



NOTICE TO READERS

This document is a **Response to Public Comments** received during the April 2008 public review of the Downtown Halifax Urban Design Plan. Over 160 written comments were submitted to HRM during the public review period from April 7-23, and at the Open House held on April 16. The combined submissions constitute over 100 pages of thoughtful, carefully considered feedback and recommendations. From the raw comments, 112 key issues were identified and considered by HRM staff and the Urban Design Task Force for inclusion in the Plan.

It should be noted that this document is still under review by the Urban Design Task Force, and should be considered a working draft at this time.

RESPONSE TO PUBLIC COMMENTS

DOWNTOWN HALIFAX URBAN DESIGN PLAN

PUBLIC REVIEW PERIOD, APRIL 7-23, 2008

HRM byDESIGN
Regional Centre Urban Design Study
www.hrmbymdesign.ca

HALIFAX
REGIONAL MUNICIPALITY

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TOPIC 1: HEIGHT

ISSUE # 1: Overall Height Framework

ISSUE/CONCERN:

Recommendation that the proposed heights are reduced across the study area to a maximum of six or seven stories.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Height and Massing (p.59)
- Policy UD-12 establishes building heights shown on Map 7 of the plan as the maximum building heights framework for downtown Halifax permitted, subject to the incentive bonus provisions of the plan.
- Map 7 Maximum Permitted Heights Map

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Overall Building & Streetwall Heights (p. 2)

DISCUSSION/OPTIONS:

The heights in the Plan reflect a carefully considered balance between low, medium and high-rise buildings, which are consistent with the shared vision for the downtown as determined by public consultation. The historic core of the city is protected by maximum building heights of 70 feet in the Barrington Street Heritage Conservation District, and in the proposed Barrington South HCD and Historic Properties HCD. Additionally the land abutting the Citadel has a maximum height of 75', which is no change from current policy. In all, approximately 36% of the downtown study area (110 acres) will be restricted to 7 stories or less under the new plan. This balanced approach preserves the historic city centre while allowing opportunities for a variety of building types and heights.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 2: Impacts of Tall Buildings Downtown

ISSUE/CONCERN:

Recommendation that heights should be lowered in the study area to reduce the potential impacts of wind tunnelling, blocking of sunlight on the street, and reduced views of the water from Citadel Hill.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 1.4 the Importance of Sustainability (p. 17) states that the sustainability plan shall consider microclimate sun angles and wind impacts.
- S. 2.3 the Ten Big Moves (p.24): Move #9: New Developments design to be well-mannered and pedestrian friendly. Proposed strategies to ensure a vital, inviting pedestrian environment include ensuring sun penetration on sidewalks and minimizing wind impacts.
- S. 3.3.4 Building Height and Massing (p.59): Development Envelopes define appropriate standards for bulk, above grade step-backs, and separation distances of buildings to ensure adequate street-level conditions with respect to minimizing wind and maximizing sun penetration and sky exposure.
- S. 6.4 Views & Visual Character (p. 96): Policy P-11 protects designated views from the Citadel including the Citadel viewplanes and Ramparts views, along with designated window views along east west streets from the Citadel to the Harbour, as defined on Map 16.
- Policy UD-19 (p.66) establishes in the Land Use By-law provisions to maximize sunlight penetration and minimize wind impacts particularly in relation to high-rise developments.
- Policy P-12 (p.96) considers framing views and terminus views (as designated on Map 16) as part of the design review provisions contained in the Downtown Halifax Land Use by-law.
- Map 16 Views Map.

Volume 2: Design Manual

- S. 2.3 Spring Garden Road Area (p.11) and S 3.1.3 Street Wall Height (p.32): Objectives include ensuring maximum sunlight penetration, in particular maintaining sunlight penetration in the Spring Garden Road area. Along Spring Garden road, maximum street wall heights are not to exceed 55' to ensure maximum sun penetration.
- S. 5.3.2 Views and Landmark Sites (p.100): Sets out types of views to capture in downtown, and design objectives for views.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 1: One of the main ways in which the built form is addressed in the Downtown Halifax Land Use By-law is through a Design Manual that relates to ensuring that buildings are designed to allow sky and sunlight exposure on downtown streets and minimize wind impacts.
- Page 2: Views - height framework consists of view protection for existing viewplanes from the Citadel and Citadel ramparts, along with window views of the harbour along east-west streets.

DISCUSSION/OPTIONS:

The impacts of all buildings regardless of their heights have been carefully considered in the Plan. The low-rise building envelope (up to 60') creates a “streetwall” that is approximately as high as the street is wide. This approximate 1:1 height to width ratio is a fundamental architectural principle in creating streets that are comfortable for pedestrians. The mid-rise building envelope (60' to 110') requires that the building mass above 60' be stepped back from the streetwall by 10', which reduces the visibility of the upper stories, permits more light to enter the street, and provides an important wind break (the ledge created by the 10' step back). For the stepped-back portion of buildings above the streetwall on city blocks not designated as “historic” blocks there is also a maximum building width of 165' with a minimum separation distance of 38' to ensure sky view and sun penetration. For high-rise buildings (over 110') the step back above the streetwall increases to 15', and the maximum building width for the stepped back portion of the building is 125' with a minimum building separation distance of 80'. Any building proposed to be taller than 110' will have to undergo mandatory wind impact analysis and will have to provide mitigation measures to counter any negative impact. Cumulatively these measures ensure natural light penetration to the sidewalk, views of the sky from the sidewalk, and views of the harbour. Important to bear in mind in any discussion about building height is that the design of a building is at least as important a consideration, if not more so, than height.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 3: Principles of Height in Downtown Halifax

ISSUE/CONCERN:

Recommendation that heights are distributed more equitably throughout the downtown, with the exception of the Barrington Street Heritage Conservation District, precinct 5, as they appear to have been determined arbitrarily.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Heights and Massing (p.59): the heights framework sets building heights throughout the downtown, to provide a discernible, rational and balanced height pattern resulting from the synthesis of a complex set of urban design consideration tailored to the downtown Halifax context.
- Map 7 - Maximum Permitted Heights Map

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 - Overall Building & Streetwall Heights: The Downtown Halifax Land Use By-law establishes appropriate overall building heights throughout the plan area in support of the established character for the precincts.

Volume 4: Barrington Street Heritage Conservation District

- S. 4.5 Maximum Building Heights, Streetwall Heights, and Stepback of Upper Storeys (p. 10)
- Barrington Street Historic District By-law - Conservation Standards and Design Guidelines (Schedule B) S. 4 Maximum Building Heights (p.36)

DISCUSSION/OPTIONS:

Far from arbitrary, the Plan's approach to the distribution of building heights is layered, rational and based on the following key principles:

- To allow flexibility resulting in a variety of building types.
- Ensures sky views from the sidewalk level and light penetration to the sidewalk level.
- Building heights reinforce the existing and desired character of downtown precincts. \
- The existing Citadel Viewplanes and Ramparts By-law are upheld and protected.
- Ensure appropriate transitions in height to the Citadel, to the waterfront, to heritage areas, and to adjacent low-rise neighbourhoods.
- Directs new taller buildings to areas where tall buildings already exist, thereby preserving the existing low and mid-rise character of other areas.
- Results in a comfortable, human-scaled streetscape. The issue of height distribution in the downtown has been extensively studied and debated by the Urban Design Task Force, the project consultants, staff and the public. The result is the heights approach presented in the Plan.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 4: Two-tier Height Framework with Incentive Bonusing

ISSUE/CONCERN:

Recommendation that the two-tier height framework is replaced with the pre-bonus heights identified in Map ZM-3 in the Land Use By-law fact sheet.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.3.5 Incentive/Bonusing Zoning (p.63)

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 6 - Incentive Bonusing System
- Map ZM-3 Pre-Bonus Heights Map

DISCUSSION/OPTIONS:

The building heights shown on the maximum heights map were arrived at through meticulous and exhaustive analysis and consultation and cannot be arbitrarily changed. The heights on the pre-bonus map have been set at approximately 30% below the maximum heights. Applicants for development may be given the ability to build the difference between these two heights in exchange for the provision of a public benefit such as those described in Policy UD-15 of the proposed Plan. This is the concept known as Bonus Zoning (previously known as Incentive Bonusing). It is a fundamental underpinning of this Plan that downtown and its public spaces will be built by the private and public sectors in collaboration through the Bonus Zoning program.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 5: Height Impact on Heritage Buildings

ISSUE/CONCERN:

Recommendation that heights are lowered in the study area to reduce demolitions of existing heritage properties and maintain a human scale streetwall as established by existing heritage buildings in downtown Halifax.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Height and Massing (p.59) describes the approach to overall building and streetwall height.
- Map 7 - Maximum Permitted Heights, Map 8 - Streetwall Height Character and Map 9 - Streetwall Placement refer to overall building and streetwall heights throughout the study area.

Volume 2: Design Manual

- S. 3.1 the Streetwall (p.28) provides guidance for how buildings interface with the sidewalk and enclosure to the street.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 - Overall Building & Streetwall Heights
- Maps ZM-3 and ZM-4 provide depict the pre and post bonus heights that can be obtained.

DISCUSSION/OPTIONS:

The heights in the Plan reflect a carefully considered balance between low, medium and high-rise buildings, which are consistent with the shared vision for the downtown, arrived at through public consultation. The historic core of the city is protected by maximum building heights of 70 feet in the Barrington Street Heritage Conservation District (HCD), and in the proposed Barrington South and Historic Properties HCD's. Additionally the land abutting the Citadel has a maximum height of 75', which is no change from current policy.

Rather than encouraging demolition, these heights, combined with other design guidelines, enable modest, compatibly designed rooftop additions to improve the economic potential of the heritage buildings and encourage their rehabilitation and continued use. Similarly, required streetwall heights generally match existing building heights, for example on Barrington Street, where the streetwall height of 50 feet matches the range of existing building heights and roughly corresponds with the 50-53 ft. street width, thus establishing a comfortable human scale relationship of 1:1. This would be the same in the Historic Properties Precinct and, in broad measure, also in the South Barrington Precinct. Changes to streetwall heights in those two potential heritage conservation districts may occur as part of the detailed study required for each area in preparation of establishing them as HCDs.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 6: Cogswell Only Appropriate Site for Height

ISSUE/CONCERN:

Recommendation that any new high-rise buildings are only located on the redeveloped Cogswell Interchange lands.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Height and Massing (p.59) describes the approach to height and massing in the study area.
- Policy UD-12 recommends that HRM adopt the maximum building heights shown on Map 7.
- Map 7 Maximum Permitted Heights

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 – Overall Building & Streetwall Heights lays out the overall building and streetwall height throughout the plan area.
- Map ZM-3 and Map ZM-4 show the pre and post bonus heights that may be achieved in the downtown study area.

DISCUSSION/OPTIONS:

The public consultation process has concluded that a varied approach to height is desirable which promotes filling in of the existing downtown area. The proposed Plan directs taller buildings towards areas where it can be supported by virtue of respecting heritage, the historic block pattern and defined views, ensuring human scaled streetscape, and by clustering height where it already exists. In this context the Cogswell Interchange lands provide a future area for intensification, however, are not likely to be redeveloped before the existing downtown is filled in.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 7: Height Framework is too restrictive

ISSUE/CONCERN:

Recommendation that the market determine heights.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Heights and Massing (p. 59) provides the Heights Framework, Development Envelopes and Streetwall Character in which the rationale for permitted building heights is described.
- Policy UP-12 establishes building heights show on Map 7 of the plan as the maximum building heights framework for downtown Halifax permitted, subject to the incentive bonus provisions of the plan.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 - Overall Building & Streetwall Heights summarizes the permitted building heights in downtown Halifax as well as illustrates examples of such developments.

DISCUSSION/OPTIONS:

The building heights shown on the maximum heights map were arrived at through rigorous analysis and consultation and align with the vision and principles adopted by Council and the UDTF for downtown Halifax. This consultation has included many discussions with members of the local business, real estate and development communities. This approach provides clarity and predictability in the development approvals process, where building heights are prescribed by the Plan to enable a streamlined approvals process.

While reasonable forecasts for future development capacity demands can be made, it is impossible to make them with certainty. In recognition of this fact the Plan sets out a “Plan Monitoring” program in Policies I-10 through I-13 to ensure that the intent of the Plan is being achieved and that amendments will be made as required. Additionally, Policy I-14 gives Regional Council some criteria with which to determine the appropriateness of site-specific plan amendments for development proposals that do not meet Plan requirements such as maximum building height. The primary criteria in consideration of such an amendment will be the magnitude of public benefit that results from such an amendment. For example, if an applicant wishes to construct a new park downtown then Council may decide to grant a plan amendment for additional height on the applicant’s site. It is always the right of a citizen to apply for a plan amendment; what’s different about this Plan is that it provides criteria around such amendments that ensure a significant public benefit results.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 8: Retain Heights in the Current Land Use By-law

ISSUE/CONCERN:

Recommendation that the heights determined in the current land use by-law are retained.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Height and Massing (pg. 59) describes the permitted building heights and massing throughout downtown Halifax in terms of the heights framework, development envelopes and streetwall character. The permitted heights are influenced by location, adjacencies, distinct areas and/or streets and desired land uses.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 - Overall Building & Streetwall Heights summarizes the permitted building heights in downtown Halifax as well as illustrates examples of such developments.

DISCUSSION/OPTIONS:

In many cases the maximum building heights in the current Land Use By-law are being retained, for example on the lands surrounding Citadel Hill. However it is important to note that the current Land Use By-law has very open-ended height restrictions between viewplanes. Under current regulation the maximum heights in such areas is arrived at by the application of several dozen separate policies and can result in significant building height as seen in the recent United Gulf approval on the Tex Park site. An important point that is often misunderstood is that the current “as-of-right” building height of between 25' and 40' are *not* height maximums. Those heights are merely the point of departure for a negotiation that can result in much higher heights.

