

Attachment A (Revised)
Amendments to the Halifax Peninsula Land Use By-law

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

1. The following text shall be inserted after section 98B:

98C 6009-6017 Quinpool Road - Northwest corner of Quinpool Road and Robie Street

- (1) Council may, by development agreement, pursuant to Policies 2.10 through 2.10.4 of Section XII of the Halifax Municipal Planning Strategy, permit a mixed use, multiple-unit residential and commercial development, providing the following conditions are satisfied:
 - (a) the development shall not exceed 78 metres in height;
 - (b) if the development exceeds 62 meters in height, the applicant shall provide a public benefit in the form of:
 - (i) ten affordable housing dwelling units and the undergrounding of all electrical and utility wires adjacent to the development along both the Quinpool Road and Robie Street elevations; or
 - (ii) twenty affordable housing dwelling units; or
 - (iii) ten affordable housing dwelling units and \$900,000 as the contribution for the additional ten affordable dwelling units; or
 - (iv) money in lieu of a contribution of twenty affordable housing dwelling units as the contribution for incentive or bonus zoning in the amount of \$1,800,000;
 - (c) the monthly rent for the affordable housing dwelling units shall be no more than \$750 per month for each of the ten units, and such rent
 - (i) shall include heat, electricity, and hot water; and
 - (ii) may exclude parking, cable, internet and telephone;
 - (d) the affordable housing dwelling units shall:
 - (i) be located on the site of the development,
 - (ii) be dispersed throughout the development,
 - (iii) be similar in design, size, and appearance to other dwelling units within the development,
 - (iv) contain two or more bedrooms and have a minimum area of 69.68 sq. m., and
 - (v) be provided for 180 months, commencing on the initial occupancy date indicated in a signed sublease between the Minister of Community of Services, through Housing Nova Scotia, and
 - (e) an agreement is signed between the property owner and the Minister of

Community Services, through Housing Nova Scotia, which leases the 10 affordable dwelling units in the number determined in accordance with clause b to Housing Nova Scotia and such lease shall include provisions that

- (i) the term and the amount of rent satisfies subclause (d)(v) and clause c,
 - (ii) that the Province may sublease each affordable dwelling unit to the people it determines have a household income in the low to moderate income range,
 - (iii) an affordable housing unit tenant who no longer meets the requirements of household income in the low to moderate income range shall be permitted to remain in that dwelling unit until their lease expires, and
 - (iv) the Province will provide a report, at least annually, to the Municipality confirming that each of the required affordable dwelling units are subleased to people whose household income is in the low to moderate income range; and
- (f) Housing Nova Scotia may sublease each affordable dwelling unit to the people it determines have a household income in the low to moderate income range, and
 - (g) Housing Nova Scotia will provide a report, at least annually, to the Municipality confirming that each of the ten affordable dwelling units are subleased to people whose household income is in the low to moderate income range.
- (2) Council may accept money in the amount of \$900,000 if ten affordable housing dwelling units is provided or \$1,800,000 if no affordable housing dwelling units are provided in lieu of the contribution of affordable housing dwelling units.
- (3) Subject to 98D (1)(e), unless Council decides otherwise, the Municipality shall not accept money in lieu of the contribution of affordable housing dwelling units.
- (4) Money accepted in lieu of a contribution of affordable housing dwelling units shall be used for the purpose of affordable housing in the Municipality.
- 98D (1) An incentive or bonus zoning agreement for 6009-6017 Quinpool Road shall contain provisions respecting:
- (a) the identification of the development site; and
 - (b) detailed construction drawings, site plans, specifications for the required public benefit;
 - (c) the property owner reporting, at least annually, to the Province declaring the tenants in the affordable housing dwelling units are subleased to people with household income in the low to moderate income range;
 - (d) an affordable housing unit tenant who no longer meets the requirements of household income in the low to moderate income range shall be permitted to remain in the unit until their lease expires; and
 - (e) the property owner agrees to pay money in the amount of \$900,000 in lieu of the contribution of ten additional affordable housing dwelling units providing ten

affordable housing dwelling units are provided if, at any time, the property owner breaches the lease required by clause 98C(e).

- (2) In considering whether to approve an incentive or bonus zoning agreement for 6009-6017 Quinpool Road, the Development Officer shall consider whether subsection (1) has been satisfied.

98E Providing sections 98C and 98D are satisfied, a Development Officer may approve an incentive or bonus zoning agreement, or an amendment thereto, on behalf of the Municipality and, if so approved, the Mayor and Clerk must sign an agreement or amendment on behalf of the Municipality.

