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

Item No. 15.1.2
Halifax Regional Council
February 24, 2026

TO: Mayor Fillmore and Members of Halifax Regional Council

FROM: Brad Anguish, Acting Chief Administrative Officer

DATE: February 13, 2026

SUBJECT: **MPSA 2025-00514 - Initiation Report for 169 Wyse Road**

ORIGIN

Application by Sightline Planning & Approvals on behalf of Zagros Nova Home Development Ltd.

EXECUTIVE SUMMARY

On October 5, 2022, building and development permits (BPCOM 2021-18475) were issued for a 97-unit, mixed-use building at 169 Wyse Road in Dartmouth under the Regional Centre Land Use By-law (LUB). The approved building was 26 m in height (9 storeys) with a non-residential penthouse containing mechanical and amenity spaces. Since the permits were issued, two additional storeys (floors 10, 11 and a 12th storey) have been constructed beyond those shown on the approved plans, and two storeys beyond the current permitted height for tall mid-rise built form.

Floors 10, 11 and 12 do not comply with the permit. Floors 11 and 12 do not comply with the current Regional Centre SMPS and LUB, and therefore, a development permit cannot be issued to permit them. A building taller than 10 storeys is classified as a *high-rise* building in accordance with the Regional Centre LUB, which has different built form requirements than the permitted 10-storey building that is classified as a *tall mid-rise* building.

The applicant, Sightline Planning & Approvals on behalf of Zagros Nova Home Development Limited, made an application for a site-specific amendment to the Regional Centre SMPS and LUB to permit the 12-storey building in a tall mid-rise built form with 117 units.

The applicant acknowledges that the additional storeys were built in error due to a misunderstanding of the LUB requirements. In support of the application, additional public benefit contributions are proposed, including the provision of 19 on-site affordable units with financing from the Canada Mortgage and Housing Corporation (CMHC), and an additional contribution of $35,527 that is required for Incentive or Bonus Zoning.

Staff are recommending against initiation and advise Council to deny the application because:

- The proposal does not align with policy intent in the Regional Centre Secondary Municipal Planning Strategy regarding urban design requirements; and

- Proceeding with this application may set a negative precedent for future compliance with land use policies and regulations, and may set an expectation that rules can be changed to legalize work that was done without a permit.

In this case, not proceeding with initiation would require the removal of the top two storeys. The applicant has submitted a deconstruction plan prepared by an engineering consultant that outlines how this work may occur. It is estimated that the work would take 29-41 weeks to complete and cost $1,060,000 to $1,465,000 to complete. The costs to remove the storeys will be borne by the developer.

Given the complexity, technical challenges, and costs involved with deconstructing existing floors to bring the building into compliance with the Land Use By-Law, Council may choose to initiate the request and explore a site-specific policy change to permit the additional storeys. An alternative recommendation to proceed with initiation is provided in this report which would include a process to provide a site-specific policy to enable modification of the LUB regulations and a development agreement to reflect the additional storeys on this site. Should Council not proceed with initiation, there are potential municipal costs associated with the compliance process, such as legal fees.

RECOMMENDATION

It is recommended that Halifax Regional Council refuse to initiate amendments to the Regional Centre Secondary Municipal Planning Strategy and Land Use By-Law to allow a 12-storey building in a tall mid-rise built form at 169 Wyse Road (PID 00045351) in Dartmouth.

BACKGROUND

A building permit (BPCOM 2021-18475) was issued for a 9-storey (26 metre high), 97-unit mixed-use building on October 5, 2022 on PID 00045351, at 169 Wyse Road in Dartmouth with a penthouse that contained mechanical elements and amenity space. Initial drawing plans showed residential units which were not permitted by the Regional Centre LUB and were not permitted by the permit.

On June 13, 2024 the property's Floor Area Ratio (FAR) increased from 5.0 to 6.0, as part of the Urgent Changes to Planning Documents for Housing in support of HRM's Housing Accelerator Fund application. This was in line with broad zoning changes that aimed to increase FAR by approximately 20% to 25% (See Case 2023-01065). Increased built form flexibility was also approved by Council at that time, where tall mid-rise from increased from a maximum of 26 m (8 or 9 storeys) to 10 storeys and the height was permitted to be measured in storeys instead of metres. A mechanical penthouse would be permitted under both sets of regulations.

On September 16, 2024, plans for additional two storeys (floors 11 and 12th storey penthouse) were submitted by the applicant. The revised plans did not meet the updated tall mid-rise built form regulations, and the 12th floor did not meet the required roof edge setbacks for a penthouse. Staff completed the review and advised the applicant that they were not permitted and could not be approved. In December 2024 the applicant advised that the two additional storeys were constructed on site. Currently the applicant has a permit for a 9 storey building with a penthouse. Therefore, floors 10, 11 and the penthouse do not comply with the permit, and floors 11 and the penthouse do not comply with the current Regional Centre SMPS and LUB. Revisions can be made to the drawings associated with the permit such that the 10th storey can be approved without amendment to the SMPS or LUB.

The building does not comply with important urban design requirements prescribed by the Regional Centre SMPS and LUB and therefore a building permit cannot be issued to allow the additional storeys. A building taller than 10 storeys is classified as a *high-rise* building in the Regional Centre LUB, which has different requirements than the permitted 10 storey building that is classified as a *tall mid-rise* building related to streetwall stepbacks, tower separation requirements and tower dimensions.

Figure 1: Site Photo (Sightline Planning & Approval, Sept. 2025 MPSA Submission).

There are two possible resolutions to address the two additional storeys. Either the existing building needs to be modified to meet the parameters of the approved permit and the LUB, which would involve fully deconstructing the 12th floor, and partially deconstructing the 11th floor that were built without a permit; or the policies and regulations need to be adjusted to reflect the additional storeys on the site.

Where the deconstruction of floors on top of a high-rise building is both technically challenging and expensive, the property owner has applied for a site-specific exemption of urban design requirements in the Regional Centre Secondary Municipal Planning Strategy (SMPS) and LUB to reflect the additional storeys. Below is a brief timeline summarizing key dates for this file.

Table 1: Key Dates

Key Dates	Process
October 5, 2022	Building permit issued for a 9-storey (26 metre – inclusive of a penhouse),97-unit mixed-use building at 169 Wyse Road / 30 Pelzant Street (BPCOM 2021-18475).
June 13, 2024	The property's Floor Area Ratio (FAR) increased from 5.0 to 6.0, as part of the Urgent Changes to Planning Documents for Housing in support of HRM's Housing Accelerator Fund application. This was in line with broad zoning changes that aimed to increase FAR by approximately 20% - 25% (See Case 2023-01065). Increased built form flexibility was also approved by Council at that time, where tall mid-rise form increased from a maximum of 8 or 9 storeys to 10 storeys; and height was permitted to be measured in storeys instead of metres.
September 16, 2024	Applicant submitted revisions to the original building permit to add two additional storeys and 20 additional units (total of 117 units). Revisions needed to undergo a detailed review before being approved.
November 4, 2024	Staff informed the applicant that the proposed increase in height exceeds what's permissible under the LUB. The revised building permit for additional storeys could not be issued as the proposal did not conform to the LUB.
November 20, 2024	The developer contacted staff to indicate that the additional storeys were currently under construction.
December 5, 2024	Staff conducted a site visit and confirmed the additional storeys had been constructed without a permit.
December 16, 2024	HRM Order to Comply issued under NS Building Code Act, NS Building Code Regulations, and HRM Building By-law as floors 11 and 12 did not have a building permit. The Order to Comply was subsequently revised to

	allow work on the lower (approved) storeys, as well as some work on the upper storeys to secure the formwork.
December 18, 2024	Meeting between owner, architect, and staff to discuss issue and path forward. Two options to move forward were discussed, to either remove the additional storeys or apply for a site-specific Municipal Planning Strategy Amendment (MPSA).
June 11, 2025	Compliance Order issued by NS Labour, Skills and Immigration under the Occupational Health and Safety Act; Order lifted on July 8, 2025.
September 2025	MPSA application deemed complete.

Proposal Overview

Sightline Planning & Approvals on behalf of Zagros Nova Home Development Ltd. has applied to modify the Regional Centre SMPS and LUB to enter into a development agreement on PID 00045351, at 169 Wyse Road, Dartmouth. The proposal is to modify built form requirements in the Centre Plan to allow a 12-storey building in a *tall mid-rise* built form. The proposed building would have a mix of uses, including commercial space along a portion of the ground floor and 117 residential units including 19 affordable units (see Attachment B for letter of rationale).

The application requires the following site-specific exemptions from the *high-rise built form* requirements:

- Reducing the required streetwall stepback from 4.5 metres to 3.0 metres;
- Reducing the required side yard tower separation from 12.5 metres to 2.9 metres;
- Reducing the required rear yard tower separation from 12.5 metres to 0 metres; and
- Increasing the maximum tower depth from 35.0 metres to 48.0 metres.

Staff note that a rear yard reduction is not required based on the site given the site configuration.

These high-rise built form requirements such as stepbacks and tower dimensions are important because they help mitigate negative impacts of taller buildings (such as wind and shadow), and the separation distances provide for adequate light and resident privacy in a high-rise setting. As the adjacent blocks are also zoned for high-density uses, these controls are important to ensure orderly development as new infill development progresses. A more detailed explanation and supporting visuals of the proposed changes are included in Attachment A. Site information is provided in Table 2 below.

Table 2: Site Overview

Subject Site	169 Wyse Road / 30 Pelzant Street (PID 00045351)
Location	Corner of Wyse Road, Pelzant Street, and George Street in Dartmouth
Regional Plan Designation	Urban Settlement
Community Plan Designation (Map 1)	Centre in the Regional Centre SMPS
Zoning (Map 2)	CEN-2 (Centre-2) in the Regional Centre LUB, including • A maximum building height of 40 storeys, and • A maximum Floor Area Ratio (FAR) of 6.0 subject to built form and urban design requirements
Size of Site	1,604 square metres (17,263 square feet)
Current Land Use(s)	Under Construction. Building permit issued in 2022 for a 9-storey (26 metres) mixed-use building with 97 units (ZURB BPCOM-2021-18475). Currently, the building is exceeding this approved building height with 12 storeys.
Surrounding Use(s)	To the south of the property is the Ropeworks proposed heritage

	conservation district, a low-rise residential neighbourhood zoned ER-2. Along Wyse Road there are other CEN-2 and COR properties that allow a similar scale of development. Along George Street are CEN-1 properties with a lower FAR (2.25). The Wyse Road Centre is undergoing significant change with many new projects planned or under construction. This includes new high-rise buildings under construction and proposed along Lyle Street, Faulkner Street, and Dawson Road, three new towers ranging from 33 to 40 storeys proposed along Best Street, the redevelopment of the Dartmouth Shopping Centre with buildings ranging from 10 to 40 storeys, and a proposed 22-storey building at the corner of Wyse Road and Nantucket Avenue. This area is quickly transforming into a high-density, mixed-use neighbourhood.

Centre Plan Framework

The subject property is in the Regional Centre Plan Area (Centre Plan), which came into full effect in 2021. While it is located in an area designated for growth, Policies UD-9 and UD-10 establish direction for many of the requirements of the LUB that support context-specific, human-scaled and pedestrian-oriented environments (see excerpt of relevant policies and regulations in Attachment C).

The location, scale, floor plate size, orientation, and separation distances of towers affect sky view, privacy, wind, and the amount of sunlight and shadows that reach the public realm and neighbouring properties. The Centre Plan requires taller buildings (generally buildings over 10 storeys) to be more slender because slender towers have lesser impact on the surrounding area of the building such shadow, wind impacts, and weather protection. Mitigation of these impacts is in addition to the aesthetic benefits that tall, slender buildings provide. In addition, tower portions of taller buildings are required to provide more separation from neighbouring properties, especially where other tall buildings are enabled. This helps ensure a higher quality of life for residents by providing porosity through site plan design (allowing light to pass through) as well as providing space between buildings to support a level of privacy for residents.
The Centre Plan establishes four different building regulations that vary based on height as shown below in Fig. 2. The built forms have varying requirements such as setbacks to property lines, building stepbacks, and building dimensions, on the general premise that taller buildings need more space to reduce impacts such as wind and shadow.

The built form requirements established in the Centre Plan include:

- Low-rise (buildings up to 4 storeys)
- Mid-rise (buildings between 5 and 7 storeys)
- Tall mid-rise (buildings between 8 and 10 storeys)
- High-Rise (buildings that are 11+ storeys)

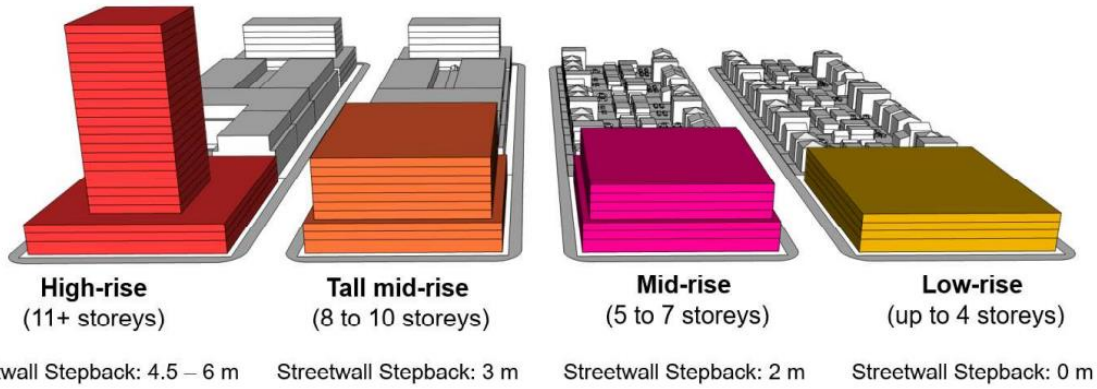


Figure 2: Built Form requirements in the Centre Plan

These built form requirements are based on a framework of clarity and predictability, which permits significant as-of-right development subject to land use by-law requirements. New buildings need to conform to their respective built form framework, which is dictated by the overall building height. Not every property is large enough to accommodate the required setbacks and stepbacks for a high-rise building but uniform setbacks from property lines for towers help ensure that abutting property owners are treated with fairness.

Urgent Changes for Housing - Housing Accelerator Fund

With the first approval of the Centre Plan in 2019 (Package A), the property was zoned as CEN-2 with a maximum FAR of 5.0 and a maximum building height of 90 metres (approx. 33 storeys) subject to zone and built form requirements. For this particular site, a tall mid-rise building was achievable given the lot dimensions and FAR, whereas a high-rise building would be constrained by increased setback/separation requirements and insufficient FAR.

In May 2024, staff brought forward a host of regulatory and zoning changes with the goal of increasing housing supply as part of the Urgent Changes to Planning Documents for Housing in support of the municipality's Housing Accelerator Fund application. This included broad zoning changes in the Regional Centre and the consideration of site-specific requests. The zoning of the subject property was positively impacted by:

- An increase in Floor Area Ratio (FAR) from 5.0 to 6.0;
- A change from measuring building height from metres to storeys;
- An increase in the *tall mid-rise* built form from 26 metres (approx. 8 – 9 storeys) to 10 storeys. This change has positively impacted the development as it mirrors the original 10 storey design that was approved. Therefore, this change allows a 10-storey *tall mid-rise* building on this site.

Regional Plan Context

Chapter 6A of the Regional Municipal Planning Strategy (RMPS) outlines objectives for the Regional Centre. Policy G-9A of the RMPS provides direction for mitigating climate change and protecting the future health of the municipality by prioritizing the movements of pedestrians and transit service over car-oriented design and ensuring consideration of future rapid transit corridors as key locations for residential and mixed-use intensification. It also prioritizes design that includes community-scale or site-level green infrastructure, renewable energy and other climate mitigation design elements.

Policy G-14A requires HRM to consider the objectives, policies and actions of the priorities plans, including the Integrated Mobility Plan, when considering amendments to any secondary municipal planning strategy and land use by-law, such as the Centre Plan.

Priority Plans

In 2017, Regional Council endorsed the Integrated Mobility Plan (IMP), which guides investment in active transportation, transit, transportation demand management, goods movement and the roadway network in Halifax. The IMP identifies Wyse Road as a Transit Priority Corridor, where transit movement should be prioritized over single-occupant vehicles. The IMP also provides direction to use a 'Complete Streets' approach for roadway design and maintenance, prioritizing walking and cycling when allocating road right of way space, and using streetscaping elements to create a sense of place.

In 2020, Regional Council adopted the Rapid Transit Strategy (RTS), which further reinforces the need for transit priority on Wyse Road and proposes Bus Rapid Transit (BRT) service along the corridor. The RTS identifies Wyse Road for the "Purple Line," which connects Dartmouth Crossing with Larry Uteck Boulevard.

The IMP also identifies Wyse Road as an All Ages and Abilities (AAA) cycling route. These cycling lanes were completed in 2022.

DISCUSSION

The Centre Plan is a regulatory document that sets out the goals, objectives and direction for long term growth and development in the Regional Centre. Regional Council may consider amendment requests to the Centre Plan to enable proposed development that is inconsistent with its policies. Amendments to an SMPS are significant undertakings and Council is under no obligation to consider such requests. Amendments should only be considered within the broader planning context and when there is reason to believe that there has been a change to the circumstances since the SMPS was adopted or last reviewed.

Application Details

The proponent is seeking an exemption from four requirements for high-rise buildings to allow existing construction. These exemptions and their impacts are described in the Background section as well as in Attachment A.

Applicant Rationale

The applicant has provided the following rationale (Attachment B) in support of the proposed amendments:

- The proposed amendments would allow a building that is not exceeding the Floor Area Ratio (Max. of 6.0) or maximum building height (40 storeys) for the zone;
- Council recently approved a similar site-specific request at Robie and Almon Street (MPSA-2024-00975);
- An acknowledgement that the Land Use By-Law requirements were misunderstood;
- A recognition that there has been a lot of costs and time invested in this project;
- The proposal will add on-site affordable units through CMHC financing, as well as a general need for additional units to address the housing shortage; and
- Project generally aligns with policies and priority plans as it adds density in a central location and is within walking distance to the Bridge Terminal.

Attachment B contains the Applicant's letter of rationale.

In support of the application, the applicant has provided updated technical studies, including a traffic study, wind impact study, and a shadow study. Should Council proceed with initiation, a detailed review of the application will occur, which will include consultation with other divisions and Business Units, as well as public consultation.

Staff Review

This situation has arisen due to a misunderstanding of the Regional Centre requirements on behalf of the property owner, as well as disregard to the approved building permit in pursuing construction activity beyond its scope.

Although the original building permit allowed a 9-storey building (26 metres in height) with a mechanical / amenity penthouse, the developer built 12 storeys, which is beyond both the scope of the approved permit and current regulations. Subsequent changes to the Regional Centre planning framework have provided more flexibility for the *tall mid-rise* built form to 10 storeys. The relationship between initial 2021 Centre Plan regulations, initial permit, revised regulations in 2024, and actual construction is conceptually illustrated in Fig. 3 below.

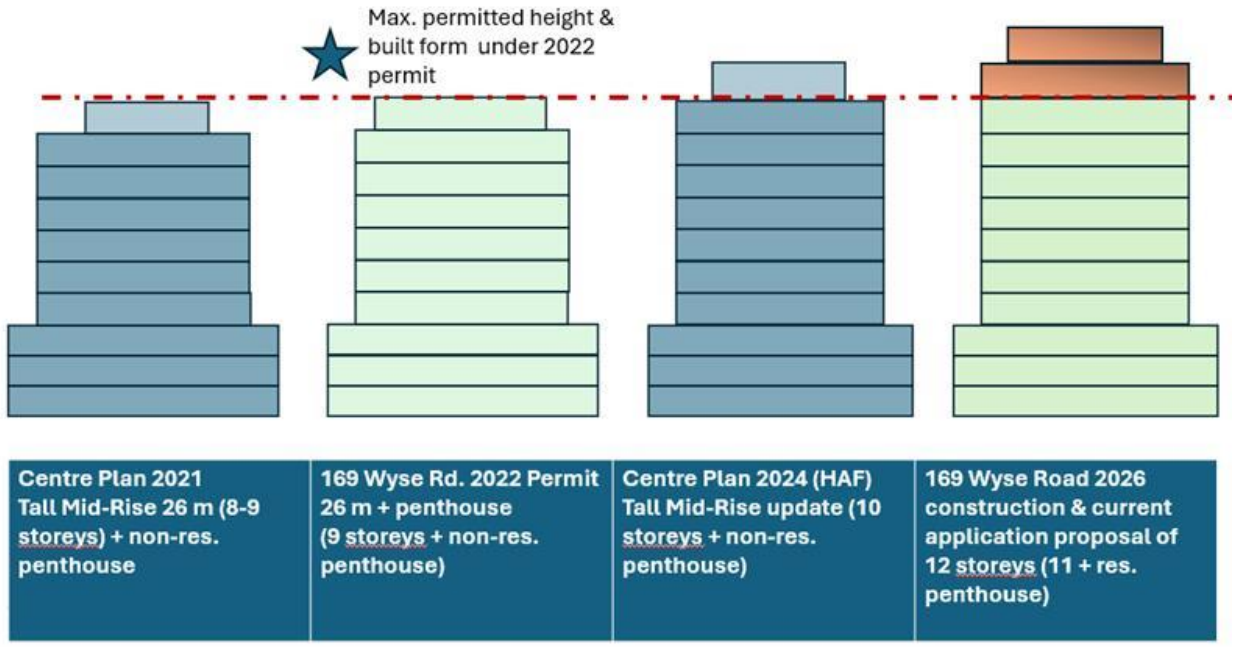


Figure 3: Conceptual representation of Centre Plan built form regulations, permitted construction, and current application and construction at 159 Wyse Road

The broad increase in Floor Area Ratio (FAR) that was delivered under the Urgent Changes to Planning Documents for Housing applied broadly across CEN-2 Zones in the Regional Centre. With this increase in FAR from 5.0 to 6.0, the property owner assumed incorrectly that additional floors could be added to a building already under construction. However, there are other policies and regulations guiding development that need to be met, and principally this includes important built form and urban design regulations within the LUB which are critical to the overall built form framework. Additional floor area can only be utilized if a project is meeting all other applicable regulations. An approved building permit is always required prior to construction.

