's edge, and at intermediate locations as deemed appropriate.~~
- ~~c. Ensure that views of the harbour and of the sky are preserved by requiring that the upper storeys of buildings above the streetwall present a slender face to Lower Water Street, and that their long dimension is arranged perpendicular to Lower Water Street.~~
- ~~d. Ensure that the waterfront boardwalk is maintained, extended and improved, and that the public enjoyment of the boardwalk is not negatively impacted by abutting development.~~
- ~~e. Ensure that public open spaces are provided where the eastward extension of east-west streets intersects the boardwalk. These open spaces shall be accomplished through the use of waterfront view corridors that extend from Lower Water Street to the water's edge.~~
- ~~f. Ensure that waterfront development incorporates human-scaled building elements. This means a range of building details from small (masonry units, door knobs, window mountings, etc.) to medium (doors, windows, awnings, balconies, railings, signs, etc.) to large (expression of floor lines, expression of structural bays, cornice lines, etc.).~~
- ~~g. Ensure that adequate consideration of future sea level rise has been incorporated into building design to avoid flooding, where ground floor residential uses are proposed.~~
- ~~h. Ensure that all buildings are setback from the ordinary high water mark or face of Seawall by no less than 8 metres.~~
- ~~i. Ensure building height immediately adjacent to the 8 metre setback shall not be higher than 12.5 metres. Height may increase as distance from the boardwalk or the water's edge increases at a rate of approximately one metre of vertical height for every one metre of horizontal setback from the boardwalk or water's edge.~~
- ~~j. Ensure that every effort is made to provide north-south pedestrian connections through the middle of these large properties.~~
- ~~k. Ensure that long, unbroken runs of building wall at the water's edge or boardwalk's edge are not permitted. The longest run of building face permissible abutting either the water's edge or the boardwalk shall be 21.5 metres. Building walls longer than 21.5 metres must be modulated through the use of such devices as articulation of the building mass, significant setbacks from the water's edge or boardwalk's edge, the interruption of the building wall with public spaces, etc. The general massing approach is to be one of linear "finger" buildings perpendicular to Lower Water Street resulting in a pattern of narrowing and widening of the public realm along the water's~~

or Halifax Harbourwalk's edge.

- l. Ensure that high quality, low maintenance site furnishings and lighting styles that conform to the requirements of the HRM Municipal Service Systems Design Guidelines ("HRM Red Book") are used in both private and public developments along the waterfront.

## **2.11 Publicly-Sponsored Convention Centre**

The conditions within this Design Manual shall apply to a publically sponsored convention centre together with retail, hotel, residential or office, and underground parking space pursuant to subsection 15A of Section 7 of the Downtown Halifax Land Use By-law, except as follows:

- a. ~~clauses a and l. of Section 2.6, Precinct 6, Upper Central Downtown;~~
- b. ~~3.1.2, Streetwall Setback;~~
- c. ~~3.1.3, Streetwall Height; and~~
- d. ~~clause c. of Section 3.2.1, Design of the Streetwall~~

25. Amend Section 3.6 Site Plan Variances of **Schedule S-1: Design Manual**, under Chapter 3: General Design Guidelines, as shown in ~~strikeout~~, by:

- (a) ~~repealing Subsection 3.6.10 Precinct 1: Built Form Variance in its entirety; and~~
- (b) ~~repealing Subsection 3.6.11 Precinct 4: Built Form Variance in its entirety.~~

### **3.6.10 Precinct 1 Built Form Variance**

~~For lands located in "Schedule W" on Map 1 of the Downtown Halifax Land Use By-law, the built form requirements of Section 11(1) of the LUB and Section 2.10 of Schedule S-1 of the LUB may be varied by Site Plan Approval where the variance will:~~

