

Patterns of Commercial Uses in Mixed-use Buildings in Halifax Peninsula

Honours Thesis



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Summary

Halifax is experiencing a boom in mixed-use development. Observations suggest that most of these new developments on the Halifax Peninsula are vertical residential/commercial mixed-use buildings. Many new ground-floor commercial units are entering the market. Although there have been residential/commercial multi-unit dwellings for more than a decade, there is still not much research about this type of structure in cities with a similar size to Halifax. This research focused on the Halifax Peninsula outside of Downtown Halifax. Using mixed methods, including building data collection, policy review and interviews with professionals, it aims at discovering patterns in vertical mixed-use development from 2006 to the present. The research was based on four research questions regarding the pattern of spatial distribution, developers and planners' rationales for building mixed-use, commercial use and vacancy and general trends of mixed-use development in the Halifax Peninsula.

Doing this research involved creating a database of 16 mixed-use buildings identified in the study area. This research collected 17 policy documents and interviewed 11 professionals. The results reveal that for the study period, the styles of development changed in terms of locations, building heights, and commercial units. Older buildings (2006 to mid 2011) have a strong concentration in the area south of North Street with lower heights and fewer commercial units. Newer buildings (mid 2011 to 2016) have more dispersed distribution with taller heights and more commercial units per building. The current tenancies of commercial spaces emphasize non-retail functions and vacancies do not appear to be a concern. The research identified several reasons for developers to propose such developments which range from a specific schedule in the land use bylaw, the effect on the surrounding neighborhoods, to traffic and the City's goals in planning strategy. Interviews suggest that government and developers have general confidence in mixed-use development and the municipal government is encouraging developers to build mixed-use. The development boom and the transformation happening in the Halifax Peninsula indicates that Halifax is experiencing many opportunities to promote vertical mixed-use multi-unit development, but this mixed-use is experiencing some difficulties and there are risks in the future.

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Introduction

Background

North American cities have developed in a suburban style with spatially separated urban functions over decades. People rely heavily on vehicles to commute from home to office, school and shopping venues. Some scholars suggest that this kind of development has had a negative impact on the development of cities (Grant, 2002). Halifax, after years of suburban sprawl, is transforming its strategy for future development. Direct observations made during the course of the research and the Draft Halifax Centre Plan (O2 Planning + Design Inc, 2016) both suggest that the new development pattern has a strong focus in mixed-use development. This actually matches the trend in North America of New Urbanism, which has become the preferred model for city development. Its primary objective is to improve the density of cities to create a compact urban style. Mixed-use development is an important tool to reach this goal (Kong, Sui, Tong, & Wang, 2015). During the 2006 Conference on Mixed-use Development, the International Council of Shopping Centers, Inc. (2006) recorded the conference's effort in defining mixed-use development as:

“a real estate project with planned integration of some combination of retail, office, residential, hotel or recreation functions. It is pedestrian-oriented and contains elements of a live-work-play environment. It maximizes space usage, has amenities and architectural expression and tends to mitigate traffic and sprawl.” (p.1)

A common practice of mixed-use development is vertical residential/commercial (res/com) mixed-use development, where lower levels are usually dedicated to commercial activities while residential units are located on the upper floors. The main type of booming developments in Halifax is vertical res/com mixed-use. In Canada, implementing such mixed-use projects with the promotion of commercial activities has encountered many difficulties such as the strong culture of segregating suburban land development (Grant & Perrott, 2011). Based on my search of Halifax

Building Permits data (Halifax Regional Municipality, 2016a), there have been mixed-use developments as far back as at least 10 years ago. A number of residential/commercial (res/com) mixed-use developments are under construction and many are pending approval within Halifax Peninsula. The Halifax Municipal Planning Strategy (MPS) is showing interest in promoting mixed-use in the inner-suburban local centers in the Peninsula (Halifax Regional Municipality, 2016c). However, there is limited research regarding mixed-use projects to guide future development. This research will focus on examining commercial space in these mixed-use developments. It intends to analyze and identify the character and patterns of vertical res/com mixed-use developments throughout the last decade in Halifax Peninsula outside downtown by documenting res/com buildings built between 2006 and 2016. Since there was a change of boundary in the Land Use By-law (LUB) on November 26th, 2016 (Halifax Regional Municipality, 2016e), after the research started, the study area boundary is based on Halifax Peninsula Land Use By-law approved May 21st, 2016. (See Appendix 1, Halifax Peninsula Boundary)

Rationale

Mixed-use development has become a general trend in city development in Canada to achieve new urbanism objectives, especially for suburban areas (Grant & Perrott, 2011). Following this trend, Halifax is experiencing an increase of res/com mixed-use development on the Halifax Peninsula, and more projects are in the approval process. However, few studies evaluate commercial use in mixed-use development in middle to small size cities, such as Halifax (that has around 400,000 population). Understanding what has happened in the past can guide future development. Focusing on the Halifax Peninsula outside Downtown Halifax, the research aims at identifying the development patterns of mixed-use projects in Halifax and to provide a supportive analysis and documentation to inform future mixed-use development in Halifax.

Research Questions

The primary research question is:

What patterns characterize commercial uses in residential/commercial mixed-use multi-storey developments built between 2006 and 2016 on the Halifax Peninsula, outside downtown?

Four sub-questions guide detailed analysis:

1. What is the spatial distribution of this kind of mixed-use developments in the study area?
2. Why did developers and planners choose the particular locations and functions of the buildings?
3. How are the commercial uses in these buildings occupied in terms of the type of services, the tenancy, and the units taken?
4. What patterns characterize the locations, uses and the occupancy conditions?

The research documents all the buildings that meet the research criteria and creates a database of these buildings, including their basic information and attributes (see Building Listing section and Appendix 2 Building Listing).

Literature Review

Mixed-use development has long been studied globally. DeLisle and Grissom (2013) found that from the 1970s to the time they conducted research, over 200 research studies investigated mixed-use development. Academic studies in the planning industry usually recognize mixed-use development as a tool to resolve current urban problems including urban sprawl and suburbanization (Kong et al. 2015). Mixed-use is a tool used by new urbanism to create a more compact city, where the vitality and viability of the urban area can be improved (Grant & Perrott, 2011). Hoppenbrouwer and Louw (2007) identified two reasons for the UK government to promote mixed-use development. The first one is that mixed-use development can reduce the distance between urban functions. The proximity between different services can decrease the demand for travel. The second reason is that mixed-use can improve the density and vibrancy of the urban area (Hoppenbrouwer & Louw, 2007). Given this generally positive image, the common view is that mixed-use development should be promoted. Among studies related to mixed-use development, the most popular themes usually investigate whether mixed-use development works and the practice of mixed-use development.

Some studies found that mixed-use developments face difficulties in Canadian urban contexts. Grant's (2002) research regarding mixed-use practice in nine Canadian major cities found that mixed-use projects can be implemented more easily in affluent cities with high population. The less-affluent cities have a hard time in adopting this kind of development. In Canada, mixed-use development usually represents risk in investment, and investors avoid this kind of unpredictable return (Grant, 2002). Grant's later study with Perrott (2011) noted three difficulties mixed-use development face. They are: 1. identification of locations with good traffic connections; 2. the difficulty in timing to adapt to the growth in demand and population; 3. the difficulty in developing against the traditional trend that spatially separates different urban functions like housing, employment, and commercial use (Grant & Perrott, 2011). Brewer and Grant (2015) found that high density and mixed-use still have negative connotation among the public in Halifax. Although there are difficulties for such development, mixed-use development in Halifax is currently booming,

in contrast with the caveats noted in earlier studies. This transformation suggests a need to study mixed-use development in Halifax.

Grant and Perrott (2011) identified three major problems for mixed-use development. The first and most important one is the location of such developments, especially in a suburban context. Cervero's (1996) travel behavior study figured that commercial functions or other services would need to be within 300 meters of customers' residences in order for people to avoid using vehicles for commuting. The kind of mixed-use development observed in Halifax seeks to reduce travel distance to the minimum by locating commercial services right under the residential units. However, relying fully on the demand from the building's residents is not enough for success. Grant and Perrott (2011) argue that since employment and residential functions are located separately in suburban areas, demand cannot be guaranteed for the mixed-use commercial space (Grant & Perrott, 2011). Hoppenbrouwer and Louw (2007) studied a mixed-use development in the Netherlands and found that it had a generally good design but the difficulty is that it had no focus of employment. Filion's (2001) conclusion to this problem is that the location should have very good traffic access to other suburban communities to allow access from more employment locations and residential areas. In the Greater Toronto Area, Filion found that for whatever the types of mixed-use development in suburban communities, a desired mixed-use site should have good access to major traffic routes including highways, arterial roads, subways or commuter rail. Thus, people who work or live in other communities can travel efficiently, and this can attract more customers to use the mixed-use development. He suggests a mixed-use cluster or center but with good traffic connections outside the cluster to connect people from other communities (Filion, 2001). Grant and Perrott (2011) mentioned a similar idea to place mixed-use development at traffic nodes. In these studies, they presented the North American style of mixed-use development, which adapts to the urban sprawl and utilizes the urban sprawl's character to feed demand.

The second focus is regarding commercial space. Brewer and Grant (2015) found that the commercial space in suburban Dartmouth is still following the traditional North American style, such as big box retail outlets. This is different from what is happening right now in Halifax Peninsula just three years later. McGreal and Kupke (2014) argue that suburban commercial has

more advantages than downtown options. They found that because of high land prices in downtown, suburban commercial sites actually provide higher returns to investors. However, when the commercial is within mixed-use development, the conditions become different. DeLisle and Grissom (2013) studied the efficacy of mixed-use development in Seattle, U.S. In both downtown and suburban areas, mixed-use development projects experienced high vacancy and turnover rates for the commercial space, which indicated low performance. Whether clustered downtown or in suburban local centers, projects experienced low occupancy for the commercial space. One pattern the authors identified was that commercial space often became professional space occupied by services such as personal health (DeLisle & Grissom, 2013). The Seattle case suggests that commercial spaces in both downtown and suburbs are not functioning as expected. Some researchers believe that the key problem is coming from the competition between different types of shopping venues. These venues include big box shopping centers, and downtown commercial streets (Kärholm, Nylund, & de la Fuente, 2014). Grant and Perrott (2011) concluded that the commercial uses in mixed-use development usually focus on small retailers. Basker, Kilmek and Van (2012) concluded that the competition between small businesses and big box shopping centers is intense.

Can such competition necessarily cause the decline of small business or the poor functioning of commercial space in mixed-use development? Ozudulu, Varol and Ercoskum (2014) made a case study of Ankara, Turkey that provided a unique perspective. The research intended to discover whether shopping centers can undermine shopping streets. The conditions in Ankara differ from North American cities. In Ankara, the shopping streets remained prosperous although the competition from big box shopping centers was tough. The factors that enabled this condition is that the two types of shopping locations have different types of customers. Shopping streets also have the advantage of good transit accessibility which allows transit users or pedestrians to shop in the area (Ozudulu, Varol, & Ercoskun, 2014). The Turkish case provides an optimistic example of what can facilitate coexistence of different types of shopping venues.

Examining policy and regulation, Grant (2009) found that it was usually developers' wishes and demands that push authorities' considerations. Although new urbanism has some influence,

planners focus on increasing housing density and commerce (Grant, 2009). But, developers' considerations and decisions are also key factors to making the mixed-use projects happen. Rabianski, Gibler, Clements, and Tidwell (2009) concluded that the financial advantage of mixed-use development is that it has a larger proportion of each day when a structure can generate returns. The report also concludes that whether the retail in mixed-use projects works or not relies heavily on the local economy. The products businesses in mixed-use developments provide need to match the demand of residents in surrounding areas. Sometimes, customers with relatively-high incomes would be needed to sustain the local business. The research admits that with the higher cost, the risk is also higher for developing mixed-use projects. The main reason is uncertainty to guarantee the retail demand, tenant quality and the competition from other types of shopping venues (Rabianski et al. 2009).

Vertical mixed-use development as seen in Halifax was not commonly discussed in articles about mixed-use in other cities in Canada. Grant's research in 2009 discussed the new urbanism development in Surrey, Calgary and Markham. Mixed-use developments in these cities were more often horizontal mixed use that focused on a lower density than vertical mixed use (Grant, 2009).

In general, mixed-use development is seen as having problems but also the potential to improve (DeLisle & Grissom, 2013). The three case studies discussed by Grant and Perrott (2011) all present some positive mixed-use projects. In sum, the literature has covered broad issues regarding mixed-use development from economics to site selection and to policy regulating the development. These studies identify the challenges and the opportunities for mixed-use development. However, few studies focus on the particular type of vertical residential/commercial mixed-use projects being built today. Even fewer studies focus on what occupies the street-level commercial in new mixed-use development. Furthermore, most of the research concentrates on major urban areas, such as Toronto. The study of middle or small size cities is limited. Halifax, as a middle to small size city, is significantly changing its way of development by adopting the new urbanism concept. My research documents what had happened exactly in this city and fills the gap with a case study of Halifax Peninsula. I seek to understand what drives developers to build these mixed-use developments to understand the decision maker's motives in constructing mixed-use projects.

Methods

A mixed method, including media survey, site observation, policy review and interviews, was used in this research. The research began with gathering Halifax Building Permits data. The spreadsheet data was retrieved from the Halifax Open Data Catalogue website with the information of building permits of all building structures in Halifax (Halifax Regional Municipality, 2016a). This data was used to create a building list. The filtering was conducted in Excel with the criteria set as in the following examples:

Long Project Description: Construct Multi-Unit Dwelling

Community: Halifax

Street: Select streets that are located or have a section on the Halifax Peninsula (Google Map search will be required to confirm locations).

Date of Permit Issuance: Any time from 2006 to 2016

Since there are mistakes and inaccurate information in the building permits data, the filtering also covers the building structures that are categorized as commercial buildings. The status of every building was confirmed by Google Street View and site observations (only for buildings that have unclear status online). The filtered list of building permits data was later enriched and corrected by searching the exploreHRM web platform (Halifax Regional Municipality, 2017), which includes more up-to-date key information including the year of construction, building owners, commercial tenants and number of dwelling units (Halifax Regional Municipality, 2017). The research used the final list to guide further data collection and analysis.

Media Survey

A media survey guided preparation of the subsequent steps, especially the analysis of the policies and the interviews. The media platforms I read through included news media such as CBC

Nova Scotia, Metro News, Chronicle Herald News and the Planning & Design Centre website regarding projects under construction in Halifax. These media offered information regarding the public opinion on mixed-use development. Also, some analysis published by the media provided good background of general real-estate development conditions in Halifax. This was important contextual knowledge needed to understand the actual building conditions on site and to communicate effectively with professionals during interviews.

Site Observation

Extra observations were conducted in late January for every building to collect on-site data. These observations had a strong focus on identifying commercial tenants and the types of services provided. An observation form was designed to ensure that all necessary data was collected. This data included the actual heights of the building by number of storeys, number of floors distributed to the two functions, number of commercial units and the type and names of commercial tenants. Specifically, the observation provided useful information for conditions when commercial tenants have changed but have not been updated on the exploreHRM website, or when a tenant was renting more than one unit of commercial space. Furthermore, the observation confirmed the latest progress of the buildings under construction. As part of the database creation, photos of every building are included.