The benefit of the proposed height framework is that it brings absolute certainty to maximum building height by putting the heights right in the Land Use By-law. This is of benefit to the applicant because they have clarity on how much they can build, and it is of benefit to the surrounding community because it marks the end of uncertainty about what magnitude of development could occur in their neighbourhood.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 9: Exceptions to the Height and Building Mass Framework

ISSUE/CONCERN:

Recommendation that exceptions are granted in the proposed height and building mass framework on the following properties:

- Corner of Bishop Street & Hollis Street
- Buildings abutting or adjacent to Barrington Street Heritage Conservation District, on Granville Street and Sackville Street
- 1790 and 1798-1800 Granville Street and the Halifax Club

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Heights and Massing (p.59) refers to the height framework for the downtown study area.
- Map 7 - Maximum Permitted Heights map

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 - Overall Building & Streetwall Heights describes the approach to overall height in the study area.
- Maps ZM-3 and ZM-4 provide a picture of the pre and post bonus heights that can be obtained.

DISCUSSION/OPTIONS:

1. Bishop and Hollis

This is the site of the in-progress Halkirk-Alexander development for which an exception has already been made. It is identified on the maximum heights map as an “existing planning application on which maximum heights have not been assigned”.

2. Buildings abutting the Barrington Heritage District

The site in question includes two non-registered buildings at the corner of Sackville and Granville, which abut the Roy Building and which are owned by the owner of the Roy building who wishes to

demolish them and build a tall entrance foyer/elevator tower to service the Roy Building. The maximum height limit on the Roy building is 70 feet because it is in the Barrington Heritage District.

The logic for the 70-foot max height in the Barrington and other proposed heritage districts are based on existing building heights with provision for minor increases through rooftop additions. Height limits directly abutting the districts, between the parallel streets of Argyle and Granville are either 70 ft or 80 ft. This will produce a spine of protected low-rise heritage buildings through the centre of the downtown along the Argyle/Barrington/Granville/Hollis corridor. Maintenance of this low-rise heritage core is an important part of the heritage protection strategy for the Downtown.

3. 1790 and 1798-1800 Granville Street and the Halifax Club

The exceptions requested for these sites are from the upper storey stepback provisions (10 ft). Both sites are situated in precincts where significant height is permitted (ramparts maximum in the case of the Granville properties, and 160 feet in the case of the City Club property).

In the case of the Granville properties (former Kelly’s luggage, now demolished) and the adjacent Macara Barnstead building (registered), there was a proposal for a ten-storey student residence above these buildings that would have had a 1-2 foot stepback. In the case of the Halifax Club, the request is to facilitate plans for a boutique hotel on the rear part of the property fronting on Granville, in order to maintain the Halifax Club at its existing height.

Policy UD-16 enables “modest exceptions” to the Height and Built Form Framework. In addition a certain level of flexibility will be contained in the stepback and setback requirements in the LUB, particularly for small historic blocks, in order to address the particularities of unique situations.

RECOMMENDATION & REQUIRED AMENDMENT:

1. Should Council approve the Halkirk application, the height map will be amended.

2. Staff does not recommend a change in heights on these sites.

3. Recommendation to make changes to the built form provisions to allow for flexibility in stepbacks where it is intended to benefit heritage restoration.

ISSUE # 10: Lower Height in Specific Areas

ISSUE/CONCERN:

Recommendation that the heights are lowered in precincts 3, 4 and 9, specifically in the following areas:

- Precinct 3: Spring Garden Road, Brenton Street, Brenton Place
- Precinct 4: Lower Water Street to the Harbour

-Precinct 9: Rainnie Drive, Cogswell Street, Gottingen Street, North Park Street

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Heights and Massing (p.59) refers to the height framework for the downtown study area.
- Map 7 - Maximum Permitted Heights map
- S. 3.1 Downtown Precincts (p.32) discusses the vision and objectives for the nine proposed downtown precincts, including approaches to height in each precinct.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 - Overall Building & Streetwall Heights describes the approach to overall height in the study area.
- Maps ZM-3 and ZM-4 provide a picture of the pre and post bonus heights that can be obtained.

DISCUSSION/OPTIONS:

While there is an allowance for tall buildings in Precincts 3 and 4, the regulations specify that they should slender in form, thereby reducing their impact upon the public realm. Furthermore, upon the waterfront, these taller structures are to be located away from the water's edge.

While the heights in Precinct 9 are taller than those of the area to the north, it is felt that an appropriate transition between this area and the Citadel is achieved.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 11: Add Pre-Bonus Height Map to the Secondary Planning Strategy

ISSUE/CONCERN:

Recommendation that the pre-bonus height map is added to the Downtown Halifax Secondary Planning Strategy and that these as-of-right heights are given equal prominence and discussion in the Plan as the post-bonus, maximum heights.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Height and Massing (pg. 59) describes the permitted building heights and massing throughout downtown Halifax in terms of the heights framework, development envelopes and streetwall character. Location, adjacencies, distinct areas and/or streets influence the permitted heights and desired land uses.

DISCUSSION/OPTIONS:

The pre and post bonus heights are discussed in both the Downtown Halifax Secondary Planning Strategy and the Downtown Halifax Land Use By-law Fact Sheet. However, only the maximum permitted heights map is contained in the Secondary Planning Strategy, whereas both the pre and post bonus height maps are in the By-law fact sheet.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to add the pre bonus heights map to the Downtown Halifax Secondary Planning Strategy.

TOPIC 2: PRECINCTS

ISSUE # 12: Amend the Boundary of Precinct 8

ISSUE/CONCERN:

Recommendation to amend the boundary of Precinct 8, as it extends too far north. It is not part of downtown.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.1 Downtown Precincts (p.32) and S. 3.1.8 Precinct 8: Cogswell Area (p.47) describes the approach to creating the boundaries of each precinct and the vision and objectives that are unique to each area.

- Policy UD-1 recommends that HRM adopt the downtown precincts as shown on Map 3.
- Map 3 – Downtown Precincts map shows the boundaries of all nine proposed precincts.

DISCUSSION/OPTIONS:

Project staff has reviewed this request; however the consensus is that this area, especially once the Cogswell Interchange is removed, is a critical area for revitalization of the Downtown.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 13: Include the Trinity Church site as part of Precinct 8

ISSUE/CONCERN:

Recommendation that boundary of precinct 8 is extended to include the Trinity Church site.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.1 Downtown Precincts (p.32) and S. 3.1.8 Precinct 8: Cogswell Area (p.47) describes the approach to creating the boundaries of each precinct and the vision and objectives that are unique to each area.
- Policy UD-1 recommends that HRM adopt the downtown precincts as shown on Map 3.
- Map 3 – Downtown Precincts map shows the boundaries of all nine proposed precincts.

DISCUSSION/OPTIONS:

At this point in the project, including the site in the planning area would be a significant change. Furthermore, the site is seen as part of a cohesive area that should part of a secondary planning strategy that should occur at a later date. This direction has already seen community support at previous public forums.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 14: Remove Precinct 9 from Downtown Halifax Urban Design Plan

ISSUE/CONCERN:

Recommendation that precinct 9, the North End Gateway, is removed from the Downtown Halifax Urban Design Plan.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.1 Downtown Precincts (p.32) and S. 3.1.8 Precinct 8: Cogswell Area (p.47) describes the approach to creating the boundaries of each precinct and the vision and objectives that are unique to each area.
- Policy UD-1 recommends that HRM adopt the downtown precincts as shown on Map 3.
- Map 3 – Downtown Precincts map shows the boundaries of all nine proposed precincts.

DISCUSSION/OPTIONS:

The options are to remove or retain the area. The area is viewed being both an important gateway to the downtown and an important area of transition between the historic neighbourhood to the north and the Citadel. The Cogswell Master Planning Study that will be undertaken in the near future will develop a detailed vision for this precinct.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 15: Precinct Approach

ISSUE/CONCERN:

Recommendation that the boundaries and height and building mass rules for each precinct are carefully reviewed for equity and fairness.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.1 Downtown Precincts (p. 32) identifies the 9 precincts found within downtown Halifax as well as outlines the characteristics in which they were established.
- S. 3.3.4 Building Height and Massing (pg. 59) describes the permitted building heights and massing throughout downtown Halifax in terms of the heights framework, development envelopes and streetwall character. Location, adjacencies, distinct areas and/or streets influence the permitted heights and desired land uses.

Volume 2: Design Manual

- S.2 Downtown Precincts (p. 4) describes each precinct in downtown Halifax in regards to characteristics, functional identities and building forms.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 - Overall Building & Streetwall Heights summarizes the permitted building heights in downtown Halifax as well as illustrates examples of such developments. Building heights are sensitive to neighbourhood precincts in order to retain character, functionality and building forms.

Volume 4: Barrington Street Heritage Conservation District

- S. 4.5 Maximum Building Heights, Streetwall Heights, and Stepback of Upper Storeys (p. 10) describe the specific height restrictions in the Barrington Street Conservation District as well as how development will be regulated.

DISCUSSION/OPTIONS:

The Plan's approach to precinct boundaries, building height and massing rules have been the subject of nearly a year of deliberation by the urban design task force, project consultants and staff, and they have been extensively consulted on with the public. However the complexity of the downtown and the multi-layered approach of the Plan require a detailed review to ensure that they are fair, equitable, and able to be implemented. Further, upon adoption of the Plan by Council, the Plan Monitoring program goes into effect (Policies I-10 through I-13) that will ensure that the Plan is adjusted as needed to achieve its goals on an ongoing basis.

RECOMMENDATION & REQUIRED AMENDMENT:

A detailed technical review of the Plan is being conducted during the month of May, which will inform the precinct approach. This review includes a workshop with key stakeholders from the Nova Scotia Heritage Trust, Urban Development Institute, Chamber of Commerce, Greater Halifax Partnership, Nova Scotia Association of Architects, the Waterfront Development Corporation and the Urban Design Task Force.

ISSUE # 16: Precinct 8 Heights

ISSUE/CONCERN:

Recommendation that the heights in precinct 8 are the same throughout the entire precinct, with exception to those blocks covered by viewplanes. The 75' height on 1874 Brunswick Street is unreasonable.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Height and Massing (pg. 59) describes the permitted building heights and massing throughout downtown Halifax in terms of the heights framework, development envelopes and streetwall character. Location, adjacencies, distinct areas and/or streets influence the permitted heights and desired land uses.
- Map 7 – Maximum Permitted Heights

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Page 2 – Overall Building & Streetwall Heights describes the approach to building height and massing in the study area.
- Map ZM-3 and ZM-4 reflect the pre and post bonus heights that may be achieved in the study area.

DISCUSSION/OPTIONS:

The height applied to 1874 Brunswick Street was based upon a uniformity of lower heights that were seen as being desirable fronting the Citadel, based upon the maximum height of 75' permitted in “Band A” of the current MPS.

A Development Permit has already been issued on the property for a building approximately 110' in height. As discussed in the May 14, 2008 covering memo to the UDTF, an approach for dealing with current and pending applications will be presented to the UDTF at an upcoming meeting. Prior to that meeting, an increase of height on the Brunswick Street property to 110' will be studied by staff using the 3D model, and a recommendation to the UDTF will be made.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to study the effect of a height increase on a portion of this site from 75' to 110' and submit a recommendation to the UDTF at a later meeting when the question of current and pending applications is discussed.

ISSUE # 17: Pedestrian-Oriented Residential Corridor in Precinct 8

ISSUE/CONCERN:

Recommendation that a pedestrian-oriented, residential corridor is established as part of the objectives for precinct 8, to reduce the risk of creating an empty zone after business hours.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.1.8 Precinct 8: Cogswell Area (p.47) describes the vision and objectives for the Cogswell Area.

DISCUSSION/OPTIONS:

Although pedestrian oriented residential corridors are not strictly mandated by the Plan for this area, a broad mix of uses is encouraged including retail uses at grade where they can be supported.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 3: 3-D MODEL

ISSUE # 18: Release of 3-D Model

ISSUE/CONCERN:

Recommendation to release the 3-D model of downtown Halifax being produced by HRMbyDesign, depicting the maximum pre and post bonus allowable heights and mass specifications.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

Three-dimensional modelling has provided a valuable tool during the public consultation process to illustrate the various approaches to distributing height within the downtown Halifax area. The model has recently been updated to reflect the most current baseline data (LIDAR information) and will continue to be used to illustrate the recommended height pattern for downtown Halifax as the UDTF

and Council considers adoption of the proposed planning documents. As was envisioned in the outset of the project the model will become of tool to monitor and evaluate projects as the plan is implemented.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 4: DEVELOPMENT APPROVALS, APPEALS & DESIGN REVIEW

ISSUE # 19: Public Input for Development Approvals, Design Review and Appeals

ISSUE/CONCERN:

Recommendation that the existing public input and consultation process is implemented as part of the new development approvals process. The public has a right to appeal, oppose or suggest modifications to staff and Council-recommended development proposals.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S.3.3.1 Site Plan Review (p.57) establishes the site plan approval process.
- Policies UD-9 (p.58) and I-2 (P.113) establish the site plan approval process.

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Page 5 – Development Approvals Process establishes the legislative amendments being sought by HRM to the provincial government regarding the Municipal Government Act, to allow for the external appearance of structures to be considered as part of site plan review.

DISCUSSION/OPTIONS:

Policies UD-9 and I-2 of the Downtown Halifax Secondary Planning Strategy establish the site plan approval process. A site plan approval is a planning tool that will enable HRM more control over design review of development while also allowing for a more streamlined approvals process than a development agreement. While the site plan approval process does not include direct public consultation such as a Public Information Meeting, policies UD-10 and I-8 require the establishment of a Design Review Committee, which will include primarily design professionals. Further, an approval of a site plan maybe appealed to Council. A Plan Monitoring Committee will also be established to review

and monitor the plan's progress. This committee will represent members of the heritage community, business, development, design and member(s) of council.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 20: Plan Amendments

ISSUE/CONCERN:

Recommendation that Policy 1-14 is removed from the Downtown Halifax Secondary Planning Strategy as it appears that this policy will allow developers to submit proposals that do not conform to the Plan or By-law with the possibility of approval through a plan amendment.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Policy I-14 (p.118) recommends that HRM consider plan amendments for substantial public benefit proposed by a developer as part of the incentive bonus system.