- a. ~~fill existing gaps created by vacant properties or parking lots with new development; or~~
- b. ~~enhance the public realm in the area, including the extension of the east-west streets between Lower Water Street and the harbour and their intersection with the Halifax Harbour Walk, the pedestrian interface of the proposed building and the Halifax Harbour Walk, provide or improve sidewalks along Lower Water Street, or provide for public or private plazas or parks; or~~
- c. ~~frame the open spaces identified above; or~~
- d. ~~provide adequate separation between buildings; or~~
- e. ~~propose tall and slender towers, where permitted, provided that their placement and design are consistent with the objectives identified for this precinct and with the Design Manual; or~~
- f. ~~ensure Lower Water Street has streetwall and landscaping conditions that emphasize its meandering qualities and emergence as an important street.~~

### **3.6.11 Precinct 4 Built Form Variance**

~~For lands located in "Schedule W" on Map 1 of the Downtown Halifax Land Use By-law, the built form requirements of Section 11(5) of the LUB and Section 2.10 of Schedule S-1 of the LUB may be varied by Site Plan Approval where the variance will:~~

- a. ~~Provide for mixed use high-rise infill development on large opportunity sites; or~~
- b. ~~fill existing gaps created by vacant properties or~~
- c. ~~parking lots with new development; or~~
- d. ~~develop vacant lots in a way that provides a continuous street wall and uninterrupted pedestrian experiences; or~~
- e. ~~provide for animated streetscapes as detailed in the design manual; or~~
- f. ~~focus pedestrian activities at sidewalk level through the provision of sidewalks protected from the weather through such means as well-designed canopies and awnings; or~~
- g. ~~maintain or enhance the east-west streets to maintain important views between the Citadel and the harbour; or~~
- h. ~~provide adequate separation between buildings; or~~
- i. ~~ensure Lower Water Street has streetwall and landscaping conditions that emphasize its meandering qualities and emergence as an important street; or~~
- j. ~~retain, enhance and protect isolated heritage properties.~~

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

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

\_\_\_\_\_  
Municipal Clerk

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

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

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

2. Amend the “TABLE OF CONTENTS” by:

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

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

“INTRODUCTION

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

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

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

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

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

5. Amend SECTION II of Part II by amending Policy 2.1 to remove the words "both on the Peninsula and" after the words "City should occur" and before the words "and on the Mainland", as shown below in ~~strikeout~~:
  - 2.1 Residential development to accommodate future growth in the City should occur ~~both on the Peninsula and~~ on the Mainland, and should be related to the adequacy of existing or presently budgeted services.
6. Amend SECTION II of Part II by repealing Policy 2.1.1, in their entirety, as shown below in ~~strikeout~~:
  - 2.1.1 ~~On the Peninsula, residential development should be encouraged through retention, rehabilitation and infill compatible with existing neighbourhoods; and the City shall develop the means to do this through the detailed area planning process.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CONTENT

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

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

AREA DEFINITION

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

DEFINITION OF TERMS

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

TERM \_\_\_\_\_ DEFINITION

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

~~Interior Conversion of~~

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

~~Family-type Housing~~

~~Accommodation~~ \_\_\_\_\_ ~~Means a dwelling unit containing two or more bedrooms.~~