There are multiple examples of projects that have been able to properly access the recent increases to FAR. Additional storeys are able to be approved where the design complies with all applicable requirements, including the urban design requirements in the LUB.

It is staff's advice that the requested site-specific amendments to built form in this area are not appropriate and not aligned with urban design goals, objectives, and policies in the Regional Centre Secondary Municipal Planning Strategy (See attached relevant policies in Attachment C). Further, staff advise that a positive recommendation may encourage lack of compliance with planning policies and regulations

approved by Council, whereby property owners seek forgiveness instead of securing all necessary approvals. It is important to reinforce the process in seeking appropriate permissions before advancing with a project.

However, given the complexity, technical challenges, and costs involved with deconstructing existing floors at the top of a high-rise building to bring the building into compliance with the Land Use By-Law, Council may choose to initiate the request and explore a site-specific change to permit the additional storeys as outlined in the Alternatives section of this report.

Public Benefits

In the Regional Centre, a new development over 2,000 square metres of floor area in the Downtown, Centre, Corridor, and Higher-Order Residential designations is required to provide bonus zoning. At least 60% of the contribution to bonus zoning must be in the form of a cash-in-lieu payment for affordable housing. The calculation to determine the amount of public benefit is also based on different rate districts included in the LUB that are based on average market land values for their respective areas.

The developer contributed $110,588.16 to the bonus zoning fund associated with the original building permit. This was based on the public benefit rate from 2022. Should Council choose to proceed with the application, additional bonus zoning contribution will be needed for the additional portion of the building constructed beyond the scope of the approved permit, which would equate to an additional $35,527 for a total contribution of approximately $146,115.

In addition to the density bonus contribution, the developer is proposing on-site affordable units with financing from the Canada Mortgage and Housing Corporation (CMHC) under the Mortgage Loan Insurance Select Program. With the original approved building permit containing 97-units, the development was to accommodate 15 affordable units offered at 30% below market value as part of a 10-year financing agreement through the CMHC. With the increase in height to 12 storeys, the developer is proposing to add four additional affordable units in the top floor, for a total of 19 on-site affordable units. The affordability will be offered to one-bedroom and bachelor unit types, with rents starting at approximately $1,247 per month with increases limited to 5% per year, and the affordability requirements ending after 10 years. Normal market rents for these units would be $1,871 per month. Should Council choose to proceed with the application, staff advise that a site-specific policy amendment and a development agreement would be necessary to tie the on-site affordable units to the proposal at occupancy permit stage. Enforcement however would be through the CMHC program. The proponent is also open to considering a contribution to improve local park infrastructure in the area such as Victoria Park or the Wyse Road parkette. Money-in-lieu for improvements to and acquisition of lands for municipal parks is currently permitted as a public benefit under Regional Centre SMPS Policy IM-15.

Deconstruction

Should Council choose not to initiation the plan amendment application, the top two storeys would need to be removed in order to comply with the LUB requirements.

A deconstruction plan prepared by an engineering consultant was submitted (Attachment B, Appendix G), and outlines how the removal of the top two storeys can occur, identifies public safety risks, and how these risks can be mitigated. Importantly, it is recommended that the building not be occupied during deconstruction work, along with several other risk mitigation measures to ensure public safety. Any deconstruction will need to follow *Nova Scotia Occupational Health and Safety Act* and its regulations.

It is anticipated that completing the full scope of work (removing the top two storeys and reconstructing the 10th floor) will have a duration of approximately 29 – 41 weeks at a cost of approximately $1,060,000 to $1,465,000. These cost estimates were provided by an engineering consultant, and the costs would be borne by the developer. There is no example of a deconstruction of this magnitude having taken place locally.

For the neighbourhood and local residents, deconstruction would mean the site would remain an active construction zone and would involve longer exposure to construction impacts (e.g. noise, dust).

Jurisdictional Scan

In reviewing this request, staff also compared Centre Plan's building regulations against other jurisdictions. The results show that Centre Plan's building regulations are well aligned with other jurisdictions. The results of the jurisdictional scan are provided in Attachment D.

Conclusion

Staff advise that this application does not align with the intent of built form and urban design policies and regulations of the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law. Furthermore, advancing this application may impact future compliance as well as fair and consistent application of the Regional Centre planning documents.

An alternative to proceed with initiation is provided. The deconstruction work needed to bring the building into compliance will be costly and technically challenging. Council may choose to proceed with the application to develop site specific policies and regulations to reflect the construction work that has been done on the building to date.

FINANCIAL IMPLICATIONS

The costs associated with undertaking the review of the planning application as outlined in this report can be accommodated within the approved 2025/26 operating budget. Should Council not proceed with initiation, there may be costs associated with the compliance process, such as legal fees.

RISK CONSIDERATION

This application involves proposed SMPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Regulatory and Appeals Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report. Risks related to deconstruction include:

- Falling debris impacting occupied floors or adjacent properties;
- Airborne contaminants (dust, insulation, drywall) migrating into lower floors or the external environment;
- Noise and vibration potentially affecting structural or occupant well-being;
- Fire risk from temporary systems and hot work; and
- Structural risk to floor 10 due to its immediate proximity to the demolition zone.

The deconstruction plan (Attachment B) highlights how these risks will be mitigated. Importantly, the building needs to be unoccupied while the work occurs. Additional mitigation measures are listed below, and will need to be implemented by the developer to safely undertake deconstruction of the additional storeys:

- Full containment with scaffolding, mesh netting, and weatherproof shrouds;
- Controlled exclusion zones and on-site security personnel;
- HEPA-filtered negative air pressure systems;
- Vibration monitoring at multiple locations;
- Daily inspection and compliance audits; and Licensed demolition and environmental abatement contractors only.

COMMUNITY ENGAGEMENT

Should Regional Council choose to initiate the MPS amendment process, the HRM Charter requires that Regional Council approve a public participation program. In June of 2023, Regional Council approved the Public Participation Administrative Order (2023-002-ADM), which staff are proposing to follow. The proposed level of community engagement is consultation, achieved through a public meeting early in the review process, as well as a public hearing, before Regional Council can consider approval of any amendments. The community will have further opportunity to engage with Regional Council at the required public hearing.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

Regional Council may choose to:

a) Initiate a process to consider site specific amendments to the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law to enable a development agreement for a 12-storey building in a tall mid-rise built form on lands at 169 Wyse Road (PID 00045351) in Dartmouth as outlined in this report; and

b) Follow Administrative Order 2023-002-ADM Respecting Public Participation for Planning Documents, Certain Planning Applications, and Engagement with Abutting Municipalities for the required public participation program.

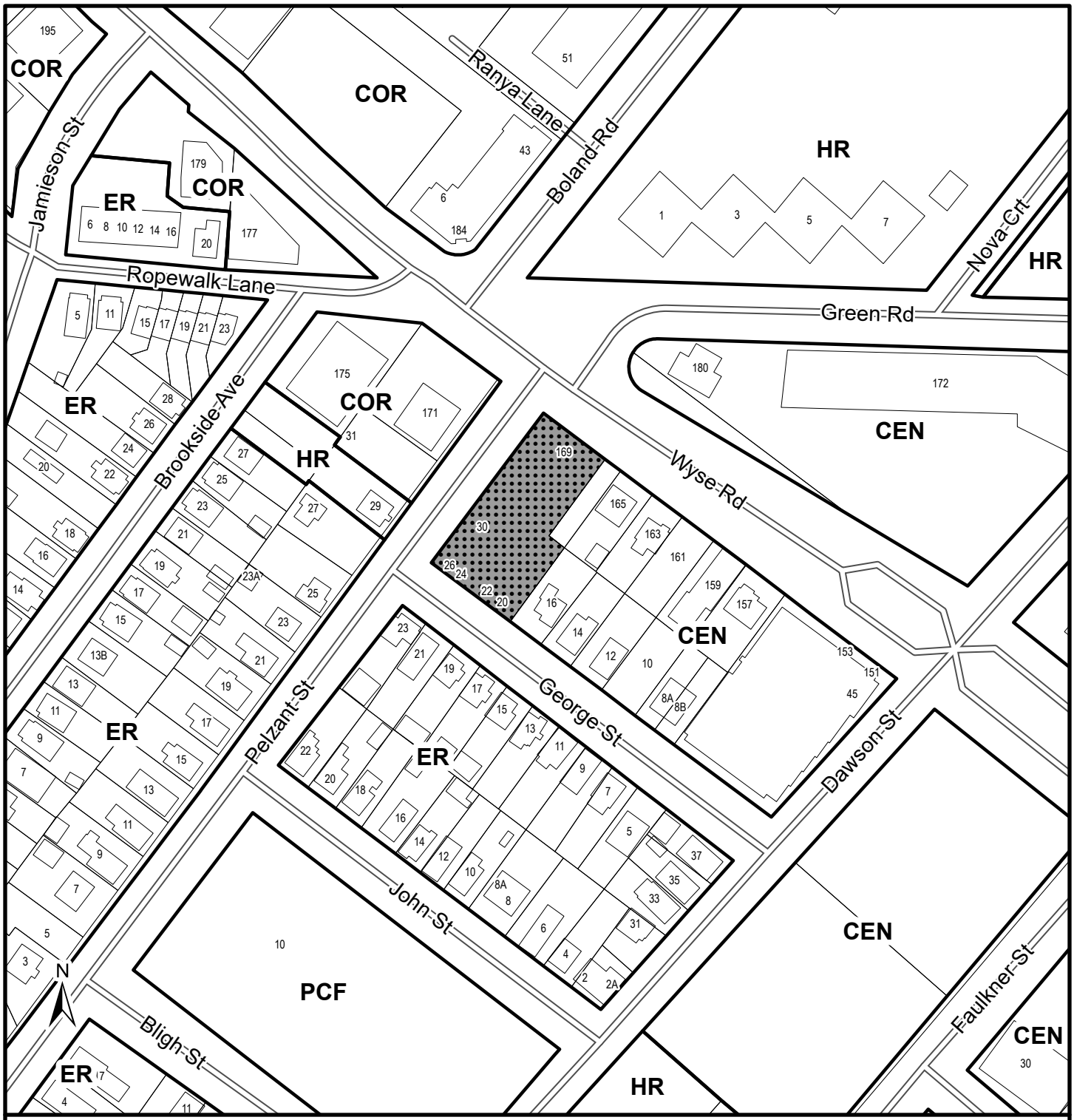
LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development

ATTACHMENTS

Map 1:	Generalized Future Land Use
Map 2:	Zoning
Attachment A:	Application Details
Attachment B:	Application Letter
Attachment C:	Relevant Policies
Attachment D:	Jurisdictional Scan

Report Prepared by: Kasia Tota, Manager Community Planning, Planning & Development, 902-292-3934



Map 1 - Generalized Future Land Use

PID 00045351
Dartmouth

Subject Property

Regional Centre
Plan Area

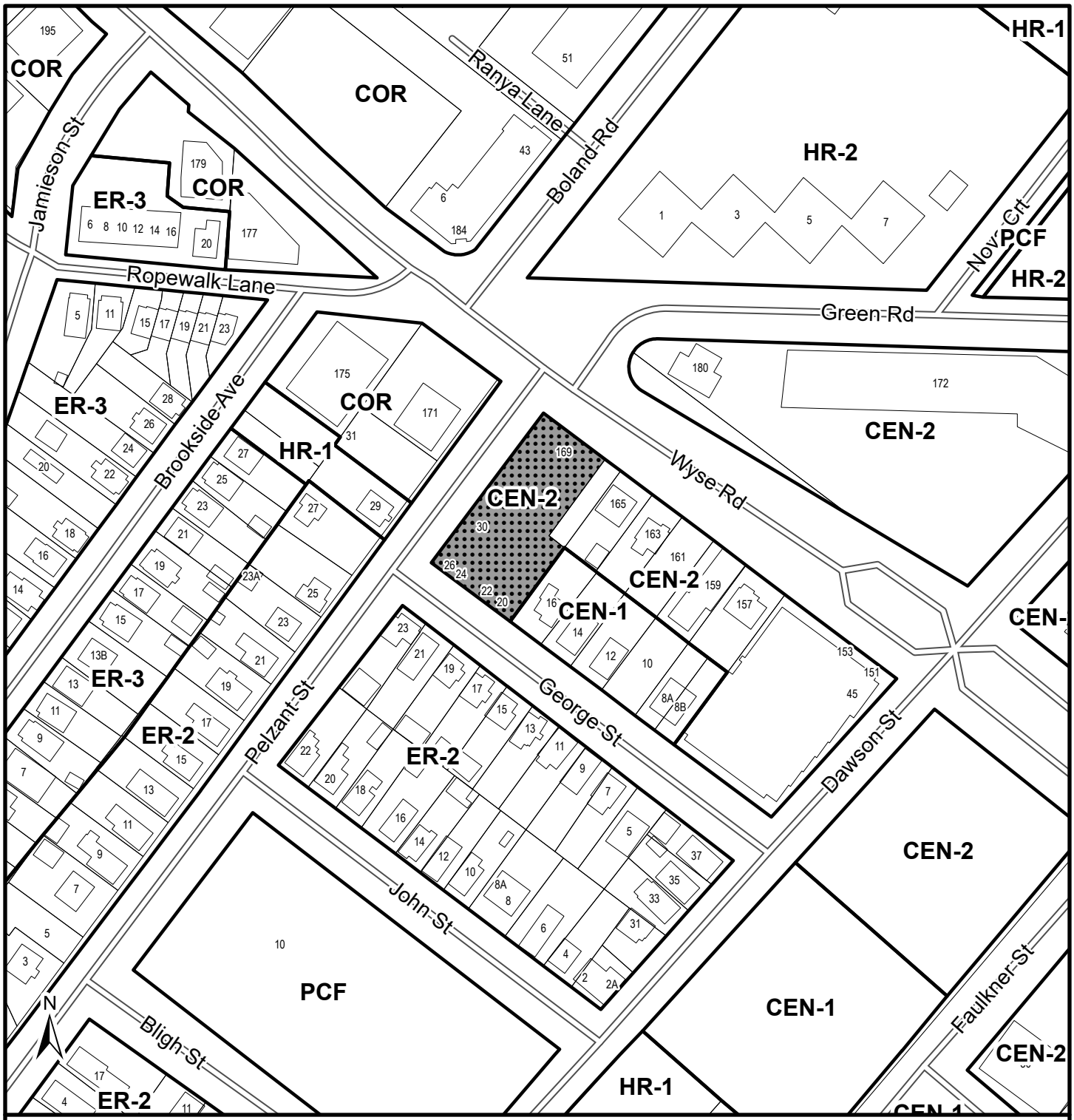
Designation

CEN	Centre
COR	Corridor
ER	Established Residential
HR	Higher-Order Residential
PCF	Park and Community Facility

0 40 m

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.



Map 2 - Zoning

PID 00045351
Dartmouth

Subject Property

Regional Centre
Land Use By-Law Area

Zone

CEN-1	Centre 1
CEN-2	Centre 2
COR	Corridor
ER-2	Established Residential 2
ER-3	Established Residential 3
HR-1	Higher-Order Residential 1
HR-2	Higher-Order Residential 2
PCF	Parks and Community Facilities

HALIFAX

0 40 m

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Attachment A: Application Details

The proponent is seeking an exemption from four urban design requirements for high-rise buildings. These exemptions and their impacts are described below:

1. Reducing the required streetwall stepback from 4.5 metres to 3.0 metres (33% decrease);

- What is a streetwall stepback?
  - A streetwall refers to the portion of the building that is facing the street.
  - A streetwall of a certain height (e.g. 3 storeys) is created by a stepback above the streetwall which is “a horizontal recess that breaks the vertical plane of an exterior wall on a main building” (RC LUB S. 240).
  - A stepback creates the base of a building creating a distinct podium, while the tower portion of the building is located further away from the street, as shown below.
- Why is this important?
  - Streetwall stepbacks are important design features that help to shape a comfortable public realm and provide relief from wind and shadow impacts of tall buildings. The taller the building, the larger the stepback required. An illustration of how streetwall stepbacks mitigate wind impacts is shown below:

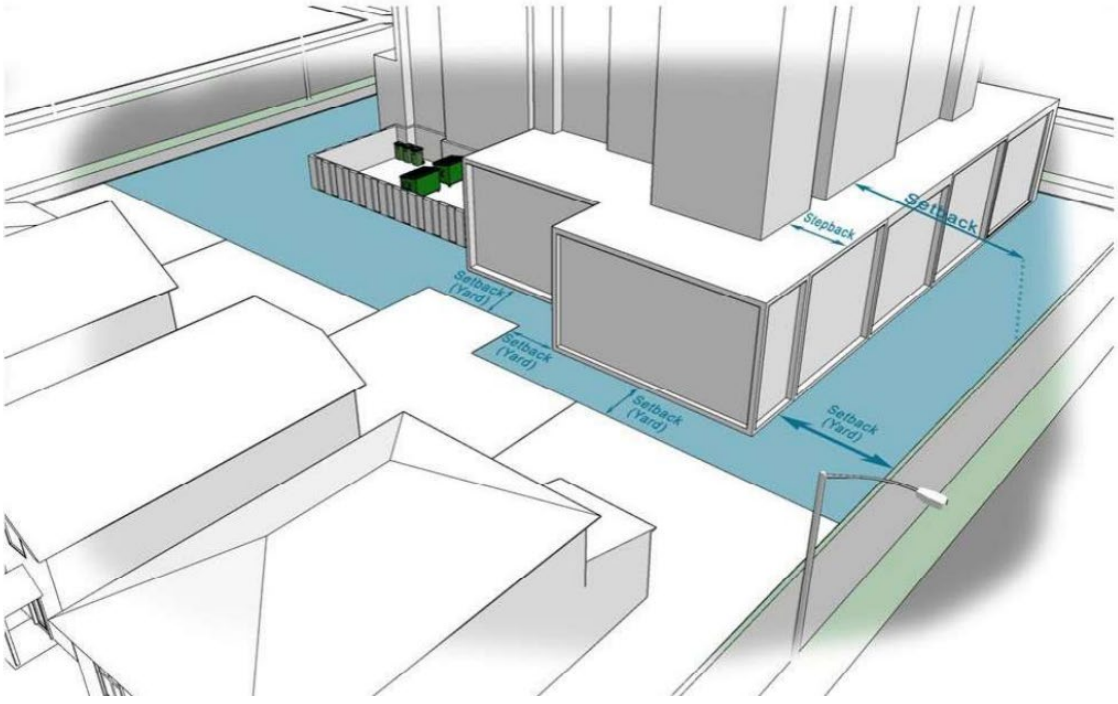
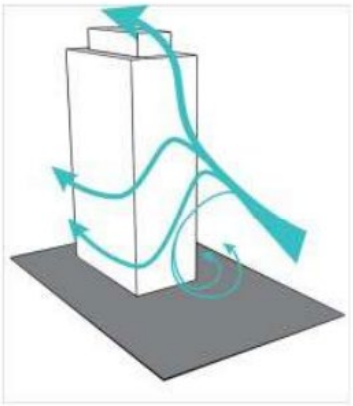
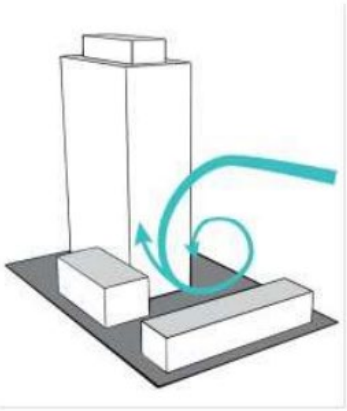


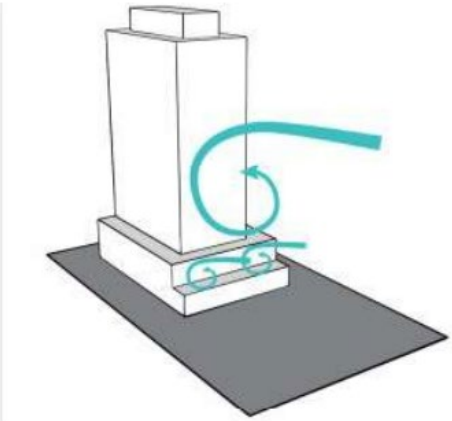
Figure 1: Visual Representation of a Stepback

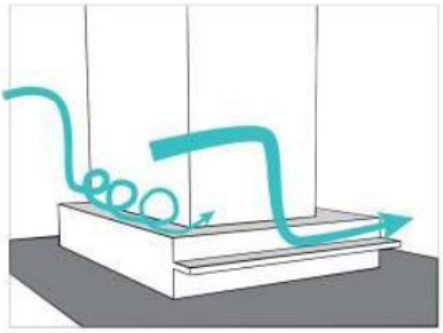


Example 1: Large sheer walls multiply wind impact.



