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P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Peninsula Community Council
November 14, 2011

TO: Chair and Members of Peninsula Community Council

A handwritten signature in cursive script, appearing to read "Phillip Townsend".

SUBMITTED BY: _____
Phillip Townsend, Director, Planning and Infrastructure

DATE: November 9, 2011

SUBJECT: Case 17156: Amendments to the Land Use By-law for Halifax Peninsula to rezone 4 properties on the corner of South St. and LeMarchant St. from U-1 to U-2, to amend the Height Precincts Map and to amend the U-2 Zone

ORIGIN

Application by DSRA Envision for the Lands of Dalhousie University

RECOMMENDATION

It is recommended that Peninsula Community Council

1. Give First Reading to the proposed rezoning of the 4 subject properties on the corner of Le Marchant St. and South St. from the U-1 (Low-Density University) to U-2 (High-Density University), and to the proposed housekeeping amendments as contained in Attachment A of this report, and schedule a public hearing; and
2. Approve the proposed rezoning and amendments to the Land Use Bylaw as provided in Attachment A of this report.

BACKGROUND

Dalhousie University has served as an important Halifax institution for almost 200 years attracting thousands of students yearly. The university can currently accommodate the on-campus housing requests for first year students, however, more residence space is needed to provide on-campus residence for upper year students.

The applicant is proposing the development of a mixed use student residence building near the corner of LeMarchant and South Streets. The proposed structure would be 7 storeys in height: 2 storeys with mixed-use services and 5 storeys to accommodate a residence for approximately 300 students. The proposed development would take place over 6 properties (see Attachment B).

Proposal

Both the U-1 and U-2 zones permit residential accommodation for university students as well as a variety of other university-related uses. As the proposed building exceeds the 35 foot height limit of the U-1 Zone, 4 properties at the corner of South Street and LeMarchant Street would need to be rezoned from the U-1 (Low Density University) Zone to the U-2 (High- Density University) Zone for the development to take place.

The applicant is proposing to rezone PIDs 40088767, 40088775, 40048506 and 00031146 (see Maps 1 and 2) from the U-1 (Low Density University) Zone to the U-2 (High- Density University) Zone to allow the development of a 7 storey building to provide student residence and student services.

Another component of this application includes housekeeping amendments to the ZM-17, Height Precincts, Map and the U-2 Zone, of the Halifax Peninsula Land Use Bylaw.

Location

The 4 subject properties are located on the corner of South Street and Le Marchant Street. The properties are currently used as surface parking. The surrounding area consists of University uses such as Risley Hall, the Memorial Arena and the Student Union Building. On the opposite side of South St. there is a low density residential neighbourhood consisting of mainly single unit dwellings.

Zoning

The 4 subject properties are zoned U-1 (Low Density University) under the Land Use Bylaw for Halifax Peninsula. The U-1 Zone permits most uses related to a university including university residences and offices. The zone excludes more intensive university uses such as commercial facilities, student union buildings and auditoriums (see Attachment C). As a requirement of the Municipal Planning Strategy for Halifax, height in the U-1 Zone is limited to 35 ft.

Designation and Enabling Policy

The property is designated University in the Secondary Plan for Peninsula Center in the Halifax MPS. The designation supports all university uses (including intensive and less intensive types of university uses). Policy 4.6.1 encourages more intensive types of university uses to be located at the periphery of university areas. The policies under the University Designation also outline setbacks for intensive types of uses from residential areas. Attachment B provides a detailed review of the applicable Policy of the Halifax MPS.

DISCUSSION

The policies within the university designation of the Peninsula Center Secondary Plan discuss locating more intensive types of university uses and less intensive university uses. Policy 4.6.1 encourages more intensive uses to be located at the periphery of University areas provided that the design and circulation elements are sufficient to ensure that negative impacts to surrounding uses are minimized.

The 4 subject properties are located along South Street, at the periphery of the University area. Dalhousie has had various open houses and invited the public to comment on the design of the building. As the proposed design has the entire building above 55 feet, the building must be set back 75 feet from the property line in accordance with the height regulation laid out in the MPS and LUB. Based on the proposed design, the building encroaches approximately 35 feet into the subject properties. If the rezoning is not successful, the building could be potentially be developed up to the rear property line of the subject properties.

Further to the setback requirements, the building has been designed to have its main entrance off LeMarchant Street, set away from South Street, which should help reduce student traffic along South Street and make the focal point of the building closer to University Avenue.

It is important to note that this application is for a rezoning and not a development agreement. The U-2 zone permits a variety of university uses including commercial facilities, student union buildings, physical plant buildings, parking garages, auditoriums and laboratories that are not permitted in the U-1 Zone. If the proposed rezoning is approved by Peninsula Community Council, Dalhousie can change the design of the building and the types of use of the building, as long as the requirements of the U-2 Zone are satisfied.

Parking

The proposed development does not incorporate any parking into the design of the building. Policy 4.8.3 of the University designation requires Dalhousie to maintain at least 1,730 parking spaces for staff and students of the University. Although the proposed development will reduce parking for the campus, Dalhousie will still maintain over 1,730 parking spaces.

Housekeeping Amendments – Height Requirements

It has been noted that there is a discrepancy between what is stated in the text of the MPS versus what is required in the land use by-law relative to the maximum height of structures in the area along South Street, Oxford Street, and Coburg Road. Policy 4.6.3.1 of the Peninsula Center Secondary Plan states that structures no more than 5 feet in height are to be setback a minimum of 15 feet from the property line. However, the corresponding regulation in the land use by-law states that a structure not more than 5 feet in height may be located between 0 feet and 15 feet from the street line. The requirements of the land use by-law are to be consistent with Policy 4.6.3.1. As part of this application, staff are proposing amendments (Attachment A) to the land use by-law to make this correction.

Similarly, Map ZM-17 (Height Precincts) is intended to illustrate what is described by the text of the U-2 Zone, however, the illustration depicts a larger area of height restriction than what is described in the text. Amendments correcting Map ZM-17 as also provided in Attachment A.

BUDGET IMPLICATIONS

There are no budget implications. The Developer will be responsible for all costs, expenses, liabilities, and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the agreement can be carried out within the approved budget with existing resources.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a Public Information Meeting held on September 7, 2011. A public hearing has to be held by Council before they can consider approval of any amendments.

For the Public Information Meeting, notices were posted on the HRM website, in the newspaper and mailed to property owners within the notification area as shown on Map 2. Should Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area will continue to be notified as shown on Map 2.

ALTERNATIVES

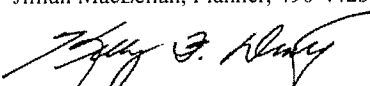
1. Council may choose to approve the rezoning of the 4 subject properties on the corner of Le Marchant St. and South St. from the U-1 (Low-Density University) to U-2 (High-Density University), and proposed housekeeping amendments to the ZM-17 Map and U-2 Zone as contained in Attachment A of this report. This is the recommended course of action, for reasons outlined in this report.
2. Council may choose not to approve the rezoning of the 4 subject properties on the corner of Le Marchant St. and South St. from the U-1 (Low-Density University) to U-2 (High-Density University) and proposed housekeeping amendments to the ZM-17 Map and U-2 Zone, as contained in Attachment A of this report. This alternative is not recommended, for the reasons outlined in this staff report.
3. Council may choose to approve certain amendments but not others contained in Attachment A or may request that additional amendments not identified in this report be made, in which case an additional staff report or public hearing may be required.