Neighbourhood

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

Schmidtville Heritage

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

## 1. RESIDENTIAL ENVIRONMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 2. COMMERCIAL FACILITIES

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

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

## 3. INDUSTRIES

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

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

~~effects.~~

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

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

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

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

#### 4. INSTITUTIONS

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

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

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

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

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

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

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

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

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

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

## 5. HERITAGE RESOURCES

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

## 6. RECREATION

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

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

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

## 7. DISTRICT POLICIES

### District

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

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

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

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

~~established by Policy 7.0.~~

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

~~7.1 — DISTRICT I~~

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

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

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

~~7.2 — DISTRICT II~~

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

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

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

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

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

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

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

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

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

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

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

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

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

### ~~7.3 DISTRICT III~~

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

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

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

### ~~7.4 DISTRICT IV~~

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

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

#### ~~7.5 DISTRICT V~~

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

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

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

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

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

#### ~~7.6 DISTRICT VI~~

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

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

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

## ~~7.8 DISTRICT VIII~~

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

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

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

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

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

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

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

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

## ~~7.9 DISTRICT IX~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 8. TRANSPORTATION

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

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

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

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

## 9. GENERALIZED FUTURE LAND USE MAP

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

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

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

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

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

### CONTEXT

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

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

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

## AREA DEFINITION

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

## DEFINITION OF TERMS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 2. COMMERCIAL FACILITIES

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

- ~~2.1 Neighbourhood convenience stores shall require that a limited distance be travelled and should be located within a residential neighbourhood so as to minimize the use of private automobiles to reach them. They should be located at the intersection of local streets, and should occupy only the ground floor of a building. The floor area of grocery stores shall not exceed 1,000 square feet, and the floor area of drug stores shall not exceed 1,400 square feet.~~
- ~~2.1.1 The City shall not predesignate the location of new neighbourhood convenience stores and shall approve such convenience stores only through a rezoning process to a neighbourhood commercial zone.~~
- ~~2.1.2 Pursuant to Policies 2.1 and 2.1.1, the City shall amend its Zoning By-law to provide for a residential neighbourhood commercial zone which provides for a maximum of four residential units and one neighbourhood commercial use in any given development.~~
- ~~2.2 Minor commercial centres should service several neighbourhoods and may include a variety of retail, professional and local office uses in accordance with Part II, Section II, Policy 3.1.2 of the Municipal Development Plan. Minor commercial uses shall be permitted in areas designated as commercial on the Future Land Use Map of this Plan.~~
- ~~2.2.2 The City shall deny rezonings to permit a minor commercial use in areas not designated as commercial on the Future Land Use Map of this Plan.~~
- ~~2.3 Commercial uses of a City-wide or regional nature shall not be permitted in Peninsula Centre in accordance with Part II, Section II, Policies 3.2 and 3.2.1 of the Municipal Development Plan.~~

## 3. INSTITUTIONS

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

- ~~3.1 The development of institutional uses shall be restricted to the area designated for such uses on the Future Land Use Map of this Plan.~~
- ~~3.1.1 The City shall, in considering rezoning applications for institutional uses in designated areas, normally not approve major institutional uses such as hospitals and such institutional uses as clubs where the specific use requested is not restricted to a use which is primarily recreational in nature. The City in considering such applications shall have regard for impacts on adjacent residential areas, other institutional uses and whether the use proposed is appropriate in terms of the intents of this Plan.~~
- ~~3.1.2 The City shall ensure that the built form of major institutional developments is compatible with the scale, proportion and setback of adjacent non-institutional uses.~~
- ~~3.1.3 Facilities related to major institutional uses shall not be permitted to locate in residential areas. Such facilities shall be required to locate within the areas designated for said uses.~~
- ~~3.2 Institutional uses of a local nature, such as, but not limited to, schools and places of~~

worship shall be encouraged to remain in their present locations.

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

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

#### ~~4. UNIVERSITIES~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 5. COMMUNITY FACILITIES

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

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

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

#### 6. HERITAGE RESOURCES

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

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

#### 7. TRANSPORTATION

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

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

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

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

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

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

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

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

## 8. SUB-AREA POLICIES

### Sub-Areas

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

### 8.2 NORTHWEST ARM SUB-AREA

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

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

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

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

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

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

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

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

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

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

#### ~~8.4 CAMP HILL SUB-AREA~~

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

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

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

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

### ~~9. GENERALIZED FUTURE LAND USE MAP~~

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

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

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

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

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

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

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

~~AREA DEFINITION~~

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

~~OVERALL OBJECTIVE~~

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

~~1. RESIDENTIAL ENVIRONMENTS~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~size of lots and building placement.~~

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

## ~~2. COMMERCIAL FACILITIES~~

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

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

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

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

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

### ~~3. INSTITUTIONS~~

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

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

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

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

### ~~4. RECREATION~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 5. TRANSPORTATION

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

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

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

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

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

## 6. ENVIRONMENT

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

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

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

## 7. CANADIAN FORCES BASE STADACONA

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

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

## 8. INDUSTRIES

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

## 9. HERITAGE RESOURCES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 10. GENERALIZED FUTURE LAND USE MAP

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

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

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

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

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

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

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

##### ~~AREA DEFINITION~~

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

##### ~~OVERALL OBJECTIVE~~

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

## 2. COMMERCIAL FACILITIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

engineers;