DISCUSSION/OPTIONS:

Council can consider amendments to its planning documents at any time. Policy I-14 provides guidance to Council where considerations of amendments are within the public interest.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 21: Current Development Applications

ISSUE/CONCERN:

Recommendation that HRM identifies how it will deal with current development applications prior to and after adoption of HRMbyDesign's Downtown Halifax Urban Design Plan.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 8.2.2 Approved Development Agreements (p.114) describes how existing development agreements will be handled once the new policies and by-law are in effect.

DISCUSSION/OPTIONS:

Development agreements that have been approved by Council prior to any advertising of the date of the Public Hearing for the Downtown Halifax Urban Design Plan will be handled and examined under existing policy regulations. Applications that are in review during the time of notification of the public hearing for the new policies will be recommended for approval or not by staff to Council. Each individual development agreement has clauses regarding the duration of the agreement and applications for extension of that agreement. Those will be dealt with on a case-by-case basis following adoption of the new policies.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 22: Composition of Design Review Committee

ISSUE/CONCERN:

Recommendation that the Plan states that the Design Review Committee is to be made up of representatives of specifically stated membership groups including heritage, business, environment, culture, development, and design professionals, to ensure that the Design Review Committee represents all facets of HRM's citizenry.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S.3.3.2 Design Review Committee (p. 58) outlines that the site plan review provisions of the Municipal Government Act enable the establishment of a design review body to ensure that the design of proposed developments meets the intent of the Downtown Halifax Secondary Planning Strategy and Land Use By-law. The Design Review Committee will act as the approval body for the qualitative elements of an application.
- Policy UD-10 outlines that a Design Review Committee will be established to evaluate site plan review applications and adopt a Design Review Committee Terms of Reference establishing said committee's duties.

Volume 2: Design Manual

- S. 1.1 Purpose of the Downtown Halifax Design Manual (p.2) describes the purpose of the manual and its intended use as a guide for the Design Review Committee.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 5 – Development Approvals Process lays out the new site plan approval process for development applications and the role of the Design Review Committee.

DISCUSSION/OPTIONS:

A review of best practices for the function and composition of design review committees has been undertaken, and a Terms of Reference is being written, which will be presented to Council at the time of the final report. Upon adoption of the Plan, Council will be asked to appoint members to the Design Review Committee in accordance with that Terms of Reference. The intention is that the Committee will be comprised primarily of licensed design professionals, for example, architects, urban designers, landscape architects and planners. It is important to note that this is design review committee, so the focus is clearly on design. Inputs from many organizations, advocacy groups and individuals have gone into the Plan, but it is impossible for all of these voices to have a place on the Design Review Committee.

To ensure that representatives from all sectors are involved in the implementing the Plan, a Plan Monitoring Committee will be established by Council to review and monitor the progress of the Plan. This group should be a cross section of Halifax citizenry including residents, developers, businesspeople, heritage and environment groups, and design professionals. In addition, Council is advised by many other committees on issues in the Plan Area such as the Heritage Advisory Committee, Cultural Advisory Committee, Regional Plan Advisory Committee, and various local Planning Advisory Committees.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that Council approves the terms of reference and composition of the Design Review Committee and approves it in conjunction with consideration of this Plan.

Recommendation to amend sections 3.3.2 Design Review Committee (p.58), 8.3 Design Review Committee (p.114) and policy I-8 (p.115) to reflect the recommended changes above.

ISSUE # 23: Notification of Site Plan Approvals

ISSUE/CONCERN:

Recommendation that all properties within 30 metres of a development proposal for site plan approval

are notified.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S.3.3.1 Site Plan Review (p.57) and Policy UD-9 (p.58) indicate that the provisions for minor and major site plan review will be detailed in the Land Use By-law.

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Pages 5 & 6 – Development Approvals Process refers to the two levels of review to be considered under site plan review, of which major site plan reviews will be subject to nearby property notification.

DISCUSSION/OPTIONS:

In accordance with the Municipal Government Act (MGA) and a recent request of legislative changes to support the HRMbyDesign program, an approval of a major site plan requires a notification to registered property owners within a minimum area of 30m and a fourteen-day window to appeal the decision to Council. Through policy, Council may describe situations when a notification area greater than 30m should be used.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 24: Development Agreement for Considerable Public Benefit

ISSUE/CONCERN:

Recommendation that a development agreement is still available for the consideration and negotiation with HRM of proposals with a high degree of public benefit.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Policy I-14 (p.118) recommends that HRM consider plan amendments for circumstances where considerable public benefit may be achieved.

DISCUSSION/OPTIONS:

The development approvals approach proposed in this Plan is intended to replace the current development agreement process with site plan approval and a defined heights framework to streamline development, improve design, reduce appeals and bring clarity and predictability to the process. Through the site plan approvals process, public benefits will be negotiated as part of the development process in accordance with the incentive zoning system in the Plan. Policy I-14 allows Council to consider through the plan amendment process exceptions to the height framework whereby substantial public benefits are proposed beyond the incentive bonus provisions of the Plan. This process will allow for public input and Council evaluation on an individual basis whether the magnitude of the proposed public benefit warrants such as change. Through the Plan amendment process decisions of Council stand and are not subject to appeal.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 5: HERITAGE PROTECTION

ISSUE # 25: Incentives to Protect Heritage Outside of Heritage Districts

ISSUE/CONCERN:

Recommendation that significant incentives should be offered to heritage property owners outside of heritage conservation districts to discourage demolition and increase opportunities for rehabilitation and restoration of heritage buildings.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 4.5.3 Financial Incentives (p.78) details the financial incentives to be offered to heritage property owners outside of heritage conservation districts.
- Policy UD-15 (p.63) recommends that HRM consider a variety of public benefits in exchange for extra height up to the maximum permissible height as depicted on Map 7.

Volume 4: Barrington Street Heritage Conservation District

- S.6 Financial Incentives for Restoration and Revitalization (p.16) details existing and proposed financial incentives for heritage properties.

DISCUSSION/OPTIONS:

The existing Heritage Incentives program offers grants for repair and restoration of registered heritage properties and this will continue.

The height bonus provisions of Policy UD-15 provide significant incentive (up to 30% additional height and floor area) where heritage buildings outside of heritage districts are retained and compatibly integrated with new development. These incentives will not be available unless the heritage building is preserved.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 26: Reduce Heights in Areas of Concentrated Heritage

ISSUE/CONCERN:

Recommendation that the proposed heights are significantly reduced to maintain the low to mid-rise scale of existing heritage buildings in downtown Halifax and keep a human scale street wall.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Heights and Massing (p.59): the heights framework sets building heights throughout the downtown, to provide a discernible, rational and balanced height pattern resulting from the synthesis of a complex set of urban design consideration tailored to the downtown Halifax context.
- Map 7 - Maximum Permitted Heights Map

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 - Overall Building & Streetwall Heights: The Downtown Halifax Land Use By-law establishes appropriate overall building heights throughout the plan area in support of the established character for the precincts.

DISCUSSION/OPTIONS:

Areas of concentrated heritage resources are identified in the Plan as heritage conservation districts

(Barrington Street) or potential heritage conservation districts (Historic Properties and Barrington South). All of these areas have maximum height limits of 70 feet and maximum streetwall heights of 50 or 60 feet, depending on existing street width. These provisions will maintain the low to mid-rise scale of the existing buildings while making provision for modest change.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 27: Heritage Impact on Tourism

ISSUE/CONCERN:

Recommendation that heritage protection is increased in this Plan and heights for new development are kept low to maintain downtown Halifax’s primary attraction for tourists – its historic character.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 4 Heritage Conservation (p.69) lays out the strategies for heritage protection and conservation for both registered and non-registered historic properties.
- Map 11 shows identified heritage resources in the study area, and Map 12 shows the Heritage Conservation Districts.
- S. 3.3.4 Building Heights and Massing (p.59): the heights framework sets building heights throughout the downtown, to provide a discernible, rational and balanced height pattern resulting from the synthesis of a complex set of urban design consideration tailored to the downtown Halifax context.
- Map 7 - Maximum Permitted Heights Map

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 - Overall Building & Streetwall Heights: The Downtown Halifax Land Use By-law establishes appropriate overall building heights throughout the plan area in support of the established character for the precincts.
- Page 4 – Heritage Protection describes support for heritage protection measures laid out by the Secondary Planning Strategy.

Volume 4: Barrington Street Heritage Conservation District

- Entire document.

DISCUSSION/OPTIONS:

Approximately 36% of the downtown study area will be restricted to a height of 7 storeys or less due either to heritage district designation or view plane restrictions. Taller buildings will be directed to areas where there are fewer heritage buildings or none at all. Generally, maximum heights will be limited in the vicinity of the Citadel, to the east and south, where views of the harbour and harbour mouth are most critical from the perspective of tourism. Taller buildings will be further away from the Citadel. Protected views of the harbour will be maintained. The Design Guidelines and Design Review process will ensure that new buildings will be well designed and will enhance the cityscape between view planes. The vision of the Plan is that Halifax's heritage resources will be protected and that complementary new development will be integrated with it. This integration of old and new may in fact enhance the city's attractiveness to tourists. Heritage will be further protected through the establishment of heritage conservation districts and stronger demolition controls.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 28: Central Business District as a Heritage Conservation District

ISSUE/CONCERN:

Recommendation that the entire Central Business District is a new heritage conservation district, keeping heights low, providing incentives to restore heritage properties and keeping views and viewplanes clear of tall buildings.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 4.1 Heritage Conservation Districts (p.70) describes the criteria and process for establishing a heritage conservation district under the Heritage Property Act.

DISCUSSION/OPTIONS:

Designating the entire CBD as a heritage district would be difficult to justify because it does not have a cohesive heritage character. In fact, the CBD is fractured from the point of view of its built heritage. The parts that do have a cohesive heritage character with concentrations of older buildings (Barrington

Street, Historic Properties, Barrington South) are designated as heritage precincts and will have heights restricted to 70 feet. Other areas of comparable low-mid-rise scale, particularly those in the vicinity of the Citadel, as well as areas under View Planes will also have significant height restrictions. The Barrington Street Heritage District will have significant financial incentives - grants and tax credits - dedicated for heritage restoration and these may also be available for other districts once they are officially established.

Viewplanes remain sacrosanct in the Plan. Views between viewplanes will also be retained through height limitations close to the Citadel (in Precinct 6 - Upper Central Downtown) and through design review to ensure that taller buildings further away from the Citadel will enhance the view rather than detracting from it.

RECOMMENDATION & REQUIRED AMENDMENT:

No change recommended.

ISSUE # 29: Grants for Heritage Restoration

ISSUE/CONCERN:

Recommendation that grants should be available for heritage property owners to conduct energy audits and electrical upgrades to increase the efficiency and value of the building. Geothermal heating may be an option for heritage properties in the downtown.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 4.5.3 Financial Incentives (p.78) describes what is eligible for municipal grants under the existing Heritage Incentives Grant Program and Community Grants program, as well as the proposed incentive program for heritage properties in the Barrington Street Heritage Conservation District.

Volume 4: Barrington Street Heritage Conservation District

- S. 6 Financial Incentives for Restoration and Revitalization (p.16) describes current and future heritage financial incentives, criteria and eligibility.

DISCUSSION/OPTIONS:

Grants for energy audits are available through other levels of government and are not generally within the ambit of HRM's authority or mandate. However, financial incentives for heritage are within HRM's mandate through section 22 of the Heritage Property Act. While HRM's existing Heritage

Incentives Grant Program is limited to exterior repair and restoration, the proposed financial incentives program for the Barrington Street Historic District would be broader in scope and would include tax credits for interior work relating to code compliance, energy efficiency, upgrading of common areas, etc. This program could be extended to other heritage districts once they are established.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 30: Setbacks, Steppbacks and Streetwall Heights for Historic Blocks

ISSUE/CONCERN:

Recommendation that maximum streetwall heights, steppbacks and setback requirements are removed for the 29 historic blocks and other applicable heritage properties, where these standards prohibit the redevelopment and upgrade of these buildings.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Height and Massing (p.59) lays out the built form guidelines for low, mid and high-rise buildings.
- Map 7 Maximum Permitted Heights map.

Volume 2: Design Manual

- S. 3 General Design Guidelines (p.28) describes the design and massing controls for new buildings in the study area.

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Page 2 – Overall Building & Streetwall Heights lays out the built form framework.

DISCUSSION/OPTIONS:

The options are to remove, change, or retain the current provisions. It is recognized that there is a need for some flexibility in the built-form requirements, especially for existing buildings. Some buildings on smaller blocks within the downtown study area may have limited opportunities to redevelop their properties based on the proposed setback and steppback requirements. An increased amount of control and discretion within the built form framework will help broaden the redevelopment opportunities

within the study area.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that the land use by-law provides flexibility to allow for some of the massing controls to be altered through the site plan approval, particularly for heritage properties, subject to specific criteria and conditions in the Design Review Manual.

ISSUE # 31: Extract the Barrington Street Heritage District Plan from the Overall Plan

ISSUE/CONCERN:

Recommendation that the Barrington Street Historic District Plan and By-law is removed from the Downtown Halifax Urban Design Plan to stand-alone as a separate policy document and by-law.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 4.2 Barrington Street Heritage Conservation District (p.72) outlines how the heritage conservation district will work and why it is an integral part of the Downtown Halifax Secondary Planning Strategy.

Volume 4: Barrington Street Heritage Conservation District

- S. 1 Introduction (p.1) outlines the purpose of the plan and how it relates to the Downtown Halifax Secondary Planning Strategy.

DISCUSSION/OPTIONS:

At present, the Barrington Plan is moving forward as an integral part of HRMbyDesign and the proposed new Downtown Halifax Secondary Planning Strategy (DHSPS). Should the proposed DHSPS not be adopted and the existing MPS/CBD policies remain in place, the Barrington Street Plan can be reformulated to correspond again with these.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended at this time. If the proposed Downtown SPS does not get adopted, the Barrington Plan can be revised to fit under existing MPS policies.

