

# HALIFAX

## **Case 24259: Regional Centre Housekeeping Amendments**

Reginal Centre Community Council Public Hearing

October 26, 2022

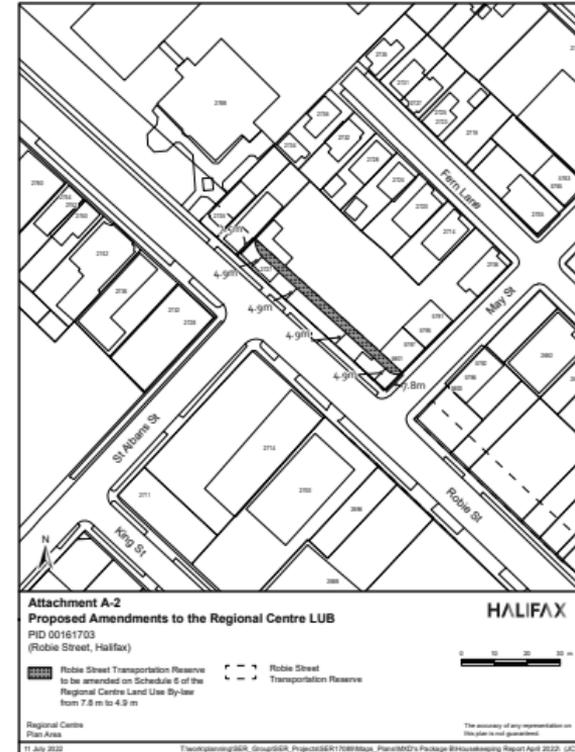
# Background

- October 26, 2021: Regional Council approved the Centre Plan and requested a supplementary report on several items identified by members of the public at the public hearing.
- February 8, 2022: Council initiation of housekeeping amendments.
  - SMPS and associated LUB amendments considered by Regional Council (July 12, 2022 public hearing)
  - LUB only amendments to be considered by the Regional Centre Community Council (this public hearing)
- August 10, 2022: RCCC gave first reading to Case 24259

# Proposed Amendments to RCLUB

## Jan. 14, 2021 Staff Report

- revisions to Schedule 6, Robie Street Transportation Reserve (TR), to adjust the location of the transportation reserve near the intersection of Robie and May Street (2705 – 2729 Robie Street) based on updated technical information (Attachment A-2)
- the amended TR is tapered from 7.8 m to 4.9 m



# Proposed Amendments to RCLUB

## Jan. 14, 2021 Staff Report

- clarification of the built form and design requirements that will not apply to yards facing provincial 100 series highways, including grade-oriented premises, streetwall requirements, and ground floor requirements;



ATTACHMENT A-1 SCHEDULE 52 100  
SERIES HIGHWAYS

# Proposed Amendments to RCLUB

## Jan. 14, 2021 Staff Report

- clarification of front and flanking setbacks requirements for any new public streets that may be developed in the future, which are not shown on LUB Schedule 18;
  - proposed setbacks range from 0 m in DH Zone to 3 m in LI, INS and UC-2 zones
- revisions to the LUB land use tables to move “daycare use” from the commercial category of uses to the institutional category of uses to clarify that commercial floor area limitations applicable to the HR-1 and HR-2 zones do not apply to a daycare use;

INSTITUTIONAL	ER-3	ER-2	ER-1	CH-2	CH-1
Convention centre use					
Cultural use					
<b>Daycare use</b>	Ⓢ	Ⓢ	Ⓢ	Ⓢ	Ⓢ
Emergency services use					
Hospital use					

# Proposed Amendments to RCLUB

## Jan. 14, 2021 Staff Report

- wording changes to Subsection 132(2) to separate requirements for the Spring Garden Road and South Park Street Special Areas;
- adjustments to the LUB text as needed to clarify floor area definition requirements as they pertain to secondary suites and backyard suites;
- revisions to the parking structure screening requirements to clarify which public views are required to be screened;
- revisions to a certain LUB diagram to further clarify the intended interpretation of regulations for differing lot configurations;
- minor wording adjustments needed to address inconsistent cross-referencing and use of terms; and
- other potential adjustments to clarify items that may be discovered prior to bringing forward the housekeeping items for Council's consideration.