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

#### 4. GENERALIZED FUTURE LAND USE MAP

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

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

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

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

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Municipal Clerk

## Attachment H: Summary of Staff Responses to August 17, 2021 Regional Council Direction

That Halifax Regional Council:

Regional Council Direction	Staff Response & Recommendation	Rationale
2. Direct the Chief Administrative Officer to:		
a. Amend the proposed Regional Centre Secondary Municipal Planning Strategy and Land Use By-law to amend zoning on 12, 14, 18A and 18B Jackson Road, Dartmouth from ER-2 to HR-1, with a maximum height of 11 m.	Support and include additional lands  Apply the HR-1 Zone with a maximum height of 11 m to the subject lands and all other properties located on Jackson Road, south of Robert Burns Drive, as shown on Schedule 2 of Attachment B.	This area contains a mix of multi-unit residential low-density housing and is located close to a proposed BRT route. The area also includes COR zoning that could permit commercial uses to intrude into an otherwise primarily residential context. Given this context, HR-1 zoning would recognize the area as an appropriate location for a mix of higher density low-rise residential developments.
b. Amend the proposed Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw to amend zoning on 3224 Kempt Road, Halifax (PID: 40808156) from Future Growth Node to Commercial, Light Industrial (CLI).	Support  Apply the Commercial Light Industrial (CLI) Zone to 3224 Kempt Road, as shown on Schedule 2 of Attachment B.	The FGN designation and CDD-2 Zone was applied to this property through the Package A planning process to support future neighbourhood master planning. Removing this site from the FGN would support the continued use of these lands for commercial and light industrial uses, while still supporting master planning for the lands remaining in the FGN. The FGN master neighbourhood planning process may still consider connections to this site and other surrounding lands.
c. Amend the proposed Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw and related documents to amend zoning of PID's 40267536 and 41345489 from cluster housing (CH) to ER-1.	Support  Apply the ER-1 Zone to of PIDs 40267536 and 41345489, as shown on Schedule 2 of Attachment B.	The CH Zone was applied to this lot in response to a request from the landowner. While the CH zone could facilitate the development of this irregular shaped lot, the ER-1 Zone continues to provide infill development opportunities through subdivision and the development of secondary or backyard suites. The ER-1 Zone is also consistent with the zoning of the surrounding area.
d. Amend the proposed Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw to revise the definition of adult entertainment to exclude the prohibition of retail sales of any kind.	Support  Revise the definition of Adult Entertainment to clarify that it excludes retails sales, as shown in Attachment B.	The definition of adult entertainment is intended to only apply to live entertainment venues, such as strip clubs. Further clarification of this definition will help to ensure that it does not unintentionally apply to adult themed retail products at the permitting stage.

Regional Council Direction	Staff Response & Recommendation	Rationale
<p>e. Amend the Mic Mac future growth node in the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw to allow for an office addition at Mic Mac Mall.</p>	<p>Support</p> <p>Revise the SMPS and LUB to allow a large addition to the Mic Mac Mall prior to the Future Growth Node (FGN) master planning process that:</p> <ul style="list-style-type: none"> <li>• is a maximum of 25,000 square metres in floor area;</li> <li>• a maximum height of 45 metres in height; and</li> <li>• meets all CEN-2 Zone built form requirements, with the exception of streetwall requirements and maximum building dimensions below any tower portion of the building.</li> </ul>	<p>The Future Growth Node (FGN) Designation is intended to identify large sites that can accommodate significant growth and that require the development of master neighbourhood plans to determine their future land use and densities. Four of the eleven FGNs have a master neighbourhood plan incorporated in the proposed Plan as Site-Specific Comprehensive Development District (CDD) policies and are able to be developed by development agreement. The remaining FGNs, including the Mic Mac Mall FGN, still require master neighbourhood planning before large scale development is permitted.</p> <p>Prior to master neighbourhood planning, the CDD-2 Zone that is applied to the Mic Mac Mall FGN permits limited development opportunities without a development agreement through the as-of-rights process. While the CDD-2 Zone limits new development or additions to 1,000 sq. m., staff support providing additional flexibility to the Mic Mac Mall site to support short-term investments in the existing shopping mall while the master neighbourhood planning work is carried out. Given the landowners expressed interest in revitalizing the shopping mall, staff advise that the proposed office addition should have limited impacts on the future master neighbourhood planning process due to its location directly adjacent to the existing mall and away from areas that may be suitable for new public roads, parks and residential development sites. In addition, built form requirements that are similar to the CEN-2 Zone respecting mid-rise, tall mid-rise and tower building forms will help ensure that the addition remains compatible with additional uses and development that may be introduced following the master planning process.</p>
<p>f. Amend the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land</p>	<p>Support</p>	<p>The building located at 5875A-5879 Kane Street is an existing 4 unit residential building. The lands are located nearby to current and planned high-frequency</p>