Example 2: Small abutting buildings can mitigate wind impact off site.





Example 3 and 4: Building stepbacks and projections such as canopies mitigate wind impacts on and off site.

Figure 2: How Stepbacks Mitigate Pedestrian Wind Impact

- **Reducing side yard tower separation distance:**
    - **Reducing the required side yard tower separation from 12.5 metres to 2.9 metres (77% decrease)**
        - What is side yard yard tower separation?
            - Tower separation is the distance between the tower (the portion of the building above the streetwall) and the side or rear property line. An illustration is provided below:
            - Why is this important?
                - Adequate tower separation distances from property lines and from other towers is a critical aspect of tall building design. The placement of towers should minimize negative impacts on the public realm and neighbouring properties, such as adverse shadowing, pedestrian-level wind, and blockage of sky view, and should maximize the environmental quality of building interiors, including daylighting, natural ventilation, and privacy for building occupants.

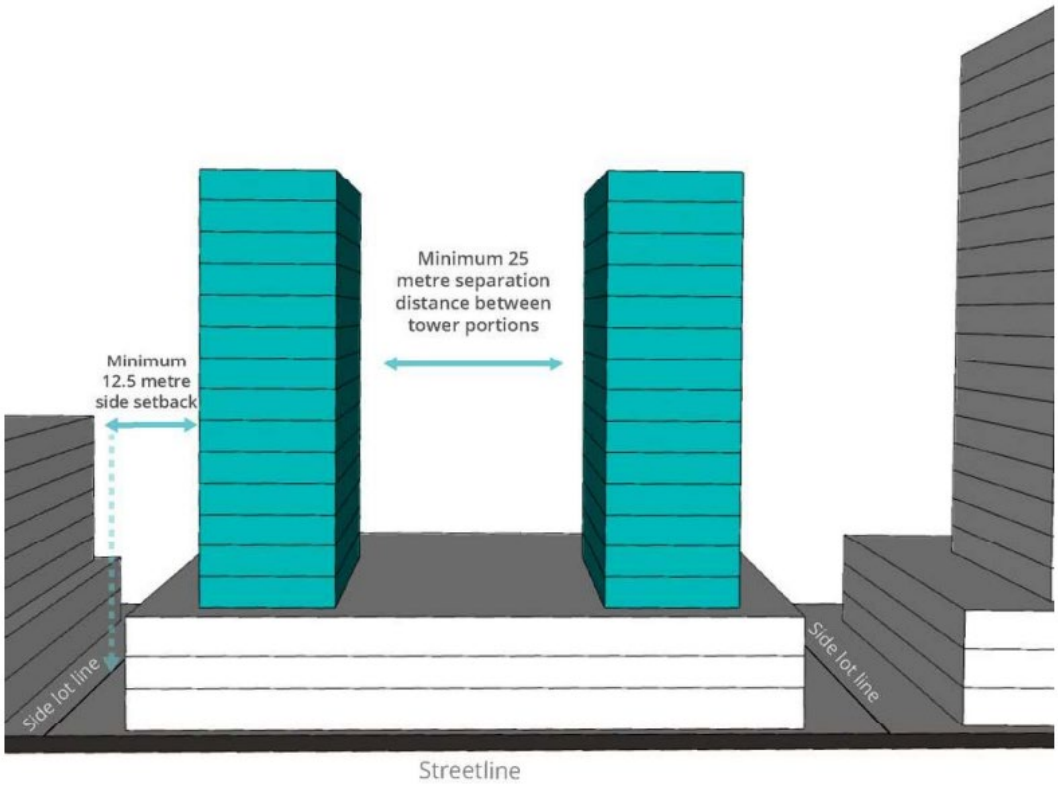


Figure 3: Visual Representation of Tower Separation

- **Increasing the tower depth from 35 metres to 48 metres (37% increase)**
    - What is maximum tower depth?

        - The maximum tower depth is the maximum dimension allowable for the tower portion of the building above the streetwall.
    - Why is this important?
        - Similar to the maximum floor plate, the tower depth plays a role in ensuring a slender floor plate that impacts the towers visual and physical impact on the streetscape and surrounding properties. Larger towers would cast more shadows for longer periods of time than slender towers.

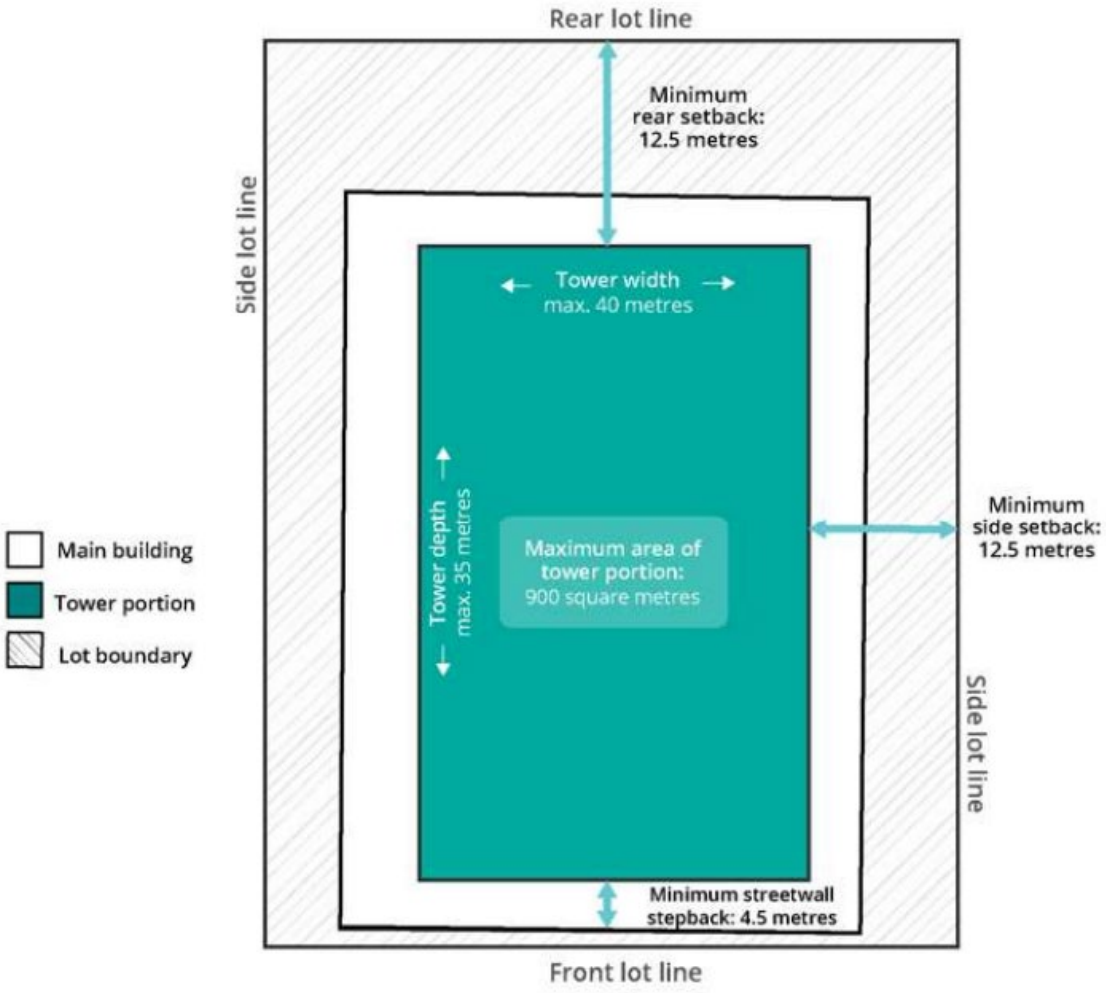


Figure 4: Visual Representation of Tower Depth and Other Dimensions

Attachment B

Sightline
PLANNING + APPROVALS

SEPTEMBER 8, 2025

169 WYSE ROAD/
30 PELZANT STREET

PREPARED FOR:
HRM PLANNING & DEVELOPMENT

PREPARED BY:
ISABELLE CHOUMILINE

September 8, 2025

Joshua Adams
Principal Planner
Community Planning – Centre Plan | Planning & Development
Josh.Adams@halifax.ca

Re: Municipal Planning Strategy Amendment Supplemental Submission (MPSA-2025-00514) for 169 Wyse Road/30 Pelzant Street (PID 00045351).

Dear Josh,

On behalf of our client, Zagros Nova Home Development, Sightline Planning + Approvals is pleased to submit this MPSA supplemental package for the proposed development located at 169 Wyse Road/30 Pelzant Street, Dartmouth.

In 2022, a construction permit was issued for the 10-storey residential development located at 169 Wyse Road/30 Pelzant Street in Dartmouth. During construction, amendments to the LUB including the FAR increased, which provided an opportunity for two additional floors to be added to the building. Although the additional two floors were intended to adhere to all MPS and LUB policies, and is significantly less tall than the existing 40-storey height maximum, a misinterpretation resulted in floor 11 and 12 being unable to comply with the specific stepback and maximum tower depth requirements. To proceed with the construction of the proposed development and bring the 12-storey building into compliance, Sightline, on behalf of Zagros Nova Home Development, is requesting an amendment to the MPS and LUB. The proposed development consists of 12 storeys and 117 residential units, 19 of which would be offered at 30% below median renter income for a minimum of 10 years (guaranteed through CMHC), in addition to providing increased funds for affordable housing through density bonusing policies.

Thank you for your consideration. We appreciate your feedback and continued collaboration throughout the review process.

[redacted]

Isabelle Choumiline
Planning Manager

CC: Kevin W. Riles, President & CEO, Sightline Planning + Approvals
Paul Sampson, President & CEO, Paul Sampson City Planning
Greg Johnston, Architect, Paul Skerry Architects
Seraj Bagheri, President & CEO, Zagros Nova Home Development

Contents

List of Appendices

Executive Summary

- In 2022, a construction permit was issued for the 10-storey residential development located at 169 Wyse Road/30 Pelzant Street in Dartmouth. During construction, amendments to the LUB including the FAR increased, which provided an opportunity for two additional floors to be added to the building.
- Although the additional two floors were intended to adhere to all MPS and LUB policies, a misinterpretation resulted in floor 11 and 12 being unable to comply with the stepback and maximum tower depth requirements. The building is significantly less tall than the existing 40-storey height maximum.
- To proceed with the construction of the proposed development and bring the 12-storey building into compliance, an amendment to the MPS and LUB is required.
- The proposed development consists of 117 residential units, including 19 affordable units for a minimum of 10 years, guaranteed through CMHC.
- Similar proposals have been recently initiated by Council enabling a site-specific amendment to the Regional Centre MPS and LUB.
- The subject property is in a prime location for density, offering easy access to a variety of services, amenities, parks and schools. The proposal is aligned with the goals of the Regional Plan, Priority Plans and policies for supporting transit-oriented development.
- A comprehensive review of applicable plans and policies within the Planning Rationale concludes that it is reasonable for Council to consider the proposal to amend the MPS and LUB and ultimately allow the 11th and 12th floors of the building to remain. Updates to the various technical studies further support this conclusion and confirm that the additional two floors will have a minimal impact on the surrounding area.
- Significant time and resources have been invested in the project to date and the deconstruction of floors 11 and 12, in addition to the modifications needed to floor 10 at this stage, would be a monumental effort. Residents of floors 1 to 10 must be relocated while the work is completed, significant cost would be incurred to the developer, and there are risks posed to construction workers, tenants and surrounding properties due to possible falling debris, airborne contaminants, noise and vibration, fire risk and structural risk. The work would take an estimated 6 to 9.5 months to complete and cost between $1,060,000 and $1,465,000.

Introduction

In 2022, a construction permit was issued for the 10-storey residential development located at 169 Wyse Road/30 Pelzant Street in Dartmouth. During construction, amendments to the LUB including the Floor Area Ratio (FAR) increased, which provided an opportunity for two additional floors to be added to the building. Although the additional two floors were intended to adhere to all Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) policies, and the building is significantly less tall than the existing 40-storey height maximum, a misinterpretation resulted in floor 11 and 12 being unable to comply with the stepback and maximum tower depth requirements.

To proceed with the construction of the proposed development, and bring the 12-storey building into compliance, Sightline, on behalf of Zagros Nova Home Development, is requesting an amendment to the MPS and LUB.

The proposed development would consist of 12 storeys and 117 residential units, 19 of which would be guaranteed affordable for 10 years through CMHC, in addition to providing increased funds for affordable housing through density bonusing.

Property Information

The subject property is located at 169 Wyse Road/30 Pelzant Street, Dartmouth, NS. It is approximately 1,585.7 square metres and has 24 meters of frontage on Wyse Road, 59 meters on Pelzant Street and 30.8 metres on George Street.

PID	Address	Plan Area	Zone	Road Access and Frontage	Approximate Area
00045351	169 Wyse Rd/ 30 Pelzant St	Regional Centre Plan Area	CEN-2	24 m on Wyse Rd 59 m on Pelzant St 30.8 m on George St	1,585.7 sq m

Figure 1 Property Summary Table

The property is zoned Centre 2 (CEN-2) under the Regional Centre Plan Area LUB. The surrounding neighbourhood is made up of a mix of high and medium density multi-unit buildings, low density residential and a wide variety of commercial buildings providing access to many services and amenities for future residents. The subject property is also near several parks, schools, and the Zatzman Sportsplex making this a prime location for density.

Figure 2 Site Photo

The subject property is well connected to Halifax Transit services. Wyse Road is designated as a Potential Transit Priority Corridor under the 2017 Integrated Mobility Plan and the BRT Purple Line is located on Wyse Road as shown within the 2020 Rapid Transit Strategy. The subject property is near the HRM Transit Bridge Terminal and protected bike lanes have been constructed on both sides of Wyse Road as per the Active Transportation Priorities Plan. There are sidewalks on both sides of Wyse Road that will be re-constructed at the developer's expense on all abutting streets. Increased density on the subject property aligns with the Regional Plan's goals and policies for supporting transit-oriented development.

Project Background

In the fall of 2022, a building permit was issued for the construction of the 10 storey multi-unit building. Construction commenced as planned and by June 2024 proposed amendments to the LUB including FAR increases came into effect. The change in the FAR from 5 to 6 provided an opportunity for two additional floors to be added to the building.

The concrete for the 9th storey was poured in August 2024 and revised drawings were submitted to HRM staff for review in September 2024. In order to retain their contractors, the developer and project team made the decision to pour the concrete for the 10th and 11th storeys in September and October, working under the assumption that the additional two floors were under full compliance with the LUB and that a building permit would soon be issued by HRM staff.

In November 2024, Zagros received comments from HRM staff noting that the additional two storeys would result in a change of building typology from tall mid-rise to high-rise. HRM staff cited Sections 163, 166 and 172 as concerns. On December 6th 2024, concrete for the 12th storey was poured, and on December 11th, 2024 the project architect responded to HRM staff explaining that Section 172 did not apply to the development. Correspondence between the project team and HRM staff continued in order to come to an understanding on the applicable regulations.

On December 16th, 2024, an Order to Comply was issued by Building Standards due to the misunderstanding of the LUB regulations and the unauthorized pouring of concrete for two additional floors. Ultimately, although the maximum height for the project site is 40 storeys, the FAR and other requirements were met, it was determined that the additional two floors do not comply with specific stepback and tower depth requirements. Discussion between the project team and HRM staff continued, and on January 7th, 2025 the architect was informed a Municipal Planning Strategy Amendment (MPSA) process would be required in order to bring the additional two storeys into compliance.

Zagros has since been given permission by HRM Building Inspection to encase the top two floors based on a structural review that determined the alternative would result in a public safety issue. This directive was provided by HRM with the caveat that no interior work on these two floors was to be undertaken. In addition, it is understood that in the event that Council does not approve the application, the cost to demolish the two floors will be absorbed by Zagros.

The deconstruction of floors 11 and 12, along with the necessary modifications to floor 10 at this stage would be a massive undertaking. Residents of floors 1 to 10 would need to be relocated during the deconstruction, and potential risks to construction workers, tenants and surrounding properties have been identified.

Figure 3 Updated Building Rendering

The proposed development consists of 12 storeys and 117 residential units, 19 of which would be affordable for a minimum of 10 years, guaranteed through CMHC. The architectural renderings have been updated to include the additional two floors. Additional renderings of the proposed development are attached as Appendix A.

Policy Considerations

Paul Sampson City Planning has provided a detailed analysis of the project and updated planning rationale for initiating amendments to the Regional Centre MPS and LUB (Appendix B).

To summarize the findings, the development with the additional two floors does adhere to the building height precinct for the site (max 40 storeys) and the floor plate sizes for the tower portion (below 900 m2). The new FAR is 5.99 which is under 6 as required, and the first 10 storeys adhere to all LUB requirements. It is only the 11th and 12th floors that do not meet the specific setback and maximum tower depth requirements.

The 11th and 12th floors deviate from the LUB requirements in the following ways:

- 3m streetwall stepback provided (above streetwall) instead of the required 4.5m on all 3 streets
- Varying side and rear yard setbacks between 0m and 9.5m, instead of required 12.5m
- Maximum building tower depth of 48m instead of required 35m (from levels 4-8), which reduces to 45m on upper floors (level 9 and above)
- Minimum 3m setback of rooftop features from the roof edge (this may apply to a portion of the elevator enclosure above the rooftop)

As the subject site is zoned CEN-2, which is the highest level zone within this designation, there is no ability for the subject property to be rezoned to a different zone allowing reduced setbacks and stepbacks. There is also no ability to request variations to the tower stepback requirements above the streetwall, or the maximum building dimensions of the tower portion through the site plan approval process. An amendment to the MPS and LUB along with a development agreement is the only available option for the additional two floors to remain.

Historically, similar site-specific variances and exemptions to setbacks and tower width/depth were granted by Community Councils. These requests were routinely approved by the Design Review Committee (DRC) under the former Downtown Halifax built form regulations. However, tower dimensions and upper-storey stepbacks can now only be granted through amendments to the MPS and LUB. The accompanying Planning Rationale document outlines a similar proposal that was initiated by Council on March 25, 2025, enabling a site-specific amendment to the Regional Centre MPS for the Richmond Yards development.

Overall, the in-depth analysis of applicable plans and policies within the Planning Rationale concludes that it is reasonable for Council to consider the proposal to amend the MPS and LUB and allow the 11th and 12th floors of the building to remain. Significant time and resources have been invested in the building and site design, financing is secured, numerous technical studies have been undertaken and reviewed by HRM staff, municipal permitting fees have been paid, and the building's construction is near completion.

The subject property is a desirable location for residential density and the proposal is aligned with the HRM Priority Plans. The updated density bonusing is calculated at $146,115.00 (9500 – 2000 = 7500 x 0.2 = 1500 x $97.41 = $146115).

Furthermore, the original proposal included 15 affordable units, therefore Zagros will ensure the two additional floors provide an additional 4 affordable units at 30% below median renter income for a guaranteed 10 years as per CMHC MLI Select requirements for multi-unit new construction (level 2). This will result in a total of 19 units, or 16.2% of 117 units in the building being offered for $1,247 per month. The affordable units will consist of bachelor and 1-bedroom unit types. Zagros is also open to considering a contribution to improve local park infrastructure in the area such as Victoria Park or the Wyse Road parkette.

Applicant and Project Development Team

Zagros Nova Home Development has assembled an experienced project development team to execute the project vision. Contact information for each consultant involved in the proposed development along with the client is detailed in the table below.