2. The following text shall be inserted after section 3:

3A No development permit shall be issued for any development at 6009-6017 Quinpool Road for a development exceeding 62 meters in height unless:

- (a) (i) a signed copy of the agreement required by clause 98C(e) has been provided to the Development Officer; and
- (ii) an incentive or bonus zoning agreement has been signed by the property owner and the Municipality; or
- (b) the Municipality has received the full amount of the money accepted in lieu of a contribution of affordable housing dwelling units.

I HEREBY CERTIFY that the amendments to the Halifax Peninsula Land Use By-law, as set out above, were duly passed by a majority vote of the Halifax Regional Municipal Council at a meeting held on the day of , 20__.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of 20__.

Municipal Clerk

Attachment B (Revised)
Amendments to the Halifax Municipal Planning Strategy

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

1. The following text shall be inserted in Section XII - Quinpool Road Commercial Area Plan after Policy 2.9.1:

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

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

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

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

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

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

Any development over 62 metres shall only be considered if:

- (a) the property owner provides a contribution in the form of:

- (i) ten affordable housing and all electric and utility wires adjacent to the development be buried underground along Quinpool Road and Robie Street; or
 - (ii) twenty affordable housing units; or
 - (iii) Council accepts money in lieu of the contribution of an equivalent value for affordable housing units; and
 - (b) an incentive or bonus zoning agreement is entered into, as set out in the land use by-law.
- 2.10.3 The land use by-law may set conditions, including performance standards, that shall be met before a development permit may be issued.
- 2.10.4 Any development permitted pursuant to Policy 2.10 shall be achieved by attention to a variety of factors for which conditions may be set out in the Development Agreement, and such conditions shall include that:
- (a) the proposal is a comprehensive plan for the development of the lands in their entirety and does not include phasing;
 - (b) Policies 2.10.1 and 2.10.2 are satisfied;
 - (c) the tower portion of the development shall comply with the following massing and height requirements:
 - (i) the tower shall not exceed:
 - (A) an overall height of 78 metres, inclusive of all mechanical spaces, penthouses, and other structures,
 - (B) a width of 39.6 metres in the elevation parallel to Quinpool Road,
 - (C) a width of 17.7 metres in the easternmost third of the building facing the Halifax North Common, and
 - (D) a width of 22.6 metres in its western elevation; and
 - (ii) the tower shall be located on the site to maximize distance between it and the adjacent low density residential uses on Parker Street;
 - (d) the podium portion of the development shall comply with the following massing, height, and design requirements:
 - (i) the podium shall transition in height from no greater than:
 - (A) 5 storeys at the northeast corner of the site,
 - (B) 7 storeys addressing the intersection of Quinpool Road and Robie Street,
 - (C) 5 storeys at the southwest corner of the site, and

- (D) 4 storeys at the northwest corner of the site,
- (ii) the podium portion of the development shall:
 - (A) be visually permeable and conducive to uses that will encourage an active streetscape at grade,
 - (B) include a decorative or artistic element as a part of the building architecture which reflects the local cultural and historic significance of the Quinpool Road and Robie Street intersection, and
 - (C) implement high quality materials in such a pattern than mitigates the horizontal massing of the development;
- (e) the development above the podium level is oriented and dimensioned in a manner which minimizes shadow impact on the Halifax North Common, with this impact being tested through shadow study and any resulting design alterations paying specific attention to limiting shadow on active recreation facilities in the area;
- (f) the development is comprised of a mixture of residential and compatible commercial uses;
- (g) the ground floor land uses facing Quinpool Road and Robie Street shall be primarily commercial in nature to maximize the activity at street level;
- (h) the location of parking access ramps is limited to the northwest corner of the development site along Parker Street and shall be further subject to review of Municipal engineers;
- (i) the development is tested for the impact it would have on wind both within shared amenity spaces on the development site itself, as well as within nearby public spaces, with mitigating architectural techniques implemented to ensure the development does not worsen the existing wind conditions within the public realm;
- (j) the architectural design of the building, including a high quality design using durable exterior building materials, variations in the façade and mass of the building shall provide visual interest;
- (k) the size and visual impact of utility features such as garage doors, service entries, and storage areas are minimized and that mechanical equipment are concealed;
- (l) a minimum of 50% of the dwelling units are at least two bedrooms, have a minimum area of 69.68 sq. m., and are located throughout the development;
- (m) there is an adequate supply of motor vehicular parking and bicycle parking;
- (n) useable on-site amenity space and recreational amenity space is provided of a size and type adequate for the resident population;
- (o) there are suitable onsite solid waste facilities; and
- (p) the capacity of sewer and water servicing for the site is adequate.”

I HEREBY CERTIFY that the amendments to the Halifax
Municipal Planning Strategy, as set out above, were duly
passed by a majority vote of the Halifax Regional
Municipal Council at a meeting held on the day of , 20__.
GIVEN under the hand of the Clerk and the Corporate
Seal of the Halifax Regional Municipality this day of
20__.

Municipal Clerk