ISSUE # 32: Replace Current Barrington Street Plan with a Previous Version

ISSUE/CONCERN:

Recommendation that the current Barrington Street Heritage District Plan is replaced with a previous version that was approved in principle by Council in 2006.

DOCUMENT:

Volume 4: Barrington Street Heritage Conservation District

S. 1.4 Background Studies (p.2) outlines how this plan came to exist.

DISCUSSION/OPTIONS:

At present, the Barrington Plan is moving forward as an integral part of HRMbyDesign and the proposed new Downtown Halifax Secondary Planning Strategy (DHSPS). Should the proposed DHSPS not be adopted and the existing MPS/CBD policies remain in place, the Barrington Street Plan can be reformulated to correspond again with these.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended at this time. If the proposed Downtown Plan does not get adopted, the Barrington Plan can be revised to fit under existing MPS policies.

ISSUE # 33: Height Map Added to Barrington Street Heritage Conservation District Plan

ISSUE/CONCERN:

Recommendation that a height map for the Barrington Street Heritage Conservation District is added to the Barrington Street Heritage Conservation District Plan By-law.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Map 7 – Maximum Permitted Heights map

Volume 3: Downtown Halifax Land Use By-law

- Map ZM-3 Pre Bonus Heights Map and Map ZM-4 Maximum Permitted Heights map

Volume 4: Barrington Street Heritage Conservation District

- S. 4 Maximum Building Heights (p.36) of the Conservation By-law describes the regulation of the building heights through the Downtown Halifax Land Use By-law.

DISCUSSION/OPTIONS:

The 70-foot height limit in the Barrington Street Historic District would be established through the proposed Plan as an integral component of the height and built form framework for the downtown study area. Height limits will be implemented through regulations and definitions contained in the new land use by-law. For simplicity and administrative expediency it is preferable for height regulation and definitions to be contained in the Downtown Halifax Land Use By-law without being repeated in the heritage district plan.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 34: Separate Design Review Committee for Heritage Applications

ISSUE/CONCERN:

Recommendation to have a separate Design Review Committee for reviewing proposals within the Barrington Street Heritage Conservation District, as a sub committee of the Heritage Advisory Committee. This should be a different committee than the proposed Design Review Committee in the Downtown Halifax Secondary Planning Strategy.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.2 (p.58) and 8.3 (p.114) Design Review Committee describe the function of the committee.
- Policy UD-10 (p.58) recommends that HRM establish a Design Review Committee to evaluate site plan review applications.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 5 – Development Approvals Process describes the role of the Design Review Committee in

the new site plan approval process.

Volume 4: Barrington Street Heritage Conservation District

- S. 5.7, 5.8, 5.9 (pp.29-30) Design Review Process outline the design review process for heritage properties in the Barrington Street Heritage Conservation District.

DISCUSSION/OPTIONS:

A review by HRM Legal Services has confirmed that design review for development that is infilled in a heritage context, abutting or integrated with heritage must include the HAC as well as the Design Review Committee as directed by the Heritage Property Act. The HAC will review applications under established Heritage Building Conservation Standards but may also refer to the Design Manual for clarification where Conservation Standards overlap with design issues. HAC recommendations will be referred to the Design Review Committee.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that section 5.7, 5.8, and 5.9 of the draft Barrington Street Conservation By-law (Administrative Provisions) is reworded to reflect the changes indicated above, as well as section 3.3.2 and section 8.3 of the Downtown Halifax Secondary Planning Strategy. The Land Use By-law will also reflect these changes.

ISSUE # 35: Conservation By-law Provision for Notice to Abutting Property Owners

ISSUE/CONCERN:

Recommendation that the Conservation By-law contain a provision for the notification of rooftop additions to abutting property owners, specifically to alert property owners of increased snow loads.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

The proposed Site Plan Approval process under the Land Use By-law would require notification of abutting property owners (and others within 30 metres) for any major addition or new building.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to insert a new section in the Barrington Street Conservation By-law to require notification of abutting property owners when any rooftop additions or new buildings are proposed, subject to legal review.

ISSUE # 36: Contemporary Rooftop Additions to Heritage Buildings

ISSUE/CONCERN:

Recommendation that contemporary rooftop additions to heritage buildings not be allowed through the Conservation By-law. The only acceptable rooftop additions are those designed exactly as if they were part of the original building using authentic materials.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.3 The Design Manual and Policy UD-11 (p.59) recommend that HRM adopt the Design Manual, which contains heritage design guidelines.

Volume 2: Design Manual

- S. 4 Heritage Design Guidelines (p.53) provides design guidelines for additions to heritage buildings, in addition to guidelines for infill, integrated and abutting developments.

Volume 4: Barrington Street Heritage Conservation District

- Schedule B – Conservation Standards and Design Guidelines (p.33) contain the design guidelines for use in the Barrington Street Heritage Conservation District including rooftop additions.

DISCUSSION/OPTIONS:

The intention of the Barrington Street Historic District Plan is to allow compatible contemporary design for additions, new buildings, and storefronts.

HRM’s existing Heritage Building Conservation Standards require “new work to be differentiated from the old ... (and) ... compatible with massing, size, scale and architectural features to protect the historic integrity of the property...” The standards do not rule out contemporary design, so long as it is compatible according to the stated criteria.

The acceptability of contemporary design in the historic context is also articulated in the *Federal Standards & Guidelines for Historic Places in Canada*, which in the section on “Additions to Historic Places” advises “design for the new work may be contemporary or may reference design motifs from

the historic place...”

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 37: Heritage Resources and Streetwall Heights

ISSUE/CONCERN:

Recommendation that maps 8 and 11 are amended to include:

Map 8 - The streetwall heights on the map do not match those of the heritage buildings.

Map 11 - This map is missing some heritage resources such as Rupert George House and Neptune Theatre.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Map 8 – Streetwall Height Character
- Map 11 – Heritage Resources

Volume 2: Design Manual

- S.3.1 The Streetwall (p.28) describes the approach to the design, scale and placement of the streetwall.

Volume 3: Downtown Halifax Land Use By-law

- Page 2 – Overall Building & Streetwall Height describes the approach the building height and massing rules, including streetwall height.

DISCUSSION/OPTIONS:

The two properties in question on Map 11 are heritage resources and should be added to the map.

On the other issue, the approach to streetwall height is representative of the width of the streetwall in most cases. Although the formula is based upon a 1:1 ratio of streetwall height to street width, it is not an exact calculation; thereby you could end up with a slight variation in streetwall height.

Taking into consideration a review of Map 8, streetwall heights should be lowered in the area of South Barrington Street, as this area is designated for a future Heritage Conservation District, and a 60-foot streetwall is not in keeping with the existing character of that neighbourhood.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that the Rupert George House and Neptune Theatre should be added to Map 11.

Recommendation to lower the streetwall heights in the South Barrington area to 50 ft., in keeping with the existing built form conditions.

Recommendation to review the streetwall heights on Map 8 again to ensure the streetwall heights work with the built form framework in each area.

ISSUE # 38: Redevelopment of Heritage Properties

ISSUE/CONCERN:

Recommendation that sections 4.3 and 4.4 of the design guidelines should be amended to allow for redevelopment of heritage properties by retaining the building facade (i.e. Founder's Square).

DOCUMENT:

Volume 2: Design Manual

- S. 4.3 Guidelines for Integrated Developments (p.61)
- S. 4.4. Guidelines for Abutting Developments (p.65)

DISCUSSION/OPTIONS:

The concern raised is that the proposed design guidelines may preclude future redevelopment of heritage sites in the style of the Founders Square redevelopment in downtown Halifax, which preserved the facades of several heritage buildings by building a new structure behind and on top of them. It is the intent of this Plan to continue to permit such redevelopments where they are required to preserve the heritage resource, subject to the requirement for minimum 10-foot stepback of upper storeys, or provisions can be established in the Plan to allow relaxation of the stepback required where heritage resources are protected.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that S 4.3 and S. 4.4 are updated to reflect the changes above. S. 4.3 should apply to stand-alone style heritage, and a new guideline for row-style heritage needs to be inserted.

ISSUE # 39: Heritage Conservation District Boundaries

ISSUE/CONCERN:

Recommendation that Map 12 should be amended to extend the boundary of the proposed Historic Properties Heritage Conservation District to include the northern part of the block between Duke, Hollis, Granville and George Streets, as well as the western part of this block to include historic buildings. Map 12 should also reflect a decision to extend the boundary of the other proposed South Barrington Heritage Conservation District to include all of the Brewery property, the Black Binney House, and the VIA train station.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Map 12 – Heritage Districts shows the Barrington Street Heritage Conservation District and the two other areas that have been called out for future study as heritage conservation districts.

DISCUSSION/OPTIONS:

The current boundaries of the two proposed heritage conservation districts have been debated and analyzed at length by the Urban Design Task Force and staff at several meetings and internal workshops. The boundaries are recommendations at this time and may or may not be revised during the future study of the area.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 6: SUSTAINABILITY

ISSUE # 40: Footprint of Tall Buildings

ISSUE/CONCERN:

Recommendation for smaller, less intense new construction to reduce the energy required constructing and maintaining the building.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.7 Sustainable Building Design (p.65) describes the approach to incorporating sustainable building design into new construction.

Volume 2: Design Manual

- S. 6 Sustainability Guidelines (p.108) provides a set of guidelines and standards for sustainable building design.

DISCUSSION/OPTIONS:

The Plan's goals are to establish a positive development climate with which to preserve heritage and to ensure architectural excellence. For the Plan to be successful it must accommodate a range of development. For example, the Plan strongly encourages the infilling of currently vacant sites (parking lots, etc.) that maximize existing infrastructure and have excellent location benefits. The Plan must also accommodate larger scale development that can provide significant economic and environmental benefit to downtown. Larger redevelopment projects contribute to regional sustainability by intensifying vacant or underutilized lands, bringing people closer to work, better using existing services, and reducing reliance on cars for commuting.

The Plan's sustainability guidelines offer excellent guidance on how to go about all of this in a "green" way. However the Plan recognizes that our current regulatory framework doesn't allow HRM to go as far as it would like in terms of sustainability rules for development. That is the reason that the Plan calls for a Sustainability Functional Plan, which will identify the required changes to our regulations that will enable a more robust sustainable development program.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 41: Sustainability Standards for New Construction

ISSUE/CONCERN:

Recommendation for sustainable planning design guidelines including: protection of existing building fabric, green building design including LEED certification, active and public transportation systems, energy conservation, and social housing initiatives.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.7 Sustainable Building Design (p.65) describes the approach to incorporating sustainable building design into new construction.

Volume 2: Design Manual

- S. 6 Sustainability Guidelines (p.108) provides a set of guidelines and standards for sustainable building design.

DISCUSSION/OPTIONS:

The Downtown Halifax Urban Design Plan is founded on a full spectrum of sustainability principles. For example, at the building site scale the plan gives direction on matters such as green building standards and construction debris recycling. At the community scale the provision of such things as active transportation infrastructure (bike lanes, improving walkability) and new parks and open spaces are mandated. And at the regional scale, the Plan sets the goal, and creates the capacity, to accommodate 16,000 new residents and 3 million square feet of office space downtown thereby enabling people to live near where they work while at the same time making efficient use of existing infrastructure. The underlying premise of the Plan is to create a downtown where people will choose to leave their cars parked and would rather walk, cycle or take the bus to where they want to go, and where energy is conserved through densification. With regard to housing opportunities, HRM does not have the authority to require affordable housing (that authority resides solely with the Province) the Plan does encourage the provision of affordable housing and family-oriented units through the Incentive Bonus program.

Although the Plan sets ambitious sustainability goals, it also acknowledges that the legislation under which HRM currently operates imposes some restrictions on the Municipality's authority to implement certain sustainability tools. For example HRM currently lacks the authority to require private development to meet LEED building standards. This gap between HRM's authority and its aspiration in these matters should be addressed by using the Incentive Bonus provisions of the Plan to require applicants for development to build sustainably.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that the mandatory provisions in 6.2 of the Design Manual should be moved into section 6.3 as recommended sustainability guidelines. All guidelines in section 6.3 should be referenced in the Incentive Bonus section as sustainable activities for which bonuses may be granted.

ISSUE # 42: Climate Change Adaptation

ISSUE/CONCERN:

Recommendation for adaptation of the elevation of Lower Water Street to accommodate predicted sea level rise.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S 3.3.8 Waterfront Development (p.66) and Policy UD-21 (67) recommend that HRM establish special built form provisions in relation to development of the waterfront.

DISCUSSION/OPTIONS:

The plan specifies that waterfront development incorporate design provisions to mitigate the impacts of sea level rise. HRM has recently completed a LIDAR study and modelling which predicts the anticipated level of sea level rise over the next 100 years. It is intended that through the design review process, waterfront developments demonstrate that adequate measures are incorporated (e.g. raising grade elevation, limitations on habitable space on the ground floor etc.) to address considerations for storm surge and sea level rise.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 43: LEED Equivalency Standards

ISSUE/CONCERN:

Recommendation that HRM is a leader in sustainable building design by achieving LEED platinum designation. All other new construction must attain at least LEED silver.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.7 Sustainable Building Design (p.65) describes the approach to incorporating sustainable building design into new construction.

Volume 2: Design Manual

- S. 6 Sustainability Guidelines (p.108) provides a set of guidelines and standards for sustainable building design.

DISCUSSION/OPTIONS:

HRM has adopted the requirement that all new HRM construction projects meet the LEED Silver rating in order to provide public sector leadership for the local design and construction community. It is intended that over time this rating will be increased to LEED Gold, and ultimately to LEED Platinum. In terms of private sector development, this Plan goes as far as our current regulations permit, which for the present means we cannot require LEED compliance. However the Plan also calls for a Sustainability Functional Plan to identify and enact necessary changes to our regulations to enable LEED requirements.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 44: New Construction Materials & Practices

ISSUE/CONCERN:

Recommendation that all new construction achieve the following green building targets: retain existing sustainable infrastructure, use low embodied energy materials, use easily recycled materials and components, use locally sourced materials, and design with low operating energy demands.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.7 Sustainable Building Design (p.65) describes the approach to incorporating sustainable building design into new construction.