Team Member	Responsibility	Principal Contact	Contact Information
Zagros Nova Home Development	Developer/ Applicant	Seraj Bagheri Developer Salah Hasan Senior Project Manager	[redacted]
Sightline Planning + Approvals	Management of MPSA Application	Isabelle Choumiline Planning Manager Kevin W. Riles President & CEO	[redacted]
Paul Sampson City Planning	Planning Rationale	Paul Sampson President & CEO	[redacted]
Paul Skerry Architects	Architectural Plans, Renderings & Shadow Study	Greg Johnston Architect	[redacted]
Fathom Studio	Traffic Impact Study	Roger Boychuk Senior Transportation Engineer	[redacted]
Gradient Wind Engineering	Wind Study	Andrew Sliasas Principal	[redacted]
PARSCO Engineering & Construction	Deconstruction Plan	Mohammad Ranjbar Senior Structural Engineer/ Construction Manager	[redacted]

After it was determined that an amendment to the MPS would be required, Zagros retained Sightline Planning + Approvals to manage the municipal planning approvals process with support from Paul Sampson City Planning. Zagros and the project development team are committed to working collaboratively with municipal staff to ensure full compliance with all MPS and LUB requirements.

Technical Studies Overview

Addendums to the Traffic Impact Study (Appendix C), Wind Study (Appendix D), Shadow Study (Appendix E) and Site Plan & Elevations (Appendix F) were submitted in March 2025 and are attached for reference. These updated studies and planning rationale show the additional two floors will have minimal impact on the surrounding area and conclude it is reasonable for HRM Council to initiate this MPSA process.

As described by Paul Skerry Architects, should the MPSA application be refused, a massive deconstruction of the top two floors of the completed structure would be required for compliance. Concrete and rebar would need to be saw cut with direction from a structural engineer. The demolished portion would need to be thoughtfully brought down from the building, as the crane will likely be disassembled. In addition, the elevator manufacturer would need to be involved in creating an acceptable solution for the change in the vertical hoistway. Furthermore, after the deconstruction significant modifications to floor 10 would be needed to reestablish weather protection, mechanical/electrical functionality and code compliance which includes reconstructing roof infrastructure, and relocating the elevator overrun and penthouse MEP systems.

PARSCO Engineering & Construction has provided a Deconstruction Plan (Appendix G) as requested by HRM staff which provides details on the logistics, timeframes, expected risks, feasibility of occupancy and expected costs. Ultimately, the building could be brought into full compliance, however, this would result in residents of floors 1 to 10 being relocated and the building completely vacated while the deconstruction is underway. Anticipated risks to construction workers, tenants and surrounding properties include falling debris, airborne contaminants, noise and vibration, fire risk and structural risk. The Deconstruction Plan includes recommendations for risk mitigation measures. The estimated timeline is 6 to 9.5 months (29 to 41 weeks) and the expected cost totals between $1,060,000 and $1,465,000.

Conclusion

The objective is to enable the completion of the new building with the additional two floors, for a total of 12 storeys. This can only be achieved through an amendment to the

MPS and LUB. The development with the additional two floors adheres to the LUB building height precinct for the site, the floor plate sizes for the tower portion and the FAR, with the first 10 storeys also meeting all LUB requirements. It is only the 11th and 12th floors that do not meet specific setback and maximum tower depth requirements. The building is significantly less tall than the existing 40-storey height maximum.

A comprehensive review of applicable plans and policies within the Planning Rationale concludes that it is reasonable for Council to consider the proposal to amend the MPS and LUB and ultimately allow the 11th and 12th storeys of the building to remain. Updates to the various technical studies further support this conclusion and confirm that the additional two floors will have a minimal impact on the surrounding area.

The proposed development would provide 19 affordable units for a minimum of 10 years, guaranteed through the CMHC's MLI Select product, increased funds for affordable housing through density bonusing, and similar proposals have been recently initiated by Council enabling a site-specific amendment to the Regional Centre MPS and LUB.

Significant time and resources have been invested in the project to date. The deconstruction of floors 11 and 12 and the necessary modifications to floor 10 would be a monumental effort, as confirmed by the Deconstruction Plan. This would result in residents of floors 1 to 10 being relocated, as well as risks posed to construction workers, tenants and surrounding properties due to possible falling debris, airborne contaminants, noise and vibration, fire risk and structural risk. All required work is expected to take between 6 to 9.5 months (29 to 41 weeks) and the total cost is estimated to be between $1,060,000 and $1,465,000.

The subject property is in a prime location for density, offering easy access to a variety of services, amenities, parks and schools. Overall, the proposal is aligned with the goals of the Regional Plan, Priority Plans and policies for supporting transit-oriented development.

Appendix A

Appendix B

Paul Sampson City Planning [redacted] [redacted]

Land Use Policy Analysis

MPS Initiation

Property located at **169 Wyse Road/ 30 Pelzant Street, Dartmouth**

PID 00045351, Zagros Nova Home Development Ltd.

Prepared for: **Sightline Planning + Approvals c/o Kevin Riles**

Date: June 19, 2025

Image 1: 169 Wyse Rd./ 30 Pelzant St., Dartmouth *(Source: ExploreHRM)*

Introduction:

This report outlines the rationale and proposed policy considerations for initiating amendments to the HRM Regional Centre Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for the subject site (*Images 1 & 2*) at 169 Wyse Road and 30 Pelzant Street, Dartmouth (PID 00045351). The analysis includes:

- Research and review of the existing development on the subject site at Civic 169 Wyse Road/ 30 Pelzant St., Dartmouth, authorized for a 10 storey building;
- A review of HRM Stop Work/Order to Comply and LUB Notice to Comply, resulting from the unauthorized development of two additional floors on the upper portion of the building, resulting in 12 floors including penthouse level;
- A review of the MPS objectives and policies pertaining to the site (*Table 1* below), the as-of-right LUB requirements and options for redeveloping the site, and previous and current building elevations and site drawings; and
- Rationale and potential options to enable the approval of the development (including the unauthorized portion) on the subject site via the MPS and LUB amendment and development agreement processes, which is a discretionary planning process requiring the approval of HRM Regional Council.

Image 2: Civic 169 Wyse Road, Dartmouth, Nov. 2024 *(Source: Zagros Nova Home Dev.)*

Site Description and Status of Development:

- PID 00045351: Lot owned by Zagros Nova Home Development Ltd.;
- Lot area: approx. 1,585.7 square metres (17,068 sq.ft.); Street frontage on Wyse Road (24m), Pelzant St. (59m) and George St. (30.8m);
- The site does not abut an existing heritage property, nor is located within a proposed heritage conservation district; and
- Building construction was in progress until Dec. 2024. Work on the two additional floors was prompted by the discovery that the site's FAR had increased from 5 to 6 as a result of LUB amendments. The existing development and site, as noted above, were then subject to a HRM LUB Notice to Comply and Stop Work Order (Order to Comply, Building Standards), resulting from the misunderstanding of the LUB regulations and the unauthorized pouring of concrete for two additional floors on the upper portion of the building. However, work has been allowed to proceed on the lower portion of the building (10 floors) for which permits had been granted and the top two floors were permitted to be encased for safety and structural purposes;
- With regard to the LUB requirements, it has been determined that, as a result of the two additional floors, the building typology changes from a 'tall mid-rise' building (from 7 to 10 storeys) to a 'high rise' building, defined as being greater than 10 storeys. This means that the existing building, due to the presence of the 11th and 12th floors (12th floor includes the penthouse), does not comply with required stepbacks of the tower portion above the streetwall on all four sides and the maximum depth of the tower (see *Table 2* below). Compliance is being sought via the MPS/LUB amendment process, which has been deemed the only alternative, without demolishing portions of the existing structure (at least the top two storeys).

Planning Analysis

The following Table 1 lists the HRM 'Regional Centre' planning policies, designations and specifications which are most applicable to the site, and associated comments.

Table 1 - Regional Centre Planning Policy Review

Regional Centre MPS Policy/ Designation	Comments

Generalized Future Land Use Designation	Centre designation (CEN)
Policy C-1: Provides for 2 zones, CEN-1 & CEN-2	Site is zoned CEN-2 (highest level CEN zone)
Built Form: Policy C-2 & Part 3	As-of-Right built form regs & maximum FAR. No variations to setbacks and building dimensions.
Maximum Floor Area Ratio Precincts (Map 3)	Max. FAR of 6 (previously 5 FAR)
Maximum Building Height Precincts (Map 4)	40 storeys ("high-rise" means >10 storeys)
Policy C-9: Wyse Road Centre Area	Establishes FAR values & transition of built form

Research Findings (MPS Objectives & Policies):

- Generally, the MPS allows for only two zones within the Centre designation (Policy C-1), these being CEN-1 & CEN-2 zones. As the subject site is zoned CEN-2, which is the highest level zone within this designation and permits a greater range of uses and greater FAR than the CEN-1 zone, there is no ability to rezone to a different zone which allows for more residential density or height for a tall mid-rise building, or reduced setbacks and stepbacks;

- The development meets the floor area ratio (FAR) requirements at 5.99 (floor area is 9,500 square metres), the maximum building dimensions (high-rise tower portion) of 900 square metres per floor (LUB Section 174(2)(c)) and is well below the allowable building height of 40 storeys;

- The MPS provides for urban design requirements via built form regulations in the LUB. In this case, there is no ability to request variations to the tower stepback requirements above the streetwall, or the maximum building dimensions (width or depth) of the tower portion through the site plan approval process;

- A site-specific MPS/LUB amendment and development agreement will be required for any development of the site which does not meet the 'as-of-right' development requirements of the LUB, as noted above and in *Table 2* below, and to allow for additional density bonus provisions which exceed those of the LUB.

Land Use By-law (as-of-right development)

The following Table 2 lists some of the key HRM Land Use By-law (LUB) regulations and zoning designations which are applicable to the site, and associated comments.

Table 2 - Regional Centre Land Use By-law (LUB) Review

Regional Centre LUB Regulations/ Sections	**Comments**
Zone Boundaries (Schedule 2)	CEN-2 zone (Centre 2)
Pedestrian-Oriented Commercial St. (Schedule 7)	Pertains to Wyse Road frontage
Table 2 (continued)	
Maximum building height precinct (Schedule 15)	40 storeys (*previously 30 sty.)
Maximum Floor Area Ratio Precinct (Schedule 17)	Max. FAR of 6 (previously 5 FAR)
Incentive/Bonus Zoning Rate district (Schedule 50)	Rate District 4, North Dartmouth (see Part XV, sect. 472)
Lot & Zone Requirements:	
Minimum Lot area [Sect. 85(1) & Table 2]	371 m2 (3,993 sf)
Minimum Lot frontage [Sect. 86(1) & Table 5]	12.2m (40 ft)
Built Form & Siting Requirements	**Part V, Chapter 7**
Minimum yard setbacks from street (Schedule 18)	Front: 3m (Wyse Rd.); 1.5m Pelzant & George St;
Minimum side & rear yard setback (for **tall mid-rise**)	**0 metre** (from SE side/rear yards next to houses, 162 (1)(b) & 163(1)(c))
Minimum side & rear yard setback (for **high rise**, above streetwall)	**12.5 metres** (from SE side/rear yards next to houses, 162(3)(b) and 163(5)(b))
Minimum & Maximum Streetwall heights	2 storeys/ 3 storeys (sections 165(1), 164(1)(c))
Streetwall Stepback (for **tall mid-rise**)	**3 metres** setback above streetwall (166(1)(b))
Streetwall Stepback (for **high-rise**)	**4.5 metres** setback above streetwall (166(1)(c))
Maximum building dimensions (for **tall mid-rise**)	**64m**, incl. tower portion above streetwall (174(1))
Maximum building dimensions (for **high-rise** tower portion)	**35m** depth, 40m width, 900m2 floor area (174(2))
Minimum setback of roof features (eg. penthouse) from roof edge	3 metres from roof edge (Table 8)
*Note: Variations to maximum building dimensions are not possible for tower portions of high-rise buildings, but are possible for tall mid-rise.	LUB Section 393(1), variation criteria in Part IX

Research Findings (As-of-Right Development):

- To date, via discussions with the project architect and HRM staff, the identified changes to the LUB requirements for a 'high rise' versus a 'tall mid-rise' typology which differ from that which was enabled by the permit and result in the LUB compliance issues, are as follows (*Table 2*):
  - Increase in streetwall stepback from 3m to 4.5m;
  - Increase in side and rear yard setbacks from 0m to 12.5m;
  - Decrease in maximum (tower) building dimension from 64m to 35m;
- The existing, constructed portions of the building do not meet these requirements, as follows:
  - 3m streetwall stepback provided (above streetwall) instead of the required 4.5m on all 3 streets;
  - Varying side and rear yard setbacks between 0m and 9.5m, instead of required 12.5m (significant portions of the tower do not meet this requirement);
  - Maximum building (tower) depth of 48m instead of required 35m (from levels 4-8), which reduces to 45m on upper floors (level 9 and above);
  - Minimum 3m setback of rooftop features from the roof edge: this may apply to a portion of the elevator enclosure above the rooftop. Note: The original permit drawings showed that setbacks of portions of the penthouse and elevator enclosure vary between 0m and 4.9m. However, the permit was granted based on the proposal being a 10-storey building which met the maximum height limit in metres at the time. Therefore, it is requested that staff confirm the elevator enclosure is in compliance with the LUB, or include as an exemption.
- As shown in Table 2 and noted above, there are drastic changes in several requirements related to setbacks and building dimensions between the 'tall mid-rise' and 'high-rise' building typologies which make the prospects for a 'high-rise' on the subject site unachievable. This is mainly due to the 12.5 metre setback requirement from the (southeast) side and rear property lines, but the streetwall stepbacks also play a role;
- Had the developer been aware of the above requirements related to setbacks and building dimensions early on, they would have had the option to potentially

purchase additional lands to the south, thereby making the site available for as-of-right 'high rise' development. That scenario would have enabled significantly greater development rights, building height, and potential population density on an expanded site. The resulting building design, form, and height would greatly differ from that which has been constructed to date.

Rationale and Considerations for MPS Amendments:

The research and analysis conducted to date has identified the rationale and factors that Council may consider for proceeding with amendments to the HRM Regional Centre MPS and LUB planning documents to enable the development as constructed to date, via the development agreement process. There is merit in considering amendments to the MPS/LUB for the following reasons:

- The development does not violate the overall LUB building height precinct for the site, which is 40 storeys, the floor plate sizes for the tower portion, which are below 900 m2, nor the floor area ratio (FAR) for the site, which is proposed to be 5.99. What is in violation, as noted above, are specific requirements related to building setbacks and maximum building depth. While the concrete was poured for two additional floors, only those top two levels, the 11th floor and 12th floor (partially constructed penthouse level) are in violation of the LUB. As pointed out by HRM staff, the rooftop penthouse qualifies as a 12th floor, as it does not meet the required setback (3m) from the roof edge in several locations, and is proposed to include residential units. Additional minor issues may be uncovered upon more detailed analysis, such as the setbacks of the elevator enclosure;

- While the construction of the two additional floors and resulting issues related to building setbacks and maximum building depth are clear violations of the intent of the built form requirements of the MPS and LUB, it is apparent that there was a mistake made and misunderstanding of the LUB requirements related to the change in building typology (tall mid-rise to high-rise), and instead, a focus on the available increase in FAR and that the project was well below the overall height requirement. This situation is similar to 'intentional disregard' in the case of variances, whereby staff cannot recommend in favour due to construction having already taken place. However, Community Councils have granted many of these types of site-specific variances or exemptions in the past;

- In this case, the developer could request that the 'tall mid-rise' typology be changed in the LUB to allow for 12 storeys (33m), instead of 10 storeys (30m). However, while this would solve most issues of non-compliance, it is recognized that there was a lot of research by staff to create these rules, and it

may not be appropriate to request changes to regulations which apply across the board. Therefore, site-specific changes are requested in order to deal with these specific issues;

- Similar examples of side/ rear yard setbacks and other stepbacks above the streetwall were routinely varied by the Design Review Committee (DRC) for many projects under the former Downtown Halifax built form regulations for many years. The existing situation on the subject site is an example of varying such 'upper-storey' stepbacks along the side/ rear property lines and minor variations along the streetlines of the property. Similarly, the maximum building dimensions (tower width and depth) were able to be varied under the Downtown Halifax LUB by the DRC. However, the current Regional Centre LUB only allows variations to the streetwall dimensions, not tower dimensions and upper-storey stepbacks. Therefore, what used to be able to be varied by a committee of Council in one part of HRM is now only possible via MPS & LUB amendments throughout the Regional Centre;

- Recently, on March 25, 2025, Council initiated the process to enable site-specific amendments to the Regional Centre MPS for a site at the corner of Robie Street and Almon Street, Halifax (Richmond Yards development) to allow for a similar proposal involving two additional floors. In that case, the proposed variations are to reduce the required streetwall stepbacks and side and rear setbacks for the tower portion, and to allow increases in the tower depth and tower floor area. Those requested variations are similar to the ones being requested for the subject site at Wyse/ Pelzant, with the exception that no variation is needed for the tower floor areas (do not exceed 900 square metres). While the circumstances requiring the variations between the two sites are different, the subject site at Wyse/ Pelzant includes unique circumstances which led inadvertently to non-compliance issues, as opposed to a blatant disregard for the built form requirements. Therefore, these circumstances can be deemed to warrant the requested site-specific amendments;

- The Richmond Yards development at Robie Street and Almon Street also proposes an affordable housing component, in addition to the Incentive/ Bonus Zoning requirements of the MPS and LUB. Similarly, the developer of the subject site at Wyse Road/ Pelzant Street is proposing affordable housing within the development, in addition to the as-of-right bonus zoning requirements, which is proposed to be detailed via the development agreement process. In this case, the developer will provide 19 affordable units with rents meeting CMHC requirements, and affordability guaranteed for a period of 10 years. This translates to an approximate monthly rent of $1,247 per month for

the affordable units. The affordable units will be offered in the bachelor and 1-bedroom unit types. Refer to Sightline cover letter for more information;

- There is a long history of site-specific or area-specific exceptions or special provisions being granted by Council through the Regional Centre MPS & LUB, through HAF amendments, as well as site-specific requests to many previous planning documents over time, especially the Halifax and Dartmouth MPS. The Regional Centre MPS & LUB already includes many site-specific regulations and exemptions for other properties. Therefore, it is justified in this case as well, given the specific circumstances;

- It is reasonable for Council to consider the proposal to amend the MPS and LUB, taking into account the costs and time spent to date in getting to this point (financing in place, extensive building and site design, permitting and other fees paid to HRM, and construction progress to date). It is my understanding that, with the exception of these issues related to the LUB and Development Permit, all other studies (TIS, wind and shadow analysis, etc.) have been updated, have favourable conclusions, and are ready to be reviewed by HRM staff;

- There is an immediate need for housing, which is well documented. HRM has some of the highest rents in Canada and one of the lowest vacancy rates (just over 2%) for apartments in Canada. It is estimated that HRM currently has a deficit of 20,000 dwelling units and that number is expected to increase to 30,000 units by 2027. Therefore, approval of the current design with 11 storeys is warranted in order to allow the developer to continue with the construction plans in place;

- The proposal is in keeping with the HRM Priority Plans. The 2017 Integrated Mobility Plan designates Wyse Road as a Potential Transit Priority Corridor, and calls for principles of Complete Communities and increased density along corridors and near transit terminals. This is also in keeping with the Regional Centre MPS Mobility Objective 2., to “Align growth areas with the Integrated Mobility Plan’s Transit Priority Corridors.” As per the 2020 Rapid Transit Strategy, the site is located on the BRT Purple Line (on Wyse Road, runs between Larry Uteck & Dartmouth Crossing), and is a short walk to the HRM Transit ‘Bridge’ terminal. With regard to active transportation and bike lanes, the Active Transportation Priorities Plan (2014 - 2019) identified Wyse Road for protected cycling facilities. Since that time, protected bike lanes were constructed and now exist on both sides of Wyse Road. Sidewalks exist on both sides of Wyse Road and will be re-constructed at the developer’s expense on all streets abutting the site (Wyse, Pelzant and George Streets);

- The developer is also willing to consider contributions to park infrastructure in the area, which may include improvements to a local park such as Victoria Park, which is one block to the south on Pelzant Street, or the smaller Wyse Road parkette directly across the street on Wyse Road where it intersects with Green Road and Boland Road;

- Regarding the impact of the proposal's built form on the surrounding area, the first 10 storeys of the building meet the objectives and policies of the MPS and LUB, and a Construction Permit was issued on that basis. Only the top 2 floors of the project are not in keeping with the built form regulations. However, there will be minimal impacts and changes as a result of these top 2 floors, as indicated in the addendums to the traffic, wind and shadow studies provided.

Conclusion

This report provides the rationale and considerations for initiating amendments to the Regional Centre MPS and LUB which would enable the development of the subject site with the additional two floors, for a total of 12 storeys, which includes the rooftop penthouse. It is reasonable for HRM Council to initiate this process.