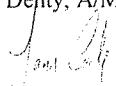
ATTACHMENTS

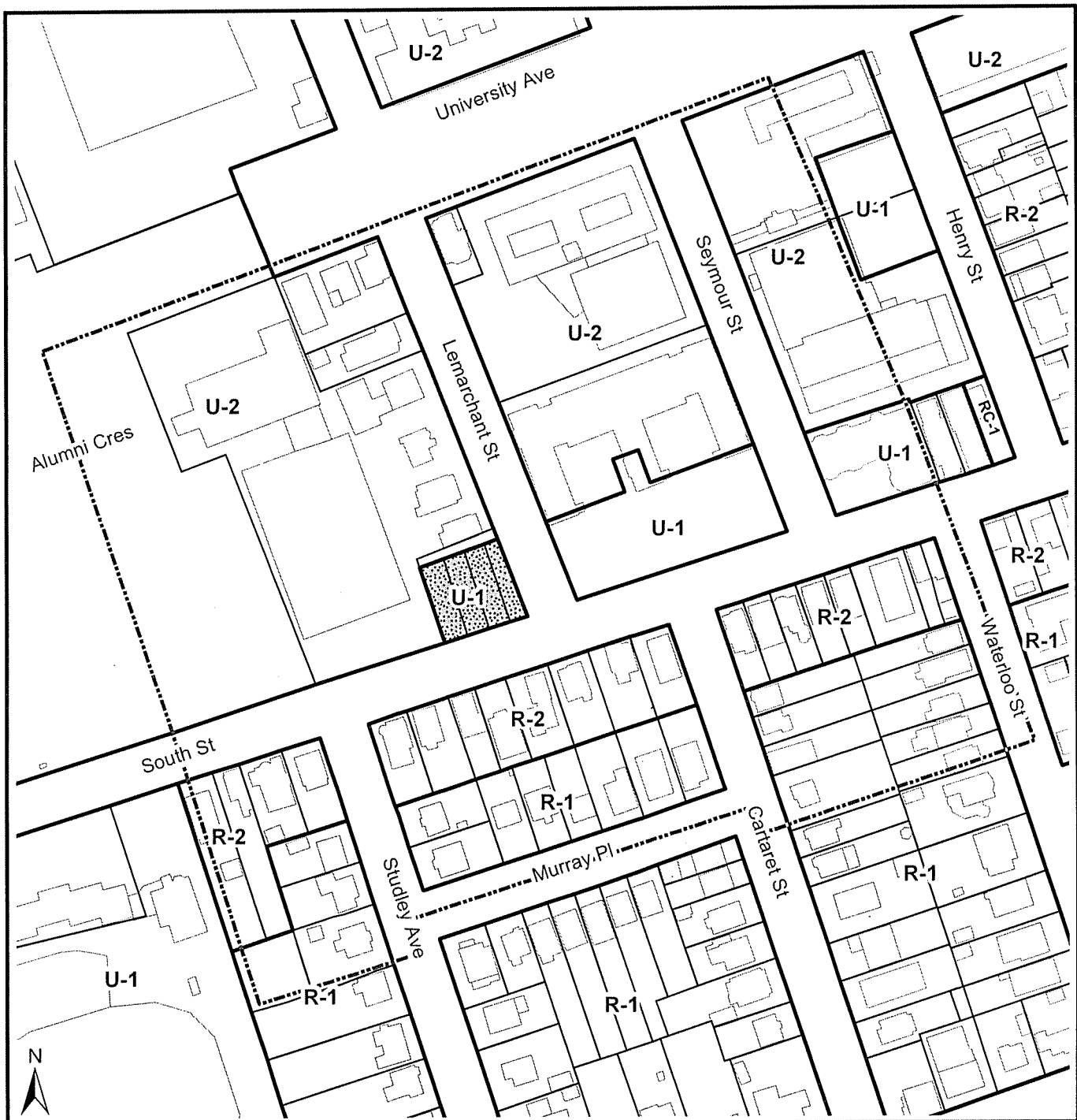
Map 1	Zoning Map and Notification Area
Map 2	Generalized Future Land Use Map
Map 3	Excerpt of Existing ZM-17 (Height Precincts) Map
Map 4	Excerpt of Proposed ZM-17 (Height Precincts) Map
Attachment A	Proposed Land Use Bylaw Amendment
Attachment B	Proposed Location and Building Footprint
Attachment C	Minutes – September 7, 2011 Public Information Meeting
Attachment D	Review of Relevant Policies from Municipal Planning Strategy for Halifax

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Jillian MacLellan, Planner, 490-4423


Report Approved by: 
Kelly Denty, A/Manager, Planning Services, 490-6011


Financial Approval by: 
James Cooke, CGA, Director of Finance/CFO, 490-6308



Map 1 - Location and Zoning

South Street at Lemarchant Street
Halifax

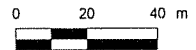
 Area proposed to be rezoned from U-1 (Low-Density University) to U-2 (High-Density University)