Regional Council Direction	Staff Response & Recommendation	Rationale
Use Bylaw to amend zoning of 5875-79 Kane Street, Halifax from ER-2 to ER-3.	Apply the ER-3 Zone to 5875A-5879 Kane Street, as shown on Schedule 2 of Attachment B.	transit routes. The surrounding area contains a mix of single, two-unit and semi-detached structures and there is a commercial business operating across the street, which is zoned HR-1 with a height of 11 metres. Given this context, staff advise that the ER-3 zone is compatible with existing and potential future development in the surrounding area.
g. Amend the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw to consider:		
i. removing roof edge setback requirements for stairwells and elevator shafts;	Support  Revise the LUB to allow height exempt elevator and stair enclosures to have 0 m setback from roof edge on a rear or side yard while maintaining a 3m minimum setback from the roof edge facing front or flanking yards.	Elevator and stair enclosures that exceed the maximum building height were required to be setback a minimum of 3m from all roof edges to minimize the visual impact of these features. At the same time, the LUB also enabled these roof edge setbacks to be varied by site plan approval provided the feature faces the side or rear lot line and is designed to minimize its potential visual impact. While the site plan variation tool provides flexibility, staff acknowledge that variation request could become common for efficient construction purposes, and that most requests would likely be supported with minimal conditions. Given that the site plan approval process (including DAC review and public notification), is not likely to add significant value to the building design of this particular feature, staff support moving this flexibility to an as-of-right requirement. Other height exempted roof-top features, such as mechanical equipment, penthouses and antennae, would continue to be required to be setback a minimum of 3m from the roof edge. Any additional flexibility would continue to be considered through the site plan variation process.
ii. remove sideyard setback and building separation requirements for HR properties abutting DD, DH, CEN-	Support	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

Regional Council Direction	Staff Response & Recommendation	Rationale
1, and CEN-2 zones, and include HR properties abutting areas governed by the Downtown Halifax Plan outside of the Regional Centre Plan area;	<p>Continue to require no side setbacks between HR and DD, DH, CEN-1 and CEN-2 properties, as outlined in Attachment B of the July 28, 2021 report to COW.</p> <p>Revise the LUB to clarify that the HR Zone requires no side setbacks when abutting the remaining portion of the Downtown Halifax Plan area.</p>	<p>zones. This can result in a break in the streetwall in more dense parts of the Regional Centre. For this reason, staff recommended removing the setback in the July 28, 2021 report to COW in these abutting conditions to create consistency with the other mixed-use zones and to support continuous streetwalls. Given that the existing Downtown Halifax Plan will remain in place for a limited time, staff also support revising the LUB to clarify that the side setbacks do not apply when abutting properties located in the Downtown Halifax Plan area.</p>
iii. include reduced landscaped buffering requirements for off-street loading for HR-1 and HR-2 zoned properties.	<p>Support</p> <p>Remove landscaping requirements for off-street loading requirements, including HR-1 and HR-2 Zone properties.</p>	<p>Consistent with the changes recommended in the July 28, 2021 report to COW, staff support removing landscaping requirements for off-street loading spaces in all applicable zones, including the HR-1 and HR-2 Zones. This change provides increased flexibility for locating off-street loading spaces, while continuing to manage impacts on adjacent properties through buffering and screening requirements.</p>
7. Direct the Chief Administrative Officer to provide Council with options for incorporating design review via a committee for as-of-right projects in the Centre Plan. Design review should occur early in the process, potentially at the pre-application stage, and be open to the public.	<p>Partial Support</p> <p>Expand the use of the existing pre-application process to include as-of-right development proposals as well as design and social policy advice.</p>	<p>Please see the Discussion section of the main staff report.</p>
8. Direct the Chief Administrative Officer to prepare a staff report on relaxing the shadow provisions in the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw related to Green Road Park and Mount Hermon cemetery in Dartmouth.	<p>Partial Support</p> <p>Remove Mount Hermon Cemetery from the shadow protocol requirements.</p> <p>Maintain Green Road Park in the shadow protocol requirements</p>	<p>Mount Hermon Cemetery is one of the few cemeteries included in the shadow protocol requirements. While cemetery lands are increasingly used for passive recreation purposes, staff support removing the cemetery lands from the protocol given its location next to a strategic growth area. The Mount Hermon Cemetery is also unlikely to be significantly impacted</p>