Volume 2: Design Manual

- S. 6 Sustainability Guidelines (p.108) provides a set of guidelines and standards for sustainable building design.

DISCUSSION/OPTIONS:

The Plan embraces a holistic, full spectrum approach to sustainability throughout. This includes the “triple bottom line” approach to sustainability wherein tests of economic, environmental and social/cultural sustainability must be met. In terms of sustainability requirements for private sector development, this Plan goes as far as our current regulations permit, which for the time being means we cannot require LEED compliance. This Plan recommends working with the provincial government to identify and enact necessary changes to our regulations to enable LEED requirements such as those raised in this issue.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to move the minimum building standards to the bonus zoning provisions and recommend legislative changes through continued work with the provincial government.

TOPIC 7: PUBLIC OPEN SPACES

ISSUE # 45: Waterfront and Boardwalk

ISSUE/CONCERN:

Recommendation that the Halifax waterfront and boardwalk are always publicly accessible.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.8 Waterfront Development (p.66) and Policy UD-21 (p.67) describes special treatment of the waterfront area for development and public open spaces.
- S. 7.7 Transportation Reserves (p.108) and Policy T-10 (p.109) recommends that transportation reserves are obtained to ensure protection of east/west open spaces as active transportation corridors.

DISCUSSION/OPTIONS:

The Waterfront Development Corporation is the major landowner on the waterfront and has as its mandate a responsibility to establish and maintain the boardwalk and other public open space systems. A Memorandum of Understanding (MOU) with the Waterfront Development Corporation will be sought by HRM to ensure public interests are protected in relation to public open space access on the waterfront.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 46: Public Investment for Open Spaces

ISSUE/CONCERN:

Recommendation that HRM Council use the public open space plan created by HRMbyDesign to direct public investment in streetscapes and public amenities downtown.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S 6.2 Open Space (p.94) outlines the framework for future capital investment in public open spaces.
- Policy P-6 (p.94) recommends that HRM should implement a system of interconnected high quality open spaces as shown on Map 15.
- Map 15 – Open Spaces

DISCUSSION/OPTIONS:

The Plan currently provides policy support for HRM to implement the proposed open space network shown on Map 15 of the Plan. An Open space Functional Plan is anticipated to further refine the recommended open space concepts. Consistent with that intended use Halifax Regional Council has approved a five-year streetscape investment program, which would result in the refurbishment of streetscapes along Spring Garden Road and Barrington Street.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 47: Signature Public Open Space or Destination

ISSUE/CONCERN:

Recommendation that HRM construct a signature public open space or cultural destination in the downtown, such as an aquarium or significant public art.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Map 10 Landmarks and Civic Character
- Map 15 Open spaces

DISCUSSION/OPTIONS:

The Plan identifies many proposed locations for significant public realm improvements such as the Grand Promenade along George Street and proposed open spaces at the terminus of east west streets. Map 10 Landmarks and Civic Character identifies key terminus views that would be appropriate for future public art.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 48: Waterfront Development Corporation Lands

ISSUE/CONCERN:

Recommendation that the wording is changed with respect to policies P-6 and P-7 of the Plan to “working in collaboration with the Waterfront Development Corporation (and Halifax Port Authority) the municipality will...”

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Policies P-6 and P-7 (p.94) recommend that HRM adopt the system of public open spaces along the waterfront for public access.

DISCUSSION/OPTIONS:

The Waterfront Development Corporation was founded to be the steward of publicly owned lands along the waterfront. The WDCL's mandate includes developing vacant waterfront lands while protecting public access to the waterfront, providing a waterfront boardwalk, and creating public open spaces along the waterfront. This Plan does not alter that mandate. Rather, it encourages collaboration between HRM and WDCL for the provision of a vibrant, publicly accessible waterfront.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to amend policies P-6 and P-7 to strengthen HRM’s intent to establish an agreement with WDCL to preserve public spaces along the waterfront.

TOPIC 8: VIEWS & VIEWPLANES

ISSUE # 49: Views from the Citadel

ISSUE/CONCERN:

Recommendation that harbour views from the Citadel are protected whenever possible.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S 6.4 Views & Visual Character (p.96) recognizes the importance of views and viewplanes that already exist.
- Policy P-11 (p.96) recommends that HRM shall protect designated views from the Citadel including Citadel viewplanes and Ramparts views as defined in the Halifax Peninsula Land Use By-law.

Volume 3: Downtown Halifax Land Use By-Law & Fact Sheet

- Page 2 – Views: outlines views as being one layer of the height framework, including existing viewplanes and Citadel Rampart views.

DISCUSSION/OPTIONS:

In addition to designated Citadel viewplanes and Ramparts views, the Plan seeks protection of harbour “window views” along designated east-west streets. This occurs under Policy P-11 of the Plan and corresponding provisions in the Land use By-law that establish transportation reserves to secure these corridors for public access for the purposes of active transportation.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 50: Viewplanes from the Citadel and Ramparts

ISSUE/CONCERN:

Recommendation that HRM uphold the existing viewplane legislation from the Citadel and Ramparts By-law.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S 6.4 Views & Visual Character (p.96) recognizes the importance of views and viewplanes that already exist.
- Policy P-11 (p.96) recommends that HRM shall protect designated views from the Citadel including Citadel viewplanes and Ramparts views as defined in the Halifax Peninsula Land Use By-law.

Volume 3: Downtown Halifax Land Use By-Law & Fact Sheet

- Page 2 – Views: outlines views as being one layer of the height framework, including existing viewplanes and Citadel Rampart views.

DISCUSSION/OPTIONS:

Policy P-11 of the Plan upholds the protection of existing Citadel view planes and Ramparts views protected in the Peninsula Land use By-law. These views are designated as being regionally significant in the Regional Plan.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 9: DESIGN GUIDELINES

ISSUE # 51: Design Review Committee

ISSUE/CONCERN:

Recommendation that the Design Review Committee is provided with guidance as to what is acceptable architectural design is for the downtown.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.2 (p.58) and 8.3 (p.114) Design Review Committee describe the function of the committee.
- Policy UD-10 (p.58) recommends that HRM establish a Design Review Committee to evaluate site plan review applications.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 5 – Development Approvals Process describes the role of the Design Review Committee in the new site plan approval process.

Volume 4: Barrington Street Heritage Conservation District

- S. 5.7, 5.8, 5.9 (pp.29-30) Design Review Process outline the design review process for heritage properties in the Barrington Street Heritage Conservation District.

DISCUSSION/OPTIONS:

Extensive public consultation has been undertaken over the past 20 months to gain an understanding of the vision that HRM residents have for the Regional Centre and for downtown Halifax. That vision has been translated into a set of built form envelopes and a comprehensive Design Manual. The Design Review Committee will use the Design Manual as its instruction book on how to determine appropriate architectural form.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 52: Flat Top Roofs

ISSUE/CONCERN:

Recommendation that HRMbyDesign prohibit the use of flattop roofs in the downtown to improve skyline and sight lines from the hill to the harbour.

DOCUMENT:

Volume 2: Design Manual

- S. 3.3.2 Building Articulation (p.39) and S. 3.3.5 Roof Line (p.41) describe treatment for the top portion of new and rehabilitated buildings.

DISCUSSION/OPTIONS:

The lack of direction under current policy for the form or design quality of rooftops has resulted in unappealing rooftops as seen from high vantage points such as the Citadel. This Plan puts in place several requirements to improve this situation moving forward. Among them are incentives for “green roofs,” and requirements for a high level of architectural detailing for rooflines, for rooftops, and for rooftop structures such as mechanical rooms. This approach recognizes that we live in a hill city where views of rooftops are frequent and those views form an important part of the image of the city.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 53: Guidelines to Extend Building Life

ISSUE/CONCERN:

Recommendation that HRMbyDesign create building design guidelines that will stipulate accessible and easily renewable service systems in order to extend the service life of buildings.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

HRM operates under an umbrella of provincial legislation called the Municipal Government Act (MGA). The current MGA does not give municipalities the authority to require sustainable building design, beyond encouraging sustainability through the incentive bonus system proposed by this Plan. In recognition of these legislative limitations, the Plan calls for a Sustainability Functional Plan to identify and implement necessary changes to the legislation to enable HRM to enforce stricter sustainability guidelines.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 54: Remove the Concept Plan

ISSUE/CONCERN:

Recommendation that the Concept Plan of the downtown study area is removed as it portrays an unrealistic approach to the redevelopment of the Cogswell Interchange and surrounding lands.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 2.2 Demonstration Concept Plan (p.23)
- Map 2 – Concept Plan

Volume 2: Design Manual

- S. 2.8 Precinct 8: Cogswell Area (pp.21 -24)

DISCUSSION/OPTIONS:

The Concept Plan is an important drawing in this Plan as it conceptually depicts many of the ideas expounded by the Plan, especially those ideas having to do with public open space and the public realm in general. The point is taken that the Concept Plan shows in some cases a dramatic and perhaps impractical future state in the area of the northern waterfront, but removing the Concept Plan entirely for this reason also eliminates the positive contribution of the Concept Plan for the remainder of the downtown study area.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to keep the Concept Plan in the documents but add a clear disclaimer that it is conceptual only and is not intended to reflect any particular future outcome. Shading should also be added to the Cogswell Area to indicate that the future urban design vision for this area will be established through future master planning.

ISSUE # 55: Encourage Exciting Modern Buildings

ISSUE/CONCERN:

Recommendation that the Design Manual strengthen its guidelines on developing exciting, modern looking buildings and structures in the downtown. In addition to the reference to signature landmark buildings, there needs to be ideas for encouraging architectural innovation in the design of new buildings.

DOCUMENT:

Volume 2: Design Manual

S. 3.4 Visually Prominent Privately-Owned Sites (p.42) describes locations that are highly visible, occupy an important symbolic location, or have an important public function, which require a higher quality treatment.

DISCUSSION/OPTIONS:

This is an excellent recommendation. Throughout the Plan’s consultation process the notion of encouraging architectural modernity has been championed by the public. The language surrounding this aspiration should be strengthened.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to strengthen the language around modern/contemporary architecture to better reflect public sentiment.

TOPIC 10: TRANSPORTATION & PARKING

ISSUE # 56: Truck Traffic on Downtown Streets

ISSUE/CONCERN:

Recommendation that HRMbyDesign create a plan to reduce or remove container truck traffic from downtown streets, by using the rail cut as a transportation corridor or to transfer containers to an area outside of the downtown.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 7.5 Downtown Halifax Transportation Functional Plan (p.107) and S. 7.6 Freight Movement (p.108) recommend the creation of a Transportation Functional Plan for downtown Halifax, including strategies to address the movement of freight.
- Policy T-9 (p.108) recommends that HRM develop a Transportation Functional Plan for downtown Halifax.

DISCUSSION/OPTIONS:

The movement of freight is a regional issue. HRM is part of the overall Atlantic Gateway initiative, which HRMbyDesign will include as part of its strategies for dealing with freight movement in and out of the downtown. HRM will be a partner in this process which requires further study. Proceeding with any changes on how freight is moved throughout Halifax will not be possible until the Gateway studies are completed. All partners recognize this as a concern.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 57: Active Transportation Infrastructure

ISSUE/CONCERN:

Recommendation for an increase in active transportation infrastructure in the downtown including bike lanes and bike racks.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 7.2 Active Transportation (p.102) and Map 17 Street Network Plan, outline strategies for providing more active transportation infrastructure and increasing use of this form of transportation.
- Policy T-1 (p.102) recommends that HRM should implement the Street Network Plan shown on Map 17.
- Policy T-2 (p.102) recommends that HRM shall consider opportunities for more active transportation infrastructure in downtown Halifax.

DISCUSSION/OPTIONS:

More bicycle infrastructure will be developed in downtown Halifax. Changes to the street network in the downtown area including the development of one way streets, will help increase the potential for on-road bicycle facilities (see Map 17).

Plans are underway to provide more on-street bicycle parking. Pedestrian-oriented streets, such as those identified on Map 17 with wider sidewalks, will allow for the strategic placement of bicycle parking. Wider sidewalks are required for the placement of bicycle racks so as not to interfere with pedestrian movements and amenities.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that the following definitions are added to S.7.1.1 Street Network Plan:

Vehicle Priority Street - these are streets that will be designed and designated to carry the majority of vehicular traffic in the downtown, to allow for improved flows.

Pedestrian priority streets - these are streets that will be designed to accommodate the needs of pedestrians over other users. These streets will have enhanced pedestrian amenities, such as wider sidewalks. Through traffic will be discouraged through design measures such as narrow lanes, on-street parking and pedestrian amenities.

Transit priority streets - these streets will be designed to accommodate the needs of transit users. Bus facilities, pedestrian connections will encourage the use of buses and discourage automobile use of the street.

ISSUE # 58: Public Transit

ISSUE/CONCERN:

Recommendation to develop a plan that will effectively and efficiently increase the service levels of public transit into and throughout the downtown, and that attracts new riders to take transit.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 7.3 Public Transit (p.103) describes new and additional public transit services to help the flow of people into and out of downtown Halifax.
- Policy T-4 (p.104) recommends that HRM implement a downtown shuttle.
- Policy T-5 (p.104) recommends that HRM establish a fast ferry service from Bedford to downtown Halifax.
- Policy T-6 (p.105) recommends that HRM should consider lands near Scotia Square into the Cogswell Interchange lands for a new transit hub.

DISCUSSION/OPTIONS:

HRM's five-year transit plan deals with transit service for the entire region, of which Downtown

Halifax is an important component. The downtown shuttle that is designed to connect with other transit services and routes (particularly the MetroLink and rural express bus services) will provide a much better connection and services to those who work and visit the downtown.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 59: Employer Oriented Transportation

ISSUE/CONCERN:

Recommendation that HRM collaborate with the large employers in the city, including the hospitals, government and DND to offer employer specific shuttles or public transit connections.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 7.3.1 Downtown Shuttle (p.104) describes how a downtown shuttle could provide efficient and important intermodal connections to hospitals, universities and large employers throughout the downtown.