 Area of notification

Halifax Peninsula
Land Use By-Law Area

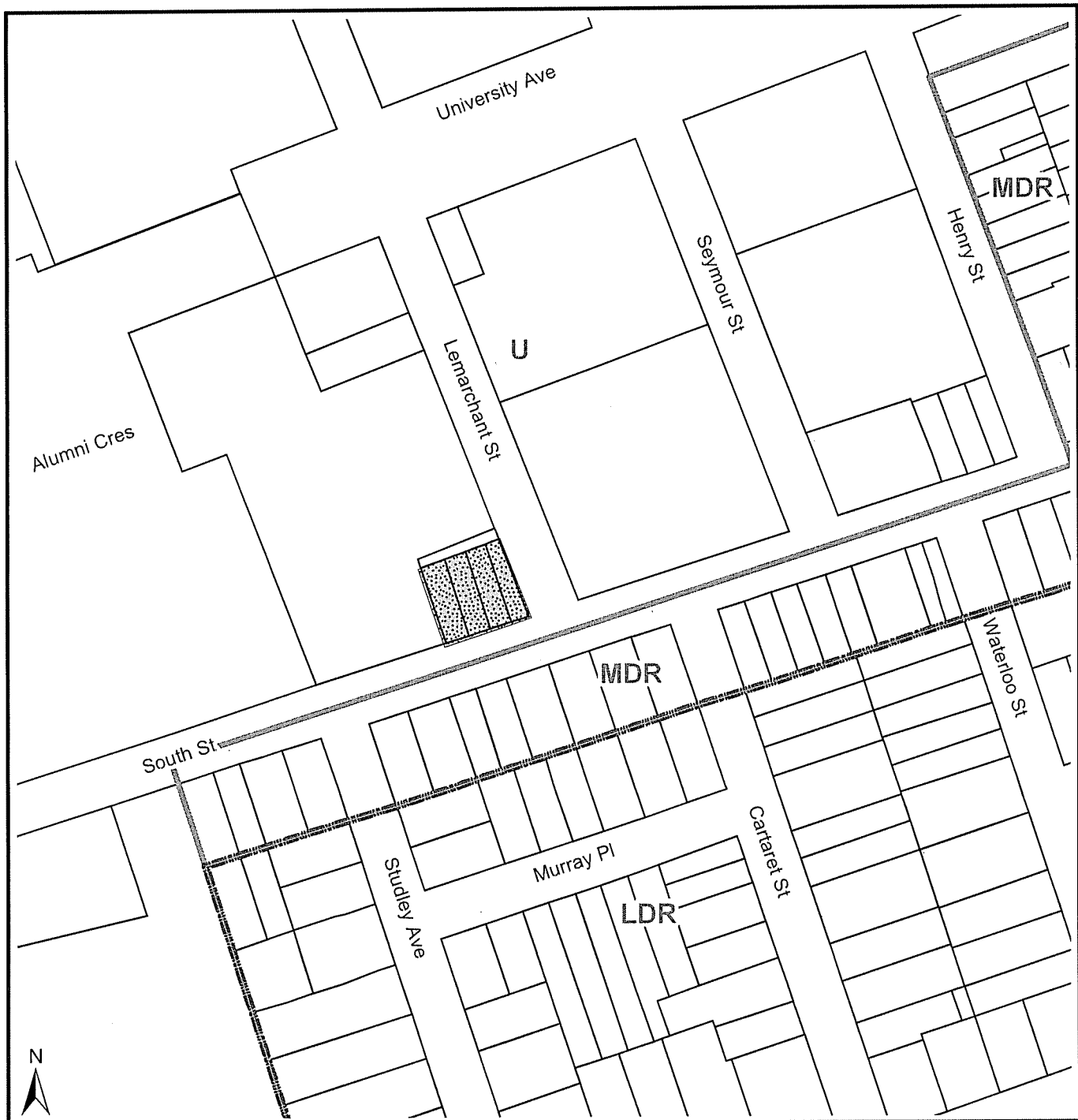
Zone

- R-1 Single Family Dwelling
- R-2 General Residential
- RC-1 Neighbourhood Commercial
- U-1 Low-Density University
- U-2 High-Density University



This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Peninsula Land Use By-Law Area