Sincerely,

[redacted]

Paul Sampson, LPP, MCIP

[redacted]

Appendix C

fathomstudio.ca
40 King Street
Dartmouth, NS
B2Y 2R4

Seraj Bagheri
Zagros Nova Home Developments Ltd.
100-380 Bedford Hwy
Halifax, NS
B3M 2L4

ISSUED:
March 06, 2025

169 Wyse Road Development
Transportation Impact Study Update

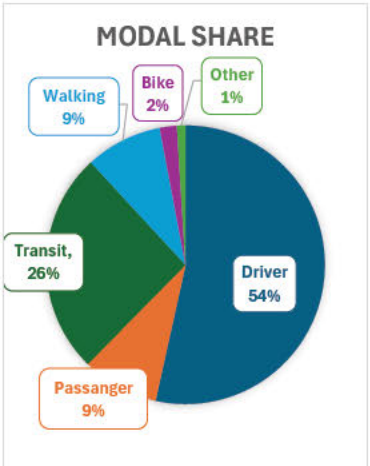
Dear Mr. Bagheri,

Fathom Studio prepared the original Transportation Impact Study for the development at 169 Wyse Road in Dartmouth, Nova Scotia. The building is located at the corner of Wyse Road and Pelzant Street and was originally designed as a 100-unit mixed use development including a small component of ground floor commercial space. The develop has proceeded through the approvals process and is currently under construction.

It is our understanding that an application has been made for an amendment to add two additional floors to the building. This letter has been provided as a review of the past study, and evaluation of the anticipated impacts of the additional units being proposed.

Existing Conditions

Since the original study, the **Wyse Road** cross section has been modified to enhance transit and active transportation accommodation. The road now includes separated bike lanes with dedicated crossings at intersections and a reduction from a 4-lane cross section to 3-lanes, achieved through the removal of the westbound dedicated left turn lane on Wyse Road. A left turn from Wyse to Pelzant Street is still permitted and the Boland intersection has been restricted to a westbound through-only movements meaning subsequent left turns to commercial driveways have been eliminated. These changes provide for an improved AT and transit experience and reduces driver workload through the area, and is anticipated to improve overall safety and operational performance through this section of the Wyse Road corridor.



The most recent **Modal Share** data from 2016 shows a high percentage of transit and non-motorized modes of travel in the Census Tracts surrounding the development as shown in the figure to the left. Given the AT improvements in 2021 and complementary transit initiatives, it is likely that the 54% of people electing to drive vehicles has likely further reduced.

Transit Service in the area has increased since 2020 with the Bridge Terminal (about 450 meters to the northeast) accommodating 21 routes (1 more than in 2020) and Alderney Gate accommodating 11 routes (2 more than 2020). Service on Wyse Road continues in a similar manner to the previous study and includes Routes 3 ad 53 that travel along Wyse Road, and Route 39 that comes down Boland Road and connects to Wyse Road adjacent to the development.

A number of other higher density developments are currently being constructed or planned in the area, all of which help contributed to a more significant Transit and Active Transportation Oriented Development area.

Proposed Development

The original Transportation Impact Study accounted for 100 residential units within a 12 storey building, with 2800 ft² of ground-floor commercial space, 59 underground parking spaces, and 62 bicycle parking spaces. The new proposed space includes 117 units within 12-storeys, 38 parking spaces and 50 bicycle spaces and just under 2000 ft² of ground-floor commercial space. Vehicular entrances are located of Pelzant Street just over 30 meters from Wyse Road, and from George Street at the rear of the building.

The table below shows the anticipated trip generation rates from the 2020 study and the new proposed building based on the latest ITE Trip Generation Guide available at the time of the respective study. The 11th Edition used for the current study also allows the assignment of a more appropriate "Setting/Location" which was defined as "Dense Multi-Unit Urban" for the 2025 study update.

Land Use *ITE 11th Edition*	Trip Code	# Units	Variable	AM Peak			PM Peak		
				Enter	Exit	TOTAL	Enter	Exit	TOTAL
2020 Transportation Impact Study *(ITE TripGen 10th Edition)*									
Townhouse Units	220	4	Units	0	2	2	1	1	2
Residential - Ground Floor Commercial	231	96	Units	8	21	29	25	10	35
2020 TOTAL		100	UNITS	8	23	31	26	11	37
2025 Proposed Development *(ITE TripGen 11th Edition)*									
Residential - Ground Floor Commercial	231	117	Units	9	14	23	14	19	33
2025 TOTAL		117	UNITS	9	14	23	14	19	33
Difference		+17	UNITS	+1	-9	-8	-12	+7	-4

The results show a net decrease of 4 vehicles for the peak periods with entry and exit volumes varying somewhat between the study editions. Overall, there is not expected to be any operational change to the findings of the original study.

Corridor Traffic Volumes

Traffic counts at the Wyse Road and Nantucket Avenue intersection from 2017 and 2024 were compared to get a sense of traffic growth in the area of the intersection. The counts shows a consistent drop in traffic for almost all movements except for the northbound leg coming off the Macdonald Bridge into Halifax which saw modest increases in volume of about 17% during the AM peak and almost the same volumes during the PM peak. Looking specifically at the Wyse Road leg west of Nantucket (past the proposed development), volumes decreased by about -10% during the AM peak and by close to -15% during the PM peak.

The counts also shows significantly higher pedestrian volumes crossing through the intersection. These high level findings suggest that transit and active transportation initiatives pursued by HRM are have the desired effect on modal share shifts in this area.

Conclusions

Based on the review of the proposed changes to the development, and the changes to the mobility networks surrounding the development, conditions are generally more favourable today under the new proposed conditions than were found in the 2020 study. This is due to:

1. Significant improvements to the Active Transportation infrastructure immediately adjacent to the building,
2. Increased transit service in the areas surround the development,
3. Trip generation rates that are slightly lower than those used in the 2020 study,
4. Lower corridor volumes on Wyse Road west of the Macdonald Bridge,
5. Removal of challenging left turning lanes immediately adjacent to the development,
6. Progression in the area toward a AT and Transit Oriented Development hub.

Given that conditions and recommendations were favourable in the original study, the reasonable addition of height and unit count are not anticipated to have any negative impacts to the adjacent mobility network. Further, the addition of density for this building, and for the area in general appear to be consistent with development practices that promote transit and active modes of transportation.

If you have any questions or comments regarding the content of this letter, please don't hesitate to contact the undersigned.

Sincerely,

[redacted]

Roger Boychuk • P Eng
Senior Transportation Engineer
www.fathomstudio.ca
40 King Street, Dartmouth, NS, B2Y 2R4
[redacted]

[redacted]

Appendix D

GRADIENTWIND
ENGINEERS & SCIENTISTS

February 26, 2025

Zagros Nova Developments Ltd.
72 Gary Martin Drive, Unit 101
Bedford, NS B4B 0P7

Re: Addendum to Pedestrian Level Wind Assessment
169 Wyse Road, Dartmouth, Nova Scotia
GW File No.: 20-180-DTPLW

Gradient Wind Engineering Inc. previously completed a qualitative pedestrian level wind assessment for the proposed residential development located at 169 Wyse Road in Dartmouth, Nova Scotia. This letter provides a summary of relevant architectural changes to the site which have been made since the study was issued, as well as the anticipated impact of those changes on the predicted pedestrian wind conditions. For a complete summary of the methodology and results pertaining to the previous pedestrian wind study, please refer to Gradient Wind report #20-180-DTPLW-R1, dated February 10, 2021.

Upon review of updated architectural drawings provided by Paul Skerry Architects Limited in February 2025, the revised building configuration retains a similar overall design to the previous design. Of note, the building height has increased by two floors to 11-storeys, and features a variable-height podium step-back along the perimeter. At the penthouse level, the building contains rooftop terrace space at the west side of the building.

With regard to pedestrian wind comfort, it is expected that the additional building height will result in marginally windier conditions at grade at the base of the building, as compared to those described in the previous report. Notably, the building entrances at the north and south extents of the east elevation have been recessed within a corner cutout, as recommended in the previous report. Conditions at these doorways are expected to be acceptable.

For the redesigned penthouse amenity terrace on the west side of the building, we recommend introducing a 1.8-m-tall solid wind screen around the perimeter of the space to ensure suitably calm wind conditions.

This concludes our review of the design changes for 169 Wyse Road in Dartmouth, Nova Scotia. Please advise the undersigned of any questions or comments.

Sincerely,

Gradient Wind Engineering Inc.

[redacted]

Andrew Sliasas, M.A.Sc., P.Eng.,
Principal

20-180-DTPLW Addendum

Appendix E

169 Wyse Road - Shadow Study

Proposed Multi-Unit Residential and Commercial Building

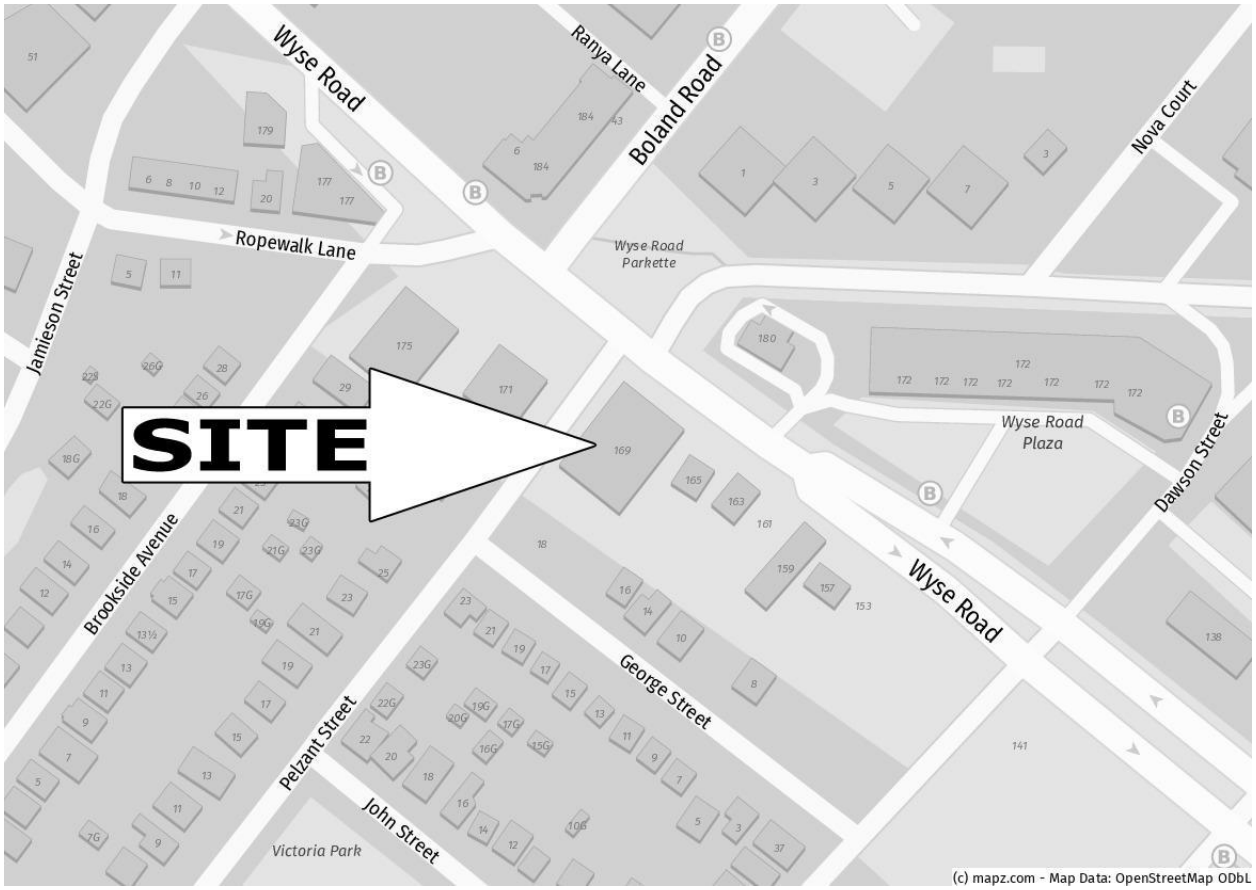
169 Wyse Road

Dartmouth, Nova Scotia

Prepared By: Paul Skerry Architects Limited

Greg Johnston, Architect, NSAA

[redacted]



Google Maps

Summary

Our proposal is located on a 0.39 acre site at the corners of Pelzant Street between Wyse Road and George Street in Dartmouth. Two additional stories are proposed on a nine-storey (plus penthouse) building that is currently under construction. Adjacent to this site along Wyse Road and George Street are bungalow and two storey single family homes or businesses. Directly across Wyse Road are individual one storey businesses and a stripmall. Similar sized buildings are currently under construction north to the site along Wyse Road. Single family homes and businesses continue across both Pelzant Street and George Streets. While the topography drops steadily towards the West towards the Halifax Harbour.

Google: George Street from Pelzant Street Intersection

Google: Wyse Road looking South at Pelzant Street Intersection

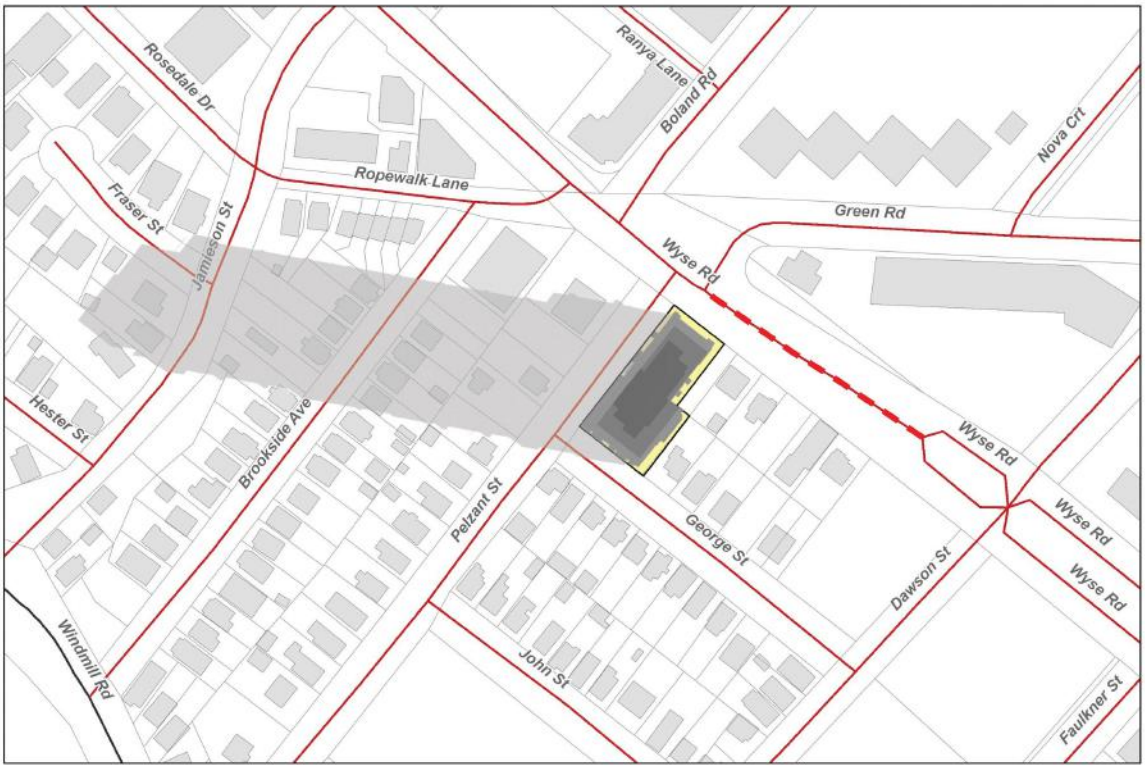
Google: Wyse Road at Pelzant Street Intersection

Google: Wyse Road looking North towards Pelzant Street Intersection

Google: Pelzant Street at George Street Intersection

Shadow Study

We created a shadow study referencing the parameters outlined in the Centre Plan's land use by-law. Between the hours of 8:00 am and 6:00 pm on September 21, our proposed addition would not create fewer than 6 hours of sunlight. Nor would it shade a single area of the residential buildings continuously for 4 hours. For all shadow calculations, the latitude and longitude data shown on Table A2-1 of the Regional Centre Land Use By-law was utilized, and the base mapping for the shadow diagrams used true north as its directive.



1:1,700

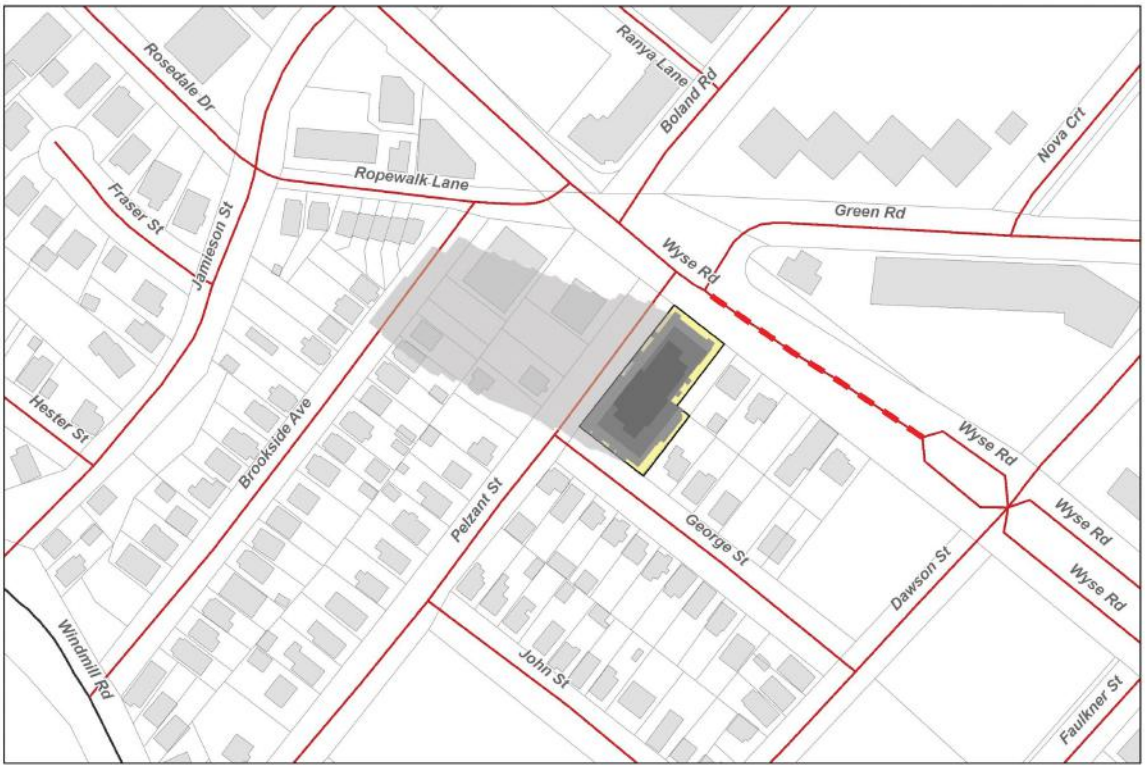
0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 8am



1:1,700

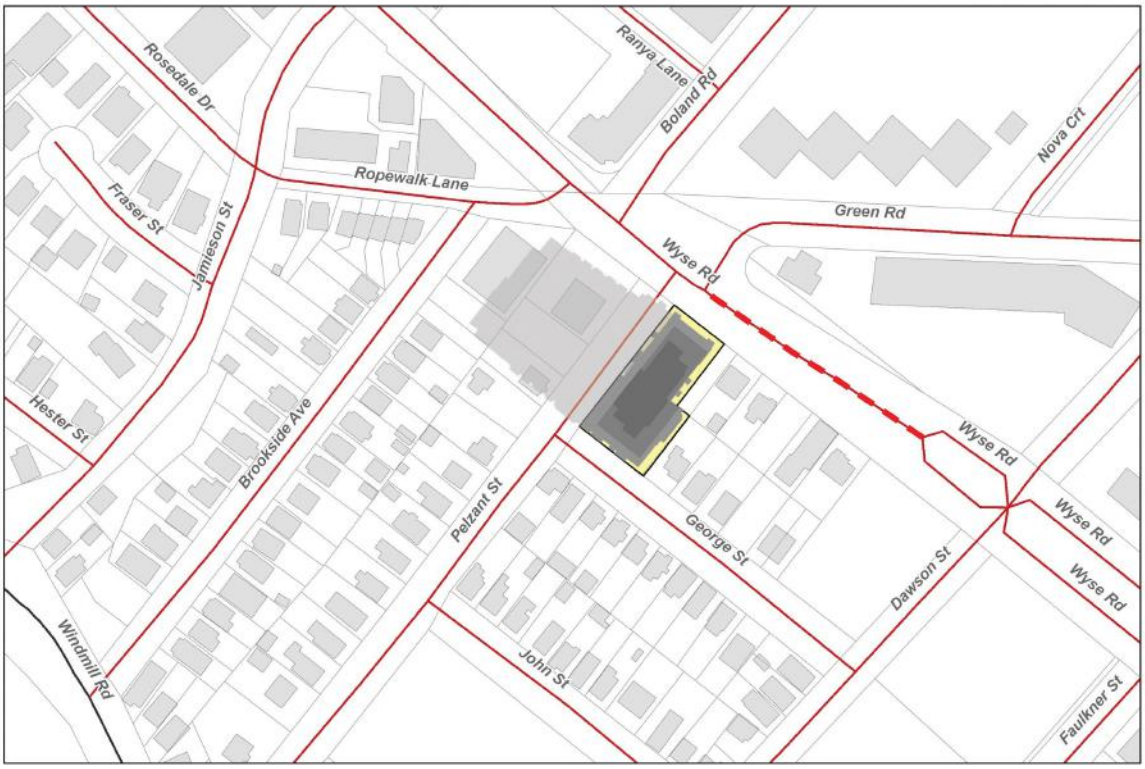
0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 9am