Policy Review

Policy review focused on three types of documents: Halifax Regional Municipality (HRM) MPS, Halifax Peninsula LUB and MPS/LUB amendments and development agreement case documents. For the MPS, the main focus was to identify specific policies regarding mixed-use development and to summarize their common characteristics to conclude the city's vision towards mixed-use development. For the Halifax Peninsula LUB, because of the major change that removed the Dutch Village Road Plan Area, two versions of the documents were collected: the version that

took effect on May 21st, 2016 and the version that took effect on November 26th, 2016. The buildings on Dutch Village Road were examined based on the old version while buildings in other parts of the Peninsula follow the new by-law. The analysis focused on the zoning for each building and examined zoning requirements. For as-of-right developments (developments that fully conform to the LUB requirements and do not require case-specific planning application), these are the requirements that directly regulate the buildings; for the buildings that went through development agreements (an agreement between the municipal government and developers when developments do not follow LUB requirements) or planning applications, the information presented the requirements that the buildings failed to follow. The third type of documents were specifically for buildings that were not built as-of-right. Nine buildings involved planning applications regarding MPS/LUB amendments or development agreements. Most of the buildings have more than one application document available based on the stages of the application process. The research started with identifying the case number of every building on the third party search engine. The search of the actual document then followed these case numbers. A total of 17 documents were collected based on the case number of the application:

Case Number	Civic Address	Number of Documents
00895	2594 Agricola Street	2
01302	3473 Dutch Village Road	3
01325	5454 Kaye Street	2
16248	6136 Almon Street	1
17195	6112 Quinpool Road	2
17256	6100 Young Street	1
17456	3065 Robie Street	1
17756	5659 Almon Street and 2814 Isleville Street	1
18510	3400 Dutch Village Road and 3343 Westerwald Street	2
18950	1047, 1057 and 1065 Barrington street	2
Total: 17 documents		

I summarized every document regarding the rationales of planners and developers to develop mixed-use properties. Also, I analyzed the ‘provision of land use’ section of each development agreement for the primary requirements for the development agreement or planning application to

be approved. The analysis ended with common rationales that developers and planners used to propose mixed-use developments as well as the common character of the primary requirements for the buildings to be approved for construction.

Interviews

Interviews were conducted to collect opinions from professionals. The work was done in cooperation with three undergraduate researchers who were focusing on related topics. We interviewed 11 professionals including 3 brokers, 3 municipal councillors, 3 planners, 1 architect and 1 developer. All interviews were voice recorded and the recordings were transcribed. The questions sought the professionals' answers regarding: the factors that affect developers, planners or councillors' decisions in building a mixed-use development, the factors that led to the location selection, the role of policies in the decision consideration and the development patterns they see. After the voice recordings were transcribed, I conducted discourse analysis of the transcriptions focusing on the answers that related to my research topics as well as the content that related to the key words of "mixed-use" and "density". A summary was created for all the contents retrieved from the transcriptions and the analysis focused on the common points the professionals mentioned. Since the interviewees' discussion would always lead to answers that touched a variety of issues, the summary helped to link the interviewee's answers with the four questions. In general, this evidence focused more on the general trend and ideas of the conditions of mixed-use developments in the study area rather than on specific buildings.

Evidence Bank and Analysis

All the data collected was organized in two evidence banks. The first was created based on buildings and contained the basic information as well as the policy summary and the observation form for each building. Another evidence bank then focused on the interview data. The first

question regarding the spatial distribution was mainly analyzed by mapping the building locations, the zoning around the buildings, the building heights, the commercial units and the commercial vacancy of each building. The answers are also combined with information from the interviews. The second question regarding the rationales for decision making mainly focused on the review of the policy documents and the interview data with the professionals. The third question regarding the commercial spaces was analyzed mainly based on the observation data. The fourth, concluding question, analyzed the data from all sources. The answers seek to explain the general trends and changes in mixed-use buildings in the study period. The four answers, together, defined the patterns of commercial space in vertical mixed-use multi-storey in Halifax.

After all the findings are concluded, the study seeks to compare the conditions identified in Halifax with theories concluded in the literature review. The focus was to note whether mixed-use in Halifax has the same or similar characteristics to these theories or that Halifax has a unique pattern. This allowed the research to evaluate the efficacy of this type of development in Halifax and thus to offer some opinions on the continued development of mixed-use.

Building Listing

A total of 16 buildings had been granted construction building permits from 2006 to 2016. This section presents a simplified listing of all 16 buildings. For every building, the data presented was retrieved from Halifax Building Permits data, exploreHRM website, legal documents that relate to the buildings. The original data from the Building Permits is as below.

DATE OF PERMIT ISSUANCE	CIVIC ADDRESS	COMMUNITY	ALTERNATE BUILDING TYPE	TOTAL SQ FOOTAGE	NEW RES UNITS
2007-03-14	2116 GOTTINGEN ST	HALIFAX		0	36
2008-02-08	2594 AGRICOLA ST	HALIFAX		25549.62	24
2008-05-27	5505 FALKLAND ST	HALIFAX		55435	56
2008-06-10	5689 CUNARD ST	HALIFAX		27600	15
2009-04-27	5548 KAYE ST	HALIFAX		65951	30
2011-06-16	5506 CUBARD ST	HALIFAX		19000	25
2011-11-10	3471 DUTCH VILLAGE RD	HALIFAX		254603	132
2013-05-22	6136 ALMON ST	HALIFAX	MIXED RES/COMM	66000	109
2014-04-10	5870 DEMONE ST	HALIFAX	MIXED RES/COMM	281000	148
2014-06-13	5659 ALMON ST	HALIFAX	MIXED RES/COMM	61800	42
2014-10-17	1990 VERNON ST	HALIFAX	MIXED RES/COMM	218103	74
2015-03-27	1065 BARRINGTON ST	HALIFAX	MIXED RES/COMM	2185	142
2015-06-03	6100 YOUNG ST	HALIFAX	MULTI-UNIT DWELLING	363420	162
2015-07-08	5450 KAYE ST	HALIFAX		5757	106
2015-09-23	3400 DUTCH VILLAGE RD	HALIFAX	MIXED RES/COMM	70439	51
2016-08-08	2300 GOTTINGEN ST	HALIFAX	MIXED RES/COMM	5218	103

Note: the number in red indicates inaccurate data based on the data retrieved from site observation. However, the accurate data cannot be obtained.

The full database has more detailed information and will also include data from observations. It will be ordered based on the time of the building permits granted and presented in the appendix 2. Building Listing.



Marketing Name: Theatre Lofts
Civic Address: 2114, 2116, 2118 Gottingen Street
Year Construction Permit Granted: 2007
Year of Construction: 2010
Building Status: Complete and well maintained
Zone: C-2
As-of-right development with no commercial vacancy



Marketing Name: La Villa
Civic Address: 2594 Agricola Street, 5780, 5786 North Street
Year Construction Permit Granted: 2007
Year of Construction: Unknown
Building Status: Complete and well maintained
Zone: C-2
Case 00895 MPS and LUB amendment approved in May 2007 with no commercial vacancy



Marketing Name: None
Civic Address: 5505 Falkland, 2076, 2082 Gottingen Street
Year Construction Permit Granted: 2008
Year of Construction: 2010 Building Status: Complete and well maintained
Zone: C-2
As-of-right development with no commercial vacancy



Marketing Name: None
 Civic Address: 5689 Cunard Street
 Year Construction Permit Granted: 2008
 Year of Construction: 2010
 Building Status: Complete and well maintained
 Zone: C-2
 As-of-right development with no commercial vacancy.






Marketing Name: Garden Stone Place
 Civic Address: 5554, 5552, 5550 5548, 5546, 5544
 Kaye Street
 Year Construction Permit Granted: 2009
 Year of Construction: Unknown
 Building Status: Complete and well maintained
 Zone: C-2
 As-of-right development with no commercial vacancy





(Google Data)

Marketing Name: Shelter Nova Scotia
 Civic Address: 5506 Cunard Street
 Year Construction Permit Granted: 2011
 Year of Construction: Unknown
 Building Status: Complete and well maintained
 Zone: C-2
 As-of-right development with no commercial vacancy, commercial unit working as an NGO office.

	<p>Marketing Name: St. Lawrence Place Civic Address: 3471, 3481 Dutch Village Road Year Construction Permit Granted: 2011 Year of Construction: 2013 Building Status: Complete and well maintained Zone: C-2A Case Number 01302 MPS and LUB Amendment and Development Agreement approved June 2010 with no commercial vacancy</p>
	<p>Marketing Name: Gladstone North Civic Address: 6136, 6150 Almon Street, 2761, 2757, 2751 Gladstone Year Construction Permit Granted: 2010 Year of Construction: 2012 Building Status: Complete and well maintained Zone: C-2 Case 16248 amendment of the original Development Agreement approved December 2010 with no commercial vacancy</p>
	<p>Marketing Name: Point North Civic Address: 3065 Robie, 5870 Demone Year Construction Permit Granted: 2014 Year of Construction: Under Construction, expected to be opened on March 2017 Building Status: Minor construction operating Zone: C-2 Case Number 17456 LUB Amendment and Development Agreement approved in 2013 July with 8 commercial vacancies.</p>


	<p>Marketing Name: Not Applicable Civic Address: 5659 Almon Street, 2814 Isleville Street Year Construction Permit Granted: 2014 Year of Construction: 2015 Building Status: Complete and well maintained Zone: C-2 Case Number 17756 LUB Amendment and Development Agreement approved June 2013 with no commercial vacancy</p>
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	<p>Marketing Name: The Keep Civic Address: 6112 Quinpool Road, 1990 Vernon Street Year Construction Permit Granted: 2014 Year of Construction: Under construction Building Status: Heavy construction underway Zone: C-2 Case Number 17195 LUB and MPS Amendment and Development Agreement approved May 2013</p>
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	<p>Marketing Name: South Port Civic Address: 1047, 1057, 1065 Barrington Street Year Construction Permit Granted: 2014 Year of Construction: 2016 Building Status: Complete and well maintained Zone: RC-4 Case 18950 MPS and LUB Amendment approved in April 2014 with 1 commercial vacancy</p>
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	<p>Marketing Name: Monaghan Square Civic Address: 6100 Young Year Construction Permit Granted: 2015 Year of Construction: 2016 Building Status: Under Construction, expected to be opened in June 2017 Zone: C-2 Case 17256 LUB Amendment and Development Agreement approved in August 2012</p>
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	<p>Marketing Name: St Joseph Square Civic Address: 5454 Kaye Street, 5455 Russell Street Year Construction Permit Granted: 2015 Year of Construction: 2016 Building Status: Commenced, minor construction working Zone: C-2 Case 01325 MPS and LUB Amendment and Development Agreement approved in January 2012 with 6 commercial vacancies</p>
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	<p>Marketing Name: The Edison Civic Address: 3400 Dutch Village Road Year Construction Permit Granted: 2015 Year of Construction: 2016 Building Status: Minor construction working Zone: C-2A Case 18510 MPS and LUB Amendment and Development Agreement approved in May 2015 with 5 commercial vacancies</p>
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	<p>Marketing Name: Unknown Civic Address: 2300 Gottingen Street Year Construction Permit Granted: 2016 Year of Construction: Unknown Building Status: Under major construction Zone: C-2</p>
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Note: Except from the photo of 5506 Cunard Street, all other photos was taken by Qianqiao Zhu (2017).

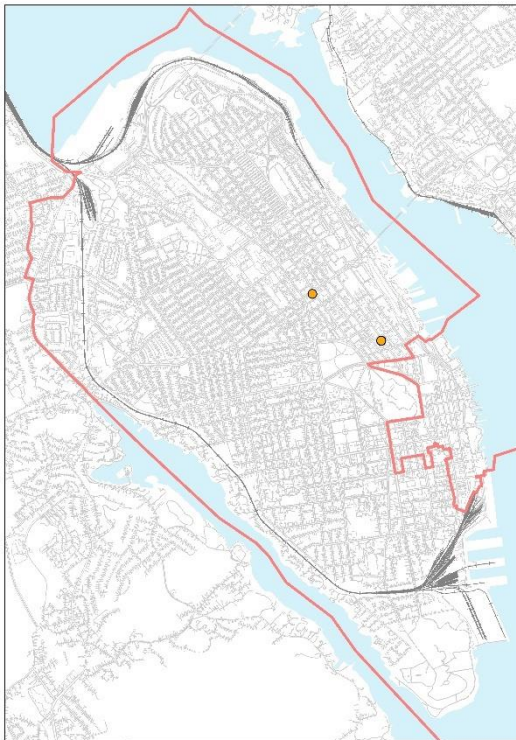
Findings

The buildings present strong patterns based on differences of locations, the time of construction and the policies they follow. The findings section combines the evidence and analysis. The findings will be based on the four research sub-questions and include analysis regarding the spatial distribution, policies, the use of commercial space and an overall general pattern of development.

Spatial Distribution

- **Building locations comparison between 2007 and 2016 (no building approved in 2006)**

2007



2016

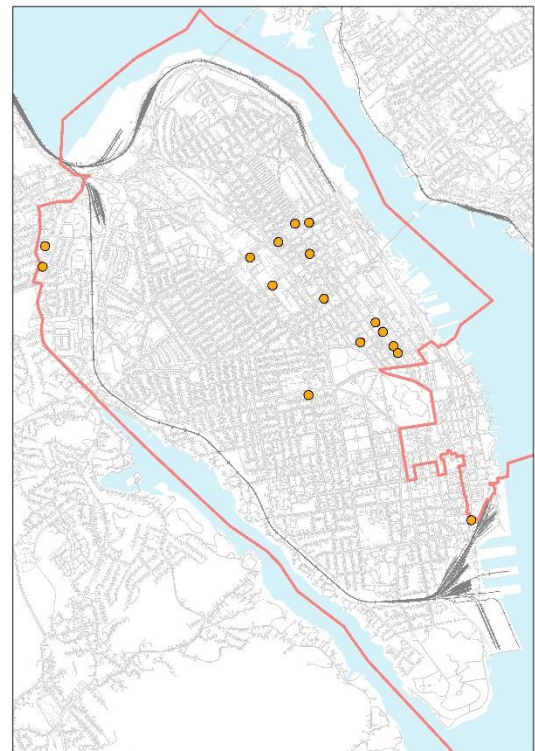
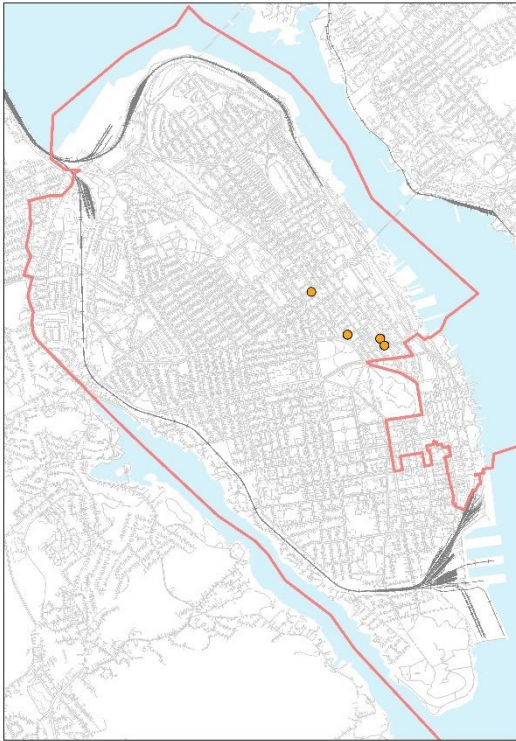