Regional Council Direction	Staff Response & Recommendation	Rationale
		<p>by shadows, given that the surrounding area is largely limited to low-rise buildings.</p> <p>Staff advise that Green Road park is important to maintain in the shadow protocol given the recreation opportunities the lands provide to surrounding residents and that larger scale buildings are encouraged to locate closer to Wyse Road. The importance of this parkland is only expected to increase as the Wyse Road area intensifies with new multi-unit development.</p>
<p>9. Direct the Chief Administrative Officer to review the request that the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use By-law be amended to read “Excluding driving aisles internal to a building, any required off-street loading space shall be located: (a) internal to a building; (b) in a parking structure; or (c) in any area of a lot where an accessory parking lot is permitted” in sections 452, 453, and 454 and provide a recommendation report to Regional Council.</p>	<p>Partial Support</p> <p>Revise the off-street loading requirements to allow multi-unit residential buildings containing less than 120 units to partially use on-site driving aisles for loading purposes, provided a minimum driving aisle’s width of 3m is maintained to enable vehicles to safely maneuver around parked loading vehicles.</p>	<p>The 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. For small to medium scale residential developments, staff acknowledge that 6m wide on-site driving aisles can safely be used for temporary loading purposes provided vehicles can continue to safely maneuver around parked loading vehicles. This approach would also be acceptable on a low volume public road. However, for commercial uses and large-scale residential developments with more frequent loading needs, staff do not support added flexibility and continue to recommend that the LUB require a dedicated off-street loading space.</p>
<p>10. Direct the Chief Administrative Officer to provide Council with further options to consider additional flexibility including provisions for exits, and corner sites in the Landmark Buildings Policy.</p>	<p>Support</p> <p>Revise the landmark building provisions to allow additions in the side yard provided it is setback back 1.5 m from the existing street wall as set out in Attachment B.</p>	<p>The landmark building policies and LUB provisions support 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. In response to a previous recommendation from the Regional Centre Community Council, staff supported providing additional flexibility for renovations by allowing up to a 20% building footprint expansion in the rear yard to limit visual impacts. Given that this requirement would be difficult</p>

Regional Council Direction	Staff Response & Recommendation	Rationale
		<p>to meet for corner lots and to provide more flexibility more generally, staff support allowing expansions to the side yard provided the addition is setback a minimum of 1.5 m from the streetwall.</p> <p>Consistent with past recommendations, balconies, dormer additions up to 50% of the roofline, and accessibility adaptations such staircases, entrance adaptations and ramps continue to be permitted.</p>

**Attachment I**

**HALIFAX REGIONAL MUNICIPALITY BY-LAW NUMBER U-111  
RESPECTING USER CHARGES**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality that By-law U-100, the *User Charges By-law*, is amended, as follows:

1. Schedule 5 is added after Schedule 4, as follows:

**Schedule 5**

1. The user charge for a Pre-Planning Application for a planning matter is \$500.

Done and passed in Council this     day of                     , 202     .

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk