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Halifax Regional Municipality
40 Alderney Drive, 2nd Floor (Alderney Gate)
Halifax, NS

Via E-Mail: agarm@halifax.ca

Dear Miles:

RE: Proposal to Amend the Halifax Municipal Planning Strategy and Land Use By-Law

Dalhousie University is steadily implementing the 10-year capital program expected in its 2010 Campus Master Plan. Major campus improvements have occurred with recent examples such as the Wallace McCain Learning Commons (2015), Collaborative Health Education Building (2015), expansion and renovation to the Student Union Building (2016), Dalplex Fitness Centre (2018), and the IDEA Project (2018). Planning is underway to address both unmet needs and future challenges required to maintain Dalhousie's competitive edge. Several policies and regulations contained in the planning documents for Halifax Peninsula are subject for reconsideration. In order to continue the capital program, Dalhousie proposes amending the Halifax Municipal Planning Strategy and Land Use By-Law.

At this time, Dalhousie is requesting one specific policy and land use by-law text amendment related to horizontal setbacks affecting Dalhousie's Studley Campus.

South Street, Oxford Street and Coburg Road 50 ft Setback

The Municipal Planning Strategy for Halifax Peninsula (1978) requires a setback along South Street from LeMarchant Street to Oxford Street, along Oxford Street from South Street to Coburg Road, and along Coburg Road from Oxford Street to LeMarchant Street of a minimum of 50 feet (Policies 4.6.2, 4.6.3 and 4.6.3.1 – Peninsula Centre Plan Area). The Halifax Peninsula Land Use By-Law confirms the policy intent for the 50 foot setback in 70BB(1)(a).

The 2017 Centre Plan (Purple Document) outlines that buildings should be placed at the edge of the street with clearly defined entry points that address the sidewalk (Streetwall Character 2.1.2 (u)). In understanding that the Centre Plan may address this issue in package B, Dalhousie requests consideration of amending the 50-foot setback prior to that time given uncertainties related to when that might occur.

Halifax City Council adopted the Municipal Planning Strategy for the Halifax Peninsula at a time when Dalhousie's student enrollment was 8,949. Today's enrollment number is 19,223 and our capital program continues to address unmet needs. It is understood that the Centre Plan Package B document may create new policies and regulations that address the setback issue; however, the Package B document has an estimated completion date of Q4 2020/21 (Planning & Development 2019/20 – 2020/21 Multi-Year Budget and Business Plan). With the many complexities associated with the Centre Plan, we are seeking to mitigate uncertainties as they relate to our 2010 Campus Master Plan.

We look forward to undertaking this amendment process.

Sincerely,

Ian Nason
Vice-President
Finance and Administration

c.c.

**Proposal to Amend the
Municipal Planning Strategy and Land Use By-Law for the Halifax Peninsula
Planning Rationale**

Particulars of the Amendment Being Requested

Dalhousie University requests amending the minimum setback requirement in Policy 4.6.2 of the Municipal Planning Strategy for the Halifax Peninsula.

South Street, Oxford Street, and Coburg Road 50-foot Setback

The Municipal Planning Strategy for Halifax Peninsula (1978) requires a setback in any area designated as university along South Street from LeMarchant Street to Oxford Street, along Oxford Street from South Street to Coburg Road, and along Coburg Road from Oxford Street to LeMarchant Street of a minimum of 50 feet (Policy 4.6.2 – Peninsula Centre Plan Area). The Halifax Peninsula Land Use By-Law confirms the policy intent for the 50-foot setback in 70BB(1)(a).

The 2017 Centre Plan (Purple Document) outlines that buildings should be placed at the edge of the street with clearly defined entry points that address the sidewalk (Streetwall Character 2.1.2 (u)). In addition, the Centre Plan supports the growth of educational institutions within the Regional Centre (Employment Area 3.7 Objective E2). In understanding that the Centre Plan may address this policy issue in package B, Dalhousie requests consideration in amending the 50-foot setback prior to that time given uncertainties related to when that might occur.

How the Requested Amendment Aligns with the Centre Plan (Purple Document)

Dalhousie University is within the Institutional Employment Area according to the 2017 Centre Plan (Purple Document). The objectives for all Employment Areas include:

- E1: To maintain and protect existing areas of employment within the Regional Centre.
- E2: To support the growth of the Regional Centre's institutions, including governmental, educational, and health sectors.
- E3: To create a safe and comfortable public realm for people of all ages and abilities.
- E4: To develop and improve access and functionality in community/recreation centres and cultural facilities within the Regional Centre.

The 2017 Centre Plan Purple Document aims to maintain employment in existing areas and support the growth of educational sectors. Amending the current 50-foot setback would better align with the objectives of the 2017 Centre Plan Purple Document.

The 2017 Centre Plan Purple Document specifies the need for transitional measures to minimize off-site nuisance impacts. Major academic and cultural facilities, such as, but not limited to, laboratories, lecture halls, libraries, theatres, and student centres, should be sited to minimize off-site nuisance impacts from noise, parking, or other adverse impacts upon adjacent or nearby residents (Facility Locations 3.7.2(i)). Commonly cited nuisance impacts of a university are related to noise, smoking, garbage, and privacy. Gathering places are also cited as cause for community concern. The 50-foot setback is effectively creating an unintended gathering place proximate to the neighbouring residential

area most notably on South Street according to neighbourhood accounts made to Dalhousie through the Annual Community Meeting.

How the Requested Amendment Aligns with the Regional Municipal Planning Strategy

The Regional Municipal Planning Strategy (2014) states the importance of intensification of the Regional Centre. The following principles (1.2 Vision and Principles) behind the RMPS support Regional Centre intensification:

- Preserving and promoting sustainability of cultural, historical and natural assets;
- Supporting the Regional Centre as the focus for economic, cultural and residential activities;
- Managing development to make the most effective use of land, energy, infrastructure, public services and facilities, and fostering healthy lifestyles;
- Ensuring opportunities for the protection of open space, wilderness, natural beauty and sensitive environmental areas; and,
- Developing integrated transportation systems in conjunction with the above principles.

Numerous policies within the RMPS (2014) encourage and direct intensification within the Regional Centre. These policies include:

- Increasing the number of housing starts within the Regional Centre (3.1.2);
- Creating growth incentives for development such as through the introduction of incentive or bonus zoning and allowing for infill development (3.6, S-30; 6.4, RC-3);
- Directing new growth to areas where infrastructure and services already exist (3.1.3);
- Directing growth to designated growth centres and corridors (3.2.1);
- Supporting and reinforcing growth areas by an appropriately designed transit service and active transportation network (4.1.2);
- Require mixed-use residential and commercial areas to maximize access to public transit through Transit-Oriented Development (4.2.3, T-9);
- Building and revitalizing an attractive and vibrant Regional Centre (5.1.1; 5.1.9; 6.0);
- Preparing capital and operating programs to enhance development within the Regional Centre (6.1.3);
- Strengthening the Regional Centre through compact and human-scaled urban fabric (6.2.1(v));
- Designing and building with respect for economic, environmental, social, and cultural sustainability (6.2.2(I));
- Supporting safe, mixed-use and diverse neighbourhoods, including: affordable housing and a variety of tenures; residential, commercial, employment uses; and visually and physically accessible amenity space, including schools and parks within walking distance (6.2.2(V));
- Ensuring that new developments respond to the natural, cultural, historical, and urban character of their context (6.2.2(VI)); and,
- Direct change and intensification to areas that will benefit from growth (6.2.2(VI)).

These numerous intensification policies within the RMPS aim to direct development within the Regional Centre thereby providing higher densities at existing properties and supporting future residential and employment growth. Amending MPS Policy 4.6.2 provides greater intensification on existing properties and better aligns the intensification policies of the RMPS.

Uniqueness of the 50-Foot Setback

Within the Land Use By-Law for the Halifax Peninsula, the setback of 50-feet is unique in that it is only applicable to Dalhousie University. Considering other uses within the Land Use By-Law for Halifax Peninsula, other uses did not require a setback greater than 25-feet. Table 1 demonstrates that the 50-foot minimum setback applied to Dalhousie University lands is unique in comparison to other land uses that are similar or may be more of a nuisance than a university institution.

Table 1: Zones in the Land Use By-Law for the Halifax Peninsula and Associated Setback Requirement

Zone	Minimum Setback Requirement	Example Land Uses
P (Park and Institutional)	20 feet	Public park, recreation field, sports club, community facilities, hospital, school, and university.
C-2 (General Business)	None (with some exceptions for 2-feet or 5-feet)	Service stations, restaurants, parking lots, retail, postal service facility, community facilities, motor vehicle dealers, breweries, and motor vehicle repair shops.
C-2A (Minor Commercial)	None (with some exceptions for 20-feet or 4-feet)	Bowling alley, motion picture theatre, service station, restaurant, community recreation uses, and day care facility
C-2C (Minor Commercial)	None (with one exception of 4-feet)	Motion picture theatres, service stations, restaurants, bakeries, parking lots, parking structures, and commercial schools.
C-3A (Business Service)	5 feet	Commercial schools, offices, public halls, municipal buildings, research and development facilities, wholesale and distribution businesses, publishing and production firms, plumbing and electrical contracting businesses, certain warehouses, and commercial recreation areas.
C-3 (Industrial)	None (with one exception of 25-feet)	Wastewater treatment facility, brewery, motor vehicle dealers, motor vehicle repair shops, sheet metal contractor, waste management facility, municipal facility, railway operations facilities, and commercial printing facility.

Uniqueness of the Setback Related to Dalhousie University Buildings

Several Dalhousie University buildings pre-date the 1978 MPS and are located within the 50-foot setback. The Halifax Regional Municipality Charter (2008) allows these buildings to continue to exist despite the minimum setback requirements of the Municipal Planning Strategy and Land Use By-Law for the Halifax Peninsula (253(1)). These buildings challenge the need for a 50-foot setback since the nuisance issues referenced by the community commonly reference gathering spaces and not proximity of buildings to the street.

As seen in Figure 2 below, existing Dalhousie buildings within the 50-foot setback include Howe Hall (built in 1960), Shirreff Hall (built in 1923), the Dalhousie storage facility, and the Sir James Dunn Building (built in 1960). Several University of Kings College buildings are also within the 50-foot setback along Coburg Road.

50 Foot Setback from South Street, Oxford Street, and Coburg Road
U-2 High Density University Zone in the Municipal Planning Strategy and Land Use By-Law for the Halifax Peninsula

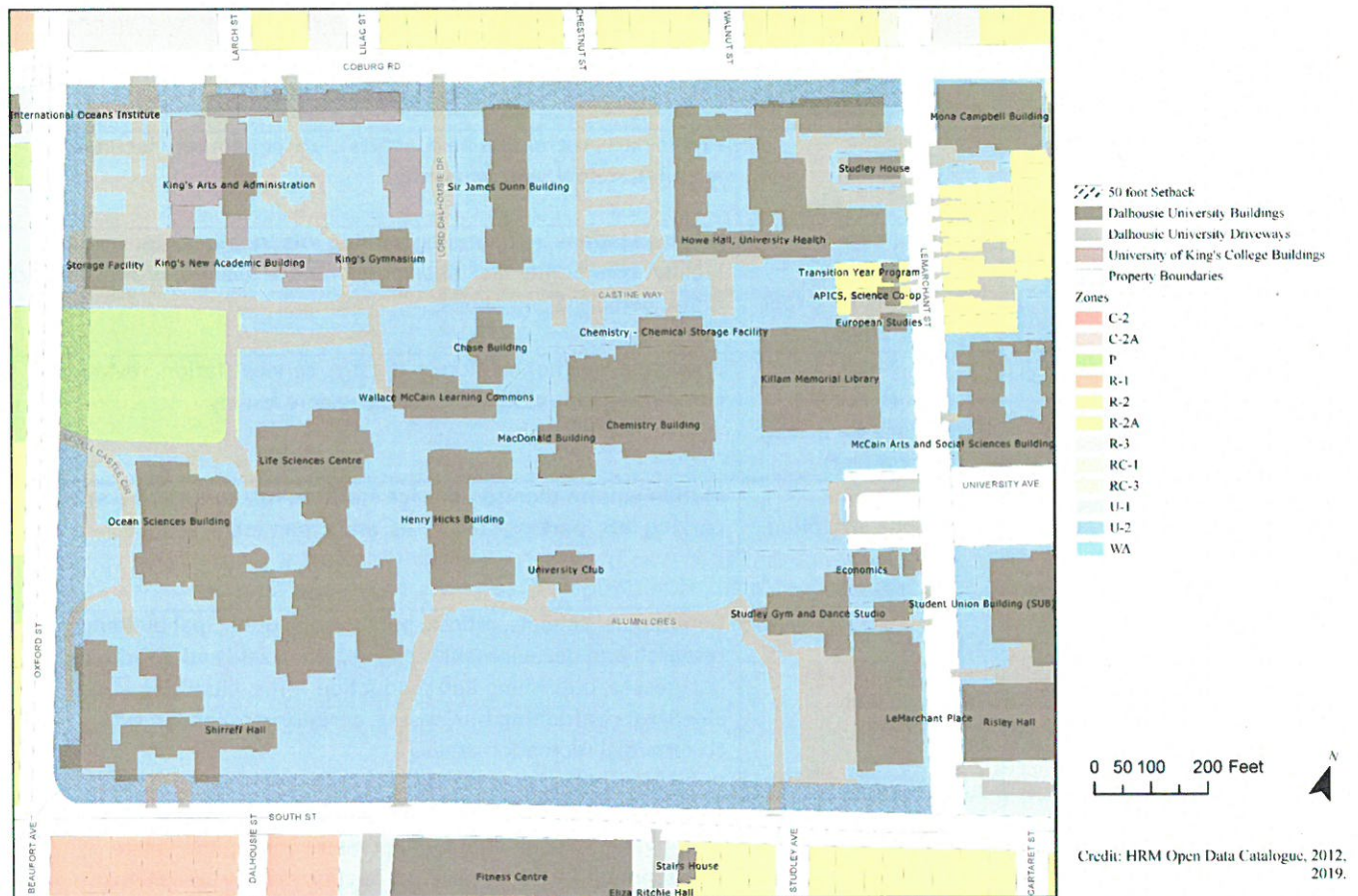


Figure 2: Approximate 50-foot setback from South Street, Oxford Street, and Coburg Road as per the setback requirements of the U-2 High Density University Zone in the Municipal Planning Strategy and Land Use By-Law for the Halifax Peninsula

Changes in Circumstances

At the time of adopting the Municipal Planning Strategy for the Halifax Peninsula (1978), the student enrollment at Dalhousie University was 8,949. Since then, enrollment has been increasing significantly with 19,223 students enrolling today at Dalhousie University. With this large increase in enrollment, the capital program of Dalhousie University is trying to address the unmet needs of students, faculty, and staff to make better use of the property that Dalhousie owns and manages.

As seen in Figure 3, Dalhousie University's 2010 Campus Master Plan includes two extensions to Shirreff Hall and two additional buildings that do not meet the 50-foot setback. The Municipal Planning Strategy

for the Halifax Peninsula Policy 4.3 in the Peninsula Centre Plan Area suggests that HRM would have awareness of the plan intent since the policy states that:

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

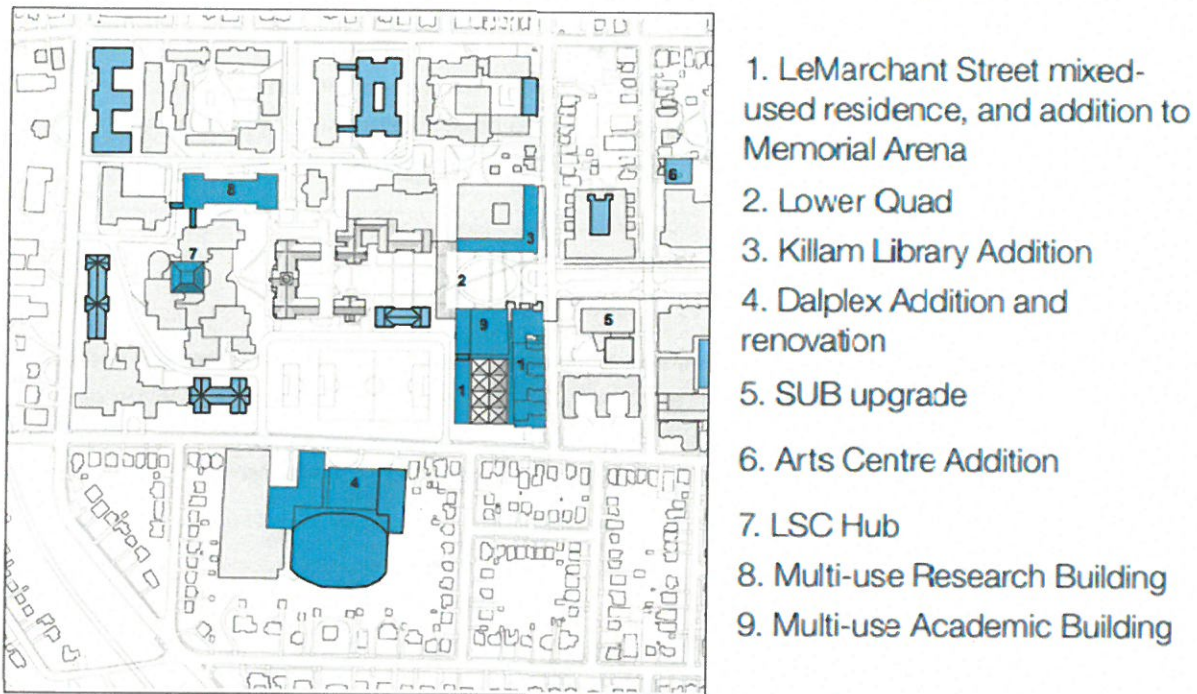


Figure 3: Proposed Buildings and Building Extensions from the Framework Plan for the 2010 Dalhousie University Campus Master Plan.

The Halifax Regional Municipal Planning Strategy (2014) and the Centre Plan Purple Document (2017) recognize the changes that need to be made from development patterns that were previously in place for the Halifax Regional Municipality. As demonstrated, the Halifax Regional Municipal Planning Strategy (2014) and the Centre Plan Purple Document (2017) contain intensification policies to direct growth and development in the Regional Centre to encourage more residents and employment within this area.

As such, the Halifax Regional Municipality realizes there is a need to make better use of existing land with existing infrastructure and services through intensification policies directed at the Regional Centre. At the same time, the Halifax Regional Municipality states the desire to support the growth of educational institutions. Therefore, an amendment to the 50-foot setback on South Street, Oxford Street, and Coburg Road will support the continued growth of educational institutions and the implementation of intensification policies within the Regional Centre to make better use of existing university properties.

Assessment of the Impact of the Amendment on the Local Community

A setback requirement of less than 50-feet along South, Coburg, and Oxford Streets would not have a substantial impact on the local community. Mitigating design feature can reduce any potential impact through transitional measures including natural and constructed buffers to minimize nuisance effects

from noise, light, and other potential impacts. Of note, Dalhousie University constructed a landscape wall on South Street constructed of local materials and details reflecting the character of the neighbourhood and the University demonstrating our stewardship.

Other design-related mitigating options include directional lighting as per Dalhousie's Design Guidelines, and vegetation and trees. Another example of stewardship was Dalhousie's berm construction on South Street adjacent Risley Hall.

Primary complaints from the local community related to noise from construction activities. The existing provision of a 50-foot setback does not address construction noise. Dalhousie is keenly aware of construction disruption to our community and maintain regular communication channels during construction activity.

Urgency of the Request

The Centre Plan Package B document creates new policies and regulations that address the setback issue. However, the estimated completion date is Q4 2020/21 (Planning & Development 2019/20 – 2020/21 Multi-Year Budget and Business Plan). With the many complexities associated with the Centre Plan, we are seeking to mitigate uncertainties as they relate to our Campus Master Plan through this amendment application.

Prepared by:

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