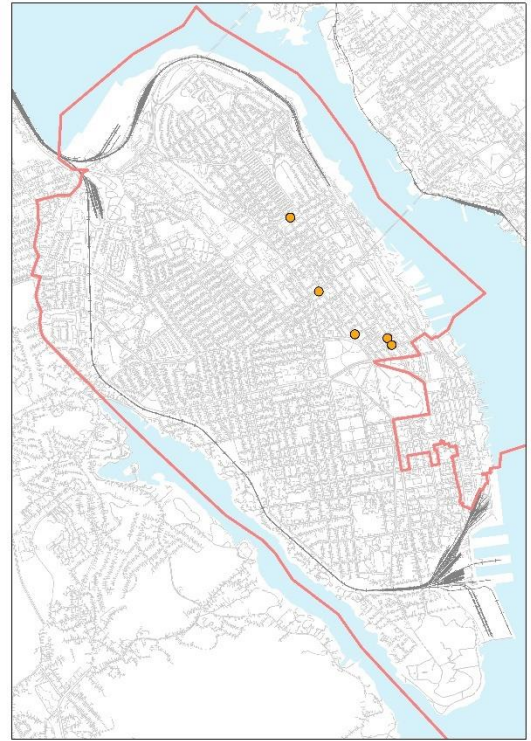
Figure 1. By-law area boundary and base map GIS data retrieved from Halifax Regional Municipality (2012)

- **Building location distribution between 2007 and 2016**

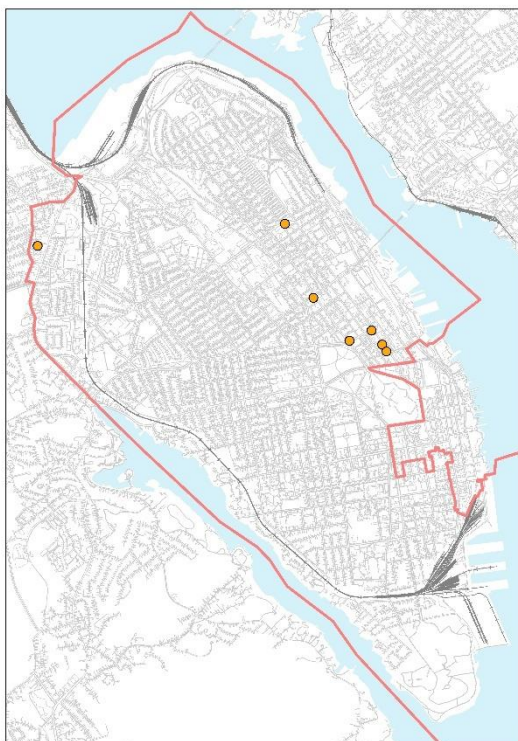
2008



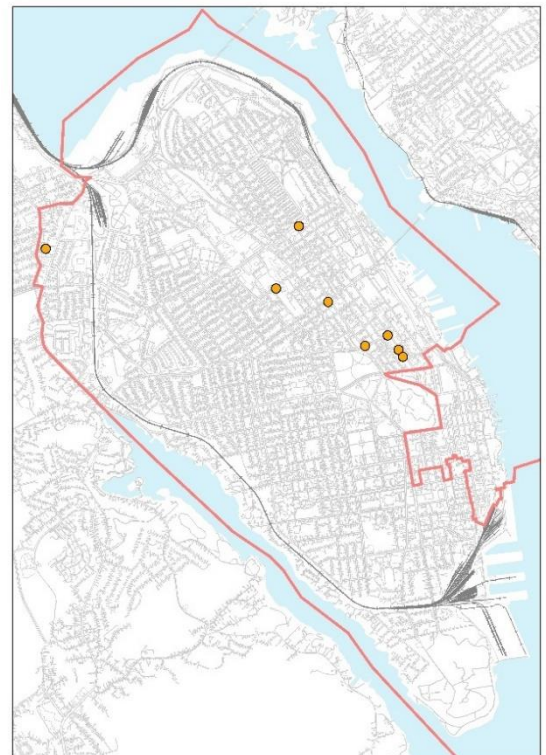
2009



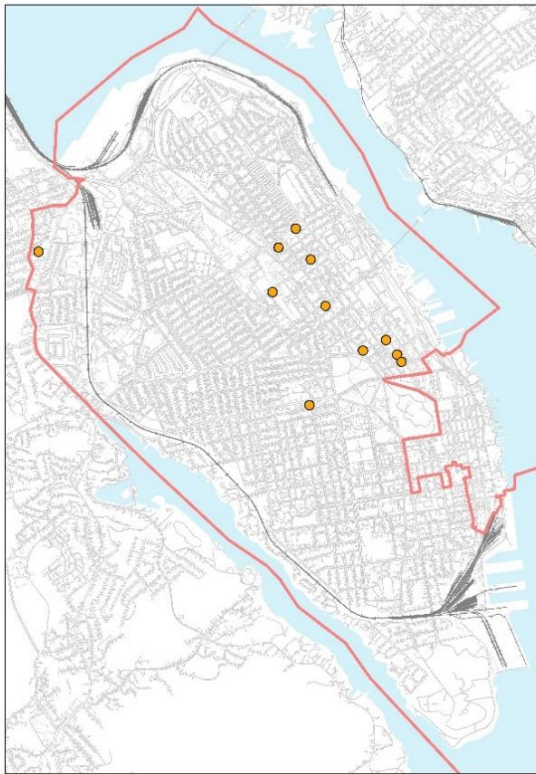
2011



2013



2014



2015

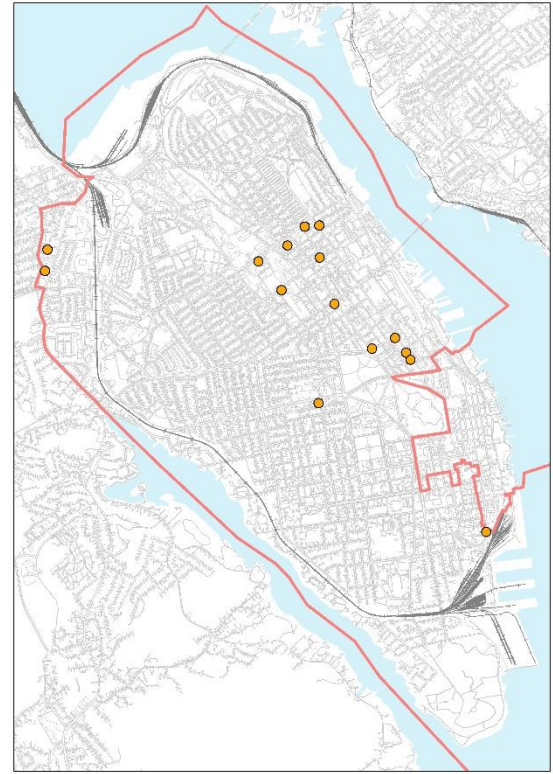


Figure 2. By-law area boundary and base map GIS data retrieved from Halifax Regional Municipality (2016b, 2012). The missed years indicate that no building was approved in that particular year

- **Building Location Distribution in 2016**

Based on the map for 2016, the building locations are concentrated in three areas:

1. Gottingen Street south of North Street and its surroundings, including Agricola Street south of North Street and Cunard Street east of North Park Street (Gottingen-Agricola);
2. The section of Kaye Street near the Hydrostone Market and Young Street west of Windsor Street (Hydrostone-Young);
3. The east side of Dutch Village Road (Dutch Village Road. The proximity of the two buildings allows this area to be considered as having the character of a concentration.).

In the Gottingen-Agricola area, most buildings are located close to each other with higher density of buildings. Other areas, in comparison, appear to have more spread-out distribution. Also, two buildings are not in any of these areas, but built on Quinpool Road and Barrington Street south.

In general, most mixed-use buildings are located with easy access to major streets such as Robie Street, Gottingen Street, Young Street, and Joseph Howe Drive.

- **Building Location Distribution Change (2006 to 2016 based on the date construction building permits granted)**

2006 to 2008:

Developments were mainly established south of North Street. The area of development was generally concentrated along Gottingen Street and Agricola Street.

2009 to 2011:

Development area expanded to the North End with a new development near the Hydrostone Market.

2012 to 2014:

Developments started to be distributed more widely in the study area. New locations included Quinpool Road and Dutch Village Road.

2015 to 2016:

A development boom in the North End near the existing Hydrostone area, combined with the development along Almon Street. The two Almon Street developments (6136 Almon Street and 5659 Almon Street) and another two developments (6100 Young Street and 3065 Robie Street) are all in the Schedule “Q” area. One more building was established along Dutch Village Road that followed the Fairview Secondary Municipal Planning Strategy (Halifax Regional Municipality, 2016c) & Fairview Area LUB (Halifax Regional Municipality, 2016e). There is also a building on Barrington Street south of Downtown.

Gottingen-Agricola has a stronger concentration of older mixed-use buildings (2006 - mid 2011) compared to the other parts of the Peninsula. Newer mixed-use buildings (mid 2011 - 2016) generally are more dispersed across the study area.

- **Commercial Units & Building Heights**

1). Commercial Units Distribution Pattern

The spatial distribution of commercial units also presents strong patterns based on the differences in locations. The Gottingen-Agricola area, where older mixed-use buildings were established, generally has fewer commercial units per building. Most of the buildings have around two to three units of commercial space. The North End area then has more commercial units; from six to nine per building. The two new buildings on Dutch Village Road present no obvious pattern with one building having 3 commercial units and the other 6 commercial units. South Port, located on Barrington Street South, contains only one commercial unit. (Figure 3)

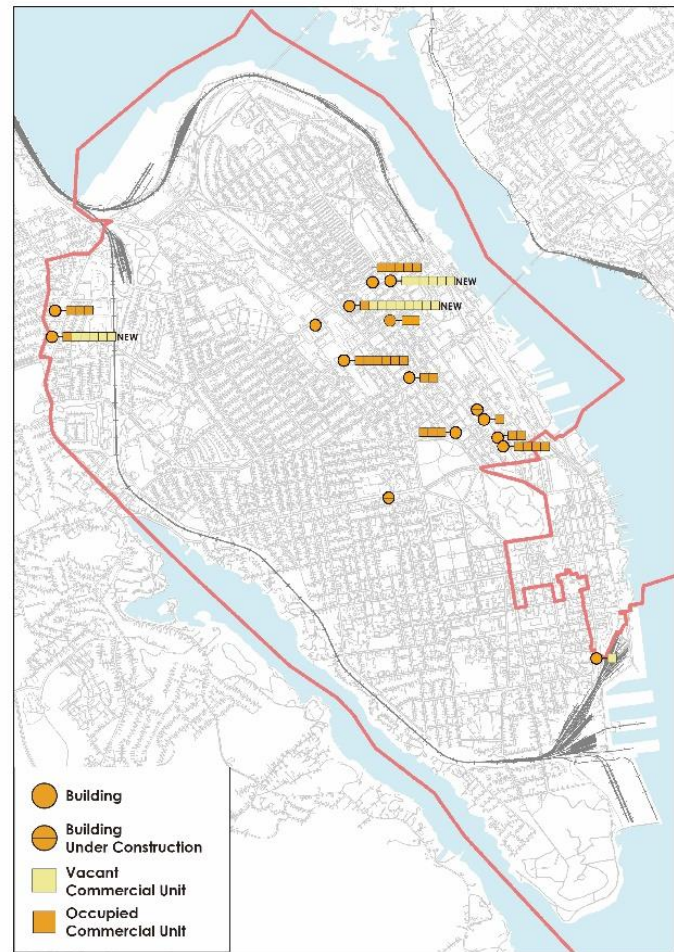


Figure 3. Halifax Peninsula Mixed-use commercial units and vacancy map

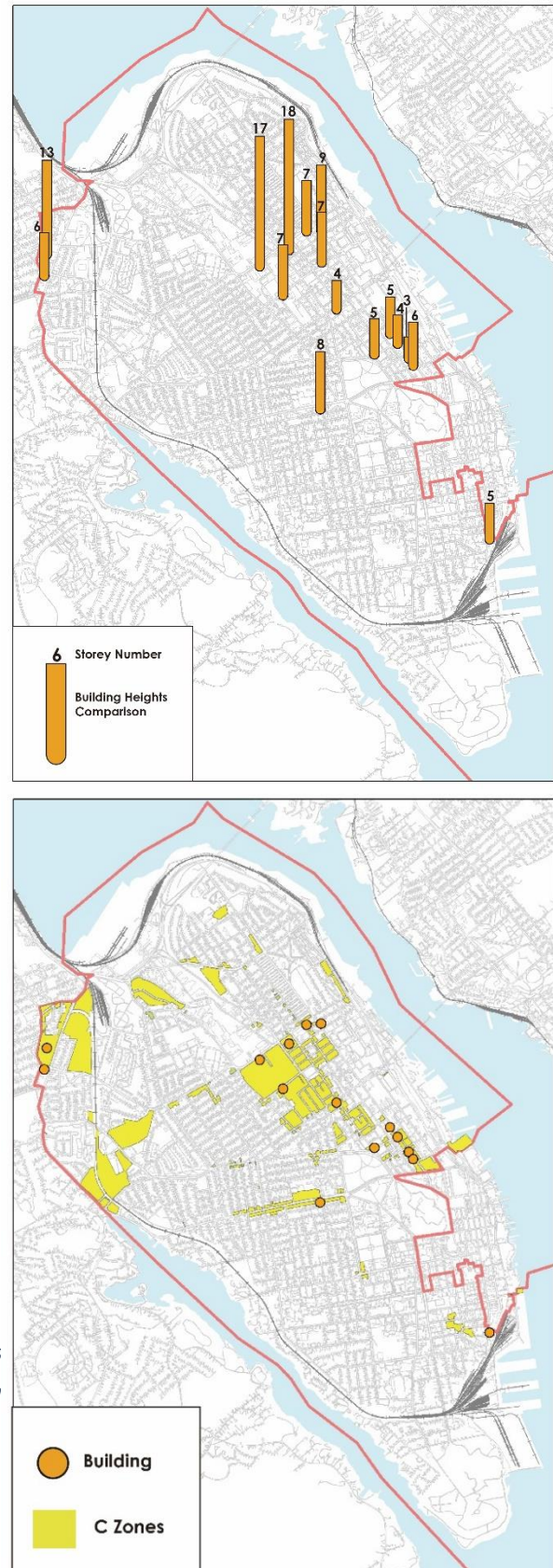
2). Building Height Distribution Pattern

The buildings located south of North Street have generally low heights below 7 storeys, whereas the buildings in the North End area have higher building heights from 7 storeys to 18 storeys. One building on Dutch Village Road is also taller than 10 storeys. On average, the heights of the newer buildings are higher than the older buildings. Also, for newer buildings, from 7 storeys to 18 storeys, the heights have more diversity compared to the older buildings. The heights that are allowed appear to be more flexible than for the older buildings. (Figure 4)

- **Zoning**

Another pattern for mixed-use building is the zoning. In the zoning map (Figure 5), C zones include C-2 zone, General Business Zone, C-2A zone, Minor Business Zone and C-2C zone, Minor Business Zone - Quinpool Road. The zoning together, allows a wide variety of commercial businesses to be established (Halifax Regional Municipality, 2016e). Almost all the buildings are located in the C-2 zone or C-2A zone. Also, the surrounding areas of these buildings are mostly the commercial zones. From the zoning perspective, it can be assumed that these buildings are located in areas that focus on the commercial land use and there is a mix of commercial services in the area because of the flexible zoning requirements. The only exception is 1065 Barrington Street, which is located in RC-4 zone, South Barrington Residential/Minor Commercial Zone, a zone set specifically for that land parcel (Halifax Regional Council, 2014c).