# Proposed Amendments to RCLUB

## Additional Amendments Identified by Staff

- clarifying design requirement for corner treatments by adding materials & colour and requiring two treatments instead of one;
- clarifying that one garage door and an associated ramp to access internal motor vehicle parking or internal off-street loading spaces shall be permitted along a pedestrian-oriented commercial street, subject to certain conditions;
- adding a “temporary use” to all the land use tables;
- adding an elevator enclosure that does not exceed 6.0 square metres in area to the list of height-exempt features for low-density dwelling uses;

# Proposed Amendments to RCLUB

## Additional Amendments Identified by Staff

- clarifying that only low-density dwelling height exempt features in Section 103 (7) and 103(8) apply to the Young Avenue – A (YA-A) Special Area, including multi-unit dwellings up to 5 dwelling units
- adding a provision in s. 104 to allow a non-habitable pitched roof to exceed the height of the residential penthouse by 1.5 metres, to support pitched roof design roof requirement approved under Package B
  - the residential penthouse can currently exceed the max. height of 11 m by 3 m, but must have a 5 m stepback from the streetline, and 2 m from an exterior wall that faces a side lot line
  - s. 234 requires that 70% of rood area has a minimum pitch of 2/12rise over run

# Proposed Amendments to RCLUB

## Additional Amendments Identified by Staff

- assigning minimum required front or flanking setbacks in specific zones where the setbacks have not been specified on Schedule 18, as may be the case for new streets;
- as part of grade-related premises requirements, allowing a residential lobby on a floor containing a grade-related dwelling unit use;
- adding separation distance to the list of exemptions for allowing legally existing accessory structures located in a rear yard to be permitted to change its use into a backyard suite use;
- clarifying that variable signs can be approved in certain zones if deemed to not pose any risk to public safety by the Municipal Engineer;
- adding a lobby use to the definition of ground-oriented premises;
- adding a residential lobby on a floor containing a grade-related dwelling unit use to the list of uses exempt from minimum required ground floor height;
- clarifying definition of a Streetwall;

# Proposed Amendments to RCLUB

## Additional Amendments Identified by Staff

- adding a definition of a “Permeable Vegetated Grid System”;
- given the maximum building dimension variation, adding the following conditions to the 20% streetwall exemption along a streetline or transportation reserve for main buildings:
  - that each section not having a streetwall stepback does not exceed 14.0 metres in length along the streetline or transportation reserve, and
  - that there is a minimum required separation distance of 14.0 metres along the streetline or transportation reserve between sections not having a streetwall stepback.;
- amending “Schedule 18: Minimum Front and Flanking Setbacks” to change the minimum setback on PID 00004010 (Halifax Forum Site) from 3 metres to 1.5 metres along the Young Street and Windsor Street frontages to facilitate development of the site.

# Amended Attachment A: Proposed LUB Amendments

- Based on RCCC discussion to clarify drafting language of certain sections (highlighted in yellow)
- Applies to amendments # 20, 25, 31, 36, 41, 46, 51, 55 & and 59
- Example of first reading & amended language:

- 139 (2) No streetwall stepback is required: for a maximum of 20% of the length of any main building facing each streetline or a transportation reserve.
- (a) for a maximum of 20% of the length of any main building facing each streetline or transportation reserve; and
- (b) as long as:
- (i) each section not having a streetwall stepback does not exceed 14.0 metres in length along the streetline or transportation reserve, and
- (ii) there is a minimum required separation distance of 14.0 metres along the streetline or transportation reserve between sections not having a streetwall stepback.

- 139 (2) No streetwall stepback is required for a maximum of 20% of the length of any main building facing each streetline or a transportation reserve. **provided that:**
- (a) each section not having a streetwall stepback does not exceed 14.0 metres in length along the streetline or transportation reserve; and
- (b) there is a minimum required separation distance of 14.0 metres along the streetline or transportation reserve between sections not having a streetwall stepback.

# Rationale for Amendments

- To implement previous Council directions
- To correct minor errors and omissions
- To improve administration
- Public engagement consistent with Council direction

# Recommendation

It is recommended that Regional Council:

1. Give First Reading and schedule a Public Hearing to consider the proposed amendments to the Regional Centre Land Use By-law, as contained in Attachment A of this report; and
2. Approve the proposed amendments to the Regional Centre Land Use By-law, as contained in Attachment A of this report.