

MUNICIPAL GOVERNMENT NOTICES

NOTICE OF PUBLIC HEARING

REGIONAL CENTRE SECONDARY MUNICIPAL PLANNING STRATEGY AND REGIONAL CENTRE LAND USE BY-LAW (PACKAGE A)

Regional Centre Secondary Municipal Planning Strategy (RCSMPS) & Regional Centre Land Use By-law (RCLUB) (Package A) – Halifax Regional Council intends to consider, and if deemed advisable, adopt the Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use By-law which will apply to the area shown on Map 1, otherwise known as “Package A”. The policies and provisions of the RCSMPS and RCLUB are as generally described below:

1. The division of the Plan area into the following five designations with varying uses, built forms, and densities: Downtown, Centre, Corridor, Higher Order Residential, and Future Growth Node.
2. The division of the Plan area into the following eight zones with varying permitted land uses and other requirements: Downtown (D) Zone, Centre 2 (CEN-2) Zone, Centre 1 (CEN-1) Zone, Corridor (COR) Zone, Higher-Order Residential 2 (HR-2) Zone, Higher-Order Residential 1 (HR-1) Zone, Comprehensive Development District (CDD) Zone, and Transportation Reserve (TR) Zone.
3. The establishment of special areas including the Waterfront (W), Agricola Street (AS), Portland Street (PS), Transit Corridor (TC), King's Wharf (KW), and Robie Street (RS) Special Areas to apply policies and provisions specific to these areas which may include built form requirements and/or development agreement provisions.
4. The identification of certain pedestrian-oriented commercial streets where uses at the ground floor are limited to active types of uses such as restaurants, retail establishments, personal service uses, and financial institutions.
5. The establishment of certain categories of development that are exempt from obtaining a development permit and certain categories of development which are exempt from the site plan approval process.
6. The establishment of submission requirements for development permit applications.
7. The establishment of a twenty-four-month expiry period for development permits.
8. The identification of matters subject to site plan approval.
9. The establishment of a three-level site plan approval process with separate requirements for public information and consultation for each site plan approval level.
10. The establishment of submission requirements for site plan approval applications.
11. The inclusion of policy and provisions for the establishment of a 100-metre notification area for applications for Level III site plan approval.
12. The ability to obtain certain variations to the Land Use By-law requirements, under specific circumstances, through the site plan approval process.
13. The inclusion of an ability for Council to establish an advisory committee for the Regional Centre.
14. The establishment of a separation distance between the centreline of any railway track and certain categories of development.
15. The inclusion of provisions for the keeping of bees and chickens as accessory uses.
16. The inclusion of provisions for home occupation uses, home office uses, bed and breakfast uses, secondary suite uses, backyard suite uses, and work-live units.
17. The establishment of minimum lot requirements.
18. The inclusion of provisions allowing for the development of existing undersized lots if certain conditions are met.
19. The establishment of maximum floor area ratio (FAR) precincts for the D, CEN-2, and CEN-1 Zones, as the primary method of regulating building density for those zones.
20. The establishment of an overall maximum height of 90 metres in the D, CEN-2, and CEN-1 Zones, subject to maximum FAR as established in each FAR precinct.
21. The establishment of maximum height precincts for the COR, HR-2, HR-1, and CDD Zones.
22. The inclusion of provisions exempting certain rooftop features from the height requirements of maximum height precincts.
23. The inclusion of provisions prohibiting certain external cladding materials.
24. The inclusion of provisions prohibiting pedways and drive-throughs.
25. The establishment of ground floor requirements.
26. The establishment of front, flanking, side, and rear yard requirements.
27. The establishment of streetwall requirements including minimum and maximum height, and setbacks above the height of the streetwall.
28. The establishment of side and rear setbacks and setbacks.
29. The establishment of Transition Lines to buffer new development from existing low-rise residential neighbourhoods.
30. The establishment of maximum building dimensions below and above the height of the streetwall.
31. The inclusion of provisions for accessory structures, backyard suites, and shipping containers.
32. The inclusion of site plan approval design requirements covering at-grade private open space design, building design, parking, access, and utilities design, heritage conservation design, lighting design, and the treatment of view terminus sites.
33. The inclusion of a Regional Centre Urban Design Manual, as an appendix to the RCSMPS, to encourage quality developments that support the Urban Design Goals of the Plan, and be used to evaluate certain discretionary development applications.