Figure 4 & 5. Halifax Peninsula mixed-use building heights map (upper) and commercial zones map (lower). Zoning data retrieved from Halifax Regional Municipality (2016f)



Rationales to Select the Locations and Functions

- **Municipal Planning Strategy Analysis**

The Municipal Planning Strategy, approved by Halifax Regional Municipality (2016c), regulates planning in the City of Halifax with statements or policies regarding different planning elements and factors. In general, this document has limited direct indications of mixed-use in the city wide or area wide context. Compared to a city wide or area wide vision about mixed-use, the strategy has a number of regulations focused on specific lots of land, requiring or suggesting the specific lots to be built with mixed-use buildings. Examples of the regulations are:

“1.14 Notwithstanding the Mid Density Residential Designation of the southern portion of the property known as 6112 Quinpool Road bounded by Quinpool Road, Vernon Street and Pepperell Street, and in conjunction with Policy 2.9 of Section XII of this Municipal Planning Strategy, the Municipality shall permit a mixed use residential and commercial building by development agreement. (RC-Jun 25/13; E-Aug 17/13)” (p.93)

Or

“2.15.1 In considering agreements pursuant to Policy 2.15, Council shall consider the following and may include such provisions in the agreement.

.....

(ii) Minor commercial uses may be permitted above the ground floor of a commercial or mixed use development, if the development of these uses in both type and concentration, is not contrary to the goals for the commercial core as stated specifically in Policy 2.6.1 of this Section;

.....” (p.186)

The only area wide vision with mention of mixed-use development is set on the Quinpool Road Commercial Area Plan Objective and Policies, which suggests that mixed commercial/residential developments shall be encouraged in the Quinpool Road area (p.216). However, this objective does

not only refer to the specific type of vertical res/com mixed-use. In general, the Municipal Planning Strategy cannot be said to offer a strong push into mixed-use development. Other factors below must have stronger effects.

- **Land Use By-law Analysis**

Approved by Halifax Regional Municipality (2016e), by-law requirements are only applicable when the buildings are built as-of-right, which follows the general requirements of the zone of the land the building was built on. Most of the older buildings built in Gottingen-Agricola were built as-of-right while most newer buildings or buildings in other parts of the Peninsula were built with case-specific planning applications. Most of the early developments --including 5689 Cunard Street, 5505 Falkland Street, 2116 Gottingen Street and 5548 Kaye Street-- did not require development agreement or any amendment of MPS and LUB. The zoning of these buildings was C-2 where no front or side yard was required. The residential part fitted in the zone's inclusion of R-3 uses (Multiple Dwelling Zone). The commercial section fitted into the direct regulation of C-2 zone (Halifax Regional Municipality, 2016e). These buildings had no problems with the angle control zone front line, lot size or landscape. Since no relevant documents were found, these buildings can be considered as-of-right developments.

For as-of-right developments, since construction is not required to pass council approval, the rationale for the building to be built can not be identified through the review of legal documents. Since these buildings are all private buildings, it can be assumed that construction was generally based on market conditions.

- **MPS/LUB Amendments and Development Agreements**

In the HRM definition, a development agreement is defined as:

“a legal agreement between a property owner and the municipality to ensure a site is developed in a particular manner.” (Halifax District 15, 2014)

For the mixed-use buildings studied, this document regulates and defines technical features where the buildings exceed what the original LUB allowed. The application of this type of document is usually submitted by municipal staff to the municipal council for discussion and final approval. In such cases, it can be said the application reflects a consensus between the developers and the municipal staff. For that reason, these application documents contain information regarding why city staff (usually municipal planners) and owners or developers of the buildings believe the projects should be approved. Based on the data collected, most of the building applications required MPS and LUB amendment. Some buildings were approved only with the amendment to the legal documents without development agreements. For all these application documents, the summarized rationales are listed below:

Date & Case	Civic Address	Rationale
2007 May (2008BP) Case 00895	2594 Agricola Street (MPS and LUB Amendment involved)	<ul style="list-style-type: none"> • The building has a funding agreement with the City in exchange of affordable rental units. • The building has limited effect on the neighbourhood
2010 June (2011BP, 2013C) Case 01302	3473 Dutch Village Road (MPS and LUB Amendment and DA Involved)	<ul style="list-style-type: none"> • Building is located near existing mixed use and is in a transition area between two major areas • Building has good traffic access
2011 July (2010 BP, 2012C) Case 16248	6136 Almon Street (Amendment to DA involved)	<ul style="list-style-type: none"> • Original development agreement in place provided a simplified process to add mixed-use. • The City actually encouraged such type of development. • The building is located in the Schedule “Q” area of the LUB (see below)
2011 July (2015BP, 2016C) Case 01325	5454 Kaye Street	<ul style="list-style-type: none"> • The building has good street location

	(MPS and LUB Amendment and DA involved)	<ul style="list-style-type: none"> • The building is similar to the existing building style of the neighbourhood • There is not much low-density housing around which could cause conflicts
2012 Aug (2015BP) Case 17256	6100 Young Street (LUB Amendment and DA involved)	<ul style="list-style-type: none"> • The building is located in the Schedule “Q” area of the LUB (see below)
2013 May (2013 BP, 2016C) Case 17195	6112 Quinpool Road (LUB and MPS Amendment and DA involved)	<ul style="list-style-type: none"> • The Quinpool Road location is suitable for development • The City encourages mixed-use on Quinpool Road • The developer called for the Land Use By-law to adapt to the new demand
2013 July (2014 BP, 2015C) Case 17756	5659 Almon Street (LUB Amendment and DA involved)	<ul style="list-style-type: none"> • The building is located in the Schedule “Q” area of the LUB (see below)
2013 July (2014BP, 2017C) Case 17456	3065 Robie Street (LUB Amendment and DA Involved)	<ul style="list-style-type: none"> • The building is located in the Schedule “Q” area of the LUB (see below)
2014 October (2014BP, 2016C) Case 18950	1065 Barrington (MPS and LUB Amendment involved)	<ul style="list-style-type: none"> • The building is close to the Downtown Halifax Secondary Municipal Planning Strategy area. • The building is similar to the existing building style around that area and is located in a transition zone between Downtown and South End.
2015 May (2015BP, 2016C) Case 18510	3400 Dutch Village Road (MPS and LUB Amendment and DA involved)	<ul style="list-style-type: none"> • The building has a desirable location with good access • The building has no conflict with low density housing around the development

		<ul style="list-style-type: none"> • The building is consistent with the existing street style and the building is located in a transitional area. • The City encourages this type of development.
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Note: Detailed explanation and summary of rationales please see below. BP: Building Permits Granted; C: construction; DA: Development Agreement.

For whatever types of planning application processes the buildings went through, six common rationales can be identified in the application documents:

1). The building is located in the Schedule “Q” area of the LUB

An area in North End Halifax is identified as the Schedule “Q” area in the LUB. It specifies that a mixed-use multi-unit development in this area would be able to proceed the application by development agreement. The Schedule “Q” area is identified in dark green in figure 6.

In a planning application document of a building in Schedule “Q” area, this concept was explained as:

“Schedule “Q” was established to address the challenge of introducing new residential uses into existing commercial and industrial areas by negotiating, on a site by site basis, the conditions of a development agreement including:



Figure 6. The cropped zoning ZM-2 Schedules and Secondary Planning Areas Map with dark green showing the Schedule “Q” area. Retrieved from HRM Planning Services (2016b)

- the creation of an adequate environment for residential living on sites which may be surrounded by commercial and industrial uses; and
- providing for the continued operation of adjacent commercial and industrial uses without being encumbered by new residential uses.

Schedule "Q" is currently applied to those lands on the west side of Robie Street between Young and North Streets." (Peninsula Community Council, 2012)

Four buildings examined are located in the Schedule "Q" area: 6100 Young Street, 3065 Robie Street, 5659 Almon Street and 6136 Almon Street. Based on the Schedule "Q" requirements, these buildings could be approved by development agreements process by reaching these goals. It is then different from the developments outside this designated area. In the discussion of Case 17256 for 6100 Young Street, the documents mentioned at the very beginning of the discussion:

"LUB Amendment (Schedule "Q")

The inclusion of the subject site in Schedule "Q" will allow the development to benefit from comprehensive site planning which is achieved through the development agreement process. "Schedule Q" is currently applied to a large area of Peninsula North which is designated Major Commercial, on the west side of Robie Street. Due to the site's size and its location within a major commercial area, in which a limited amount of residential uses currently exists, the proposal will benefit from the controls and flexibility that the development agreement process provides to reduce future land use conflicts." (Peninsula Community Council, 2012)

To some extent, this implies that developments in the Schedule "Q" area could get approval more easily. The establishment of Schedule "Q" area can be counted as an incentive policy to address the challenge to transform some original commercial and industrial areas in the North End. This schedule provides opportunities for developers to propose buildings that match the City's expectation to transform an area currently believed to have unsuitable land uses. The four buildings show the success of this special land use policy in attracting new mixed-use developments.

2). The building is in areas with consistent building style

Several applications have wording from the planners or developers that praised the buildings' attribute that the project would be in an area with existing mixed-use, high rise, apartments or ground floor commercial areas. Projects in these locations are usually considered consistent with the building style of the neighbourhood. Developers may prefer this kind of location to build mixed-use buildings. We can also see that mixed-use building, currently, involves concepts such as high rise developments or specific types of mixed-use featuring ground-floor commercial. This idea also might explain the selection of locations for low rise buildings (4 to 6 storeys) on Gottingen Street, since Gottingen Street has a generally consistent streetscape with buildings of lower heights.

In the application of Case 01325 for 5454 Kaye Street, one focus is the height of the surrounding buildings:

“In neighbourhood areas such as this one where there are a variety of building heights, the impact of a taller building upon its surroundings can often be suitably addressed by setbacks and variations in building form.” (Halifax Regional Council, 2009b)

The application argued that the problem of taller heights could be solved through design in an area when the area has buildings of a variety of heights. This wording provided assurance to try to convince the council of the benefits of the project. Another example of Case 18510 for 3400 Dutch Village Road uses the building's consistency with the surroundings, and the potential for enhancement as the rationale:

“Following is a brief summary of the applicant's rationale for the proposed amendments:

.....

- The proposed development is consistent with and will enhance the surrounding area.”
(Halifax Regional Council, 2014a)

Since Dutch Village Road area is a mixed-use area with various functions and building types, the developer simultaneously argued for keeping the streetscape consistent and potentially improving it as well.

3). The building is located in a transitional area

Three buildings are located in transitional areas, two buildings on Dutch Village Road and one building on Barrington Street south. The transitional areas in this case point to areas located between two major planning areas. Dutch Village Road is between Halifax Mainland and Halifax Peninsula and 1065 Barrington Street is located between Downtown Halifax and the South End area.

The Dutch Village Road area, for example, at the time of the application for 3473 Dutch Village Road, was experiencing a change in business function. Planners identified the potential to revitalize the area (Chebucto Community Council, 2010). The later application for 3400 Dutch Village Road then referred back to the successful application of 3473 Dutch Village Road and again mentioned the location in the transition area (Halifax Regional Council, 2014a) . That area, with good traffic access and the potential brought by the location, was seen as an ideal location for mixed-use by developers and planners.

For 1065 Barrington Street, the LUB and MPS amendment process had very strong emphasis on the transitional area south of Downtown Halifax between the Downtown Halifax Land Use By-law (DHLUB) area and the area in the South End Area Plan (SEAP) (Halifax Regional Council, 2014c). There is an apparently evident flexibility for this development to follow the guideline of the downtown plan rather than the requirements of the existing commercial zones. This transitional condition was explained in the application as follows:

“To ensure future development in this transition area is generally consistent with the urban design principles of the DHLUB and appropriately scaled to reflect existing development within the SEAP” (Halifax Regional Council, 2014c)

Planners and developers see this kind of location as good places to construct untraditional buildings. A rationale based on the “transition area” concept may cause less concern to council to approve the project.

4). The building has good traffic access

From the study of the location pattern, the newer mixed-use developments prefer to choose locations near major streets. This often implies good traffic and/or transit access. Such a rationale was used by developments such as 5454 Kaye Street. In its development agreement application, the developer provided such a rationale:

“The property is flanked by three streets, with Gottingen being a major street, which is a circumstance in which larger scale developments are often appropriate” (Halifax Regional Council, 2009b)

The application for 3400 Dutch Village Road also mentioned:

“The lands are situated in a desirable location at a prominent street intersection” (Halifax Regional Council, 2014a)

One thing that should also be considered is that most of the rationales mentioned the street location but not transit access and other active transportation access. In fact, only 3473 Dutch Village Road mentioned the trail that was converted from the CN railway right-of-way (Chebucto Community Council, 2010). Therefore, the focus may still be on vehicle transportation rather than transit or active transportation.

5). The building has few conflicts with low-density residences

This is similar but different from the second rationale. It has a specific focus on low density neighbourhoods. The one development that had a specific mention of this rationale is 5454 Kaye Street:

“There are no low-density residential uses abutting the property that may cause compatibility concerns” (Halifax Regional Council, 2009b)

Also, the application for 3400 Dutch Village Road discussed its isolation from the surrounding neighbourhoods, where low density residences largely exist (Halifax and West Community Council, 2015). Residents of low density residences may be the main sources of complaints about new mixed-use projects. Emphasizing the absence of low density residences nearby can reduce council’s concern in approving the projects.

6). The City is expecting more mixed-use buildings to be built

This rationale is especially popular among the development applications. An example is the application for 6136 Almon Street:

“HRM’s Regional Plan encourages new residential growth in the Regional Centre (Halifax and Dartmouth inside the Circumferential Highway). The growth potential for low density development on the Halifax Peninsula is very limited due to the high cost of land and the lack of large, undeveloped land holdings. Consequently, to achieve the regional growth projections outlined by the Regional Plan it is necessary to utilize new strategies that support mediu[sic] to high density housing alternatives.....” (Peninsula Community Council, 2010)

Another one is the application Case 18950 of 6112 Quinpool Road:

“The MPS and LUB do not address the outcomes promoted by the past workshops as part of HRM by Design. Workshops promoted increased height, additional density; reinforcement of retail and urban pedestrian activity.” (Halifax Regional Council, 2013)

For Quinpool Road, this can directly match with the statement in the MPS regarding the Quinpool Road area that encourages mixed-use. For areas other than Quinpool Road, it can be seen that although not mentioned in the MPS directly, the City actually has an interest or expectation to push forward the development of mixed-use buildings. The city staff has a clear idea regarding the restriction of developments in the Peninsula because of the geographical character and they seek strategies to reach the goal set in the regional plan. Mixed-use is playing a role in this strategy. The Municipality’s preference or pressure is a strong rationale for developers to construct mixed-use buildings.

Special case for MPS and LUB amendment

There is one special case for MPS and LUB amendment that was processed for an older building, 2594 Agricola Street. The earliest Development Agreement happened with this building. A strong reason for establishing the building was related to a funding agreement between the municipal government and the developer. The projects would provide affordable housing units to obtain the funding of the development. And the building has to be maintained as affordable for 15 years. The site condition allowed the development to happen without great effect on the neighborhood.

Other requirements are mentioned frequently including several technical features such as landscaping, common space for the residents, building material, massing and setback. However, these requirements are based on specific sites and are not interpreted as the primary rationales for the application but complimentary features of the buildings to promote positive effect. Also, it appears as common sense for the new buildings to contain relatively good exterior design.