1:1,700

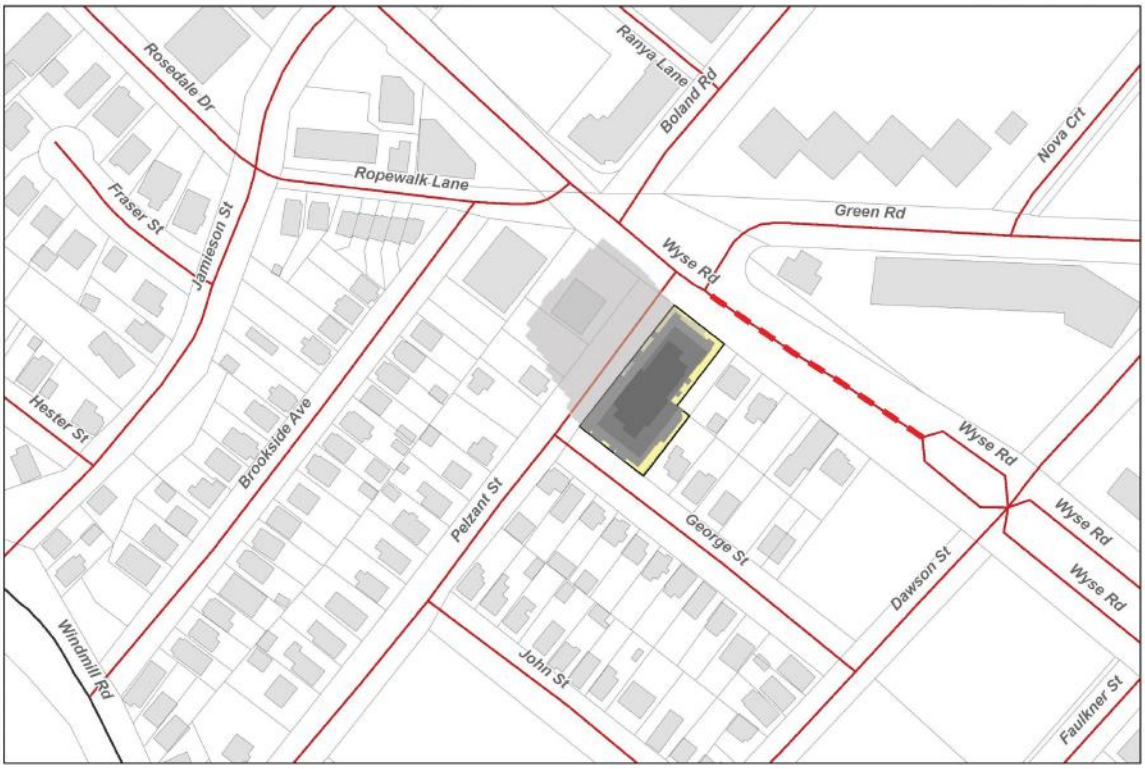
0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 10am



1:1,700

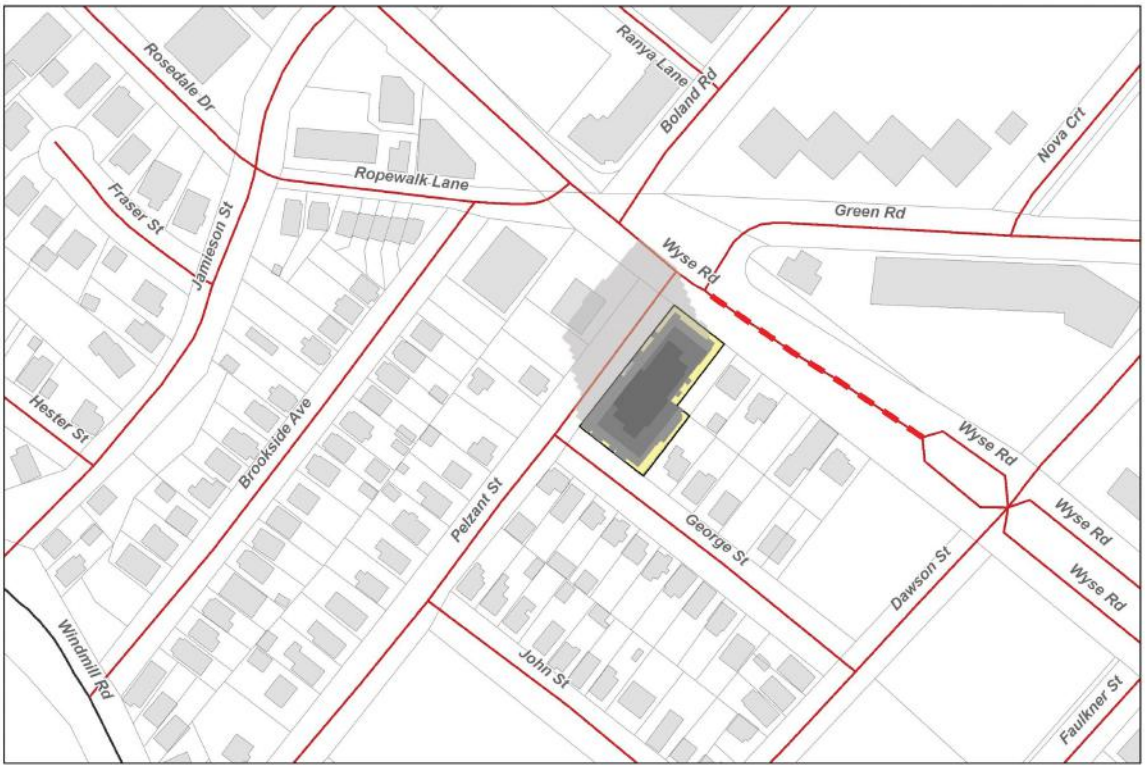
0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 11am



1:1,700

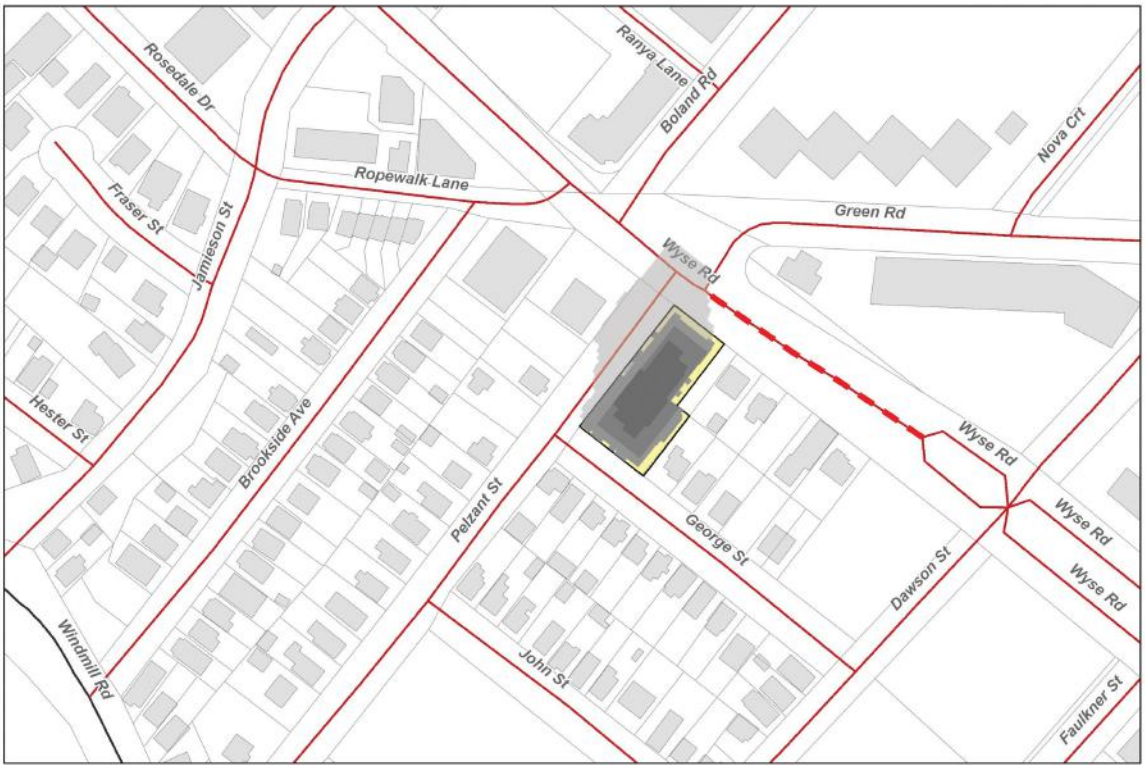
0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 12pm



1:1,700

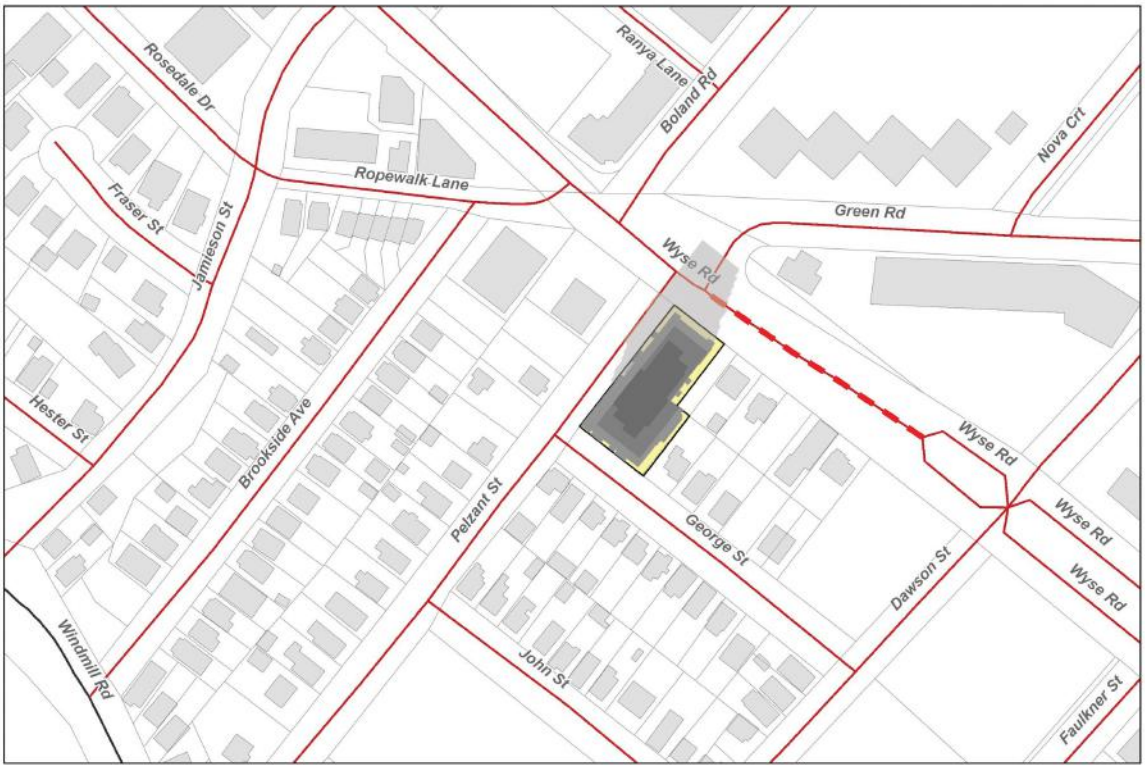
0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 1pm



1:1,700

0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 2pm

1:1,700

0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 3pm

1:1,700

0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 4pm

1:1,700

0 0.02 0.04 0.09 km

0 20 40 80 m

Service Nova Scotia

N

September 21 - 5pm

1:1,700

0 0.02 0.04 0.09 km

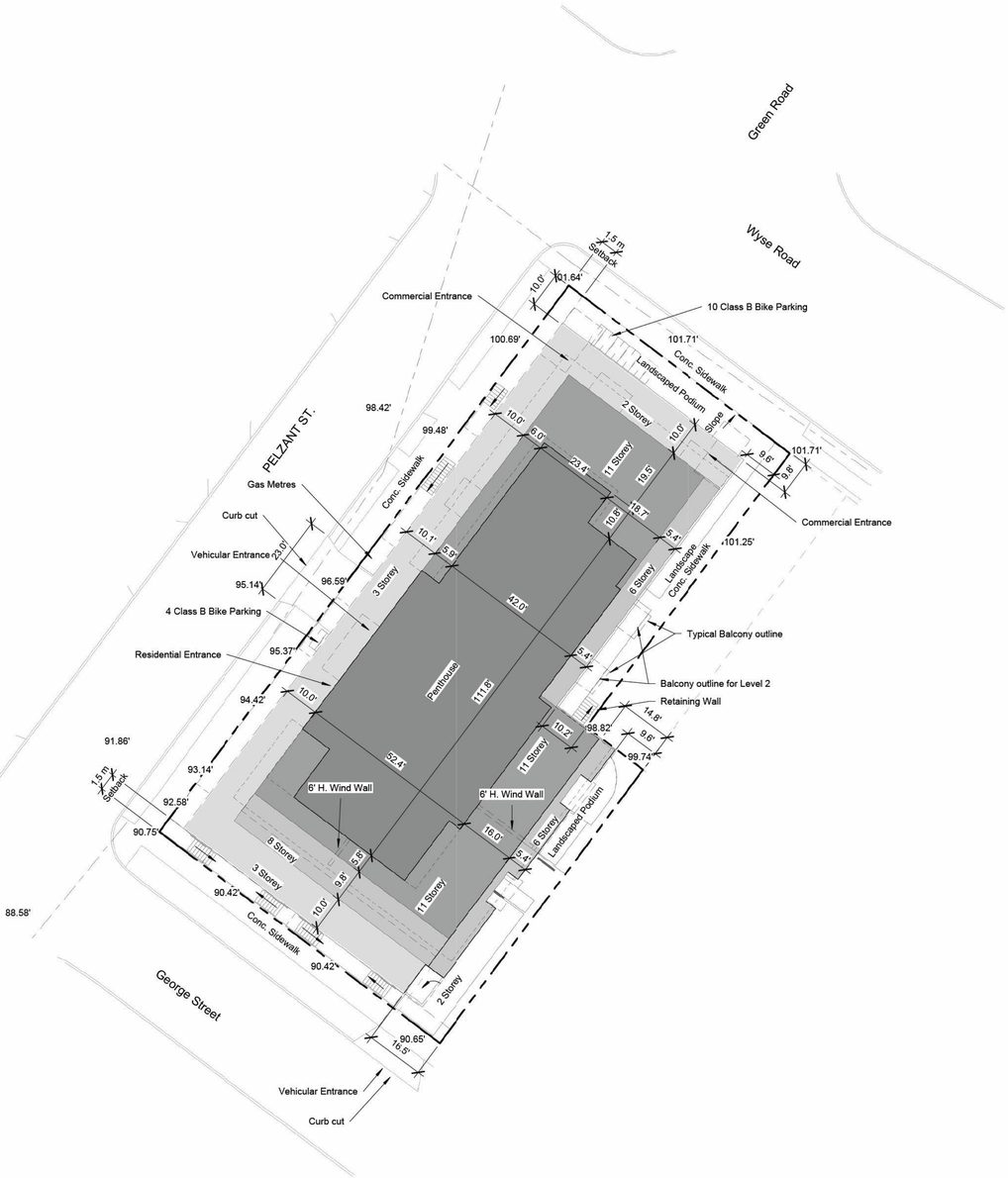
0 20 40 80 m

Service Nova Scotia

N

September 21 - 6pm

Appendix F



1 Site
1" = 20'-0"

Building Code Data:
Regulated by Part 3 of the National Building Code (NBC)

Major Occupancy: C (Residential) F2 (Storage Garage)& E (Mercantile)
Non-Combustible Construction

Civic: 169 Wyse Road
PID: 00045351
Zone: CEN-2

Total Lot Size: 17,123 sqft. (1,590.8 sqm.)
Building Footprint: 12,873 sqft. (1,195.9 sqm.)
Total Lot Coverage: 74.6%
Max. GFAR: 6.0
Gross Floor Area Allowed: 102,738 sf
Gross Floor Area Designed: 101,552 sf

Number of Stories: 11 Above Grade, 2 Below Grade
Height of Building: 106'-3" (32.1m)
Residential Units: 116 (6 Barrier Free)

Unit Types:
3 Bedrooms: 5 Unit
2 Bedrooms: 29 Units
1 Bedrooms: 67 Units
Bachelors: 15 Units

Amenity Area
Required: 5 sqm/unit: 580sqm (6,243sf)
Designed: **3,034sf Interior, ~5,570sf Balconies = Total: 8,685sf**

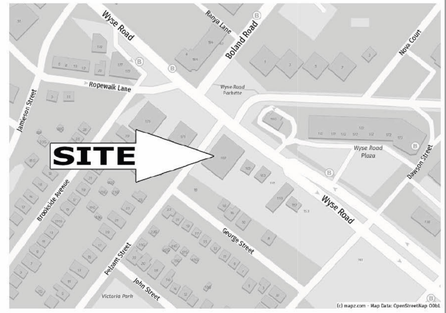
Bike Parking
Required Residential: 59 (47 Class A, 12 Class B)
Required Commercial: 2 (0 Class A, 2 Class B)
Provided: 50 (36 Class A, 14 Class B)

Parking Area
Parking Garage: 38 Spaces
Total: 38 Spaces (5 Handicapped)

LEGEND:
32.1' Existing Grade

32.1' Proposed Grade

VICINITY MAP:



GRAPHIC SCALE
0 20 40 60 80

Plan North

True North

Paul Skerry Associates Ltd.
ARCHITECTS
5514 LIVINGSTONE PLACE
HALIFAX N.S. B3K 2B9

pskerry@pskerry.ca

PAUL SKERRY ARCHITECTS LTD.
5514 Livingstone Place
Halifax, Nova Scotia B3K 2B9
ph: 902-455-4361
email: drawing@pskerry.ca

NOTES:

1) THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL ALL DIMENSIONS ON SITE & REPORTING ANY DISCREPANCY TO THE ARCHITECT BEFORE PROCEEDING.

2) DO NOT SCALE FROM DRAWINGS USED FIGURED DIMENSIONS.

3) DRAWING REPRESENTATIONS MAYBE IN VARIANCE W/ DETAILED SPECS. & SCHEDULES, IN WHICH CASE SPECS. & SCHEDULES OVERRIDE THE DRAWINGS.

4) CHANGES FROM THESE PLANS & SPECS. MUST BE AGREED TO IN WRITING, & APPROVED BY THE ARCHITECT & OWNER, BEFORE PROCEEDING.

5) ONLY THOSE DRAWINGS MARKED APPROVED FOR CONSTRUCTION, ARE TO BE USED FOR CONSTRUCTION.

6)THESE DRAWINGS ARE TO BE READ IN CONJUNCTION W/ THE SPECS.

[redacted]

No.	Description	Date
	Issued for Building Permit	2022-01-12
1	Added individual exterior entrances, Added loading zone	2022-04-21
2	Rev. Loading Zone, Rev Amenity Area, added wind screen	2022-06-06
3	Revised Unit designs and count, Revised Penthouse floorplate	2022-06-10
4	Removed Loading Zone & Parking Number	2022-07-22
	For Pricing	2022-09-15
5	Issued For Construction	2023-02-01
6	Revised Unit Count	2023-02-10
7	Ext. Stair exits towards ROW	2023-04-27
8	Revised level 2 balconies	2023-05-10
9	Revised Foundation wall location	2023-06-19
10	Proposed Levels 10 & 11	2024-05-17
11	Modified building height	2024-07-19
12	Revised penthouse	2024-12-20
13	For SMPS Amendment	2025-03-07

169 Wyse Road
Dartmouth, NS

Site Plan

Scale	1" = 20'-0"
Date	2022-1-12
Drawn by	Staff
Checked by	PS

A1.0

Project number 3141

2025-03-07 1:34:08 PM

Legend:
A Aluminum / Glass Railing 42"H.
B Vinyl Door / Window
C Aluminum Glazing System
D Masonry Brick - Type 1
E Masonry Brick - Type 2
F Non-Combustible Panel - Type 1
G Non-Combustible Panel - Type 2
H Metal Siding - Type 1
J Metal Siding - Type 2

1 True South
1/8" = 1'-0"

Paul Skerry Associates Ltd.
ARCHITECTS
5514 LIVINGSTONE PLACE
HALIFAX N.S. B3K 2B9

pskerry@pskerry.ca

PAUL SKERRY ARCHITECTS LTD.
5514 Livingstone Place
Halifax, Nova Scotia B3K 2B9
ph: 902-455-4361
email: drawing@pskerry.ca

NOTES:

1) THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL ALL DIMENSIONS ON SITE & REPORTING ANY DISCREPANCY TO THE ARCHITECT BEFORE PROCEEDING.