DISCUSSION/OPTIONS:

Through the commuter options program, the city will be providing services to employers to help set up programs to encourage the use of alternative modes of transportation. The downtown shuttle, which will serve the areas of employment concentration in the downtown could be routed to serve outlying areas of the downtown such as DND and the hospitals.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 60: Increase Use of the Harbour

ISSUE/CONCERN:

Recommendation that use of the harbour for transportation is increased through the Fast Ferry and regular ferry service.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S.7.3.2 High Speed Ferry (p.104) describes the potential for a fast ferry service between Bedford and downtown Halifax.
- Policy T-5 (p.104) recommends that HRM implement a fast ferry service between Bedford and downtown Halifax.

DISCUSSION/OPTIONS:

Expanded ferry service is a key component of the five-year transit plan that was recently presented to Regional Council. Each initiative will be considered on a priority basis for funding over the next five years.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 61: Tourism Operations

ISSUE/CONCERN:

Recommendation that HRM identify areas in the downtown for mass transportation lay-by's or motor coach parking to facilitate access to the waterfront and other public amenities.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Map 17 Street Network Plan lays out opportunities for on-street laybys for tourism and bus operators.

DISCUSSION/OPTIONS:

The changes to the street network plan as shown on Map 17 create opportunities for situating on-street laybys for tourism operators.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 62: Park & Ride Lots

ISSUE/CONCERN:

Recommendation for more free or low cost Park & Ride lots to be established at key points outside of the downtown, creating a convenient connection to the public transit system.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S.7.5 Downtown Halifax Transportation Functional Plan (p.107) is intended to devise strategies to get more people using public transit, including the establishment of more park and ride lots.
- Policy T-9 (p.108) recommends the development of a Transportation Functional Plan for downtown Halifax.

DISCUSSION/OPTIONS:

The five-year transit plan outlines areas for park and ride facilities outside of the downtown core which will enable residents to consider transit as an option.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 63: New Transit Station

ISSUE/CONCERN:

Recommendation that the plans for a new large transit station or terminal in the downtown be revised or design guidelines for new transit station are outlined in more detail. The conceptual transit station at Scotia Square could be much better than just addition of retail at the street level.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 7.3.3 Downtown Bus Terminal (p.105) describes a plan for creating a new large-scale transit hub near Scotia Square on the Cogswell Interchange lands.

- Policy T-6 (p.105) recommends HRM consider lands on Barrington Street near Scotia Square for the development of a new transit hub.

DISCUSSION/OPTIONS:

The development of a new transit station in the Cogswell Interchange area is seen as an opportunity site with the design being coordinated with other developments in the area.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 64: Connect Transit Nodes Downtown

ISSUE/CONCERN:

Recommendation that the new Halifax Ferry Terminal and new large transit station in downtown are connected through a shuttle or highly walkable streetscapes to encourage intermodal travel on public transit.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 7.3.2 High Speed Ferry (p.104) and S. 7.3.3 Downtown Bus Terminal (p.105) describe the need for a new ferry terminal in downtown Halifax to support the fast ferry from Bedford. In addition the new ferry terminal will be linked to the proposed new transit hub on the Cogswell Interchange lands to promote intermodal transportation.

DISCUSSION/OPTIONS:

The development of the downtown shuttle will connect the ferry terminal with the new transit station.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 65: Cash-in-lieu Parking Provisions

ISSUE/CONCERN:

Recommendation that the current parking provisions remain in place until the new strategy for cash-in-lieu parking are detailed in the Transportation Functional Plan, which is intended for completion following the adoption of this Plan.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 7.4.1 Cash-in-lieu of Parking (p.106) describes part of the new parking strategy for downtown, which would help fund transportation programs such as the proposed downtown shuttle.

DISCUSSION/OPTIONS:

The parking study will be presented to Regional Council later this spring. The adoption of the parking study will clear the way for the development of the cash-in-lieu of parking policy and the appropriate parking standards to allow for short-term customer-based parking and reduce the need, through TDM programs and increased transit service, for long-term parking facilities.

The land use by-laws will be amended as required to include the new standards and the cash-in-lieu of parking provisions. It should be noted that this would be implemented as alternative transportation options are improved and developed.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 11: BUILT FORM

ISSUE # 66: Stepbacks and Setbacks

ISSUE/CONCERN:

Recommendation for a lowering of heights rather than the introduction of setbacks and stepbacks from the streetwall, as those measures will not alleviate the impact of taller buildings on the pedestrian experience.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Height and Massing (p.59)

- Policy UP-12 establishes building heights show on Map 7 of the plan as the maximum building heights framework for downtown Halifax permitted, subject to the incentive bonus provisions of the plan.
- Map 7 Maximum Permitted Heights Map

Volume 2: Design Manual

- S. 3.1 The Streetwall (p.28) describes the approach to determining streetwall placement and height.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Overall Building & Streetwall Heights (p. 2)

DISCUSSION/OPTIONS:

What is at issue here is the distribution of density on a given site. The density could be distributed over 100% of the site and then extruded to some number of stories. Or it could be concentrated on a portion of the site and then extruded to greater number of stories. Or it could be distributed anywhere along the spectrum between those two models. Ideally the streetwall height will not exceed the street width as measured from building face to building face. In downtown Halifax this 1:1 ratio is usually about 60': 60', which allows between 4 and 5 stories. A streetwall any taller than this begins to get out of the range of human-scale and begins to loom over the pedestrian. Therefore any additional density beyond approximately 60' must stepback from the plane of the streetwall: a 10' stepback for buildings up to 110' (mid-rise), or a 15' stepback for building taller than 110' (high-rise).

It is clear from extensive public comment that streetwall heights in excess of the 1:1 ration are not desirable. Therefore a lowering of overall building height with the expectation that lost density would be made-up by increasing the streetwall height would be contrary to public sentiment. Similarly, a simple lowering of overall building height with no mechanism for making-up lost density would be contrary to public sentiment regarding development capacity in the downtown.

Upper story setbacks have had proven reductions on the actual impact (reduced wind, increased sunlight) and apparent impact (looming overhead mass) of tall buildings in cities throughout the world. HRM citizens throughout this process have repeatedly embraced this approach.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 67: Setback from Waterfront Boardwalk

ISSUE/CONCERN:

Recommendation for a large setback of new buildings from the continuous waterfront boardwalk.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.3.4 Building Height and Massing (p.59)
- Policy UP-12 establishes building heights show on Map 7 of the plan as the maximum building heights framework for downtown Halifax permitted, subject to the incentive bonus provisions of the plan.
- Map 7 Maximum Permitted Heights Map
- S. 3.3.8 Waterfront Development (p.66) and Policy UD-21 (p.67) describe the special treatment of built form and public open spaces on the waterfront.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 – Overall Building & Streetwall Heights outlines the approach to overall building and streetwall height.
- Page 4 – Special Situations, Waterfront outlines the special circumstances with respect to built form on the waterfront.

DISCUSSION/OPTIONS:

While an actual setback is noted in the documents, a more discretionary approval system is being recommended for the waterfront where buildings are to be limited in height to 40 feet in the vicinity of the water's edge and public spaces.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to introduce a level of flexibility in the built form framework in the Land Use By-law, to deal with special topographical conditions such as lot size and orientation, in particular on the waterfront.

ISSUE # 68: Setbacks & Stepbacks on Historic Blocks

ISSUE/CONCERN:

Recommendation for the removal of the setback and stepback requirements on the historic blocks, as they will not allow economically viable redevelopment.

DOCUMENT:

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 – Overall Building & Streetwall Heights outlines the approach to overall building and streetwall height.
- Page 4 – Heritage Protection describes how the built form framework will protect heritage resources with respect to abutting, infill, and integrated developments.

DISCUSSION/OPTIONS:

It is recognized that there is a need for some flexibility in the built-form requirements, especially for existing buildings. The land use by-law provides for allowances for some of the massing controls to be altered through the site plan approval, subject to specific criteria and conditions in the Design Review Manual.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 69: Adaptive Re-Use

ISSUE/CONCERN:

Recommendation for the requirement in building design standards to allow for future conversion of uses.

DOCUMENT:

Volume 2: Design Manual

- S. 3.3 Building Design (p.38) outlines the built form envelopes regulated through the built form framework in the land use by-law.

DISCUSSION/OPTIONS:

The point is taken. The Urban Design Task Force has consistently guided the project in a direction that discourages purpose-built (or “single-use”) buildings in preference for a flexible building approach. For example parking structures would ideally be constructed with level floor plates and floor to ceiling heights that could be readily converted to office or residential use at a later date. Language supporting this approach should be added to the Design Manual.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to add a statement in chapter 3 of the Design Manual that encourages building design that allows for future conversion of uses.

ISSUE # 70: Streetline Stepbacks

ISSUE/CONCERN:

Recommendation for the diagrammatic reference to streetline stepbacks at 35 feet in height to be removed from the Land Use By-law Fact Sheet, as there is no such requirement.

DOCUMENT:

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

Page 3 – Diagrams of low, mid and high-rise building forms are shown to demonstrate how the built form framework will operate.

DISCUSSION/OPTIONS:

The minimum 35-foot height limit applies to situations where a building is a minimum of 35 feet in height.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to refine and correct the diagrams.

ISSUE # 71: Performance Standards for Wind

ISSUE/CONCERN:

Recommendation for the Plan to require wind testing and minimum performance standards for wind effects at the street level.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.3.4 Building Height and Massing (p.59) contains a section on the development envelopes (p.60). One of the achievable results of the development envelopes is minimizing wind and maximizing sun penetration to the street.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 1 – Design Manual section describes that a key objective of the Design Manual is to create building forms that allow sky and sunlight exposure on downtown streets and minimize wind impacts.

DISCUSSION/OPTIONS:

The Downtown Halifax Land Use By-law contains such provisions.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 12: LAND USE

ISSUE # 72: Street Level Commercial Uses

ISSUE/CONCERN:

Recommendation that the new Land Use By-law includes a provision to limit office uses on the ground floor of primary pedestrian oriented streets.

DOCUMENT:

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 5 – Land Uses describes regulations related to primary commercial streets and other streets within the downtown study area.

DISCUSSION/OPTIONS:

There are requirements that land uses facing such streets uses be pedestrian-oriented uses.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 73: Opportunity Sites

ISSUE/CONCERN:

Recommendation that the Maritime Museum of the Atlantic should be included as one of the Opportunity Sites identified on Map 13 of the Downtown Halifax Secondary Planning Strategy.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Map 13 – Opportunity Sites

DISCUSSION/OPTIONS:

The opportunity sites shown on Map 13 in the Secondary Planning Strategy is intended to show only land that is currently vacant, such as vacant lots and surface parking lots. It does not include the “underutilized” category of opportunity sites.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that the map should be re-labelled “Vacant Sites” and should be carefully reviewed for accuracy.

ISSUE # 74: Infill on Water Lots

ISSUE/CONCERN:

Recommendation that infilling on water lots is removed from the Plan as there is ample opportunity for infill and new development on the vacant and underutilized lots in downtown.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S.3.3.8 Waterfront Development (p.66) discusses the possibility for water lot infilling.

DISCUSSION/OPTIONS:

Municipalities cannot restrict the infill of water lots and in many cases such infill allows for increased public open space.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 13: INCENTIVE/BONUS ZONING

ISSUE # 75: Public Input into Bonus System

ISSUE/CONCERN:

Recommendation that the new bonus zoning system contain a provision for public consultation before deciding the bonus to be achieved by each development.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.3.5 Incentive/Bonus Zoning (p.63) outlines how the incentive zoning system would work.

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Page 6 – Incentive Bonus System outlines how the incentive zoning system would work.

DISCUSSION/OPTIONS:

The list of activities that can be bonused in the Secondary Planning Strategy was arrived at through public consultation and through the deliberation of the Urban Design Task Force which itself is a body representative of all HRM residents. Upon adoption of this Plan the decision on which activities can be bonused should be provided in exchange for what bonus will be made by the design review committee, itself also a body representative of all HRM residents. Beyond these tools, the annual and 5-year Plan Monitoring program will be an additional tool to fine-tune the Bonus Zoning program as needed.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 76: Remove Bonus Provisions

ISSUE/CONCERN:

Recommendation that the bonus zoning system is removed from the Plan.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.3.5 Incentive/Bonus Zoning (p.63) outlines how the incentive zoning system would work.

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Page 6 – Incentive Bonus System outlines how the incentive zoning system would work.

DISCUSSION/OPTIONS:

The improved clarity, predictability and timeliness of the new development approval process create value for an applicant. The goal of the bonus zoning provisions are to leverage that value into a partnership between the municipality and the private sector for the provision of public realm improvements and the provision of important on-site amenities. Primary among the public benefits that will be supported by bonusing is heritage conservation. In fact, development of sites that contain a heritage resource will automatically be ineligible for the bonus unless they development retains and enhances the heritage asset. The vision of the future downtown Halifax that has been articulated by HRM residents has a cost, and the Bonus Zoning program is the first step in meeting that cost.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 77: List of Public Benefits

ISSUE/CONCERN:

Recommendation that a provision in the list of public benefits to be provided through the bonus zoning is for affordable housing and assisted living for seniors over 55 years of age, for example requiring a set percent of new housing to be seniors housing.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.3.5 Incentive/Bonus Zoning (p.63) outlines how the incentive zoning system would work.

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Page 6 – Incentive Bonus System outlines how the incentive zoning system would work.

DISCUSSION/OPTIONS:

This has previously been mentioned with respect to the Regional Plan. Under current legislation HRM cannot regulate tenure or discriminate based on age. In addition, any new requirements placed on the development process should only be introduced further to consultations with community stakeholders and development community. This is however a good recommendation for inclusion in the bonus zoning system to help address the needs of all of our stakeholders.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to research in further detail the possibility of adding provisions for assisted living services to the list of bonusable public benefits.

ISSUE # 78: Community Needs to Determine Bonus

ISSUE/CONCERN:

Recommendation that the process for identifying acceptable public benefit for each development is decided by examining the community needs and priorities (i.e. public art versus affordable housing).