- **Professional Interviews**

- 1). Municipality's Requirement**

The City is pushing forward mixed-use development. Among the 11 interviews conducted, at least six people confirmed that the negotiation on mixed-use is an important point of discussion between developers and the City. At the least, developers were aware that having mixed-use in a project would make the approval process easier. In planners' and councillors' perspectives, demand in Halifax is sufficient to sustain such developments. Halifax is experiencing continuous immigration intake and the city is growing. There is demand from the current residents as well. One planner mentioned that some neighbourhoods are expecting such development to bring amenities like new daycare and cafés to the community. Therefore, it would make sense for such developments to appear more frequently. (Box 1)

BOX 1. Municipality's pressure on mixed-use

Broker 1 (Male): So you know, the municipality is requiring development that they would have that mixed use. I guess depending on where the project is, that will vary. My understanding is that that's sort of become pretty much standard.

Planner 1 (Male): So we come up with regulations that say you have to have mixed use.

Councillor 3 (Female): it could be very prescriptive that you shall put commercial use on the first floor or the first two floors. Or it could open up the option and say you would be allowed to do that. So I think there's two different approaches around that in terms of what makes sense.

- 2). The use of ground-floor space**

A second major reason for mixed-use appears to be the challenge of filling the ground floor space with residential uses. A developer and two brokers confirmed such concern. In a condo or apartment building in the Peninsula, few residents are willing to live on the ground floor. Therefore, it becomes a challenge for developers to fill the ground floor space. Some buildings use this ground floor space as common space for tenants. An example is South Port (1065 Barrington Street), where one ground floor space is used as the fitness room for the building. But because the amenity would not be enough to take up the space, commercial units become a revenue generating option. However,

a developer also mentioned that some developers have concern about the lack of demand for ground floor commercial space, so they minimize the number of commercial spaces. Still, South Port is an example; it only has one commercial unit. (Box 2)

BOX 2: Hard to get people to live on first floor

Broker 3 (Male): Well, the thing with those is that it's difficult in some of those to have something to put on the ground floor because not a lot of people on the peninsula want to live on a ground floor.

Developer 1 (Male): I think it is. I think it's tougher to get people to live at grade. You know, I don't think it's preferred. So maybe what you do then at the grade is you put in things like your fitness room or your common room.

3). Importance of location

Most interviewees think that location is the biggest consideration for developers to build a building. They choose locations that have good traffic access, both for vehicles and bus transit. A broker mentioned that location is the most important factor that decides the performance of a ground-floor commercial space. A former councillor believes the Peninsula has good access to downtown and owning a private vehicle is not necessary. (Box 3)

BOX 3: The importance of location

Broker 3 (Male): It's all about location. That's probably about 80% of the decision factor. The physical building itself, the signage, the ceiling height, the floor loading, you know, that's the other 20%.

Councillor 3 (Female): they think that people will want to live on the peninsula. They think that it's ready access to the downtown. So you could walk. You don't necessarily have to have a vehicle to get downtown.

The Use and Vacancy of Commercial Space

- Commercial Tenant Types (Until early February 2017)**

Area	Civic Address	Service Type (Building)	Service Type (Area)
Gottingen-Agricola	5689 Cunard Street	2 x Medical service 1 x Professional service	2 x Medical service 3 x Professional service 3 x Bar/Restaurant 2 x General retail 1 x Craft and art working space (8 art studios) 11 units in total
	5505 Falkland Street	1 x Bar/Restaurant 2 x General retail	
	2116 Gottingen Street	1 x Professional service 1 x Bar/Restaurant	
	5506 Cunard Street	1 x Professional service	
	2594 Agricola Street	1 x Craft and art working space (8 art studios) 1 x Bar/Restaurant	
Hydrostone-Young	6136 Almon Street	4 x Medical service 1 x Professional service 1 x Bar/Restaurant	5 x Medical service 3 x Professional service 2 x Bar/restaurant 3 x General retail 1 x Other retail (Medical retail) 14 x Vacant space 28 units in total
	5659 Almon Street	1 x Professional service 1 x General retail	
	3065 Robie Street	1 x General retail 8 x Vacant space	
	5548 Kaye Street	1 x Bar/Restaurant 1 x General retail 1 x Other retail 2 x Professional service	
	5454 Kaye Street	6 x Vacant space	
Dutch Village Road	3473 Dutch Village Road	1 x Professional service 1 x Medical service 1 x Bar/Restaurant	2 x Professional service 1 x Medical service 1 x Bar/Restaurant 5 x Vacant space 9 units in total
	3400 Dutch Village Road	1 x Professional service 5 x Vacant space	
South End	1065 Barrington Street	1 x Vacant space	1 x Vacant space

• **Commercial Tenants List (Until early February 2017)**

Service type	Service	Tenants (Commercial Branding)
Bar/Restaurant	Café	<ul style="list-style-type: none"> • The Nook Espresso Lounge • Starbucks • Café Aroma Latino • Joelee's Café • Fattoush Café
	Restaurant	<ul style="list-style-type: none"> • Field Guide
Professional Service	Financial Service	<ul style="list-style-type: none"> • The Mortgage Center • Assante Wealth Management • Schofield Insurance
	Travel Agency	<ul style="list-style-type: none"> • Merit Travel Professional Service
Medical Service	Medical Service	<ul style="list-style-type: none"> • Agricola Holistic Health • Pregnancy Ultrasound • Signature Health • Acuity Counselling and Therapy • Vision Rehabilitation Centre of Excellence • Inova Credit Union Bank • Moffatt's Pharmacy • pt Health • Collaborative Healthcare
General Retail	Retail	<ul style="list-style-type: none"> • Vapor Plus Vapor Smoking • Butch Meat Store • Attica Furniture • Fiber of Life Ethical Style craft store
Other Retail	Medical Retail	<ul style="list-style-type: none"> • Lang Optometry & Eye Wear
Craft and art working space	Art Studio	<ul style="list-style-type: none"> • Artists' Quarter Gallery & Studio
Professional Service/ NGO	Other	<ul style="list-style-type: none"> • Harris East business office • NGO Shelter Nova Scotia office

Use of commercial space

General retail units have only occupied a small number of the commercial units. For the area south of North Street, two commercial units out of 11 units are retail services. Three commercial units are restaurant/bar. The remaining six commercial units are occupied by professional and medical services. In detail, this area has more diverse functions in the use of commercial units. Only one among the buildings, 2594 Agricola Street, has some spaces used as art studios for young artists.

For the North End concentration, medical services are the most common occupancy. This is especially emphasized in the building at 6136 Almon Street, with most of the non-residential space used for medical services (5 units). General retail and food services still occupied only a small number of units. For occupied space, half of the units are professional and medical services.

Along Dutch Village Road, there are now four occupied commercial units. Three are located at St. Lawrence Place, built in 2014. The three units were occupied by one professional service, one medical service and one restaurant/bar. Because of the design of the space with parking lot and fence toward the sidewalk, the spaces are vehicle oriented. The major customer flow happens with the medical services, which leads to frequent vehicle movements in that area.

In sum, most of the commercial space is used by professional services or medical services. Retail function is weak in these spaces. For specific tenant services, among tenants categorized as bar/restaurant, most are cafés rather than actual restaurants. Local financial services are the main tenants for the professional services. Although a wide variety of tenants provide services, most of the tenants are local businesses. The only national chain business identified in any of the projects was Starbucks.

- **Interview Information**

Four interviewees responded that these ground floor commercial units were mainly occupied by local businesses. They stated some concerns that these local businesses would not be able to attract enough customers to the locations. They believed that such spaces need major tenants like Urban Outfitter or ZARA to attract people. One broker mentioned that developers appear to build these spaces without knowing the targeted tenants and they appear to be trying to build spaces that

can suit the needs of any function, but he recognized this unclear target created a challenge in attracting major retail tenants. (Box 4)

BOX 4. National retailer or local retailer

Broker 3 (Male): Well, if you don't have the parking and you don't have the signage then you're probably not going to get a national retailer. So you're always going to be going for a local retailer.

Another consideration raised by professionals interviewed was competition from e-commerce. A developer and a councillor mentioned that the Internet is posing a challenge to retail. They believed that the demand for retail is declining at present. (Box 5) This implies why the retail section is not the main tenants for these commercial spaces, but this is not the only reason. One broker provided the information that many of the residents are seniors, which makes it a possible reason for the amount of health services in these developments.

BOX 5. E-commerce

Developer 1 (Male): But the fact of the matter is that the Internet has made it that since the 2009 adoption of the Downtown Plan, we're way over-retailed.

In terms of the rental price of commercial space, two planners and one broker mentioned that. Their words implied that rent for these spaces may be lower than what developers expected. One broker mentioned that some buildings provided incentives for the commercial tenants to move in. One planner mentioned that the rent for the commercial space might not bring the owner enough profit. But compared to Downtown Halifax, another planner confirmed that the price in Halifax Peninsula is lower. Other than the price, he said that the space of every commercial unit is larger than the units in downtown. The two factors attract some businesses from Downtown Halifax, who experienced lack of space or high rental prices, to move to the buildings in Halifax Peninsula. The planner was concerned that this created competition between downtown and the Peninsula. (Box 6)

BOX 6. Possible competition with downtown

Planner 1 (Male): you're getting guys building in the north-end, and then businesses that were downtown that need more space, like Attica, you know, moved out of the downtown. Because we created a regulation, will we end up with just a lot of cheap commercial space and end up with the commercial development on the peninsula scattered around these apartment buildings?

Vacancy

The vacancy rates appear generally based on the age of the buildings. No vacancy was observed in buildings opened more than one year ago. All vacancies are located in newer buildings that were completed within the past year (2016 or early 2017). Even a few units in the newer buildings are already occupied. An example is the Attica furniture store in the building at 5870 Demone Street. Considering the short length of time some buildings have been open to the market, it is not yet clear whether vacancies will be a problem. However, as of February 2017, more than 15 commercial units in these buildings remained vacant. There is a potential risk that some commercial spaces may not find tenants immediately.

- **Interview Information**

In a city-wide context, most professionals interviewed had strong confidence about commercial spaces. They thought there may be problems for the short term such as 1-2 years, but did not expect a problem for the long term such as 5 years. But some respondents had worries about the relatively high prices for these spaces that reduce the ability for local businesses to move in. Sometimes, the demand can even come from the neighbourhood itself, which was described by a broker as the public wishing to use the space to add more services such as daycare. So the demands are both exterior and interior to the city. However, not many interviewees can provide accurate numeric indication regarding how much demand the city would have. The only one who had exact numbers is councillor 2, who mentioned that there are 4,100 people moving into the city every year. Based on the interview evidence, it can be assumed that the positive demand expectation may not be solidly coming from actual data, but more market atmosphere. Probably under the context that the

city population is growing and the City is pushing mixed-use development, developers may build buildings in hope of a positive market without absolute evidence to support this positivity. (Box 7)

BOX 7. Demand

Councillor 2 (Male): And we know the demand is at 4,100 people roughly a year, and accelerating. Move here. Like the population is growing.

Planner 2 (Male): So increasingly, they still have commercial space there because when you go and do a community engagement exercise, everybody wants a coffee shop or everybody wants, you know, a daycare or whatever.

General Pattern

Older Mixed-use Buildings (2006 to early 2011)

The projects before early 2011 were mostly small scale developments constructed as-of-right. All of these developments were built on parcels zoned C-2, General Business Zone. The C-2 zone allows any use permitted in an R-3 zone. Thus, the two functions of the building are regulated separately. The commercial portion follows the C-2 zone requirements, and the residential portion follows the R-3 zone requirements (Halifax Regional Municipality, 2016e).

For C-2 zone, the kind of businesses permitted are defined as:

“56(1) (b) Any business or commercial enterprise except when the operation of the same would cause a nuisance or a hazard to the public and except adult entertainment uses, junk yards and amusement centres;” (Halifax Regional Municipality, 2016e)

In this zone, the requirements for buildings are quite open:

“57(1) No front, side or rear yards are required for C-2 uses in C-2 Zones.

58 The height of a building in a C-2 Zone shall not exceed a height of eighty (80) feet, but for each foot that the building or that portion of the building which would exceed eighty (80) feet in height is set back from the property line, two (2) feet may be added to the height of the building.” (Halifax Regional Municipality, 2016e)

Buildings such as 5505 Falkland Street, 2116 Gottingen Street, 5689 Cunard Street meet the requirements with limited yard and low height. This explains the reason for the low heights of the buildings in the Gottingen-Agricola area. For the other zoning that regulates these mixed-use buildings, R-3 zone, “44(1) (d) apartment house is permitted to be built.” (Halifax Regional Municipality, 2016e). It has specific requirements regarding commercial space. However, these requirements are only for buildings with more than 100 dwelling units (Halifax Regional Municipality, 2016e). Since none of these older buildings have more than 100 units, the commercial space requirements do not apply to these developments. Other requirements are related to Display Window, Sign/Advertising, Signs, Minimum Lot Area, Distance from Lot Line, Size of Building, Distance Between External Walls and Open Space (see appendix 3 for full zoning requirements of C-2 and R-3 zones) (Halifax Regional Municipality, 2016e). There is only one exception among these older buildings: 2594 Agricola Street, which went through the process of a development agreement. The building did not meet the requirements of building lot size (minimum of 8100 sqft) and angle control, but the building was a part of an agreement between the municipality and the developer regarding funding to support the building in exchange for affordable rental units (Halifax Regional Council, 2007). The rationale supported social welfare.

- **Locations**

These older buildings are mostly located around Gottingen Street and Agricola Street area south of North Street (Gottingen-Agricola). The zones along the two streets are mainly commercial zones that have a mix of functions (see appendix 3 for full requirements). Only the 5548 Kaye Street condo building was erected in the Hydrostone area. Similar to Gottingen-Agricola, the Hydrostone area is mainly categorized as commercial zone with a good amount of ground-level commercials

(at Hydrostone Market).

- **Commercial Units**

The buildings in the Gottingen-Agricola area generally have few commercial units. Most buildings only have two to three commercial units available. The total number of commercial units in post 2006 mixed-use buildings in the Gottingen-Agricola area is only 11. The only outlier in size is 5548 Kaye Street, where 6 commercial units were directly added to the area.

For the older buildings on Gottingen Street, other than the number of the commercial units, another pattern found is the orientation of the commercial units. Most of the commercial units on Gottingen Street are facing the street. In the LUB:

“58C(2). In the **Peninsula North Area - (Area 8)**, all buildings constructed for commercial or industrial purposes, shall be required to provide direct access to pedestrians from Gottingen Street into the building, which is not more than two feet above grade; for the purposes of this section, grade shall be defined as being the elevation of the ground at any one point along the official street line of Gottingen Street abutting such lot.” (Halifax Regional Municipality, 2016e)

This regulation is followed. Observations suggest one reason that limited commercial units are provided is that the building fronts to the street are generally narrow, which limited space for commercial units.

Newer Mixed-use Buildings (Require application process, late 2011 to 2016)

The buildings built after mid-2011 almost all went through application processes regarding legal document amendments or development agreements. These buildings in many ways, exceed the zoning requirements, which range from building height, building massing to building setback. In general, the building heights for these buildings were increased beyond the zoning limit of 80 feet. The buildings' massing was also increased and followed the reduced setback.

Six developers' rationales were found in these documents as points of negotiation with the municipality.