HRM does not guarantee the accuracy of any representation on this plan



Map 2 - Generalized Future Land Use

South Street at Lemarchant Street
Halifax



Subject area



Detailed plan area boundary

Halifax Plan Area

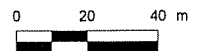
Peninsula Centre Detailed Area Plan

Designation - Peninsula Centre

- LDR Low Density Residential
- MDR Medium Density Residential
- U University

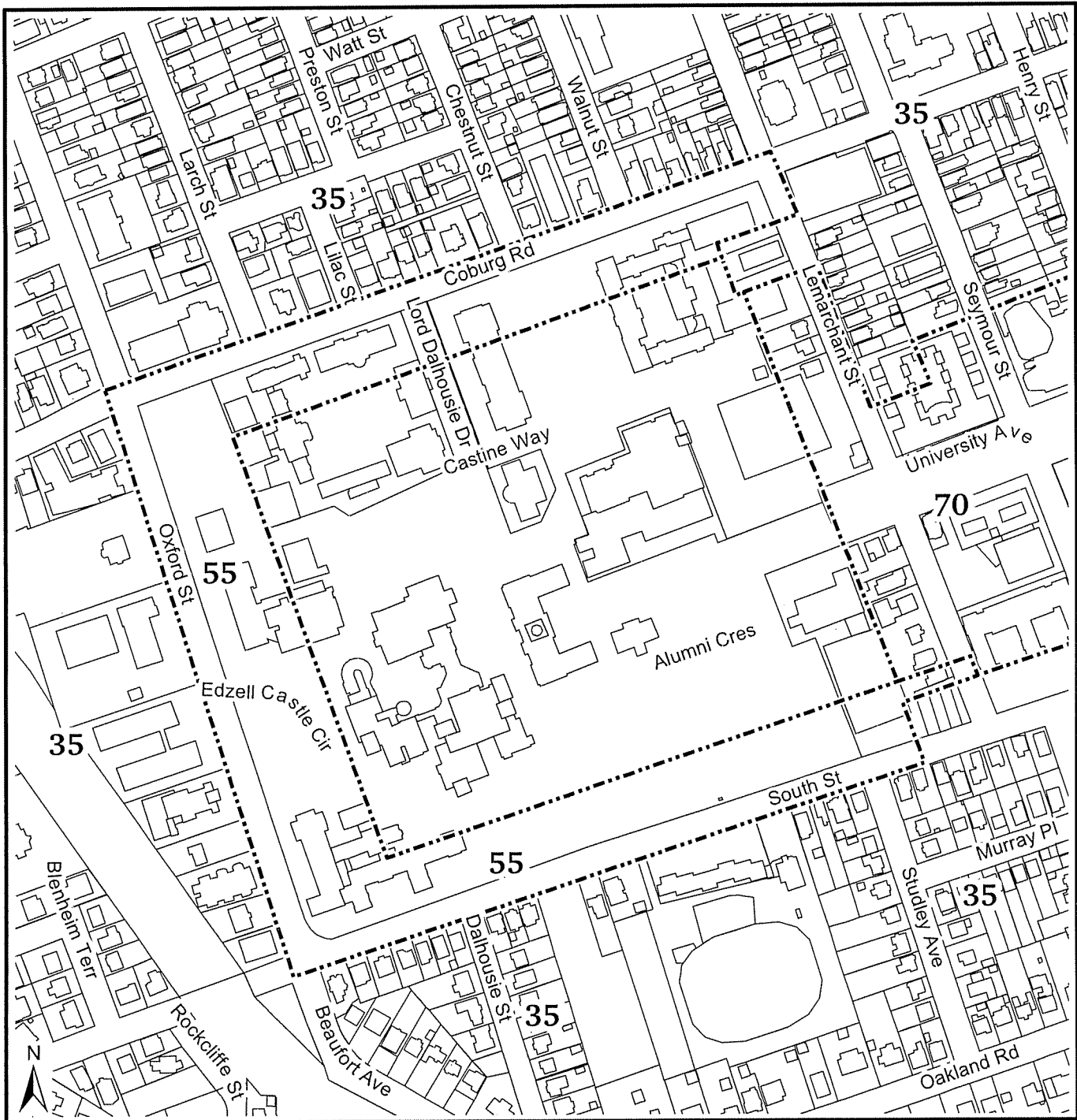
Designation - South End

- LDR Low Density Residential




This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Halifax Plan Area

HRM does not guarantee the accuracy of any representation on this plan

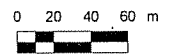


Map 3 - Existing Height Precincts

Dalhousie University area
Halifax

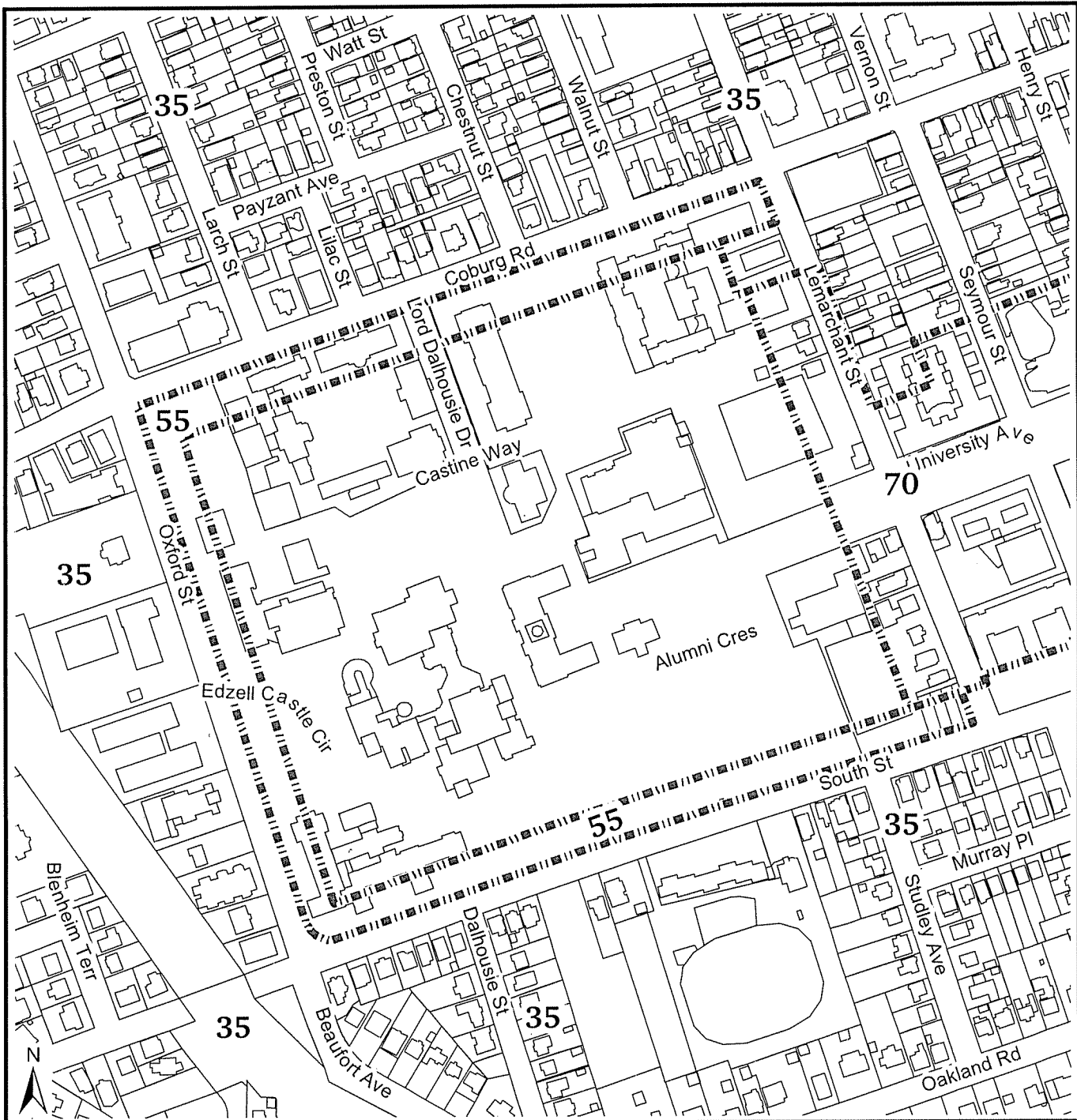
 Existing height precinct boundary

Halifax Peninsula
Land Use By-Law Area




This map is an unofficial reproduction of a portion of the Height Precincts Map for the Halifax Peninsula Land Use By-Law Area

HRM does not guarantee the accuracy of any representation on this plan

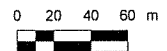


Map 4 - Proposed Height Precincts

Dalhousie University area
Halifax

 Proposed height precinct boundary

Halifax Peninsula
Land Use By-Law Area



This map is an unofficial reproduction of a portion of the Height Precincts Map for the Halifax Peninsula Land Use By-Law Area

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Attachment A:
Proposed Amendments to the Halifax Peninsula Land Use By-law

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

1. Replace subsection 70BB(2) with the following:

“STRUCTURE NOT EXCEEDING 5 FEET IN HEIGHT

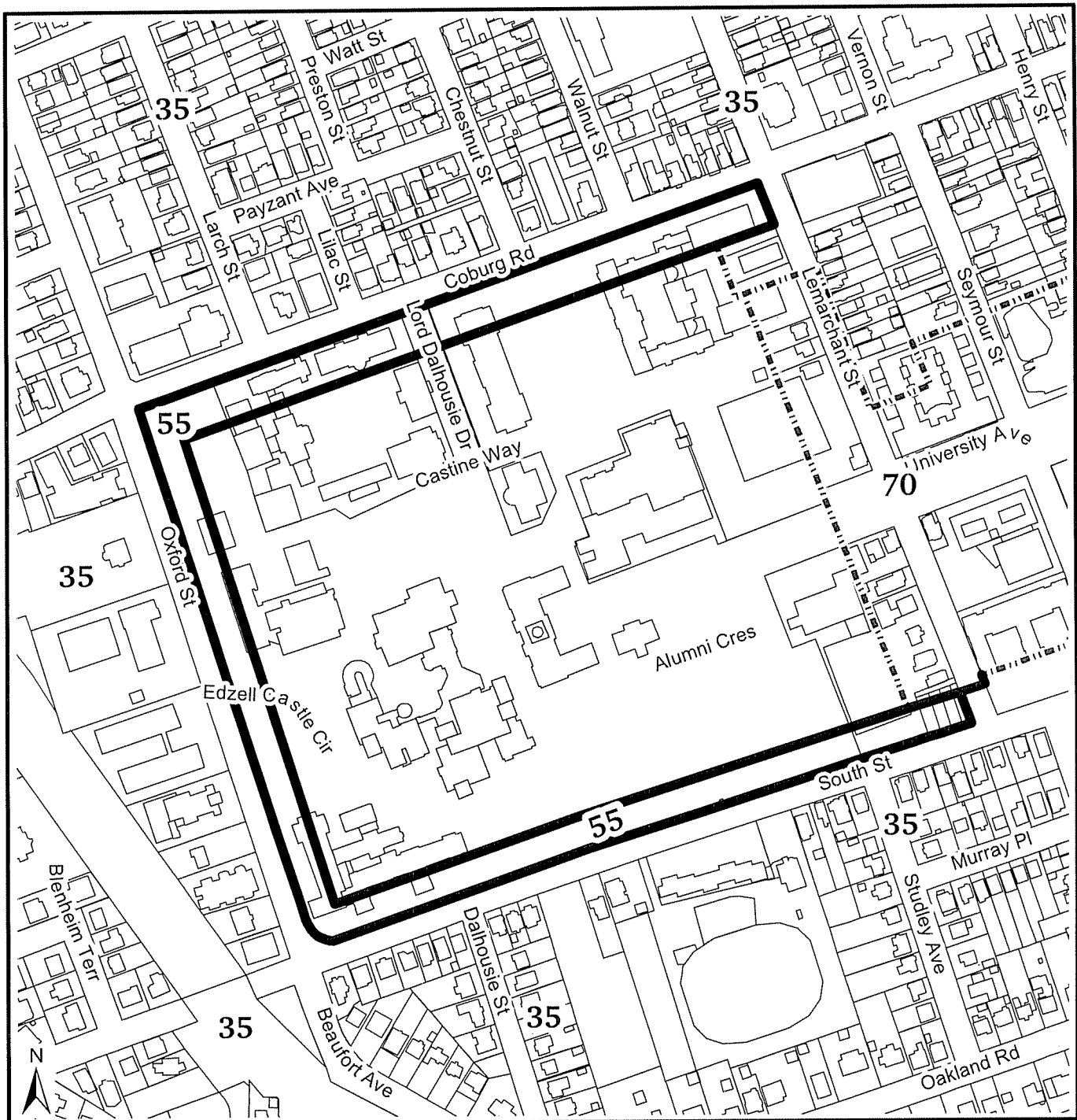
70BB(2) Notwithstanding subsection 70BB(1)(a), a structure not exceeding 5 feet in height is permitted, provided such structure is set back a minimum of 15 feet from the street line.”