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.3.5 Incentive/Bonus Zoning (p.63) outlines how the incentive zoning system would work.

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Page 6 – Incentive Bonus System outlines how the incentive zoning system would work.

DISCUSSION/OPTIONS:

The list of activities that can be bonused in the Secondary Planning Strategy was arrived at through public consultation and through the deliberation of the Urban Design Task Force which itself is a body

representative of all HRM residents. Upon adoption of this Plan the decision on which activities can be bonused should be provided in exchange for what bonus will be made by the design review committee, itself also a body representative of all HRM residents. Beyond these tools, the annual and 5-year Plan Monitoring program will be an additional tool to fine-tune the Bonus Zoning program as needed.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 79: Exceptions to Building Height and Massing

ISSUE/CONCERN:

Recommendation that Policy UD-16 *Exceptions to Building Height and Massing* is removed or reworded to provide clarity of its intent. It appears now that developers will always have the opportunity to challenge the height and massing rules, which is not the intent of having height and massing entrenched in the Land Use By-law.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Policy UD-16 (p.64) recommends that HRM may permit through the Land Use By-law modest exceptions to the Height and Built Form Framework.

DISCUSSION/OPTIONS:

On one hand very firm and rigid rules for development are favoured because they create clarity, predictability and timeliness in the process for both residents and applicants. On the other hand, a rigid approach to rules can run into difficulty when an application that is otherwise very good simply can't meet the exact wording of the Land Use By-law. For example if the streetwall height requirement is 50', but because of structural reasons the applicant would like to go to 51', then that should be accommodated, especially when the project is making a positive contribution to the downtown and when the over-riding spirit and meaning of the Land Use By-Law is not being subverted. For reasons such as this the ability to allow modest exceptions to such things as streetwall height or setback is desirable. It should be noted, however, that exceptions to the absolute height of structures as shown on Map ZM-4 may not be altered.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 80: Strategy for Ensuring Public Benefits are Achieved

ISSUE/CONCERN:

Recommendation that the Plan outlines how the enforcement of the agreement between HRM and the developer to provide public benefit will work, deadlines for the provision, and how enforcement of the agreement will occur.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.3.5 Incentive/Bonus Zoning (p.63) outlines how the incentive zoning system would work.

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Page 6 – Incentive Bonus System outlines how the incentive zoning system would work.

DISCUSSION/OPTIONS:

The Secondary Planning Strategy will be revised to remove the reference to Site Plan Agreement. This is not enabled by existing or proposed legislation. However, an agreement is required between HRM and a developer when considering the bonus zoning program. The agreement is a contract between the two parties and will be registered on title. Deadlines are best identified an agreement not Plan policy and the enforcement of the agreement is subject to HRM's standard enforcement procedures as prescribed in legislation.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to remove the reference to Site Plan Agreement in Volume 1: Downtown Halifax Secondary Planning Strategy (Policy 1-3, p.113.)

ISSUE # 81: Amend Bonus Zoning Structure to Include Cash Payment on Square Foot Basis

ISSUE/CONCERN:

Recommendation that the policy on bonus zoning is amended to include an option for an up-front cash payment to the Municipality for use towards a public benefit, which will be determined by a calculation of the square feet of space achieved to a maximum of \$10,000 per floor.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.3.5 Incentive/Bonus Zoning (p.63) outlines how the incentive zoning system would work.

Volume 3: Downtown Halifax Land Use By-law & Fact Sheet

- Page 6 – Incentive Bonus System outlines how the incentive zoning system would work.

DISCUSSION/OPTIONS:

The primary intent of the Bonus Zoning program is the provision of on-site public benefit. When the provision of on-site benefit is found to be challenging due to site or other technical constraints, and applicant has the option, when all other possibilities have been exhausted, to negotiate an agreement with HRM for the provision of off-site heritage preservation of public realm improvement of a value equal to the value of the unattainable on-site bonus, and may be made in the form of a cash payment. The Design Review Committee and HRM staff shall work with the applicant in determining the nature, location and value of the off-site improvement.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to amend the bonus zoning system to allow applicants to provide off-site public benefit (i.e. heritage preservation, public realm improvement, etc.) when site-related or other technical issues make the provision of on-site benefits impractical. The value of the off-site benefit will be formula-driven, based on the square footage of the building area granted as a bonus.

ISSUE # 82: Clarity in Plan Amendment Policy

ISSUE/CONCERN:

Recommendation that Policy I-14 is reworded to create more clarity about what it considers being a substantial contribution to the public in a development proposal, which would qualify for a plan amendment.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Policy I-14 (p.118) recommends that HRM may consider a plan amendment should a developer have an application that provides significant public benefit.

DISCUSSION/OPTIONS:

Policy I-14 provides Council with parameters for considering where amendments to the Plan would be considered.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommend that the wording of this policy be changed to provide further clarification.

TOPIC 14: PUBLIC CONSULTATION

ISSUE # 83: Extend the Public Review Period

ISSUE/CONCERN:

Recommendation that the public review period to examine and provide comments on the Plan is extended to allow sufficient time to understand the implications of the Plan and provide recommendations for improvement.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Page 1 denotes that the deadline for written public comments is April 23, 2008.

DISCUSSION/OPTIONS:

The public review period to examine and provide written comments on the final draft of the Downtown Halifax Urban Design Plan was from April 7 - 23. During that time, a public open house was held on April 16 to provide an overview presentation of the Plan and respond on a one-on-one basis to questions and concerns of residents. HRMbyDesign received 168 written comments or letters about the Plan, which is now the focus of careful analysis and review by the Urban Design Task Force and project staff. These comments will inform the final report to Council and a formal Response to Public Comments document will be released to the public in advance of the first reading at Council.

RECOMMENDATION & REQUIRED AMENDMENT:

The project schedule has been extended to allow more time for the Urban Design Task Force and staff to fully consider the considerable amount of written public submissions, and a stakeholder workshop has been added to allow for input on the draft Downtown Halifax Land Use By-law.

ISSUE # 84: Demographics of Engaged Citizens

ISSUE/CONCERN:

Recommendation that HRMbyDesign increase engagement of the youth and student populations, in addition to a wider cross-section of HRM residents.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S.1.2 How this Plan was Created (p.15) and S.1.2.1 The Role of the Urban Design Task Force (p.16) of the Secondary Planning Strategy outline the public consultation process that has been undertaken since the project began in July 2006.

DISCUSSION/OPTIONS:

HRMbyDesign's public consultation program has achieved record participation levels among any other public consultation process held by HRM in recent years. In particular, the public engagement and participation in the downtown Halifax planning phase has been exceptional, drawing more than 500 participants at two large public forums in September and November 2007, and just over 400 participants at the recent open house to review the final draft of the Plan. To date, demographic studies have not been conducted on the cross section of residents attending the public forums to determine the reach of the public consultation. However, a campaign to involve university and college age students in the upcoming public hearing is currently being developed and targeted outreach is conducted towards group like Fusion Halifax, Envision Halifax, Ecology Action Centre, etc.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 85: Public Consultation before Council Presentation

ISSUE/CONCERN:

Recommendation that the workshops that were proposed earlier in the HRMbyDesign process for the Implementation phase are reinstated to provide the public with a proper method of reviewing and discussing the Plan contents.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

HRMbyDesign has engaged the public through six large-scale public forums and open houses since its inception in July 2006, in addition to numerous one-on-one stakeholder meetings, presentations, and public displays. A long-term project schedule initially indicated that workshops would be held during the implementation phase of the project, to work on issues such as transportation, sustainability and affordable housing. These issues were subsequently discussed at each of the two forums on downtown Halifax and have been the subject of several Urban Design Task Force meetings. The information gathered from the Task Force and the public informed the content of each section of the Plan in addition to input from the consultants and staff members working on these issues. The public review period held from April 7 -23 provided the public with the opportunity to add to the content in the Plan by providing concrete suggestions and changes for each volume. Over 168 written submissions were received by the project, each of which will be carefully analyzed and considered for inclusion in the final report to Council. A stakeholder workshop to examine and provide input on the draft Downtown Halifax Land Use By-law has also been scheduled as part of the public review. Following the first reading by Council, a public hearing date will be set to provide a final opportunity for public input.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 86: Public Review of Land Use By-law

ISSUE/CONCERN:

Recommendation that the Downtown Halifax Land Use By-law is released for public review in advance of the presentation of the final Plan to Council, so that the public has a chance to compare the planning strategy with the accompanying enacting legislation.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- The Notice to Readers (p.2) indicates that the Downtown Halifax Land Use By-law is not complete for public review at this time, however Volume 3: Land Use By-law Fact Sheet provides an overview of its content.

DISCUSSION/OPTIONS:

The Downtown Halifax Land Use By-law is currently being finalized following an intense technical review by several internal stakeholders. Following this review, the by-law will be released for review and discussion at a small stakeholder workshop, where industry representatives from development, design, business, heritage and economics will have the opportunity to provide feedback. These recommendations will be incorporated along with staff and Task Force comments in advance of the first reading at Council. In addition, the Design Manual was released in its entirety during the public review, which is a key part of the Land Use By-law.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 87: Review by District #12 Planning Advisory Committee

ISSUE/CONCERN:

Recommendation that the draft Downtown Halifax Urban Design Plan is formally reviewed by the District #12 Planning Advisory Committee as a recognized advisory committee to Council.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

Under Council's approved public participation procedures, issues of a regional nature are not required to be reviewed by local planning advisory committees. Furthermore, Halifax Regional Council approved a public participation program for HRMbyDesign, which established the Urban Design Task Force as the body to advise Council on this process. Members of District 12 PAC were sent copies of the documents and invited to submit as part of the public review period. Further to this, staff is scheduling a meeting with the Committee during the month of May to provide an update on the project in preparation for the public hearing to be scheduled by Council in the coming months.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 88: Public Consultation Meetings

ISSUE/CONCERN:

Recommendation that a list of all public and private meetings held as part of the public consultation program with HRMbyDesign are attached to the final report to Council on the downtown Halifax phase of HRMbyDesign.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S.1.2.1 The Role of the Urban Design Task Force (p.16) provides a list of the number and type of meetings, presentations, displays, workshops, Council presentations, and reports that have been generated by the HRMbyDesign project.

DISCUSSION/OPTIONS:

A comprehensive list of public consultation events and meetings is already detailed in S.1.2.1 of the Downtown Halifax Secondary Planning Strategy. A secondary list could be provided as an attachment to the Downtown Halifax Secondary Planning Strategy to provide further support for the overwhelming amount of stakeholder engagement throughout this process.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that a more detailed list of the one-on-one and public meetings, open houses, workshops, presentations, and displays that have been undertaken by HRMbyDesign since entering the downtown Halifax phase of the project is attached to the final report to Council.

ISSUE # 89: Public Hearing Procedures

ISSUE/CONCERN:

Recommendation that HRMbyDesign recommend that Council extend the traditional 5-minute time allotment for each speaker at a Public Hearing to 30 minutes for the Downtown Halifax Urban Design Plan.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

HRM Regional Council has a tradition of providing a 5-minute opportunity for each member of the public at a public hearing to speak in front of Council. Due to the high number of residents expected to attend the public hearing on the Downtown Halifax Urban Design Plan, it will not be feasible to

increase the amount of time allotted for each person or group to speak. However, staff will be reviewing with the Urban Design Task Force and Council options for organizing the public hearing to accommodate the high level of public interest in the project.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 15: POLICIES

ISSUE # 90: Strengthen Policy Structure in the Secondary Planning Strategy

ISSUE/CONCERN:

Recommendation to strengthen the policies in the Secondary Planning Strategy to include stronger statements of action, link them to the Land Use By-law and the Design Manual for implementation and regulation, and ensure that they are complete.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

DISCUSSION/OPTIONS:

During the ongoing technical review with staff and key stakeholders of all Plan documents, the need has been identified for an action plan that will identify and illustrate how the plans connect and work together, and how outstanding policies will be addressed through functional plans following adoption of the Downtown Plan.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to create an action plan that will ensure all policies are linked throughout the documents and outstanding policies are identified for further study through functional plans.

ISSUE # 91: Regulations for Empty Lots

ISSUE/CONCERN:

Recommendation that the Downtown Halifax Land Use By-law prohibits empty lots downtown with no development activity for a maximum of six months.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

Municipalities cannot directly require that lands be developed. However, there may be other ways in which HRM can address such issues that might be explored outside of the project.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 92: Current Municipal Planning Strategy

ISSUE/CONCERN:

Recommendation that the existing Municipal Planning Strategy is retained in its entirety.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

The new downtown plan will become a secondary plan within the Municipal Planning Strategy. Status quo is not an option. The Plan carries forward aspects of the existing plan, for example protection of viewplanes, however, it brings additional clarity, improved design control and strengthened heritage protection.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 93: Relationship to Other Plans

ISSUE/CONCERN:

Recommendation that the relationship of the Downtown Halifax Secondary Planning Strategy to other plans including the Regional Plan is explained in more detail. The population projections and future growth scenarios are not consistent with the recently released Regional Plan.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S.1 Introduction (p.11) provides an overview of why the Plan is needed and how it relates to other plans, including the Regional Plan.

DISCUSSION/OPTIONS:

The Secondary Planning Strategy (SPS) will be the primary document for guiding future development in downtown Halifax. The Regional Plan will contain policies that reflect the regional significance of downtown Halifax as the primary economic centre for the region and a major area for growth. The Regional Plan will contain regional policies related to sustainability and transportation beyond the scope of a local SPS.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to provide additional clarity on the relationship of the SPS to the Regional Plan.

ISSUE # 94: Regional Plan Amendments

ISSUE/CONCERN:

Recommendation that the Regional Plan amendments are either removed or reworded to strengthen rather than weaken the Regional Plan.