- 1). The building is located in the Schedule "Q" area of the LUB
- 2). The building is in an area with consistent building style
- 3). The building is located in a transitional area
- 4). The building has good traffic access
- 5). The building has few conflicts with low-density residence
- 6). The City is expecting more mixed-use buildings to be built

Other than developers' rationales, the important pattern in the policy is the strong emphasis on the commercial uses. In every development agreement for these buildings, having commercial uses is listed as a requirement of the provision of land use. The priority of the commercial function in the negotiations is very high. According to the professionals interviewed, it appears that having the commercial uses is one of the most important points in negotiations. Most of the developments have a ground floor focusing on commercial space and the requirements were only set for having commercial space on the first and second floors. Only two of them (Case 01325 and Case 17195) specify the size of the commercial space. Only one building development agreement limits the commercial type to retail service. Three buildings (Case 00895, Case 01302 and Case 17256) are regulated under the C-2 zone requirements:

"Any business or commercial enterprise except when the operation of the same would cause a nuisance or a hazard to the public and except adult entertainment uses, junk yards and amusement centres;" (Halifax Regional Municipality, 2016e)

(See appendix 3 for full requirements for C-2 zone)

Some buildings have specific regulations of the types of the services that are allowed to move in such as 5454 Kaye Street (Peninsula Community Council, 2011). Also, buildings on Dutch Village Road and Quinpool Road followed the requirements of C-2C and C-2A zones, which both

have very specific requirements regarding the types of commercial services allowed to use the space. For example, the C2-C zone requirements allow the following commercial services:

- “(b) stores for the purpose of rental of equipment including: video equipment and movies, automobiles, tools, appliances, office machines, and furniture;
- (c) business support services;
- (d) bakeries;
- (e) parking lots or parking structures;
- (f) wholesale and retail processing if operated in direct association with a retail use on the same premises provided that this clause does not apply to food processing;
- (g) commercial schools;
- (h) any use, excepting billboards, accessory to any of the foregoing uses.” (Halifax Regional Municipality, 2016e)

One pattern observed is regarding parking. The parking requirement for commercial spaces is included when the areas do not have enough convenient bus transit. These buildings include: 3400 Dutch Village Road (Halifax and West Community Council, 2015), 6100 Young Street (Peninsula Community Council, 2012), 5870 Demone Street (Halifax and West Community Council, 2013a). These developments have more focuses on vehicle user customers. Other newer developments appear to have no primary concern regarding parking space. The planning applications for the remaining newer buildings often have focuses on creating a pedestrian oriented environment.

- **Location**

Unlike the locations of the older mixed-use buildings, which were concentrated in one specific area, the newer developments are spread out. Generally, they are distributed around the Hydrostone Market and Young Street area (Hydrostone-Young) and the Dutch Village Road area. One building is located on Quinpool Road, and one on Barrington Street south near the border of Downtown Halifax. The newer buildings are close to areas with commercial zones, mixed functions and street-

level commercial. Also, the newer locations mostly choose main traffic streets, such as Robie Street and Barrington Street, which indicates the focus on traffic access.

- **Commercial Units**

For newer buildings, the number of commercial units has increased. Except for 1065 Barrington Street and 3473 Dutch Village Road, most of these buildings have at least 5 commercial units. One of the latest buildings, 3065 Robie Street, contains 9 commercial units. Observation suggests that 6100 Young Street now under construction will also contain more than 6 units of non-residential space.

Some professionals noted that the market still has concerns regarding demand for the commercial space. For that reason, some developments choose to build the minimum number of commercial units. One example is 1065 Barrington, where only one commercial unit was built. (Box 8)

BOX 8. Minimum for approval

Planner 2: Insofar as the regulations are making them do things they wouldn't want to do otherwise if they didn't have to, they'll just do whatever that minimum is or try to find ways to kind of hit the letter of the law but find extra flexibility there so that they can maybe adjust later on in the process.

Another pattern identified involved the ceiling height of the commercial units. Since there is no actual technical data available for the ceiling heights of the commercial space for each building, this condition can only be determined through interviews with the professionals or by observation. Observations proved challenging because measurement is not allowed in the construction field or the actual ceiling heights could not be observed due to dropped ceilings installed. A rough estimation is that new buildings do have taller structured heights for the ground-floor commercial space. From the professionals interviewed, two brokers indicated that ceiling height does matter for retail uses to provide flexibility to adapt to a variety of commercial functions. (Box 9)

BOX 9. Ceiling height

Broker 1: They've got it down to knowing that, for example, main floor businesses, if the ceiling is too low, the business is going to fail.

General Tenants Condition

Among the 29 occupied commercial units identified in mixed-use buildings built on the Halifax Peninsula outside downtown between 2006 and 2016, only five commercial units are occupied by retail functions. Six commercial spaces are occupied by bar/restaurant. The remaining 18 units are non-retail services ranging from professional services, a medical store to an art studio space. Medical services have played a big role occupying eight units. The focus towards medical services is especially heavy in 6136 Almon Street, where four medical services are located. Other professional services that rent spaces include travel agencies and financial institutes. The one special space is the art studio, built in 2594 Agricola Street, a unique art space.

No matter the kind of services in these commercial spaces, most are local businesses. Few are major tenants that can attract major customer flows. The only national chain retailer is the Starbucks at 5548 Kaye Street. The challenge of attracting major retailers has become one of the major concerns among professionals.

General Vacancy Condition

Among the 49 commercial spaces identified in this study, 20 units are empty. The Gottingen-Agricola area has no vacancy. All 11 commercial units are occupied. The major vacancy only happens in the Hydrostone-Young and Dutch Village Road areas. Considering the completion time of the buildings, vacancy only exists in the ones that were built in 2016 or later. It can be assumed that the reason for the vacancy is the short time since the units entered the market. However, having 22 vacancy spaces opened to the market in 2016 is a major increase in the pace of development compared to the total of 27 commercial spaces offered in the nine years from 2006 to 2015. It is not clear whether these new vacant spaces can be filled as quickly as the buildings opened in 2015 and before.

Although there are some concerns regarding the commercial spaces, the professionals interviewed have positive attitudes towards demand for the commercial space being built. They believed vacancy may be a challenge for the short term, but not for the long term.

Discussion

The early study by Grant and Perrott (2011) posed three problems in fulfilling mixed-use projects. The first problem is finding a location with good traffic access. Location is important for mixed-use in Halifax and the planning applications mentioned this factor frequently. The three concentrations of mixed-use identified all have good access to the major streets. However, the wording of the planning applications was usually focused on the street location with an evaluation of the influence on vehicular traffic. Thus, Halifax is still vehicle oriented. Some earlier studies pointed to a particular style of development where transit passengers feed ground-floor commercials in Ankara, Turkey (Ozudulu, Varol, & Ercoskun, 2014). Halifax is not developing following this strategy. The effects on street and vehicular traffic have been given more priority in the discussion. Although the locations of these buildings in Halifax Peninsula do have access to some transit, the access is limited by the number of bus routes or the need for a long walk to the bus stops for some of the developments. Halifax's mixed-use developments are trying to locate themselves with traffic access, but the mode of access may be limited. One architect interviewed noted that the limited access by non-vehicular methods would affect ground-floor commercial space in Halifax. For future development, access to these mixed-use buildings may be an important factor for the decision makers to consider to promote the development of mixed-use buildings.

Although the traffic access is an important point, another stronger consideration in Halifax is regarding its influence on surrounding areas. This was not really mentioned in the earlier studies of mixed-use development. This might be because in the context of the Halifax Peninsula, the density is higher than in the cities the earlier studies focused on, such as Markham (Grant & Perrott, 2011), and this caused major barriers for the planning application processes in Halifax. The contrast between vertical mixed-use and traditional suburban low-density residences is strong. Two factors, the limited impact on the surrounding neighbourhoods and the existing zoning of the building locations, indicate that mixed-use in Halifax Peninsula is mostly built in areas with similar functions or development patterns. These mixed-use developments may manage to utilize the

existing customer flow in an area to feed their demand, but at the same time, create concentrations to promote density and demand themselves.

For the second problem, the timing to adapt to the growth of population (Grant & Perrott, 2011), Halifax is experiencing what the professionals interviewed thought was the right timing. Population increase in the city apparently provides the market with confidence for more residential developments. This gives the municipality chances to push forward the introduction of mixed-use development and ground-floor commercial space. However, although the professionals interviewed are generally positive towards the increasing population of Halifax, they have opposing ideas regarding the demand for ground-floor commercial space in the Peninsula. Most buildings only have a small portion of space designed for commercial use. The residential portion is still the main focus of the mixed-use buildings in the Halifax Peninsula. The council's and planners' expectation to transform urban form may not fully match the market's demand. The demand for ground-floor commercial spaces is controversial but there is some market demand to increase the number of them.

For the third problem, the suburban traditions (Grant & Perrott, 2011), Halifax Peninsula is a special suburban case. From one perspective, the city is using the mixed-use concept to reduce the impact of suburban sprawl. The increase of mixed-use buildings is partly the result of the municipality's preference and pressure to densify Halifax Peninsula. From another perspective, the special geographical context of the Halifax Peninsula makes the status of the area vague. It has suburban characteristics but it is counted as a core area in the city-wide context. Some professionals interviewed mentioned the Peninsula as a place with proximity to downtown as well as the place that mainly serves downtown. There is a different focus of customer groups compared to the cities such as Surrey and Markham. In those cities, one challenge of mixed-use was to create enough employment in their own cities to encourage people to live and work in the same place and to reduce the effect from the suburban development that spatially separates the housing and employment (Grant & Perrott, 2011). But for Halifax Peninsula, there is limited concern about employment within its boundary. Its small size and its proximity to Downtown Halifax making it a place for people who work in Downtown Halifax or other locations to live in. The geographical

context led to this special condition. Compared to the traditional suburbs in Dartmouth (Brewer & Grant, 2015) or in the study regarding Calgary (Grant & Perrott, 2011), development in Halifax Peninsula leans toward vertical mixed-use rather than horizontal mixed-use. Considering the time differences between this study and the earlier research, we may be seeing a change in a general development style as well.

Another question is whether the ground-floor commercial developments can be considered successful in Halifax. Earlier research mentioned that less-affluent cities have less ability to fulfill mixed-use development (Grant, 2002). However, based on the evidence in the Halifax Peninsula, these ground-floor commercial spaces appear to be finding tenants. But similar to the condition in Seattle (DeLisle & Grissom, 2013), most occupied ground-floor commercial space in Halifax is rented by non-retail services such as medical and professional services. To some extent, this indicates that the commercial space may not perform fully as expected. Another main concern of the professionals interviewed is whether the business is local or national. The condition currently is that tenants are mostly local small businesses which limits the customer group that can be drawn to the locations and this has posed a major challenge. An interesting condition is that competition between big-box shopping centres and ground-floor retails does not appear to be the main concern of the professionals interviewed in Halifax, which makes this research unable to decide whether this competition, as identified in the Malmo case, exists in Halifax (Kärrholm, Nylund, & de la Fuente, 2014). Although the condition for vacancy is positive for the older buildings, the number of new commercial spaces entering the market in 2016 and 2017 (22 units) is close to the number of the occupied older spaces built between 2006 and 2015 (27 units). Based on the current market condition, whether these spaces can still be filled is hard to predict and there is a lack of positive information that the space can be mainly occupied by retail in the future. Another factor is the commercial space's influence on the price of the residential portion. Compared to the development of 2594 Agricola Street, the planning applications of the new developments had a strong emphasis on the improvement of urban form but lack a mention of this affordability problem. Since the commercial units are not guaranteed to be profitable, it is reasonable to assume that the possible cost to maintain commercial units, especially the empty commercial units, may be transferred to

the residential portion, which is believed to have strong demand. This could become a negative impact of mixed-use development.

Judging success also depends on how decision makers define the success. Grant and Perrott (2011) concluded that the success for councillors in Markham and Calgary is setting the policy and finding units rented out or sold without considering much of the economic or social return. And for the two cities, there are successful cases in their definition. The councillors, planners and developers, in this Halifax study, rarely touched on whether these projects are successful but more expressed a hope of a positive outcome in the future. For Halifax, until early February 2017, there were limited settled policies yet although the council has its target to push forward mixed-use. Also, the future of the new vacancies is hard to predict. Currently, it may be too early to conclude whether this transformation is good from their perspective.

Summarizing a solid pattern finding has proved difficult due to some research limits. The research evidence of the commercial use was based on the number of commercial units but not size of the space. Several professionals interviewed did not have direct business relationships with the buildings I studied. For the older buildings without development agreements, the access to the information was limited which caused the analysis to focus only on the LUB.

To sum up, the development style of mixed-use is mostly different compared to other major cities or even just the other parts of HRM. The combination of the benefits of increasing population, the flexibility brought by the development agreements process and zoning requirements, and the expectations from the council has provided the city with a good timing for development and for increasing population density in the urban core area. This gives the City a good chance to manage to realize mixed-use to further fulfill the goal of a denser and more vibrant urban environment. The market, with the hope brought by the increasing population and some demand from the community, is also responding with more commercial units to put into the market. Although there have been vertical mixed-use developments for more than a decade in the Halifax Peninsula, the boom in development has changed the style of mixed-use in the city. The potential for a successful transformation to a denser and more vibrant community, and the risks of overestimating the demand for ground-floor commercial space, co-exist.

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Appendices


Appendix 1. Halifax Peninsula Boundary





Appendix 2. Building Listing

	<p>Building ID: BL86148</p> <p>Marketing Name: Theatre Lofts</p> <p>Civic Address: 2114, 2116, 2118 Gottingen Street</p> <p>Year Construction Permit Granted: 2007</p> <p>Year of Construction: 2010 (Halifax Regional Municipality, 2017)</p> <p>Building Status: Complete and well maintained</p>
<p>Owner:</p>	<p>Unknown</p>
<p>Developer</p>	<p>Atlantic Developments Inc. (Atlantic Developments Inc., 2008)</p>
<p>Building Height:</p>	<p>4 storeys in total and part of the 1st storey for non-residential function</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>No. As-of-right development.</p>
<p>Residential Unit:</p>	<p>43 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Condo (Atlantic Developments Inc., 2008)</p>
<p>Commercial Units:</p>	<p>2</p>
<p>Commercial Tenants:</p>	<ol style="list-style-type: none"> 1. Harris East business office 2. The Nook Espresso Lounge
<p>Commercial Vacancy:</p>	<p>No vacancy</p>


	<p>Building ID: BL79687</p> <p>Marketing Name: La Villa</p> <p>Civic Address: 2594 Agricola Street, 5780, 5786 North Street</p> <p>Year Construction Permit Granted: 2007</p> <p>Year of Construction: Unknown</p> <p>Building Status: Complete and well maintained</p>
<p>Owner:</p>	<p>3083833 Nova Scotia Limited (Halifax Regional Council, 2007)</p>
<p>Building Height:</p>	<p>4 storeys in total and part of the 1st storey for non-residential function</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>Yes. Case 00895 discussed in September 2006 (Halifax Regional Council, 2006) and approved in May 2007 (Halifax Regional Council, 2007)</p> <p>MPS and LUB amendment involved. (Halifax Regional Council, 2007)</p>
<p>Residential Unit:</p>	<p>24 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Affordable rental units (Halifax Regional Council, 2007)</p>
<p>Commercial Units:</p>	<p>2</p>
<p>Commercial Tenants:</p>	<ol style="list-style-type: none"> 1. Artists' Quarter Gallery & Studio 2. Café Aroma Latino
<p>Commercial Vacancy:</p>	<p>No vacancy</p>


	<p>Building ID: BL79184</p> <p>Marketing Name: None</p> <p>Civic Address: 5505 Falkland, 2076, 2082 Gottingen Street</p> <p>Year Construction Permit Granted: 2008</p> <p>Year of Construction: 2010 (Property Valuation Services Corporation, 2017)</p> <p>Building Status: Complete and well maintained</p>
<p>Owner:</p>	<p>Unknown</p>
<p>Building Height:</p>	<p>6 storeys in total and part of the 1st storey for non-residential function</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>No As-of-right development</p>
<p>Residential Unit:</p>	<p>56 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Condo (Condo Company, 2017)</p>
<p>Commercial Units:</p>	<p>3</p>
<p>Commercial Tenants:</p>	<ol style="list-style-type: none"> 1. Field Guide 2. Vapor Plus Vapor Smoking 3. Fiber of Life Ethical Style craft store
<p>Commercial Vacancy:</p>	<p>No vacancy</p>