2) DO NOT SCALE FROM DRAWINGS USED FIGURED DIMENSIONS.

3) DRAWING REPRESENTATIONS MAYBE IN VARIANCE W/ DETAILED SPECS. & SCHEDULES, IN WHICH CASE SPECS. & SCHEDULES OVERRIDE THE DRAWINGS.

4) CHANGES FROM THESE PLANS & SPECS. MUST BE AGREED TO IN WRITING, & APPROVED BY THE ARCHITECT & OWNER, BEFORE PROCEEDING.

5) ONLY THOSE DRAWINGS MARKED APPROVED FOR CONSTRUCTION, ARE TO BE USED FOR CONSTRUCTION.

6)THESE DRAWINGS ARE TO BE READ IN CONJUNCTION W/ THE SPECS.

[redacted]

No.	Description	Date
	Issued for Building Permit	2022-01-12
1	Revised rear stepback	2022-06-06
2	Revised Unit designs and count. Revised penthouse floorplate	2022-06-10
	For Pricing	2022-09-15
3	Updated Window Sizes	2022-11-03
4	Revised floor levels	2022-11-14
5	P2 datum elevation revision	2022-11-15
6	Issued For Construction	2023-02-01
7	Revised Floor Height, Revised Balcony Depth	2023-02-10
8	Proposed Levels 10 & 11	2024-05-17
9	Raised Level 8 ceiling 1'	2024-07-19
10	Corrected Floor Heights	2024-10-11
11	Revised penthouse	2024-12-20
12	For SMPS Amendment	2025-03-07

169 Wyse Road
Dartmouth, NS

True South Elevation

Scale	1/8" = 1'-0"
Date	2022-1-12
Drawn by	Staff
Checked by	PS

A4.0

Project number 3141

2025-03-07 1:34:22 PM

Legend:
A Aluminum / Glass Railing 42"H.
B Vinyl Door / Window
C Aluminum Glazing System
D Masonry Brick - Type 1
E Masonry Brick - Type 2
F Non-Combustible Panel - Type 1
G Non-Combustible Panel - Type 2
H Metal Siding - Type 1
J Metal Siding - Type 2

1 True West
1/8" = 1'-0"

Paul Skerry Associates Ltd.
ARCHITECTS
5514 LIVINGSTONE PLACE
HALIFAX N.S. B3K 2B9

pskerry@pskerry.ca

PAUL SKERRY ARCHITECTS LTD.
5514 Livingstone Place
Halifax, Nova Scotia B3K 2B9
ph: 902-455-4361
email: drawing@pskerry.ca

NOTES:

1) THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL ALL DIMENSIONS ON SITE & REPORTING ANY DISCREPANCY TO THE ARCHITECT BEFORE PROCEEDING.

2) DO NOT SCALE FROM DRAWINGS USED FIGURED DIMENSIONS.

3) DRAWING REPRESENTATIONS MAYBE IN VARIANCE W/ DETAILED SPECS. & SCHEDULES, IN WHICH CASE SPECS. & SCHEDULES OVERRIDE THE DRAWINGS.

4) CHANGES FROM THESE PLANS & SPECS. MUST BE AGREED TO IN WRITING, & APPROVED BY THE ARCHITECT & OWNER, BEFORE PROCEEDING.

5) ONLY THOSE DRAWINGS MARKED APPROVED FOR CONSTRUCTION, ARE TO BE USED FOR CONSTRUCTION.

6)THESE DRAWINGS ARE TO BE READ IN CONJUNCTION W/ THE SPECS.

[redacted]

No.	Description	Date
	Issued for Building Permit	2022-01-12
1	Revised streetwall materials	2022-04-21
2	Revised rear stepback	2022-06-06
3	Revised Unit designs and count. Revised penthouse floorplate	2022-06-10
4	reduced balcony canopies along LVL 4 slab fold	Aug.08-22
	For Pricing	2022-09-15
5	Updated Window Sizes	2022-11-03
6	Revised floor levels	2022-11-14
7	P2 datum elevation revision	2022-11-15
8	Issued For Construction	2023-02-01
9	Revised Floor Height, Revised Balcony Depth	2023-02-10
10	Proposed Levels 10 & 11	2024-05-17
11	Raised Level 8 ceiling 1'	2024-07-19
12	Corrected Floor Heights	2024-10-11
13	Revised penthouse	2024-12-20
14	For SMPS Amendment	2025-03-07

169 Wyse Road
Dartmouth, NS

True West Elevation

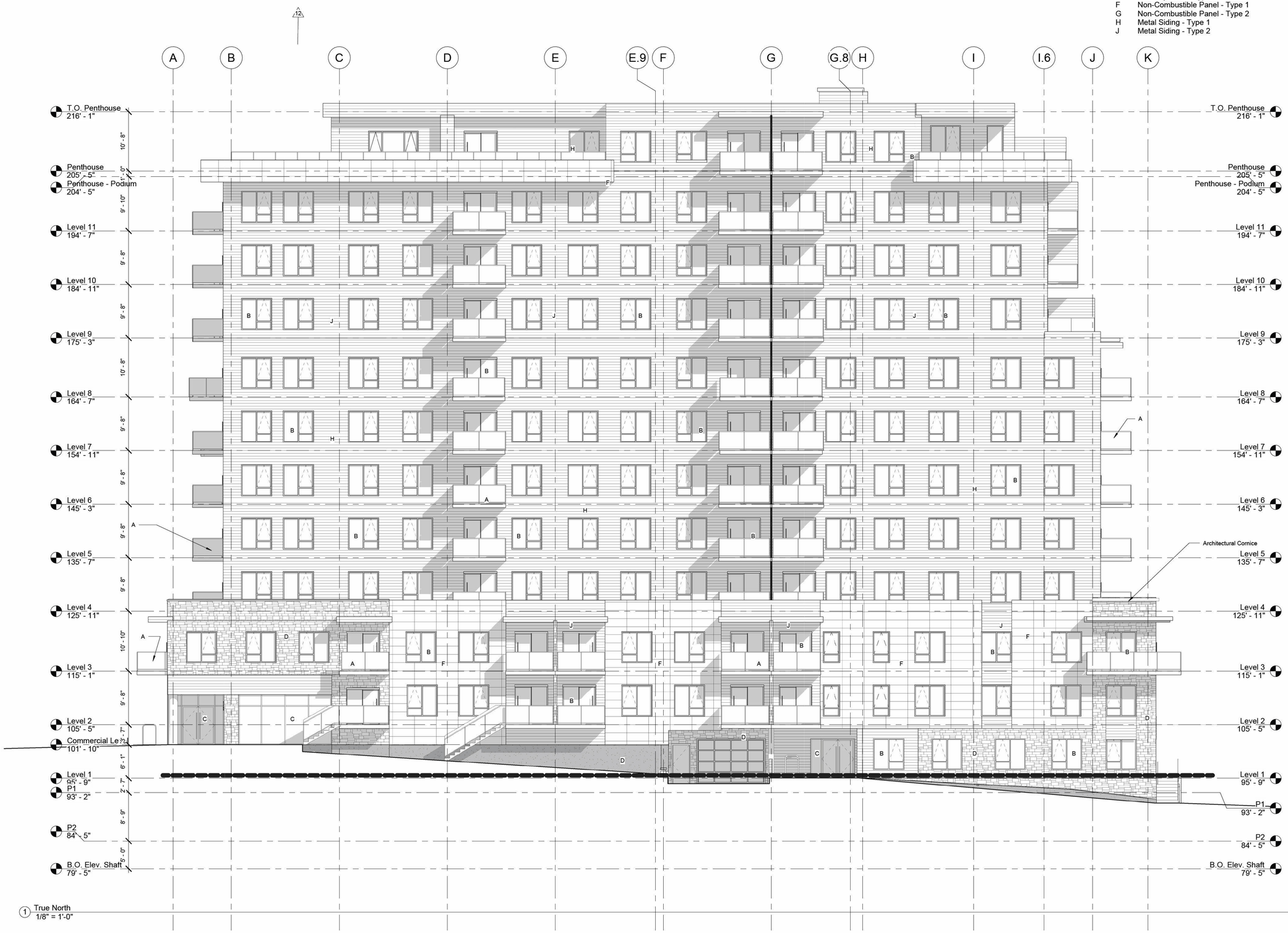
Scale	1/8" = 1'-0"
Date	2022-1-12
Drawn by	Staff
Checked by	PS

A4.1

Project number 3141

2025-03-07 1:34:36 PM

Legend:
A Aluminum / Glass Railing 42"H.
B Vinyl Door / Window
C Aluminum Glazing System
D Masonry Brick - Type 1
E Masonry Brick - Type 2
F Non-Combustible Panel - Type 1
G Non-Combustible Panel - Type 2
H Metal Siding - Type 1
J Metal Siding - Type 2



1 True North
1/8" = 1'-0"

Paul Skerry Associates Ltd.
ARCHITECTS
5514 LIVINGSTONE PLACE
HALIFAX N.S. B3K 2B9

pskerry@pskerry.ca

PAUL SKERRY ARCHITECTS LTD.
5514 Livingstone Place
Halifax, Nova Scotia B3K 2B9
ph: 902-455-4361
email: drawing@pskerry.ca

NOTES:

1) THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL ALL DIMENSIONS ON SITE & REPORTING ANY DISCREPANCY TO THE ARCHITECT BEFORE PROCEEDING.

2) DO NOT SCALE FROM DRAWINGS USED FIGURED DIMENSIONS.

3) DRAWING REPRESENTATIONS MAYBE IN VARIANCE W/ DETAILED SPECS. & SCHEDULES, IN WHICH CASE SPECS. & SCHEDULES OVERRIDE THE DRAWINGS.

4) CHANGES FROM THESE PLANS & SPECS. MUST BE AGREED TO IN WRITING, & APPROVED BY THE ARCHITECT & OWNER, BEFORE PROCEEDING.

5) ONLY THOSE DRAWINGS MARKED APPROVED FOR CONSTRUCTION, ARE TO BE USED FOR CONSTRUCTION.

6)THESE DRAWINGS ARE TO BE READ IN CONJUNCTION W/ THE SPECS.

[redacted]

No.	Description	Date
	Issued for Building Permit	2022-01-12
1	Revised streetwall materials	2022-04-21
2	Revised Unit designs and count. Revised penthouse floorplate	2022-06-10
3	reduced balcony canopies along LVL 4 slab fold	Aug.08-22
	For Pricing	2022-09-15
4	Updated Window Sizes	2022-11-03
5	Revised floor levels	2022-11-14
6	P2 datum elevation revision	2022-11-15
7	Issued For Construction	2023-02-01
8	Revised Floor Height, Revised Balcony Depth	2023-02-10
9	Proposed Levels 10 & 11	2024-05-17
10	Raised Level 8 ceiling 1'	2024-07-19
11	Corrected Floor Heights	2024-10-11
12	Revised Penthouse footprint, Added skylights	2024-12-20
13	For SMPS Amendment	2025-03-07

169 Wyse Road
Dartmouth, NS

True North Elevation

Scale	1/8" = 1'-0"
Date	2022-1-12
Drawn by	Staff
Checked by	PS

A4.2

Project number 3141

2025-03-07 1:34:51 PM

1 True East
1/8" = 1'-0"

Legend:

A	Aluminum / Glass Railing 42"H.
B	Vinyl Door / Window
C	Aluminum Glazing System
D	Masonry Brick - Type 1
E	Masonry Brick - Type 2
F	Non-Combustible Panel - Type 1
G	Non-Combustible Panel - Type 2
H	Metal Siding - Type 1
J	Metal Siding - Type 2

Paul Skerry Associates Ltd.
ARCHITECTS
5514 LIVINGSTONE PLACE
HALIFAX N.S. B3K 2B9

pskerry@pskerry.ca

PAUL SKERRY ARCHITECTS LTD.
5514 Livingstone Place
Halifax, Nova Scotia B3K 2B9
ph: 902-455-4361
email: drawing@pskerry.ca

NOTES:

1) THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL ALL DIMENSIONS ON SITE & REPORTING ANY DISCREPANCY TO THE ARCHITECT BEFORE PROCEEDING.

2) DO NOT SCALE FROM DRAWINGS USED FIGURED DIMENSIONS.

3) DRAWING REPRESENTATIONS MAYBE IN VARIANCE W/ DETAILED SPECS. & SCHEDULES, IN WHICH CASE SPECS. & SCHEDULES OVERRIDE THE DRAWINGS.

4) CHANGES FROM THESE PLANS & SPECS. MUST BE AGREED TO IN WRITING, & APPROVED BY THE ARCHITECT & OWNER, BEFORE PROCEEDING.

5) ONLY THOSE DRAWINGS MARKED APPROVED FOR CONSTRUCTION, ARE TO BE USED FOR CONSTRUCTION.

6)THESE DRAWINGS ARE TO BE READ IN CONJUNCTION W/ THE SPECS.

No.	Description	Date
	Issued for Building Permit	2022-01-12
1	Revised streetwall height, and materials at ground level	2022-04-21
2	Revised Material, Revised rear stepback	2022-06-06
3	Revised Penthouse floorplate	2022-06-10
	For Pricing	2022-09-15
4	Updated Window Sizes	2022-11-03
5	Revised floor levels	2022-11-14
6	P2 datum elevation revision	2022-11-15
7	Issued For Construction	2023-02-01
8	Revised Floor Height, Revised Balcony Depth	2023-02-10
9	Proposed Levels 10 & 11	2024-05-17
10	Raised Level 8 ceiling 1'	2024-07-19
11	Corrected Floor Heights	2024-10-11
12	Revised Penthouse footprint, Added skylights	2024-12-20
13	For SMPS Amendment	2025-03-07

169 Wyse Road
Dartmouth, NS

True East Elevation

Scale	1/8" = 1'-0"
Date	2022-1-12
Drawn by	Staff
Checked by	PS

A4.3

Project number 3141

2025-03-07 1:34:59 PM

Appendix G

PARSCO
Optimized Engineering
Quality Construction

PARSCO Engineering & Construction Ltd.
Suite 5- 1350 Bedford HWY. Bedford – Nova Scotia B4A 1E1
[redacted]

Date: August 5, 2025

Salah Hassan
Project Manager
ZagrosNova Development Inc.

RE: Deconstruction Plan: Floors 11 & 12 – 169 Wyse Road, Dartmouth, NS

1. Project Overview

This report outlines the logistics, safety considerations, occupancy recommendations, and cost projections for the deconstruction of unapproved Floors 11 and 12 of the structure located at **169 Wyse Road**, Dartmouth, Nova Scotia.

2. Deconstruction Logistics & Timeframes

Scope:

1. Full removal of Floors 11 and 12, including structural slabs and framing, roofing, internal partitions, mechanical/electrical/plumbing (MEP) services, and exterior elements (If installed).

Planned Methodology:

- Exterior scaffolding and hoisting systems to transport equipment and debris without using interior circulation routes.
- Structural deconstruction to proceed **top-down**, using mechanical and manual demolition.
- Debris to be removed via chute or crane-assisted containers.

Estimated Schedule:

Phase	**Estimated Duration**
Site prep, permitting, and access	2–3 weeks
Structural separation and staging	1 week
Floor 12 deconstruction	6–8 weeks
Floor 11 deconstruction	6–8 weeks
Debris removal, cleanup, and inspection	1–2 weeks
Total Duration Estimate	**16–22 weeks**

Note: Timeline is subject to weather, permitting, and contractor availability.

3. Public Safety Risks

Deconstruction of upper floors in an occupied building introduces safety concerns for workers, tenants, and surrounding properties.

3.1. Identified Risks:

- **Falling debris** impacting occupied floors or adjacent properties
- **Airborne contaminants** (dust, insulation, drywall) migrating into lower floors or the external environment
- **Noise and vibration** potentially affecting structural or occupant well-being
- **Fire risk** from temporary systems and hot work
- **Structural risk** to floor 10 due to its immediate proximity to the demolition zone.

3.2. Risk Mitigation Measures:

- Full containment with scaffolding, mesh netting, and weatherproof shrouds
- Controlled exclusion zones and on-site security personnel
- HEPA-filtered negative air pressure systems
- Vibration monitoring at multiple locations
- Daily inspection and compliance audits
- Licensed demolition and environmental abatement contractors only

4. Occupancy Feasibility During Deconstruction

Based on preliminary assessment:

- **Floor 1-10 will NOT be safe for occupancy during deconstruction.**

Due to safety and structural risks—including falling debris, compromised systems, vibration transmission, and temporary roof exposure—render this floor unsuitable for occupancy during the demolition process.

- **Recommendation:**

If floor 1-10 is occupied at the time of deconstruction, all tenants or personnel on **Floor 1-10 must be temporarily relocated** for the duration of the deconstruction. This exclusion should be maintained until final cleanup and engineering clearance are provided.

5. Estimated Deconstruction Costs

Revised cost estimates reflect increased risk control, longer timeline, full de-tenanting of floor 10, and 50% cost increase due to complexity and extended scope.

Item	Updated Estimated Cost (CAD)
Engineering design & permitting	$37,500 – $60,000
Scaffold and hoisting setup	$90,000 – $135,000
Deconstruction (Floor 12)	$250,000 – $295,000
Deconstruction (Floor 11)	$235,000 – $280,000
Temporary structural shoring/weatherproofing	$45,000 – $75,000
Dust/noise/vibration control & monitoring	$37,500 – $60,000
Site cleanup, inspections, certification	$15,000 – $30,000
Total Revised Cost Estimate	**$710,000 – $935,000**

These figures are preliminary. A Class B cost estimate and contractor tendering will be required for final budgeting and procurement.

6. Reconstruction Scope for 10th Floor (Post-Deconstruction)

In the event the building is limited to 10 storeys, the removal of Floors 11 and 12 will require significant modifications to floor 10 to reestablish weather protection, mechanical/electrical functionality, and code compliance. This includes relocation of the elevator overrun and penthouse MEP systems, as well as reconstruction of roof infrastructure.

Key Scope Items:

- **Elevator Overrun Relocation:** Shaft must be shortened and headroom modified to comply with code for top-floor termination.
- **Mechanical Penthouse Reconfiguration:** Systems designed for rooftop installation (currently on Floor 12) must be downsized or relocated to floor 10.
- **Roofing, Drainage, & Insulation:** Full new roof assembly with parapet, waterproofing membrane, insulation, and stormwater control.
- **Parapet Construction:** Architectural treatment to comply with zoning and protect rooftop equipment.
- **Building Envelope Finishing:** Restoration of cladding and vapor barriers where upper levels were removed.
- **Code Compliance & Fire Separation:** Final top floor must meet NBC/NSBC roof assembly requirements, including thermal resistance and fire ratings.

Estimated Timeline:

Phase	Estimated Duration
Design revisions and approvals	3–4 weeks
Procurement and staging	2–3 weeks
Elevator and MEP system reconfiguration	4–6 weeks
Roofing, insulation, parapet installation	3–4 weeks
Final inspections and commissioning	1–2 weeks
Total Duration	**13–19 weeks**

Estimated Cost:

Item	Estimated Cost (CAD)
Architectural/engineering redesign	$25,000 – $40,000
Elevator system modifications	$60,000 – $90,000
Mechanical/electrical relocation	$90,000 – $130,000
Roof structure, parapet, insulation	$110,000 – $160,000
Drainage and waterproofing systems	$25,000 – $40,000
Envelope finishing, fire separation	$30,000 – $50,000
Testing, inspection, commissioning	$10,000 – $20,000
Total Estimated Cost	**$350,000 – $530,000**

7. Conclusion

The removal of Floors 11 and 12 at 169 Wyse Road is technically feasible and can be completed without compromising the structural safety of lower levels, provided proper engineering controls are implemented.
Due to the inherent risks involved, **Floor 1-10 must be vacated during deconstruction.** The overall project duration is estimated at 29–41 weeks, with an anticipated cost of **$1,060,000 to $1,465,000 CAD**.

Mohammad Ranjbar B.A.Sc., M.A.Sc., ***P.Eng.***

Principal / Sr. Structural Engineer

[redacted]

Parsco Engineering & Construction Ltd.