2. Map ZM-1 (Halifax Zoning Map) is further amended by rezoning PIDs 40088767, 40088775, 40048506 and 00031146 from U-1 (Low Density University) Zone to U-2 (High Density University) Zone as shown on Schedule A.
3. Map ZM-17 (Height Precinct Map) is further amended by realigning the precinct lines along South Street, Oxford Street and Coburg Road and by including PIDs 40088767, 40088775, 40048506 and 00031146 in the 55 foot precinct shown on Schedule B.

I HEREBY CERTIFY that the amendments to the Land Use By-law for the Halifax Peninsula as set out above, were passed by a majority vote of the Peninsula Community Council of the Halifax Regional Municipality at a meeting held on the _____ day of _____, 2011.

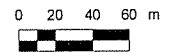
GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2011.



Municipal Clerk



Schedule B

Dalhousie University area
Halifax

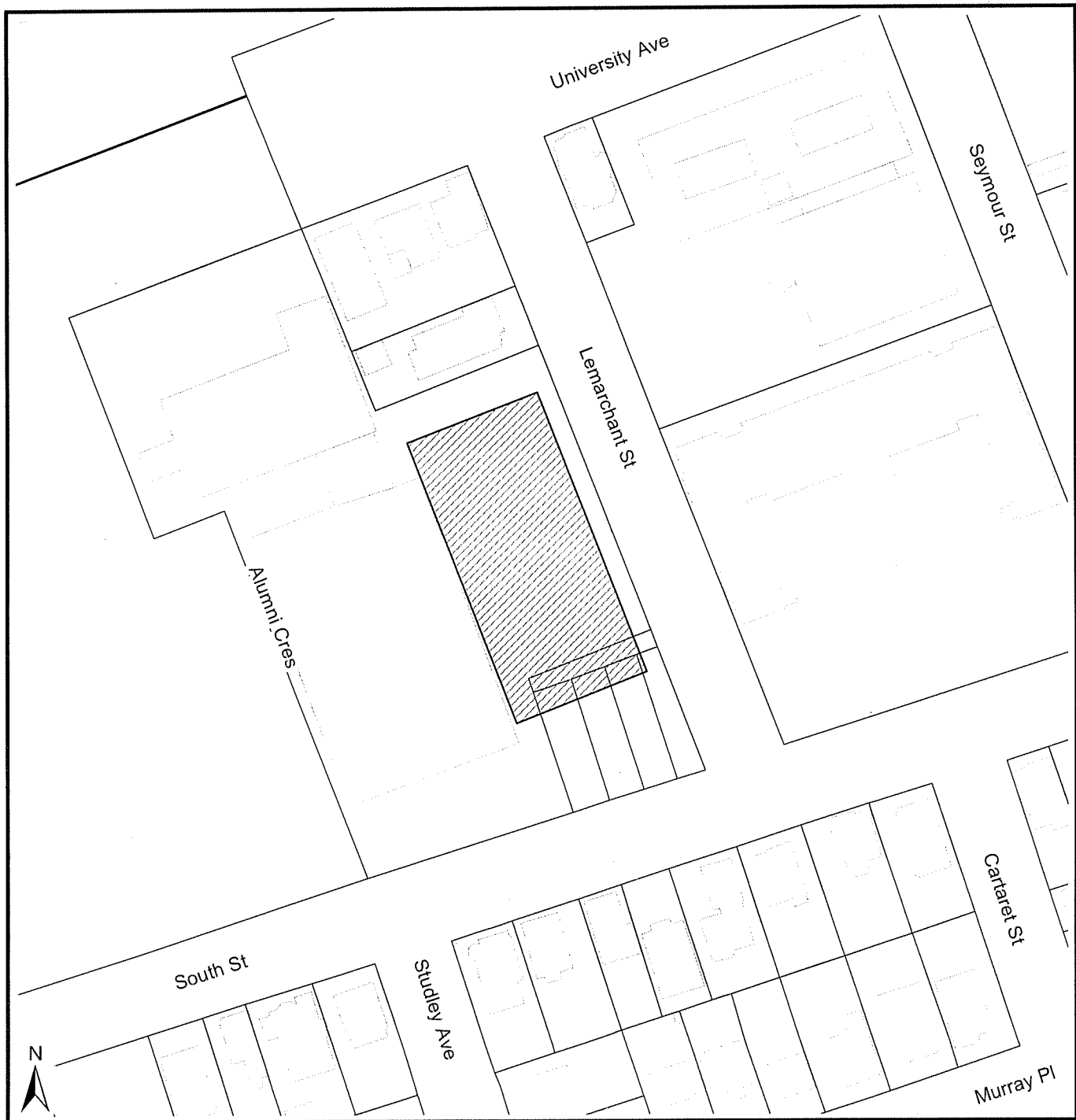


-  Amended height precinct boundary
-  Existing height precinct boundary

Halifax Peninsula
Land Use By-Law Area


This map is an unofficial reproduction of a portion of the Height Precincts Map for the Halifax Peninsula Land Use By-Law Area

HRM does not guarantee the accuracy of any representation on this plan



Attachment B - Proposed Building Location

South Street at Lemarchant Street
Halifax

 Approximate location of proposed building



Halifax Peninsula
Land Use By-Law Area

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Attachment C
Minutes – September 7, 2011 Public Information Meeting

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE # 17156

7:00 p.m.
Tuesday, September 7, 2011
Kenneth C. Rowe Management Building

IN ATTENDANCE: Jillian MacLellan, Planner, HRM Planning Services
Shanan Pictou, Planning Technician, HRM Planning Services
Lisa Webb, Planning Controller, HRM Planning Services
Councillor Sue Uteck

ALSO IN ATTENDANCE: Jeff Lamb, Assistant Vice-President of Facilities Management

PUBLIC IN ATTENDANCE: Approximately 13

The meeting commenced at approximately 7:00 p.m.

1. Opening remarks/Introductions/Purpose of meeting – Councillor Sue Uteck

Councillor Uteck explained the reason for the meeting and welcomed feedback from the public.

2. Opening remarks/Introductions/Purpose of meeting – Jillian MacLellan

Jillian MacLellan opened the meeting by introducing herself as a Planner for the Western Region with Halifax Regional Municipality (HRM). She welcomed everyone and thanked them for coming.