	<p>Building ID: BL39011</p> <p>Marketing Name: None</p> <p>Civic Address: 5689 Cunard Street</p> <p>Year Construction Permit Granted: 2008</p> <p>Year of Construction: 2010 (Halifax Regional Municipality, 2017)</p> <p>Building Status: Complete and well maintained</p>
<p>Owner:</p>	<p>Unknown</p>
<p>Building Height:</p>	<p>5 storeys in total with 1 floor for non-residential function</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>No</p>
<p>Residential Unit:</p>	<p>15 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Condo (Condo Company, 2017)</p>
<p>Commercial Units:</p>	<p>3</p>
<p>Commercial Tenants:</p>	<ol style="list-style-type: none"> 1. Agricola Holistic Health 2. The Mortgage Center 3. Pregnancy Ultrasound
<p>Commercial Vacancy:</p>	<p>No vacancy</p>


	<p>Building ID: BL80113</p> <p>Marketing Name: Garden Stone Place</p> <p>Civic Address: 5554, 5552, 5550 5548, 5546, 5544 Kaye Street</p> <p>Year Construction Permit Granted: 2009</p> <p>Year of Construction: Unknown</p> <p>Building Status: Complete and well maintained</p>
Owner:	Unknown
Building Height:	7 storeys in total with 2 storeys for non residential functions
Zone:	C-2 (HRM Planning Services, 2016a)
Development Agreement:	No
Residential Unit:	31 (Halifax Regional Municipality, 2017)
Residential Rental Type:	Condo (Michael Napier Architecture, n.d.)
Commercial Units:	5
Commercial Tenants:	<ol style="list-style-type: none"> 1. Butch Meat Store 2. Lang Optometry & Eye Wear 3. Merit Travel 4. Assante Wealth Management 5. Starbucks Café
Commercial Vacancy:	No vacancy


	<p>Building ID: BL95326</p> <p>Marketing Name: Shelter Nova Scotia (Shelter Nova Scotia, n.d.)</p> <p>Civic Address: 5506 Cunard Street</p> <p>Year Construction Permit Granted: 2011</p> <p>Year of Construction: Unknown</p> <p>Building Status: Complete and well maintained</p>
<p>Owner:</p>	<p>Shelter Nova Scotia (Shelter Nova Scotia, n.d.)</p>
<p>Building Height:</p>	<p>5 storeys in total with part of 1 storey for non residential functions</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>No</p>
<p>Residential Unit:</p>	<p>24 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Social welfare shelter for people in need (Shelter Nova Scotia, n.d.)</p>
<p>Commercial Units:</p>	<p>1</p>
<p>Commercial Tenants:</p>	<p>1. NGO Shelter Nova Scotia office</p>
<p>Commercial Vacancy:</p>	<p>No vacancy</p>

	<p>Building ID: BL86318</p> <p>Marketing Name: St. Lawrence Place</p> <p>Civic Address: 3471, 3481 Dutch Village Road</p> <p>Year Construction Permit Granted: 2011</p> <p>Year of Construction: 2013 (Halifax Regional Municipality, 2017)</p> <p>Building Status: Complete and well maintained</p>
<p>Owner:</p>	<p>Roman Catholic Episcopal Corporation (Halifax Regional Council, 2009a)</p>
<p>Building Height:</p>	<p>13 floors in total and part of the 1st floor for non-residential function</p>
<p>Zone:</p>	<p>C-2A (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>Yes, Case Number 01302 discussed November 2009 (Halifax Regional Council, 2009a) and approved June 2010 (Halifax Regional Council, 2010)</p> <p>MPS and LUB Amendment and Development Agreement Involved (Halifax Regional Council, 2010)</p>
<p>Residential Unit:</p>	<p>131 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Apartment rental mixed (WM Fares Group, 2017)</p>
<p>Commercial Units:</p>	<p>3</p>
<p>Commercial Tenants:</p>	<p>101. Schofield Insurance</p> <p>102. Signature Health</p> <p>103 Joelee's Café</p>
<p>Commercial Vacancy:</p>	<p>No vacancy</p>

	<p>Building ID: BL79112</p> <p>Marketing Name: Gladstone North</p> <p>Civic Address: 6136, 6150 Almon Street, 2761, 2757, 2751 Gladstone</p> <p>Year Construction Permit Granted: 2010</p> <p>Year of Construction: 2012 (Halifax Regional Municipality, 2017)</p> <p>Building Status: Complete and well maintained</p>
<p>Owner:</p>	<p>Westwood Group (Peninsula Community Council, 2010)</p>
<p>Building Height:</p>	<p>6 residential floors and 1 floor for non-residential function</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>Yes, Case 16248 approved December 2010 (Peninsula Community Council, 2010)</p> <p>Amendment of the original development agreement (Peninsula Community Council, 2010)</p>
<p>Residential Unit:</p>	<p>109 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Rental Apartment (Westwood Group, 2017)</p>
<p>Commercial Units:</p>	<p>5</p>
<p>Commercial Tenants:</p>	<ol style="list-style-type: none"> 1. Vision Rehabilitation Centre of Excellence 2. Inova Credit Union Bank 3. Almon Medical Clinic includes: Moffatt's Pharmacy, pt Health & Collaborative Healthcare 4. Fattoush Café
<p>Commercial Vacancy:</p>	<p>No vacancy</p>

	<p>Building ID: Unidentified</p> <p>Marketing Name: Point North (HRI Home Rents Inc., 2016)</p> <p>Civic Address: 3065 Robie, 5870 Demone</p> <p>Year Construction Permit Granted: 2014</p> <p>Year of Construction: Under Construction, expected to be opened on March 2017 (HRI Home Rents Inc., 2016)</p> <p>Building Status: Minor construction operating</p>
<p>Owner:</p>	<p>BANC Group of Companies (Halifax and West Community Council, 2013a)</p>
<p>Building Height:</p>	<p>16 residential floors and 2 non-residential floors</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>Yes, Case Number 17456 approved in July 2013 (Halifax and West Community Council, 2013a)</p> <p>LUB Amendment and Development Agreement Involved (Halifax and West Community Council, 2015)</p>
<p>Residential Unit:</p>	<p>135 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Rental Apartment (HRI Home Rents Inc., 2016)</p>
<p>Commercial Units:</p>	<p>9</p>
<p>Commercial Tenants:</p>	<p>1. Attica Furniture</p>
<p>Commercial Vacancy:</p>	<p>8 units vacant</p>

	<p>Building ID: Unidentified</p> <p>Marketing Name: Not Applicable</p> <p>Civic Address: 5659 Almon Street, 2814 Isleville Street</p> <p>Year Construction Permit Granted: 2014</p> <p>Year of Construction: 2015 (Halifax Regional Municipality, 2017)</p> <p>Building Status: Complete and well maintained</p>
<p>Owner:</p>	<p>Michael Napier Architecture (Halifax and West Community Council, 2013b)</p>
<p>Building Height:</p>	<p>6 residential floor and part of 1st floor for non-residential function</p>
<p>Zone:</p>	<p>C-2 (Halifax Regional Municipality, 2017)</p>
<p>Development Agreement:</p>	<p>Yes, Case Number 17756 approved June 2013 and LUB Amendment and Development Agreement involved. (Halifax and West Community Council, 2013b)</p>
<p>Residential Unit:</p>	<p>42 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Condo (Planning & Design Centre, 2016)</p>
<p>Commercial Units:</p>	<p>2</p>
<p>Commercial Tenants:</p>	<p>Amazing Space Interior Furniture (1 tenant renting 2 spaces)</p>
<p>Commercial Vacancy:</p>	<p>No vacancy</p>


	<p>Building ID: Unidentified</p> <p>Marketing Name: The Keep (The Keep, 2017)</p> <p>Civic Address: 6112 Quinpool Road, 1990 Vernon Street</p> <p>Year Construction Permit Granted: 2014</p> <p>Year of Construction: Unknown</p> <p>Building Status: Heavy construction underway</p>
<p>Owner:</p>	<p>Studioworks International (Halifax Regional Council, 2013)</p>
<p>Developer</p>	<p>Doug Reid</p>
<p>Building Height:</p>	<p>Not applicable currently</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>Yes, Case Number 17195 approved May 2013 and LUB and MPS Amendment and Development Agreement involved (Halifax Regional Council, 2012)</p>
<p>Residential Unit:</p>	<p>Not applicable currently</p>
<p>Residential Rental Type:</p>	<p>Condo (The Keep, 2017)</p>
<p>Commercial Units:</p>	<p>Not applicable currently</p>
<p>Commercial Tenants:</p>	<p>Not applicable currently</p>
<p>Commercial Vacancy:</p>	<p>Not applicable currently</p>

	<p>Building ID: Unidentified</p> <p>Marketing Name: South Port</p> <p>Civic Address: 1047, 1057, 1065 Barrington Street (Two Parcel of Land)</p> <p>Year Construction Permit Granted: 2014</p> <p>Year of Construction: (Previl, 2016)</p> <p>Building Status: Complete and well maintained</p>
<p>Owner:</p>	<p>Urban Capital Inc. & Killam Investment Inc. (Halifax Regional Council, 2014c)</p>
<p>Building Height:</p>	<p>6 floors in total with part of 1st floor for non-residential functions</p>
<p>Zone:</p>	<p>RC-4 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>Yes, Case 18950 discussed in April 2014 and approved in October 2014 and MPS and LUB Amendment involved that created Zone RC-4 (Halifax Regional Council, 2014c).</p>
<p>Residential Unit:</p>	<p>142 (Halifax Regional Council, 2014c)</p>
<p>Residential Rental Type:</p>	<p>Condo and rental apartment mixed (Urban Capital, 2017)</p>
<p>Commercial Units:</p>	<p>1</p>
<p>Commercial Tenants:</p>	<p>No tenant</p>
<p>Commercial Vacancy:</p>	<p>1 vacant</p>

	<p>Building ID: Unidentified</p> <p>Marketing Name: Monaghan Square</p> <p>Civic Address: 6100 Young</p> <p>Year Construction Permit Granted: 2015</p> <p>Year of Construction: 2016</p> <p>Building Status: Under Construction, expected to be opened in June 2017 (Monaghan Square, 2017)</p>
<p>Owner:</p>	<p>215 Pembroke Street East Limited (Peninsula Community Council, 2012)</p>
<p>Building Height:</p>	<p>17 storeys in total with around 1 to 2 storeys for non-residential functions</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>Yes, Case 17256 approved in August 2012 and LUB Amendment and Development Agreement involved (Peninsula Community Council, 2012)</p>
<p>Residential Unit:</p>	<p>Not applicable currently</p>
<p>Residential Rental Type:</p>	<p>Condo and rental apartment mixed (Monaghan Square, 2017)</p>
<p>Commercial Units:</p>	<p>Not applicable currently</p>
<p>Commercial Tenants:</p>	<p>Not applicable currently</p>
<p>Commercial Vacancy:</p>	<p>Not applicable currently</p>

	<p>Building ID: Unidentified</p> <p>Marketing Name: St Joseph Square</p> <p>Civic Address: 5454 Kaye Street, 5455 Russell Street</p> <p>Year Construction Permit Granted: 2015</p> <p>Year of Construction: 2016 (Paramount Management, 2017)</p> <p>Building Status: Commenced, minor construction working</p>
<p>Owner:</p>	<p>ECL General Partner IV Limited (Peninsula Community Council, 2011)</p>
<p>Building Height:</p>	<p>6 residential storeys and 2 storeys for non-residential functions</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>Yes, Case 01325 discussed in October 2009 (Halifax Regional Council, 2009b) and approved in January 2012 and MPS and LUB Amendment and Development Agreement involved (Peninsula Community Council, 2011).</p>
<p>Residential Unit:</p>	<p>Maximum 83 (Peninsula Community Council, 2011)</p>
<p>Residential Rental Type:</p>	<p>Rental apartment (Paramount Management, 2017)</p>
<p>Commercial Units:</p>	<p>6</p>
<p>Commercial Tenants:</p>	<p>No tenant</p>
<p>Commercial Vacancy:</p>	<p>6 vacant</p>

	<p>Building ID: BL103669</p> <p>Marketing Name: The Edison</p> <p>Civic Address: 3400 Dutch Village Road</p> <p>Year Construction Permit Granted: 2015</p> <p>Year of Construction: 2016 (Halifax Regional Municipality, 2017)</p> <p>Building Status: Minor construction working</p>
<p>Owner:</p>	<p>R.C. Jane Properties Limited (Halifax and West Community Council, 2015)</p>
<p>Building Height:</p>	<p>6 residential storeys and 2 storeys for non-residential functions</p>
<p>Zone:</p>	<p>C-2A (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>Yes, Case 18510 discussed in March 2014 (Halifax Regional Council, 2014a) and approved in May 2015. MPS and LUB Amendment and Development Agreement involved (Halifax and West Community Council, 2015)</p>
<p>Residential Unit:</p>	<p>51 (Halifax Regional Municipality, 2017)</p>
<p>Residential Rental Type:</p>	<p>Rental apartment (R.C Jane Properties, 2017)</p>
<p>Commercial Units:</p>	<p>6</p>
<p>Commercial Tenants:</p>	<p>1. Acuity Counselling and Therapy (Pet Medical Service)</p>
<p>Commercial Vacancy:</p>	<p>5 vacant</p>

	<p>Building ID: Unidentified</p> <p>Marketing Name: Unknown</p> <p>Civic Address: 2300 Gottingen Street</p> <p>Year Construction Permit Granted: 2016</p> <p>Year of Construction: Unknown</p> <p>Building Status: Under major construction</p>
<p>Owner:</p>	<p>Unknown</p>
<p>Building Height:</p>	<p>Not applicable currently</p>
<p>Zone:</p>	<p>C-2 (HRM Planning Services, 2016a)</p>
<p>Development Agreement:</p>	<p>No</p>
<p>Residential Unit:</p>	<p>Not applicable currently</p>
<p>Residential Rental Type:</p>	<p>Not applicable currently</p>
<p>Commercial Units:</p>	<p>Not applicable currently</p>
<p>Commercial Tenants:</p>	<p>Not applicable currently</p>
<p>Commercial Vacancy:</p>	<p>Not applicable currently</p>

Appendix 3. Zoning Requirements

C-2 Zone Requirements:

C-2 ZONE

GENERAL BUSINESS ZONE

- 56(1) The following uses shall be permitted in any C-2 Zone:
- (a) R-1, R-2, R-2T, R-2A, R-3, C-1 and C-2A uses;
 - (b) Any business or commercial enterprise except when the operation of the same would cause a nuisance or a hazard to the public and except adult entertainment uses, junk yards and amusement centres;
 - (c) Billboards not to exceed twenty-eight square meters (28 m²) in area and not to extend more than eight meters (8 m) above the mean grade on which it is situated.
 - (d) Uses accessory to any of the foregoing uses.
- 56(2) No person shall in any C-2 Zone, carry out, cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).
- 56(3) No person shall in any C-2 Zone, use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

REQUIREMENTS

- 57(1) No front, side or rear yards are required for C-2 uses in C-2 Zones.
- 57(2) (Deleted)
- 58 The height of a building in a C-2 Zone shall not exceed a height of eighty (80) feet, but for each foot that the building or that portion of the building which would exceed eighty (80) feet in height is set back from the property line, two (2) feet may be added to the height of the building.