DOCUMENT:

Volume 5: Regional Plan Amendments

DISCUSSION/OPTIONS:

The intent of the Regional Plan Amendments is primarily to remove interim policies that were adopted pending the completion of the Regional Centre Urban Design Study.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 16: PLAN MONITORING

ISSUE # 95: Citizen Involvement in Plan Monitoring

ISSUE/CONCERN:

Recommendation that citizens are engaged in the monitoring and review processes for this Plan as per the HRM 20/20 Vision and Values document submitted on October 3, 2000 to Council and citizens by the HRM 20/20 Organizing Committee.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 8.5 Plan Monitoring Program and Policy I-10 (p.116) outline the plan monitoring program.

DISCUSSION/OPTIONS:

The Plan anticipates the appointment of a standing advisory committee to lead and advise Council on the plan monitoring program. Further detail could be added on the composition and role of the Committee.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation to amend Policy I-10 and its preamble to provide further detail on citizen engagement as part of the plan monitoring committee.

TOPIC 17: AFFORDABLE HOUSING

ISSUE # 96: Minimum Standard for Affordable Housing

ISSUE/CONCERN:

Recommendation that this Plan sets a minimum standard for the provision of affordable housing in all new developments with a residential component.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.2.5 Provision of a Mix of Housing Types (p.56) outlines how this Plan will address unit types and

affordability.

DISCUSSION/OPTIONS:

The plan supports affordable housing, but only as a bonus provision. Municipalities do not have the authority to require that a portion of dwelling units be devoted to affordable housing.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 97: Guidelines for Affordable Unit Types

ISSUE/CONCERN:

Recommendation that the Plan provides building design guidelines to ensure a mix of unit types, including affordable and family housing.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.2.5 Provision of a Mix of Housing Types (p.56) outlines how this Plan will address unit types and affordability.

DISCUSSION/OPTIONS:

The land use by-law specifies that a certain number of dwelling units have a larger number of bedrooms. In addition, through the bonus provisions, such mixed housing is specified.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 18: ECONOMIC DEVELOPMENT & FUNDING

ISSUE # 98: Investment to Implement the Plan

ISSUE/CONCERN:

Recommendation that a detailed budget and strategy for implementing this Plan is released for public review.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 8.4 Public Investment (p.115) and Policy I-9 recommend that HRM shall develop a downtown Halifax Capital Investment Functional Plan to prioritize areas where future public investment will be required.

DISCUSSION/OPTIONS:

The Planning documents provide a strategy and road map for guiding public and private investment throughout the Downtown Halifax over the next twenty-five years. The plan envisions investment in the following key areas: heritage incentives, streetscapes and open space improvements and transportation enhancements. These improvements will be considered through HRM budgets and through partnership with developers through the incentive zoning system of the plan. To move these visions to action a five year budget plan has been presented and approved in principle by Council which includes 3 million dollars in a heritage incentive funding to support the revitalization for the Barrington Heritage District, 6 million dollars for streetscape improvements, 6 million dollars in transit funding to implement a Downtown Shuttle program, and 27 million dollars in transit funding for the fast ferry.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 99: Collaboration with Other Government Partners

ISSUE/CONCERN:

Recommendation that the Province and the Federal Government are more involved in working with HRMbyDesign to determine the requirements for strategic public facilities investment and plans for public lands.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Policy E-5 (p.88) recommends that HRM work in cooperation with other levels of government to encourage the strategic redevelopment of public lands and investment in public facilities.

DISCUSSION/OPTIONS:

HRM has partnered with the Provincial and Federal agencies in this project (Service Nova Scotia and Municipal Relations and Federal ACOA). This project builds on a previous intergovernmental public lands and facilities study completed in 2004 that recommended a strategic and coordinated approach to public lands and facilities development. The completion of the Joint Public lands Plan for municipal and provincial lands, including the Grand Parade and Province House, and Spring Garden & Queen Street with the Province represent the benefits of a coordinated approach. Policy E-5 in the Economic Chapter calls for HRM to continue to collaborate with other levels of government in the implementation of the Plan.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 100: Planning for Redevelopment of Cogswell Interchange

ISSUE/CONCERN:

Recommendation that an intense planning exercise is undertaken for the potential redevelopment of the Cogswell Interchange lands, with a detailed budget and time lines.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 5.3 Cogswell Interchange Lands (p.88) and Policy E-6 (89) recommend that HRM undertake a Cogswell Interchange Functional Plan as a priority to ensure strategic use and design of these lands.

DISCUSSION/OPTIONS:

As part of the approval of the vision for downtown Halifax, Council approved moving forward with a design master plan for the redevelopment of the Cogswell Interchange lands. This project will begin in the coming months in parallel with HRMbyDesign. One of the key factors will be the design of the street network and development pattern to realize the principles of HRMbyDesign related to reconnecting the downtown with the waterfront and north end neighbourhoods. Also important are investigations to determine the optimal timing of the interchange redevelopment to avoid any detrimental impacts on the downtown market.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 101: Research for Population and Development Capacity Projections

ISSUE/CONCERN:

Recommendation that the Plan re-examine its projections for future growth in relation to population and development capacity in Downtown Halifax in light of projections provided in other municipal plans (Regional Plan), the Imagine Our Schools initiative, and capacity requirement projections provided by two local business organizations.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 5.1 Economic Competitiveness (p. 85) and Policies E-1 and E-2 (pp.86-87) outline the capacity requirements and projections for the downtown study area over the next 25 years.

DISCUSSION/OPTIONS:

HRMbyDesign has conducted a detailed capacity analysis versus population projection, demonstrating that there is potential to accommodate additional growth than was anticipated by the Regional Plan.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation for amendments to better reflect the importance of the central business district in the future economic growth of downtown and the region and other desired growth outcomes of the Plan. Also they should reflect that downtown is in period of transition and therefore requires close monitoring of growth targets. More economic measures for plan monitoring should be added.

Recommendation to develop an Economic Indicators Functional Plan in partnership with the Greater Halifax Partnership and other representatives from the business community.

TOPIC 19: STREETSCAPES

ISSUE # 102: Pedestrian Priority Streets

ISSUE/CONCERN:

Recommendation that pilot projects should be conducted on a few small side streets in downtown to

create pedestrian only or pedestrian priority streets. Testing will allow HRM to determine long-term public support for this type of initiative.

DISCUSSION:

Volume 1: Downtown Halifax Secondary Planning Strategy

- Map 14 – Streetscape Typology map and Appendix A Streetscape Typology.

DISCUSSION/OPTIONS:

The Plan designates a number of pedestrian priority streets where streetscape improvements are envisioned to support greater pedestrian use through pedestrian schemes such as wider sidewalks to accommodate outdoor seating and cafes, and amenities such as tree planting and bicycle infrastructure. As the Plan is implemented, detailed design concepts will be developed in consultation with area merchants to move forward with improvements for specific streets which balance pedestrian needs with other interests such as transit and loading and access for businesses. Council has approved in principle as part of its five-year budget plan capital funding for streetscape improvements along Barrington Street and Spring Garden Road, which will provide a candidate demonstration project for this plan.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 103: Seasonal Street Treatments

ISSUE/CONCERN:

Recommendation that this Plan includes strategies for seasonal treatment of some streetscapes in the downtown, including appropriate weather protection, provision for sidewalk cafe's, street closures in the summer and an increase in pedestrian amenities on certain high traffic streets.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.2 Land Use Framework (p.90) outlines strategies for streetscape treatments and uses.

DISCUSSION/OPTIONS:

The Plan has a strong emphasis on pedestrian amenity and activity and identifies streets as a primary component of the public realm for Downtown Halifax. Policy P-5 identifies pedestrian priority streets

where HRM will encourage pedestrian oriented activities such as sidewalk cafes and street festivals. Further to this Policy P-19 supports the development of a street closure policy to support the temporary closure of certain streets for street related festivals and events. Street level weather protection will be encouraged through the design review process.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 104: Sidewalk Widening

ISSUE/CONCERN:

Recommendation that sidewalks are widened throughout the downtown when appropriate on major streets to increase the walkability factor.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.2.2 Pedestrian-Oriented Commercial Streetscapes (p. 52) outlines why these pedestrian areas should have high quality streetscape treatment.

DISCUSSION/OPTIONS:

The Plan identifies streets as the primary aspect of the public open space network and requires that they be designed to ensure a culture of walking through widened sidewalks along major pedestrian routes.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 20: WATERFRONT

ISSUE # 105: Building Form on the Waterfront

ISSUE/CONCERN:

Recommendation to amend guidelines for new buildings on the waterfront between Lower Water Street and the Harbour. Heights should be reduced from the suggested 160' limit to be more in scale with

existing structures (i.e. 6 storeys) and setbacks and stepbacks should be carefully devised to maintain views to and from the water and ensure that buildings do not encroach on the boardwalk.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.3.4 Building Height and Massing (p.59) outlines the approach to building and streetwall height and built form.
- Map 7 – Maximum Permitted Heights map

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 2 Overall Building & Streetwall Height outlines the approach to building and streetwall height.
- Page 4 Special Situations describes how the built form framework may be more flexible in areas such as the waterfront to respond to its unique character.

DISCUSSION/OPTIONS:

Development on the waterfront will occur through the site plan approval process that will take many of these matters into account. While there is an allowance for tall buildings, the regulations specify that they should slender in form, thereby reducing their impact upon the public realm. Furthermore, these taller structures are to be located away from the water's edge.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation: to ensure adequate consideration is given to the design of development along the waterfront, it is recommended that the site plan approval process and land use by-law should be amended to allow more control and discretion for development in this area.

ISSUE # 106: Waterfront Lands for Affordable Housing

ISSUE/CONCERN:

Recommendation to use the waterfront lands for provision of affordable housing, as they are already in public ownership.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

Other than through the bonus provisions, the municipality does not have the ability to specify that a certain portion of dwelling units be reserved for affordable housing. The province owns much of the waterfront, where the provision of such housing could be a consideration.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 20: OTHER REQUESTS

ISSUE # 107: Public Restrooms

ISSUE/CONCERN:

Recommendation that the Plan provide recommendations for the provision of public restrooms throughout the downtown to improve the walkability of the downtown for tourists and walkers.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

The issue of public washrooms is an important aspect of public space design for both public facilities and parks. Locations for public washrooms are addressed as part of HRM's Capital District Streetscape guidelines and will be addressed during the Open Space Functional Plan recommended by this Plan.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE # 108: Document Format

ISSUE/CONCERN:

Recommendation that the Plan is separated into two parts - principles and details. It is important to understand the detail to support the overall plan however there is significant detail that may not be understood by the general public. Also, references to some claims throughout the document such as the need for more transportation infrastructure, would lend the document more support for enacting the policies.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

Volume 2: Design Manual

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

Volume 4: Barrington Street Heritage Conservation District

Volume 5: Regional Plan Amendments

DISCUSSION/OPTIONS:

The documents will be restructured and edited to provide greater clarity regarding the vision and policy intent and to remove any redundancies. The Design Manual in particular will be simplified and refocused on matters related to external design of development and to clarify objectives and guidelines. The public realm design guidelines will be re-purposed into a public realm handbook to be adopted into policy by HRM.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation that the documents are reformatted as described above.

ISSUE # 109: Spring Garden Road Library

ISSUE/CONCERN:

Recommendation that the current Spring Garden Road Public Library is recycled rather than demolished when the new library is built, to house the municipal archives so that they are once again in an accessible location.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

As a result of the public consultation undertaken as part of the Spring Garden/Queen Street Area Joint Public Lands Plan (JPLP), it has been established that the existing Memorial Public Library will be retained, as will the public space that surrounds it. The Library structure is in an advanced state of deterioration and it is unlikely that anything other than its facade will be salvageable unless a great deal of money is made available for that purpose. In recognition of this fact the JPLP, through its consultation, concluded that the only a commercial re-use of the site would be able to bring enough money to bear on the site to make even maintaining the facade feasible. The JPLP was adopted in principle by Council in 2007 and is not altered by this Plan.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

ISSUE #110: Pedways

ISSUE/CONCERN:

Recommendation that the reference to the importance of existing pedways is removed from the Downtown Halifax Secondary Planning Strategy as it is not consistent with the overall vision of vibrant streetscapes with street level activity.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- S. 3.2.3 Pedestrian Weather Protection (p.53)

DISCUSSION/OPTIONS:

The intent of the Plan is that future pedestrian connections will be encouraged at sidewalk level, however it is recognized that pedways are designed to allow for continued connectivity between hotels and other major downtown destinations. In the final documents, the Design Manual will provide guidance for external design of pedways should they be proposed as part of a major development.

RECOMMENDATION & REQUIRED AMENDMENT:

No changes are recommended.

TOPIC 21: TECHNICAL REVIEW ISSUES

ISSUE # 111: Land Use Strategy

ISSUE/CONCERN:

Recommendation that the Land Use Functional Areas are removed from the plan as well as the buffering provisions.

DOCUMENT:

Volume 1: Downtown Halifax Secondary Planning Strategy

- 3.2 Land Use Functional Areas (p.50) and Policy UD-2 (p.52), which recommends that HRM encourage a mix of land uses in downtown Halifax.

Volume 3: Downtown Halifax Land Use By-law Fact Sheet

- Page 5 – Land Uses describes noise compatibility issues to be addressed through buffering of residential and entertainment uses.

DISCUSSION/OPTIONS:

The removal of the Land Use Functional Areas and the buffering provisions is the result of the ongoing technical review by staff to fine tune the Plan before it is presented to Council.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation for the Land Use Functional Areas and the buffering provisions to be removed from the SPS and the Land Use By-law.

ISSUE # 112: Non-conforming buildings

ISSUE/CONCERN:

Recommendation that there should be provisions for existing buildings that do not conform to the built form framework.

DOCUMENT:

N/A

DISCUSSION/OPTIONS:

The Plan currently does not address how to deal with existing buildings that do not conform to the built

form framework, without penalizing them by giving them a non-conforming status. This issue will be worked on further during the technical review and the final documents that will be presented to Council will contain a policy to prevent existing buildings from becoming non-conforming.

RECOMMENDATION & REQUIRED AMENDMENT:

Recommendation for the development of provisions for dealing with existing buildings that do not conform to the built form framework to be inserted into the Plan.