She stated that the reason for the meeting was to review an application by DSRA Envision to rezone 4 properties on the corner of South St. and LeMarchant St. She noted that the purpose of the meeting was to explain the scope of the application, and for the applicant to present the proposal. This is also an opportunity for the public to ask questions and give feedback concerning the application. She also reviewed the process for a planning application.

3. Overview of planning process – Jillian MacLellan

Ms. MacLellan explained the Application by DSRA Envision is to rezone 4 lots for the construction of a 7 storey building; 2 storeys are for student services and other 5 storeys are for a residence with approximately 330 beds. The building will be constructed over 6 lots, 4 of the lots need to be rezoned for the project to go forward. The 4 properties are located on the corner of South and LeMarchant Streets. The rear of the properties will be used for this building. Jillian also reviewed a map showing the site plan and proposed building in her presentation. The larger of the 6 properties and one of the smaller lots are zoned U2 and the other 4 are zoned U1.

Jillian reviewed U1 Zone uses and what it permits. The Municipal Planning Strategy (MPS) limits height to 35 ft. in U1 Zone. The uses permitted with the U2 Zone were also reviewed. The U2 Zone permits buildings that are higher than 35 ft., however, all buildings are restricted to the height limitation of the ZM-17 Height Precincts map which forms part of the Halifax Peninsula Land Use Bylaw. She also discussed the policy within the MPS which discusses locating the more intense University uses of the periphery of the University area and limiting any negative impact to residential areas usually through setback requirements.

Ms. MacLellan went onto explain the Height Precinct map. The MPS & LUB outlines height restrictions along South St., Oxford St, and Coburg Rd. She illustrated this with a slide. The MPS and LUB require that within 50 ft. from the street Right of Way nothing over 5 ft. in height shall be developed. Between 50 ft. and 75 ft. (100 ft. along Coburg Rd.) a building or structure no higher than 55 ft. shall be developed. Beyond this there is no height restriction. However, along LeMarchant St. there is a 70 ft. height restriction. The 70 ft., in this case, is measured from the ground to the beginning of the top floor. Dalhousie is not proposing to amend any of this. HRM are proposing to clean up ZM-17 Height Precincts map so it matches the text of the MPS and LUB.

4. Presentation of Proposal - Jeff Lamb – Dalhousie University

Mr. Lamb reviewed a drawing of what they are proposing to build on the property. In the future we expect University Ave. to be the real focus of the university that there will be a lot more activity and life, this is the first phase of potentially future development. This is the first phase of potential future development to try and get more energy and activity on University Ave. He reviewed what would be within the building and explained the need for more student housing. This year will hit 2,000 international students and there is a need for more services for international students. It is proposed that part of this building will be a center for the international student to get support and to socialize. He proceeded to review in more detail the building. The residence floor would have 4, 3 and 2 room apartments with baths, and he also explained the different entrances to the building. The main entrance to the residence area is along LeMarchant St. There will be a berm at the deliveries entrance to shade the view from South Street. The garbage will be located at the overhang on the south end.

5. Questions/Comments

Ms. MacLellan advised of the ground rules, gave her contact information and opened the floor for questions and comments.

Janet Shotwell, 6174 Murray Place, what is the 1st floor where the stained glass is located. She asked if there was a cafeteria or underground parking. Is there bike parking?

Mr. Lamb advised that the glass area is actually the 2nd storey. The 1st floor has international student services. He pointed out where the lobby would be located on the slide. He advised that there would not be a cafeteria. The apartments will have the capacity to do some cooking. The capacity of all their dining halls will be addressed. There is no underground parking as it would cost \$80-90,000/stall. There is bike parking.

David Patriquin, 6161 Murray Place, can the diagrams and pictures be posted on the Dalhousie site?

Mr. Lamb agreed that they would post the pictures on the site. They are working on a campus plan website and their intent is to get it up as soon as possible.

Brad McCrea, 6150 South Street, he advised that South Street will have 1300 students and 3 residences. He continued on by reading a study that was done with regards to noise road traffic impact on health of residents that could potentially have a higher risk of a heart attack. South Street is being asked to take a significant burden. He spoke about the increase of snow impact on the Studley Gym and where the Gym is coming down and the Economic House is coming down if the residents were put there then it wouldn't be so burdensome to the people on South Street and it wouldn't cost \$3 million to preserve Studley Gym.

Mr. Lamb, Studley Gym and the Economics Houses are a sometime option in the future. Dal does not currently have funding for their replacement and the facilities still need to be provided.

Unidentified lady, Clarified that it is the Studley Arena not the Gym.

Mr. Lamb, correct.

Brad McCrea, 6150 South Street, for \$3 million could you not do without the gym for a while and move people from the Economics building.

Brad McCrea, 6150 South Street, would it be a solution

Mr. Lamb, responded that they could be doing more than re-doing the roof.

Councillor Uteck, responded that Dal is looking at redesigning their athletic facility, because they can't tear down their current athletic facilities as a University cannot not have an athletic facility.

Brad McCrea, 6150 South Street if Dal is tearing down the rink and Economic house anyway why the \$3 million couldn't make it so that the residents could be there and it wouldn't unnecessarily burden the residents of South Street and it would save money.

Mr. Lamb, there are a number of factors on of which is at the time the project got underway they did not realize the roof would be impacted. We currently don't have the funds to do repairs. We are doing what we can to minimize the impact to the residents on South Street. We are trying to encourage improvement to University Ave. and have the students come from a different direction.

Lloyd Aineaux, 332 Purcell's Cove Road, in the sketch how many houses will be demolished along LeMarchant? He also asked if the problem with the roof on the arena is going to be caused by snow load that is precipitate by putting up the new structure?

Mr. Lamb, there will be 4 houses demolished. It is part of the reason for the roof issues.

Aidan Evans, 6179 South Street, is it correct if you didn't rezone could you still build in the existing height precinct except for the 35 ft. or so up to 7 storeys and it wouldn't require any planning changes. The point of the rezoning so you can extend the 75 ft. height into that area?

Ms. MacLellan, clarified that, yes, as long as you're outside those properties you could build up to the property line. Yes, but once again it would only affect about 35 ft. of the property.

Aidan Evans, 6179 South Street, main entrance is on far end of building but you have the students going through the center of the building correct for their entrance?

Mr. Lamb, yes.

Councillor Uteck, for clarification you think the main traffic will come through LeMarchant up University and down?

Mr. Lamb, if coming from majority of campus they will be coming down LeMarchant.

Allan Hamon, 6307 Oakland Road, "As of Right" without the zoning you can build a building on the U2 land that you already have zoned U2 you could build it 70 feet high?

Ms. MacLellan, yes, from the ground to the top floor.

Allan Hamon, 6307 Oakland Road, the purpose of this is you could go out 25 feet on to the next zone. Is there any density in place in these heights and zones?

Ms. MacLellan, there is no requirement for density as it is more the types of uses that are discussed and the height requirements. The U1 zone you are limited to 35 so it would be more low density types of uses. Along LeMarchant Street if you are U2 you can go up to 70 ft.

Allan Hamon, 6307 Oakland Road, so with apartments you have density issues that you have to address. Are there density issues that have to be addressed in this project?

Ms. MacLellan stated that there are no density issues. Within the University designation there is no prescribed density.

Councillor Uteck, provided an example for clarification.