R-1, R-2, R-3, C-1, R-2T AND C-2A USES IN C-2 ZONE

- 58A(1) Buildings erected, altered or used for R-1, R-2, R-2T, R-2A, R-3, C-1 and C-2A uses in a C-2 Zone shall comply with the requirements of their respective zones.
- 58A(2) (Deleted)
- 58A(3) (Deleted)

CENTRAL BUSINESS DISTRICT

- 58B(1) Deleted (RC-Jun 16/09;E-Oct 24/09)

58B(2) Deleted (**RC-Jun 16/09;E-Oct 24/09**)

PENINSULA NORTH - AREA 8:

58C(1) Notwithstanding Sections 6, 8 and 58A(1), buildings erected, altered, or used for R-1, R-2, R-2A, R-2T, R-3, RC-3, C-1, C-2A uses in the C-2 zone of the **“Peninsula North Area (Area 8)”** shall comply with the requirements of the C-2 zone.

58C(2) In the **Peninsula North Area - (Area 8)**, all buildings constructed for commercial or industrial purposes, shall be required to provide direct access to pedestrians from Gottingen Street into the building, which is not more than two feet above grade; for the purposes of this section, grade shall be defined as being the elevation of the ground at any one point along the official street line of Gottingen Street abutting such lot.

58C(3) In the **Peninsula North Area - (Area 8)**, the maximum setback for the first storey of: (1) buildings constructed for commercial or industrial uses, or (2) additions to buildings used for commercial or industrial uses, shall be 2 feet from the official street line of Gottingen Street.

58C(4) In the **Peninsula North Area - (Area 8)**, buildings of over 50 feet width measured parallel to Gottingen Street shall have the appearance of two or more buildings by altering the appearance of the facade and/or roof in increments no greater than 50 feet. In addition, one third of the surface area of the face of the ground floor of the building shall be comprised of windows.

58C(5) In the **Peninsula North Area - (Area 8)** the following applies:

- (1) for buildings constructed for minor commercial purposes which are on a lot greater than 20,000 square feet in area, parking shall be provided at a rate of 1 space for every 1000 square feet of gross commercial area.
- (2) for additions to existing buildings used for minor commercial purposes that are 50 percent or more of the gross commercial floor area of the existing building, are on a lot greater than 20,000 square feet in area, parking shall be provided at a rate of 1 space for every 1000 square feet of gross commercial floor area of the addition.

58C(6) In the **Peninsula North Area - (Area 8)**, all parking areas shall comply with the following requirements:

- (i) Where commercial or industrial parking abuts a residential zone, an opaque fence a minimum of five feet shall be erected to visually screen abutting properties.
- (ii) Parking areas abutting a street shall be set back a minimum of 5 feet from any street line; the setback area shall be landscaped with natural ground cover to reach a height of no more than 2 feet upon maturity, or other

- materials, along that part of the street not required for any parking pedestrian entrance.
- (iii) Parking shall be constructed with a stable surface such as asphalt or concrete.
 - (iv) Lighting for parking area shall be directed away from any adjacent residential properties and from the street.

R-3 Zone Requirements

R-3 ZONE

MULTIPLE DWELLING ZONE

44(1) The following uses shall be permitted in any R-3 Zone:

- (a) R-1 and R-2 and R-2T uses;
- (aa) R-2A uses in "**South End Area**";
- (b) boarding house;
- (c) lodging or rooming house;
- (d) apartment house;
- (e) uses accessory to any of the foregoing uses, if not specifically prohibited;

OTHER USES:

- (f) in any one building one office for rendering professional or personal services, provided that the net area for such purposes does not exceed 700 square feet;
- (g) special care home;
- (h) greenhouse;
- (i) the office of a Consulate located in a single family dwelling provided such dwelling is used by the Consulate as his private residence;
- (ia) **day care facility; (RC-Mar 3/09;E-Mar 21/09)**
- (ib) parking lots and parking structures existing on the date of adoption of this Section, in Area 8 of the "**Peninsula North Area**".

COMMERCIAL USES:

One each of the following uses only if located in an apartment house which contains not less than one hundred self-contained dwelling units and located in "**Schedule B**";

- (j) retail foodstuff store of not more than 600 square feet;
- (k) restaurant of not more than 900 square feet of dining area, exclusive of kitchen, storage, washroom, staff areas, and the like;

One each of the following uses only if located in an apartment house which contains not less than one hundred self-contained dwelling units and which is erected on a lot of more than one acre:

- (l) barber shop;
- (m) beauty parlour;
- (n) dry cleaning distribution station;
- (o) valet service;
- (p) restaurant;
- (q) florist shop;
- (r) newsstand;

- (s) health club;
- (t) coin-operated vending machines;
- (u) retail foodstuff store of not more than 600 square feet;

Provided that:

- (i) these uses shall be for the exclusive use of the residents of such apartment house or their guests;
- (ii) there shall be no advertising or identification of the uses on the outside of the building;
- (iii) there shall be no visible indication from the exterior of the building that the commercial uses described in this section are carried on;
- (iv) there shall be no direct access from the exterior of the building to any of the commercial uses described in this section other than emergency access places in case of fire.

- 44(2) No person shall in any R-3 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).
- 44(3) No person shall in any R-3 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

DISPLAY WINDOW

- 44(4) Where any building is used in an R-3 Zone for any of the purposes described in clause (f) of subsection (1) of this section, no display window shall be permitted, nor shall any evidence of the use of such building for such purposes be visible from the exterior of such building; PROVIDED, however, that nothing contained herein shall prohibit the display of a sign not exceeding one square foot in area, which bears the name and profession as set forth in clause (f) of subsection (1) of this section, of any person occupying such building.

SOUTH END

- 44A Notwithstanding the provisions of subsections 44(1) and 44(4), an apartment house in the "**South End Area**", and which contains 100 or more self-contained dwelling units may include those commercial uses which are permitted in Section 59A(1), except a bowling alley, a motion picture theatre and a service station, provided that such uses are located on the ground floor of the apartment house and are separately accessible from the building exterior.

SIGNS/ADVERTISING

- 44B Exterior advertising of the commercial uses described in Section 44A shall be permitted, provided that such advertising is non-illuminated.

UNIT MIX

- 44C An apartment house in the "**South End Area**" shall, of the total amount of dwelling units, be required to include at least one dwelling unit of a minimum of 800 square feet in floor area for every three dwelling units, each of which is less than 800 square feet in floor area.
- 44D An apartment house in the "**Peninsula Centre Area**" area shall, of the total amount of dwelling units, be required to include at least one dwelling unit of a minimum of 800 square feet in floor area for every two dwelling units, each of which is less than 800 square feet.

SPECIAL PARKING

- 44E Notwithstanding any other provision of this by-law, an apartment house in the "**South End**" and "**Peninsula Centre Areas**", shall be required to provide one parking space for each dwelling unit which is 800 square feet or greater, and one parking space for every two dwelling units, each of which is less than 800 square feet.
- 44F A lot which abuts a street at more than one location or which abuts two or more streets shall not be used for R-3 uses in the "**South End Area**", except for corner lots which abut at least two streets on a continuous uninterrupted line. For greater certainty, a corner lot may be subdivided and developed for R-3 uses in accordance with the requirements of this by-law, notwithstanding that a through lot may be created.

R-1, R-2, AND R-2T USES IN R-3 ZONE

- 45 Buildings erected, altered, or used for R-1, R-2 and R-2T uses in an R-3 Zone shall comply with the requirements of their respective zones.
- 45(2) Buildings erected, altered or used for R-2A uses in an R-3 Zone in the "**South End Area**" shall comply with the requirements of the R-2A Zone with the exception of Sections 43AD (vii) and viii), 43AE and 43AG.

SIGNS

- 46(1) No person shall erect or display any billboard or illuminated sign in an R-3 Zone.
- 46(2) A non-illuminated sign may be erected in an R-3 Zone if, in the opinion of the Inspector of Buildings, such sign is of reasonable proportion and will not constitute a hazard to the public or a nuisance to the owners of the property in the area.
- 47 Where any building is erected or altered or used for R-3 uses in an R-3 Zone, such building shall comply with the following requirements:

MINIMUM LOT AREA

- 47(1) (a) The minimum lot area upon which such building is located shall be 8,100 square feet with a minimum continuous street frontage of at least 90 feet on one street;
- (b) (Deleted)

DISTANCE FROM LOT LINE - 80° ANGLE

- 47(2) (a) The distance from any part of such building and any official street line or lines abutting upon such lot shall be no less than 20 feet measured at right angles to any such official street line or lines; provided, however, that such distance may be reduced to not less than 10 feet measured at right angles to any such official street line or lines if that part of the building which is less than 20 feet from any such official street line or lines is entirely contained within the arms of an 80 degree horizontal angle as determined in subsection (3) of this section.
- (b) The distance from any part of such building and any lot line of such lot other than an official street line shall be not less than 10 feet measured at right angles to such lot line.
- (c) All windows and doors serving habitable rooms in such building shall be located not less than 10 feet from any lot line of such lot measured at right angles to such lot line.
- (d) Notwithstanding the provisions of clauses (a) and (b) of this subsection, the distance from any part of such building, not containing any windows or doors serving habitable rooms, to any official street line or lot line, may be less than the distance prescribed in said clauses (a) and (b) or may extend to any such official street line or lot line of the lot upon which such building is located, provided that:
- (i) the height of such part of the building does not exceed 5 feet above the natural ground level measured at any point on any official street line abutting such lot and extending for a horizontal distance of 10 feet measured at right angles to any such official street line;
- (ii) the height of such part of the building does not exceed 5 feet above the natural ground level measured at any point on any lot line of such lot other than an official street line; and
- (iii) the building is so designed that it does not interfere with traffic safety.
- (e) (Deleted)

SIZE OF BUILDING - 60° ANGLE

- 47(3) (a) Subject to the provisions of subsection (2), such building or any part thereof shall not project beyond the angular planes determined by constructing such angular planes over such lot
- (i) from each lot line at natural or finished ground level, whichever is the lower, at a vertical angle of 60 degrees above the horizontal and

- measured perpendicular to such lot line or, in the case of a curved lot line, perpendicular to the tangents of all points of such lot line; provided, however, that where the natural ground at the lot line is more than 5 feet above the finished ground level established at any point on the wall opposite the lot line and where the horizontal distance to the face of any part of such wall or its vertical projection is less than 50 feet, the angular planes shall be constructed over the lot from all points on the intersections of the vertical projections of the lot line and the horizontal projection of the finished ground level; or
- (ii) in the case where a lot line of such lot coincides with an official street line, from the center line of such street or from any intervening line parallel to such center line; provided, however, that
 - (A) the distance from the line on which the plane is constructed and the lot line does not exceed 30 feet; and
 - (B) the vertical angle of 60 degrees is constructed perpendicular to the line on which the plane is constructed or, in the case of a curved line, perpendicular to the tangents of all points of the curved line.
- (b) Notwithstanding the provisions of clause (a) of this subsection and subject to the provisions of subsection (2), any part of such building may project beyond any prescribed 60 degree angular plane if:
- (i) the projection through the plane subtends a horizontal angle not exceeding 80 degrees formed by lines drawn from a point on the line on which the 60 degree angular plane is constructed opposite to the center of the projection; and
 - (ii) the extremities of the projection are enclosed by the arms of such 80 degree horizontal angle.

DISTANCE BETWEEN EXTERNAL WALLS - 85° ANGLE

- 47(4)
- (a) For the purposes of this subsection:
 - (i) "base line" means, in the case of a wall rising from the ground, the natural or finished level of the ground adjoining the base of the wall, whichever is lower, and in all other cases means the lowest line of the wall above the natural or finished level of the ground, whichever is lower;
 - (ii) a wall supported by construction above posts, pillars, or other open construction shall be deemed to rise from the ground and the base line of the wall shall be deemed to be the line on which the projection downward of the face of the wall meets the natural or finished level of the ground, whichever is lower;
 - (iii) where external walls are not parallel to each other but the angle of divergence does not exceed 85 degrees, such walls shall be deemed to face each other.

65 ANGLE

- (b) The provisions of this subsection (4) shall only apply if any part of such building is erected within the arms of horizontal angles of 65 degrees constructed outwards at the natural level of the ground, from the nearest extremities of external walls that face each other; provided, however, that where the two extremities of one such wall are, respectively, equidistant from the opposite extremities of the other wall or where the two extremities of one wall are equidistant from the nearest extremity of the other wall, the 65 degree horizontal angle may be constructed from either pair of equidistant extremities.

40 ANGLE

- (c) The distance between any external walls of such building that face each other shall be not less than 50 feet, and any part of such building shall not project beyond any of the angular planes determined by constructing such angular planes outwards from the base line of each such external facing wall of each part of such building at a vertical angle of 40 degrees above the horizontal and measured perpendicular to such base line or, in the case of a curved base line, perpendicular to the tangents of all points of such curved base line.
- (d) Where two external walls of such building face each other and neither wall contains any door or window serving a habitable room, the provisions of clause (c) of this subsection shall not apply but the distance between such walls shall not be less than six feet.

BALCONIES, CORNICES, EAVES, AND CANOPIES

- 47(5) Notwithstanding the provisions of subsections (3) and (4) of this section, separate individual balconies, which are open on three sides, cornices, eaves, and canopies may project through the angular planes as determined in such subsections; provided, however, that any part of such projection shall be not less than 10 feet from any lot line of such lot.
- 48 Where any building is erected, altered, or used as a **boarding house, lodging or rooming house, an apartment house or special care home** in an R-3 Zone, such building, in addition to the requirements hereinbefore set out in Section 47, shall comply with the following requirements:

POPULATION DENSITY

- 48(1) The population density of such building shall not exceed:
- (a) 250 persons per acre if located in "**Schedule A**"; and
- (b) 125 persons per acre if located in an area other than that described in Schedule "A".

OPEN SPACE

- 48(2)
- (a) The lot upon which such building is located shall contain a minimum of:
 - (i) 120 square feet of open space for each person occupying such building in a dwelling unit containing two or more bedrooms, of which at least 100 square feet shall be landscaped open space; and
 - (ii) 80 square feet of open space for each person residing within such building in a dwelling unit containing one bedroom, of which at least 70 square feet shall be landscaped open space; and
 - (iii) 50 square feet of landscaped open space for each person residing within such building in a bachelor unit if located in "**Schedule B**"; and
 - (iv) 80 square feet of open space, of which at least 70 square feet shall be landscaped open space, for each person residing within such building in a bachelor unit if located within an area other than "**Schedule B**".
 - (b) The occupancy of such building shall be calculated on the basis of one person for each habitable room contained therein.
 - (c) For the purpose of this subsection, the roof, or any portion thereof, of any part of such building that has no residential accommodation included below such roof or portion thereof may be calculated as landscaped open space; provided that:
 - (i) no part of such roof is more than 5 feet above the ground level of at least one lot line of such lot; and
 - (ii) such roof, or portion thereof, is capable of being used as landscaped open space.
 - (d) **Notwithstanding the provisions of Subsection 48(2)(c) above, a maximum of 40% of the landscaped open space requirement for dwelling units containing two or more bedrooms may be transferred to the building rooftop, including rooftops greater than 5 feet above the ground level; provided that:**
 - (i) **the rooftop landscaped open space is contiguous and not less than 600 square feet (56 m²) in area; and**
 - (ii) **the rooftop landscaped open space is fully accessible for the common use of the occupants of the building. (PCC-Apr 14/08;E-May 5/08)**

OPEN SPACE FOR SPECIAL CARE HOME

- 48A A minimum of 35 percent of the lot area of any lot on which a building is erected, altered or used as a special care home, shall consist of landscaped open space.