5-1350 Bedford HWY, Bedford, NS, Canada B4A 1E1

[redacted]

[redacted]

Website: www.parscoeng.com

Attachment C

Relevant Policies and Regulations from the Regional Municipal Planning Strategy, the Regional Centre Secondary Municipal Planning Strategy and Land Use By-Law

Regional Municipal Planning Strategy

Chapter 6A: The Regional Centre

6.2.1A Vision Statement

The Regional Centre is the civic, cultural and economic heart of the Halifax Regional Municipality. It is a prosperous and resilient community that supports the needs, health and well-being of a diverse and growing population. New growth is located strategically to support the creation of complete communities, human scale design, and pedestrian comfort. The Regional Centre is the core of the best mid-sized city in Canada that welcomes all who want to live, work, play and learn here.

6.2.3A Core Concepts

In support of the vision for the Regional Centre, the Regional Centre Secondary Municipal Planning Strategy relies on four core concepts:

Complete Communities

- Support people of all ages, abilities and backgrounds to live, work, shop, learn, and play within a short journey.
- Promote mixed use neighbourhoods with safe and convenient access to goods and services needed in daily life.

Human Scale Design

- Foster high-quality architecture and urban design that is designed to a human scale.
- Adopt land use policies that result in designs that are interesting and comfortable for people at street level.

Pedestrians First

- Prioritize the needs and comfort of people in all seasons to make walking more convenient and viable, reduce emissions and improve public health.
- Encourage land use, transportation and design policies that prioritize walking, cycling and transit over private vehicles.

Strategic Growth

- Encourage increased density and a diversity of people and services in the Regional Centre to support socially, economically and environmentally responsible growth.
- Distribute growth throughout the Regional Centre in context-sensitive forms.
- Direct growth to established mixed-use commercial nodes, and under-utilized, vacant, and infill sites.

6.3A Regional Centre Secondary Municipal Planning Strategy

RC-1A The Vision, Guiding Principles and Core Concepts shall guide the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law. Any proposed amendments to the Regional Centre Secondary Municipal Planning Strategy or Land Use By-law shall be consistent with and further the Vision, Guiding Principles and Core Concepts for the Regional Centre, and all applicable objectives and policies of this Plan. Consideration shall also to be given to incentivizing development in the Regional Centre, streamlining

development approvals, density bonusing and other applicable objectives and policies of this Plan.

9.4 Secondary Planning Strategies

G-9 When new secondary planning strategies or amendments to existing secondary planning strategies are brought forward for approval, HRM shall consider whether the proposed objectives and policies are consistent with or further achieve the objectives and policies of this Plan.

G-9A Given the strategic importance of regional objectives in mitigating climate change and protecting the future health of the municipality, new secondary planning strategies or amendments to existing secondary planning strategies, shall organize land use or management of land in a manner, including the scale, location, density and form of development, so that:

(a) the protection of environmental or cultural features of significance on the lands is considered, including wildlife corridors, the urban forest, wet areas, wetlands and watercourses;
(b) the integrity of regional parks or federal and provincial wilderness areas adjacent to the lands are maintained, including the functioning of shared environmental, recreational or cultural features;
(c) the movements of pedestrians and transit service are prioritized over car-oriented design, including the connections to surrounding community;
(d) the future rapid transit corridors are considered as key locations or residential and mixed-use intensification, particularly within 500m of the corridor; and
(e) the design includes community-scale or site-level green infrastructure, renewable energy and other climate mitigation design elements.

Regional Centre Secondary Municipal Planning Strategy

1.4.2 Core Concepts

Human-Scale Design

Human-scale design is focused on building and streetscape design that makes people feel more at ease and allows them to relate to their surroundings. It refers to a relationship between the size, shape, and design of components in the urban environment that matches the pace of pedestrians. Buildings and streets, as well as elements like trees and street furniture, all contribute to providing a scale that is comfortable for people. This Plan provides direction for the built environment that respects the human scale.

While human scale is typically associated with low-rise and mid-rise buildings, taller buildings can also provide a human-scale experience through design that provides stepbacks for the upper storeys, low streetwalls with architectural detailing, weather protection, and frequent entrances. These can work together with narrow streets, short blocks, plazas and other open spaces to create an intimate environment and comfortable experience for an average person to enjoy. Human-scale design makes urban environments more interesting, encourages exploration, and draws more people to local shops and services.

Pedestrians First

Pedestrians first policies prioritize the needs and comfort of pedestrians. The intent of this Plan is to create safe, comfortable and enjoyable environments in all seasons for people of all ages and abilities. Pedestrians first design makes walking, as well as all other forms of sustainable transportation a more convenient and viable transportation choice. It leads to community benefits, such as emission reductions, improved accessibility and improved public health.

This Plan seeks to provide an inclusive form of pedestrians first policy that benefits all forms of personal mobility. Pedestrian-oriented design elements include connected streets, short blocks, four-way intersections, hard surfaced pathways, lively storefronts, and an extensive sidewalk network. Sidewalks, paths, and other pedestrian connections should link to key destinations such as retail and services, employment centres, schools, and public transit stops.

2.5 Centre Designation

The Centre Designation, shown on Map 1, is intended to strengthen various mix-use areas as destinations for all, and accommodate much of the housing and population growth targeted for the Regional Centre. Lands within the designation contain a variety of commercial and residential buildings and are located along transit priority corridors identified in the Integrated Mobility Plan. There are many sites within the Centres that are vacant or underutilized, and offer development opportunities that could include diverse housing choices, offices, retail, and entertainment venues.

- Wyse Road, Dartmouth.

The Centre Designation can support a wide mix of land uses, including commercial, residential, institutional, cultural, and recreational. Built form massing will be regulated by the FAR tool, and support low-rise buildings to high-rise buildings that transition to adjacent Corridor Designations and low-density residential areas. Subject to maximum FAR values, buildings may be a maximum of 90 metres or 40 storeys in height based on local context. (RC-May23/24;E-June13/24)

Development regulations within the Centre Designation also consider landscaping treatments along the public realm to support a pedestrian-oriented environment, and View Terminus Sites, which identify engaging views at the ends of specific streets, and provide opportunities to create urban design interest. New developments are required to respect the historic character of certain identified areas, and contribute towards a variety of housing types.

The Centre Designation establishes two zones to support strategic growth, while creating a built form that is safe and comfortable for pedestrians, and transitions to low-density residential areas. The zones are as follows:

- Centre 2 (CEN-2) Zone is applied to areas that are separated from low-density areas, with some exceptions based on existing high-density context, and permits higher maximum FAR values and a broad range of residential, commercial and intuitional land uses; and (RC-May23/24;E-June13/24)

In both the CEN-2 and CEN-1 Zones, land uses that are incompatible with the overall mixed-use function of Centres, and the desired pedestrian and human-scale environment will be prohibited.

Objectives:

1. Support intensification of mixed-use areas that offer a variety of housing opportunities, a variety of goods and services, and access to frequent transit service.
2. Encourage complete main streets within Centres that prioritize pedestrian comfort and transit mobility through building and streetscape design.
3. Establish a built form framework that supports growth, is sensitive to existing character and surrounding context, and allows for an effective transition to adjacent low-density residential neighbourhoods.
4. Enhance the transportation network to prioritize pedestrians, cyclists, and public transit over personal vehicles, and improve connections to other communities.

Policy C-1

The Land Use By-law shall establish two zones within the Centre Designation as follows:

a) The Centre 2 (CEN-2) Zone shall apply to lands within the Centre Designation with frontage on major commercial streets, with some exceptions based on existing high-density context (RC-May23/24;E-June13/24), some of which may be designated as Pedestrian-Oriented Commercial Streets. The CEN-2 Zone shall permit a wide range of residential, commercial, park and community facility, cultural, institutional and urban agricultural uses that support both local and regional needs. Limited light industrial uses and service uses that are compatible with the intent of the Designation may also be permitted;

Policy C-2
The Land Use By-law shall establish maximum FAR values and built form regulations for the following areas in the Centre Designation, as shown on Map 1:

a) Fenwick Street and Lucknow Street, Halifax; (RC-May23/24;E-June13/24)
aa) Gottingen Street, Halifax;
b) Highfield Park Drive, Dartmouth;
c) Quinpool Road, Halifax;
d) Robie Street and Young Street, Halifax;
e) Spring Garden Road, Halifax; and
f) Wyse Road, Dartmouth.

Built form requirements may differ both within a Centre and between Centres to permit various land uses and control the design of low-rise buildings, mid-rise buildings, tall mid-rise buildings, and high-rise buildings, consistent with Map 3 and the policies in Parts 3 and 4 of this Plan.

2.5.6 Wyse Road Centre

The Wyse Road Centre runs along Wyse Road in Dartmouth from approximately Thistle Street to Boland Road, and along Nantucket Avenue, as shown on Map 1. Wyse Road transitions from a narrow two-lane street in the north, to a wide median-divided road as it intersects with Nantucket Avenue, which connects to the Halifax Transit Bridge Terminal as well as the Angus L. Macdonald Bridge approaches. The scale of buildings varies from a tall office tower to one-storey commercial and recreational buildings. The current development pattern favours private automobiles over pedestrian and other active transportation mobility.

This Centre offers significant development opportunities that can support pedestrian, bike, and transit mobility choices, given its strategic location that anchors the Dartmouth end of the Macdonald Bridge bikeway and walkway, and proximity to the Zatzman Sportsplex, and Halifax Transit Bridge Terminal. Future development in this Centre should establish the area as an attractive gateway to Dartmouth, and Downtown Dartmouth. Over time, this Centre will develop a new pedestrian-oriented character as new pedestrian-oriented buildings, pedestrian connections, and streetscape changes are implemented.

Policy C-9
The Land Use By-law shall, within the Wyse Road Centre, establish maximum FAR values of between 2.25 and 10.0(RC-May23/24;E-June13/24) with higher FAR values focused around the intersection of Nantucket and Wyse Road, and provide for a transition in built form, from commercial streets to low-rise residential areas in the vicinity of Pelzant Street and Green Road, consistent with Map 3 and the policies in Parts 3 and 4 of this Plan

Part 3 – Urban Design

The urban environment affects the way we live, work, and travel. Urban design, which is the process of designing and shaping the physical features of cities, can support a sense of place, social and cultural contexts, environmental sustainability, and economic growth.

Within the Regional Centre, urban design takes into consideration the elements that support people of all ages, abilities, backgrounds, and incomes, and help those communities to be physically, socially, and economically vibrant. This approach encourages a compact and human-scale design that promotes a wide range of mobility choices, encourages the efficient use of municipal infrastructure, and maintains the viability of neighbourhood businesses. A “people-first” urban design supports human-scale building designs that foster distinct neighbourhoods and community character.

In this Plan, site design and built form are shaped largely through built form and building design regulations, and site plan variation criteria adopted under the Land Use By-law. This Plan also includes the Regional Centre Urban Design Manual, as contained in Appendix 2, which guides the decision-making process for future Plan amendments and certain development agreement proposals.

Objectives

2. Design buildings and spaces to support human-scale and pedestrian-oriented environments.
3. Consider the site and surrounding context when establishing built form controls, including history, use, form, and relationship to the public realm.
5. Ensure that new development incorporates all-season design strategies that maximize human comfort in all weather conditions.
7. Mitigate wind and shadow impacts of buildings on public parks and streets.
9. Support a safe, attractive and accessible public realm for people of all ages and abilities.

Policy UD-1

The Land Use By-law shall establish built form regulations and design requirements that implement the Vision, Core Concepts, Urban Design Goals, and objectives of this Plan.

Policy UD-2

Council shall consider the Regional Centre Urban Design Manual, contained in Appendix 2 of this Plan, when considering Plan amendments and certain development agreement applications enabled in this Plan.

3.2 Built Form Framework

Built form generally refers to the shape, size, pattern, and configuration of buildings and structures that frame streets and open spaces. Built form also refers to building height, massing, scale, envelope, as well as the quality of their materials and construction. The built form framework for the Regional Centre builds on the Vision, Core Concepts, and Urban Design Goals identified in Part 1 of this Plan to guide urban growth and development. The framework also ensures that the development maintains a human-scale element, as well as positive relationships with streets, open spaces, other buildings, and transitions between areas of varying scale and intensity of use. Although the framework considers land uses, its focus is on the character, shape, scale, and design of buildings

3.2.2 Building Envelope

The building envelope describes where new development is permitted on a lot, including its location, size, and massing relative to lot boundaries, surrounding buildings, and the public realm. Additional building envelope controls include maximum building dimension requirements for different portions of buildings.

This Plan supports building envelope controls that:

- reinforce the fine-grained and regular lot pattern that supports pedestrian traffic;
- reinforce ‘human-scaled’ streetscapes, weather protection, and shorter routes to main entrances;
- ensure adequate street-level conditions to minimize wind and maximize sun penetration and sky exposure; and ▪ balance height and massing relationships.

The building envelopes are organized in the following categories, as defined in this Plan and the Land Use By-law, to reflect the different set of standards that are applicable to different building heights:

a) Low-Rise Building;
b) Mid-Rise Building;
c) Tall Mid-Rise Building; and
d) High-Rise Building.

Buildings of different heights and scale have varying impacts on their surroundings and the public realm as their heights increase, which may require different standards, depending on the local context. Specific building envelope controls include:

- establishing minimum streetline setbacks of between 0.5 metres and 4 metres, with possible variations based on the local context;
- establishing mid-block connections and variety in design through maximum building dimensions and side yard requirements at the street level;
- implementing interior setbacks, streetwall stepbacks for mid-rise buildings, tall mid-rise buildings and high-rise buildings, to mitigate impacts from wind and shadow at the street level; and
- transitioning between large-scale buildings and more intense land uses when located next to parks and low-rise residential areas through the use of side and rear setbacks and stepbacks.

Policy UD-9

The Land Use By-law shall establish building envelope regulations that support context-specific, human-scaled and pedestrian-oriented environments by:

b) establishing maximum building dimensions for the ER-3,COR, HR-1, HR-2, CEN-1, CEN-2 and DD Zones to encourage variation in building design;
c) within the DD, CEN-2, CEN-1, HR-2, HR-1, INS, and UC-1 Zones, establishing
    i) a minimum setback of 12.5 metres from the tower portion of the building to the side and rear lot lines, except if the abutting property's development potential is constrained by a view plane, and
    ii) maximum dimensions that do not exceed 40.0 metres in building width and 35.0 metres in building depth, or an average floor area of 900 square metres per storey in the tower portion; (RC-May23/24;E-June13/24)
n) establishing minimum streetwall, side, and rear stepback requirements for mid-rise, tall mid-rise, and high-rise buildings where the building typology is enabled by the zone, as follows:
    i) streetwall stepback of 2.0 metres for a mid-rise building, 3.0 metres for a tall mid-rise building, and between 4.5 metres and 6.0 metres for a high-rise building in the DD, CEN-2, CEN-1, HR-2, HR-1, COR, CLI, INS, UC-2, and UC-1 Zones;
    ii) streetwall stepback of 3.0 metres for any portion of the main building less than 33.5 metres in height, and 4.5 metres for any portion of the main building greater than 33.5 metres in height in the DH Zone;
    iii) side and rear stepback of 2.0 metres for a mid-rise building, and 6.0 metres for a tall mid-rise and high-rise building in the DD, CEN-2, CEN-1, and COR Zones;
    iv) side stepback of 2.0 metres for a mid-rise building, between 2.5 metres and 6.0 metres for a tall mid-rise building, and 6.0 metres for a high-rise building in the HR-2, HR-1, INS, UC-2, and UC-1 Zones; and
    v) rear stepback of 2.0 metres for mid-rise building, between 4.5 metres and 6.0 metres for tall mid-rise building, and 6.0 metres for a high-rise building in the HR-2, HR-1, INS, UC-2, and UC-1 Zones. (RC-May23/24;E-June12/24)

3.2.3 Building and Streetwall Design

Building and streetwall design refers to the visual appearance of buildings, including the design of windows, cladding, entrances and other architectural features. The placement, scale, and design quality

of the building's streetwall determines the character of the streetscape and reinforces the importance of a pedestrian-oriented environment and human-scale design. The streetwall is the most prominent and visible portion of a building upon which a tower, tall mid-rise or mid-rise portions of buildings sit, and it is also created by the continuity of adjacent buildings facing a street. For an individual building, it is the distinct vertical plane from the ground to the top of low-rise or mid-rise buildings, or the first stepback in a mid-rise building if it exceeds 4 storeys, tall mid-rise or high-rise buildings.

The following outlines the key components of streetwall design that impact pedestrian experiences:

- Streetwall Height: traditional streetwalls in the Regional Centre typically range from two to four storeys along commercial street frontages, with taller buildings stepping their upper elevations back from the top of the streetwall. Streetwall height requirements are important because height is directly linked to human scale and what pedestrians can comfortably observe and enjoy from the sidewalk.
- Human-Scaled Elements: elements such as signs, lighting, canopies, and other exterior building elements can animate the public realm, provide weather protection and enhance the unique characteristics of the area.

Policy UD-10
The Land Use By-law shall establish streetwall requirements to support human-scale design. The streetwall requirements shall:

a) apply to the DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, INS, UC-2, and UC-1 Zones;
c) establish minimum and maximum streetwall heights of between 2 storeys to 3 storeys to support human-scale buildings designs, with flexibility for buildings on sloped lands in which the minimum and maximum streetwall heights may be between 1 and 5 storeys or otherwise indicated in this policy; (RC-May23/24;E-June13/24)
g) g) establish minimum streetwall stepbacks for mid-rise buildings, tall mid-rise buildings and high-rise buildings to mitigate impacts of wind and shadow on the street;

9.7 Incentive or Bonus Zoning

Policy IM-15

The Land Use By-law shall set out the public benefits that are eligible for incentive or bonus zoning, including when money-in- lieu shall be accepted. The public benefit may be in the form of:

a) affordable housing;
b) conservation of a registered heritage property or a property located within a Heritage Conservation District;
c) improvements to and acquisition of lands for municipal parks; d) affordable community or cultural indoor space; or e) public art.

Regional Centre Land Use By-Law
Part V, Chapter 5: Built Form and Siting Requirements within the CEN-2 and CEN-1 Zones
Side Setback Requirements
162 (3) For a high-rise building, any portion of the main building above the streetwall height shall have a minimum required setback from any side lot line of:

b) 12.5 metres elsewhere

Rear Setback Requirements

163 (5) For a high-rise building, any portion of the main building above the streetwall height shall have a minimum required setback from any rear lot line of:

b) 12.5 metres elsewhere.

Streetwall Stepbacks

166(1) Subject to Subsections 166(2) and 166(3), any main building shall have a minimum required streetwall stepback of:

c) 4.5 metres for high-rise buildings.

Maximum Building Dimensions

174(2) The tower portion of any high-rise building shall not exceed the following maximum building dimension requirements of:

a) a building depth of 35.0 metres;
b) a building width of 40.0 metres; and (RC- May 23/24;E-June 13/24)
c) an average floor area of 900 square metres per storey as calculated for the tower portion of the building. ((RC- May 23/24;E-June 13/24)

Part XVII: Definitions

(115) High-Rise Building means a main building that:

b) within the CEN-2, CEN-1, COR, HR-2, or HR-1 Zone, exceeds 10 storeys; or

(252) Tall Mid-Rise Building means a main building that:

b) within CEN-2, CEN-1, COR, HR-2, or HR-1 Zone, is more than 7 storeys but no more than 10 storeys;

Attachment D
Jurisdictional Scan of Built Form Requirements

In reviewing this request, staff also compared Centre Plan's building regulations against other jurisdictions. The results show that Centre Plan's built form regulations are well aligned with other jurisdictions, and in no case could staff find another jurisdiction that would permit a 12-storey building in a mid-rise built form in a comparable location. In many cases Centre Plan is more flexible than other municipalities as it allows larger floor plates and smaller setbacks to property lines (See Table 1 below).

Table.7¿Jurisdictional.Scan.of.Built.Form.Requirements

Municipality	Maximum allowable height in mid-rise built form	Would the proposed design be permitted based on Wyse Road's right-of-way and central urban location?
Halifax	10 storeys	No
Toronto, ON	Generally 10 storeys, but up to 14 storeys in mid-rise built form on wider streets (45 metre right-of-way required for full 14 storeys)	No
Ottawa, ON	Generally 9 storeys, but up to 12 storeys permitted in suburban contexts on wider streets	No
Calgary, AB	10 storeys	No
Edmonton, AB	7 storeys	No
Victoria, BC	6 storeys	No

Although some jurisdictions allow mid-rise buildings to exceed 10 storeys, this is largely based on the width of the street right-of-way. The subject site is located along Wyse Road, Pelzant Street, and George Street. The widest right-of-way at this location is approximately 33 metres along Wyse Road. As this is not a wide street, staff could not find an example of another jurisdiction that would permit a 12-storey building in a mid-rise form on a street with a comparable right-of-way.

Similar to Centre Plan regulations, taller buildings in other jurisdictions as shown in Table 1 must follow their respective requirements for high-rise buildings, all of which are fairly similar to Centre Plan as they require greater setbacks, narrower floor plates, and increased building stepbacks. The similarities of these regulations speak to the fact that there is growing consensus on how to accommodate tall buildings while ensuring they contribute positively to the public realm while mitigating the negative impacts of wind and shadow.