David Patriquin, 6161 Murray Place, appearance of building, people weren't happy with building. Major concern was servicing area adjacent to South Street it is already busy with traffic now would the city have any concerns?

Councillor Uteck, it would go through our traffic engineer and run through traffic services and go through police, it goes through checks and internal balances.

Ms. MacLellan, clarified because this is a rezoning it will not be sending it to police services. We do have a traffic study that is part of the package we received with the application which is being reviewed by our Development Engineer the study showed that there wasn't concern about the increased traffic amount.

Tim Ryan, 1530 Oxford Street, there are no traffic circle, indent or loading zone in front of the building where people use. Where will vehicles stop that will be dropping off students. Where are vehicles going to go?

Mr. Lamb, we would include a provision if it was permissible.

Janet Shotwell, 6174 Murray Place, asked for clarification when talking about 70 feet of building to the handout it says 55 feet.

Ms. MacLellan, provided clarification of these provisions.

Lloyd Aineaux, 332 Purcell's Cove Road, you are proposing to make the main street South versus LeMarchant to achieve the 75 foot setback?

Ms. MacLellan, the University area designation is very different than you would find in most areas. In this area your setbacks are determined on the street. The 75 foot requirement is only for South Street and Oxford Street. There is no setback requirement off of LeMarchant.

Unidentified man, parking currently in front student entrance will it continue to be metered parking on LeMarchant? Meters would be full all day. Traffic would be stopping in the middle of the street.

Councillor Uteck, LeMarchant is patrolled by Dalhousie, no meters would be removed.

Mr. Lamb, layout of meters would have to be adjusted once the building is built.

Councillor Uteck, explained the process of HRM.

Dr. Carigon, 6112 Coburg Road, Expressed dismay of the parameters of the meeting to stick to highly technical aspects because there is a larger impact. You are putting a 300 people in the building with no parking. There is going to be an additional of parking all over the neighbourhood. Another issue you will have 300 students that will leave residence after their 1st year and will look for accommodations in the neighbourhood. He went on to describe issues with property buyers and increase in student ghettos. His concerns were also that issues of students safety, etc. is not being addressed in the University area. He suggested that student gated villages should be looked at.

Brad McCrea, 6150 South Street, building being so high and the risk is that building going to come down.

Mr. Lamb, we could put on a flat roof this is where the \$3 million price comes from but looking to build something on the site in the same space potentially.

Brad McCrea, 6150 South Street, slide that shows student entrance, problem was with problem houses, what hasn't improved is drunk students going up/down South Street this will escalate because of the students from the new residents will also be using South Street.

Mr. Lamb, in campus master plan talking about University Ave. we are working with HRM to come up with plans for the improvement of University Ave. and it may or may not include a transportation corridor but we need something better than 5 foot wide sidewalks. If nothing else there will be better lighting and sidewalks which will have more students using it.

Councillor Uteck, I will support Dalhousie with the plan the trouble is at city hall and is trying to get the parties together more people to make a decision in traffic with HRM.

Floyd Dykeman, Vice President, put out communications with students that the preference is for them to use University Ave. for safety reasons, they are pushing that this year.

Councillor Uteck, launching a campaign at the Coburg coffee shop where on the sleeves it talks about locking your doors and windows and also about using University Ave.

Brad McCrea, 6150 South Street, University has some very dark places and needs better lighting.

Jane Gordon, 1280 Wright Avenue, want to echo the comments of Dr. Carigan addressing the broader social impact of the plan. Construction of university residents has an impact the neighbourhood and all residence of the neighbourhood. I support that HRM create a committee to look at issues around housing for students. It is in all best interests to make neighbourhood better place for students and home owners.

Janet Shotwell, 6174 Murray Place, how many first year students are turned away from residence right now?

Mr. Lamb, currently none, we would like to have a ratio of 25-35% returning students so that behavior in the residences is moderated more senior students.

Janet Shotwell, 6174 Murray Place, you have more returning residents requests that you can accommodate?

Mr. Lamb, yes.

Allan Hamon, 6307 Oakland Road, reference earlier that you were going to have 700 additional residences on campus and this accounts for 300 in the master plan where are the 400 going?

Mr. Lamb, there were several alternatives for where they could be including currently we have older homes between Henry and Seymour which are individual houses of which take a lot of maintenance and have been connected together, corner of Coburg and Oxford is currently a parking lot potential would be another location. There are a couple of spots around Sheriff Hall there were a number of options put out and we also have to deal with Sexton campus as well in making sure we have enough accommodations for our Engineers and Architects as well. That is for future planning.

Tim Ryan, 1530 Oxford Street, set back on Oxford Street is 100 feet?

Ms. MacLellan, No, the 100 ft set back is on Coburg Rd.

Unidentified gentleman, where do you measure the setback from the center of the road?

Ms. MacLellan, you measure it from the street right of way, from where the property line starts.

Brad McCrea, 6150 South Street, there was a fairly negative reaction to the appearance of the building to fit into the campus and to the neighbourhood, is there any chance that the building could be changed so that it fits in better with the campus or is this it?

Mr. Lamb, in terms of how it fits in with campus it has been a long time since built stone buildings and expensive to upkeep and to build. What the architects are trying to do is reflect the colouring and massing of some of the older buildings on campus which isn't just the stone ones but also like the Killam Library which is very much a part of the look of the campus. As far as the colourings are concerned the Architect went around the neighbourhood and what they are attempting to do in the lower two floors is reflect the colour palate of what you see around the building these colours are what you see in the neighbourhood. Tweaks could be made to the colours of the neighbourhood.

Councillor Uteck, if this proposal passes we as a community could take a deeper look at the design. We could work with that as a community over time.

6. Closing comments

Ms. McLellan, reviewed the next steps in the process. She also informed the audience that throughout the process updates will be available on the website.

Councillor Uteck, explained the absence of other area councilors.

7. Adjournment

The meeting adjourned at approximately 8:10 p.m.

Attachment D
Review of Relevant Policies from the Municipal Planning Strategy for Halifax

Policy Criteria	Staff Comment
<p>4. UNIVERSITIES Objective The continued development of university areas as a focal point for academic, social and cultural activities, and the containment of university uses within prespecified boundaries.</p>	<p>The proposed building will provide both residential services and student services such as health services and international student services.</p>
<p>4.1 University uses shall be restricted to the areas designated for such uses on the Future Land Use Map of this Plan, and within such areas university uses shall be encouraged.</p>	<p>The subject properties are designated university under the secondary plan for Peninsula Center of the Municipal Planning Strategy for Halifax.</p>
<p>4.2 The City shall require the orderly development of areas designated "University" and unless extraordinary circumstances warrant changes, the City should not consider amendments to this Plan which would allow expansion of said areas until such time as all potential building sites within said areas have been used.</p>	<p>Plan amendment is not required.</p>
<p>4.3 Where a university prepares a master plan for its campus, the City shall request participation in that process and shall respond to such plans within the context of the policies of this Plan.</p>	<p>N/A</p>
<p>4.4 The City shall amend its Zoning By-law to require that development at the interface of residential areas maintains the scale of existing residential areas and is compatible with the proportion, setback and building lines of those areas.</p>	<p>Policies 4.6.2 and 4.6.3 of the MPS (see below) require setback requirements of at least 50 feet for any building that is over 5 feet.</p>
<p>4.5 Pursuant to Policy 4.4 above, the City shall amend its Zoning By-law to provide for two university zones: a high-density zone which</p>	<p>See Sections 70AB (U-1 Zone) and 70BA (U-2 Zone) of the Land Use Bylaw for Halifax Peninsula.</p>

<p>would allow all university uses, and a low-density zone which would allow only university uses which would have minimal impacts on adjacent residential uses.</p>	
<p>4.6 In areas which are zoned for high-density university use, pursuant to the policies of this Plan, the City shall allow intense university uses and university uses which generate a significant level of activity, except as provided for by Policy Set 4.6 herein.</p>	<p>See Section 70BA (U-2 Zone) of the Land Use Bylaw for Halifax Peninsula.</p>
<p>4.6.1 The City shall amend its Zoning By-law to permit intense university uses at the periphery of university areas where they front on City streets, as set out in Policies 4.6.2 and 4.6.4 below, provided that design and circulation elements of any proposal are sufficient so as to ensure that potential negative impacts on adjacent residential areas are minimized, and provided that the scale and setback of buildings is appropriately regulated.</p>	<p>The subject properties are located on South St at the periphery of the university. All development shall be required to meet the height limitations set out in Policies 4.6.2, 4.6.3 and 4.6.4 of this Section.</p> <p>The proposed building has its main entrances off of Le Marchant to street, to reduce potential negative impacts with the residential properties on South St. Dalhousie has met with residents in the area at various stages of the design of the building to reduce conflict.</p>
<p>4.6.2 In any area designated as university on the Future Land Use Map of this Plan, the City shall amend its Zoning By-laws to require a setback along South Street from LeMarchant Street to Oxford Street, along Oxford Street from South Street to Coburg Road, and along Coburg Road from Oxford Street to LeMarchant Street of a minimum of 50 feet.</p>	<p>No portion of the building over 55 feet shall be located closer than 75 feet from the property line.</p>
<p>4.6.3 Pursuant to Policy 4.6.2 above, the Zoning By-law shall be amended to provide that any development which is located within the area designated as university and which borders the 50 foot setback requirement shall be restricted to a height of 55 feet or five storeys, such height limitation to be maintained</p>	<p>See section 70BB(1) of the LUB for Halifax Peninsula</p>

<p>to a distance from the street line of 75 feet for all streets except Coburg Road, where the distance shall be required to be 100 feet and the buildings should be required to include facade articulation elements for those facades which face City streets.</p>	
<p>4.6.3.1 The City shall amend its Zoning By-law to permit a structure to a maximum height of five feet within the setback area defined in Policy 4.6.3 above, provided such structure is set back a minimum of 15 feet from the street line.</p>	<p>Section 70BB(2) of the LUB for Halifax Peninsula currently permits structures no higher than 5 feet to be located between 0 feet and 15 feet from the property line. It is that proposed that Section 70BB(2) of the LUB be amended to reflect this policy. Please see the discussion section of the staff report.</p>
<p>4.6.4 The City shall amend its Zoning By-law to permit intense university uses to the street line along University Avenue west of Robie Street and to require a rear yard setback of 20 feet for any university use which abuts University Avenue between Henry Street and Robie Street.</p>	<p>See section 70BB(1)(c) of the LUB for Halifax Peninsula</p>
<p>4.7 In areas which are zoned for low-density university uses, the City shall amend its Zoning By-law to require careful treatment of said uses and consideration shall be given to the following: (i) uses which are located on local streets shall, for the most part, be limited to uses for academic offices, seminar rooms and university residential uses; (ii) university residential uses shall be developed in conformity with the scale and character of the surrounding residential area; (iii) the siting of buildings on lots shall be required to generally conform to the characteristics of surrounding residential areas; and (iv) parking lots shall not be permitted in such areas unless such parking lots are adequately</p>	<p>Provisions are addressed through the U-1 Zone of the LUB.</p>

buffered from City streets or from adjacent residential uses.	
4.7.1 The City shall encourage re-use of existing buildings for university uses in areas zoned for low-density university use and shall encourage renovation and a greater intensity of uses within the scale and characteristics of surrounding residential areas.	The existing properties are used for parking.
4.7.2 In areas which are zoned for low-density university uses, such zone shall include provisions to restrict heights of buildings to 35 feet or four storeys, and to require setbacks which accord with the characteristic setback on the street.	The subject properties are currently within the 35 ft height precinct. If the rezoning is successful the properties will be within the 55 ft height precinct, 75 feet from the property line along South St.
4.7.3 The City shall permit rezoning to periphery university use only where the existing zoning is residential in the area designated "university" on the Future Land Use Map of this Plan between LeMarchant and Robie Streets, and where the intended use does not front on University Avenue, provided that all other intents of this Plan are satisfied.	N/A
4.8 The City shall encourage the provision of adequate parking facilities associated with university uses.	The proposed development does not include parking. As the majority of students do not own cars parking, the minimum of 1,730 parking spaces for the entire university is considered sufficient.
4.8.1 The City shall encourage Dalhousie University to continue its present policy of attempting to buffer parking areas and attempting to introduce high quality design standards for university uses at the periphery of university areas.	There is a landscaping along South St. to provide a buffer between the loading area and South St.
4.8.2 The City shall amend its Zoning By-law to require that all parking lots in areas on the periphery of the university area be buffered	N/A

from adjacent residential uses.	
4.8.3 The City shall require that, as new university development proceeds at a minimum, parking shall be maintained at its present level, which, at the time of adoption of this Plan, was 1,730 parking spaces.	A letter dated July 19, 2011 indicates the parking for Dalhousie University will exceed 1,730 if the proposed development goes ahead.
4.8.4 The City shall encourage Dalhousie University, should it consider a major parking facility, to locate such facility in an appropriate manner within the context of the policies of this Plan adjacent to South Street and opposite the present Sports Complex location.	N/A
4.9 The City shall continue to encourage effective use of public transit by university employees and students.	N/A
4.10 The City shall not permit any university use in areas which are not designated for same on the Future Land Use Map of this Plan unless such uses are permitted by the Zoning By-law and except as provided for by Policy 3.3 of this Plan.	The subject properties are designated University in the Secondary Plan for Peninsula Centre of the Halifax Municipal Planning Strategy.
IMPLEMENTATION POLICIES	
AMENDMENTS TO THE ZONING BYLAW	
4. When considering amendments to the Zoning By-laws and in addition to considering all relevant policies as set out in this Plan, the City shall have regard to the matters defined below.	
4.1 The City shall ensure that the proposal would conform to this Plan and to all other City by-laws and regulations.	The proposed rezoning complies with the policies of the University Designation of the Peninsula Centre Secondary Plan. If the rezoning is approved, the proposed building must meet the requirements of the U-2 Zone of the Land Use Bylaw for Peninsula Halifax.
4.2 The City shall review the proposal to determine that it is not premature or	

<p>inappropriate by reason of: i) the fiscal capacity of the City to absorb the costs relating to the development; and ii) the adequacy of all services provided by the City to serve the development.</p>	<p>(i) The developer will be responsible for all costs associated with the development. (ii) The site is located in a fully developed, urban area and will be adequately served by HRM services.</p>
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