34. The retention of the Citadel View Planes protection requirements, with updated coordinate systems.
35. The retention of the Citadel Ramparts protection requirements, with updated coordinate systems.
36. The retention of the Dartmouth View Planes protection requirements, with updated coordinate systems.
37. The identification of ten waterfront view corridors in Dartmouth with coordinate systems for their protection.
38. The identification of specified lands in Dartmouth, located between Alderney Drive and Maitland Street, as the Dundas Street Transportation Reserve, for future acquisition by the Municipality for the purposes of a new municipal right-of-way.
39. The establishment of an Incentive or Bonus Zoning program for buildings within the D, CEN-2, CEN-1, COR, HR-2, and HR-1 Zones which exceed 2,000 square metres of floor area, while not exceeding the maximum FAR or maximum height in a given FAR or height precinct, in exchange for the provision of a defined public benefit.
40. The establishment of six Bonus Rate Districts across the Regional Centre which prescribe a fee per square metre of bonus area specific to each district based on a certain percentage of average property values within the district.
41. The establishment of a methodology to adjust the Bonus Rate District fees annually based on an inflation index.
42. The establishment of an Incentive or Bonus Zoning program for development within the CDD Zone based on the appraised market value of the site once a proposed development agreement is approved by Council.
43. The inclusion of policies and provisions to guide how non-conforming structures and non-conforming uses will be dealt with under the Plan.
44. The inclusion of a policy to enable Council to establish one or more commercial development districts in the Regional Centre.
45. The establishment of a Pedestrian Wind Impact Assessment Protocol and Performance Standards which sets standards for maximum wind speeds at ground level and sets out requirements for the level of study required depending on building height and the surrounding context of the built environment.
46. The establishment of a Shadow Impact Assessment Protocol and Performance Standard which sets standards for shadowing on certain municipal parks and sets out requirements for assessing the impact using a standardized approach.
47. The inclusion of provisions for a variety of housing forms, and the establishment of requirements for unit mix and amenity space in high-density dwelling uses.
48. The identification of nine proposed heritage conservation districts for future consideration by Council, and the establishment of a FAR or height framework in these proposed heritage conservation districts to support development that is sensitive to heritage assets by applying a FAR of 1.75 in the CEN-2 and CEN-1 Zones, and a FAR up to 2.25 in the D Zone, and maximum heights of 11 to 20 metres in the COR, HR-2, and HR-1 zones, and applying specific built form requirements.
49. The identification of eight cultural landscapes for future consideration by Council when evaluating future amendments to the RCSMPS or applications for new development agreements.
50. The inclusion of watercourse buffers and coastal elevation requirements as directed by policy in the Regional Municipal Planning Strategy.
51. The inclusion of policies supporting the use of development agreements for the following development scenarios: development in a CDD Zone, development on a registered heritage property, the expansion of a non-conforming use, a change to a less intensive non-conforming use, development in the Robie Street Special Area, development on a lot one hectare or larger in size, and development in the King's Wharf Special Area.

52. The establishment of minimum landscaping requirements.
53. The establishment of minimum motor vehicle parking requirements.
54. The establishment of controls over surface parking lots.
55. The establishment of minimum bicycle parking requirements.
56. The establishment of minimum off-street loading requirements.
57. The identification of the types of signs that do not require a development permit.
58. The identification of the types of signs that are prohibited.
59. The inclusion of provisions regulating sign size, height, number, orientation, and location on a building or lot.
60. The inclusion of provisions regulating materials used for signs and illumination by type of sign and development.
61. The inclusion of provisions establishing required sign setbacks for abutting zones or from transition lines.
62. The inclusion of provisions regulating signs in heritage contexts.
63. The inclusion of provisions over wind energy facilities.
64. The inclusion of policy support allowing development agreement applications, on file on or before the date of the first publication of the notice of intention of Council to adopt the RCSMPS, to be considered under the policies in effect at the time the complete application was received, with a specified length of time that the application may remain active.
65. The inclusion of policy clarifying that any development agreements proceeding under policies in effect on or before the date of the first publication of the notice of the intention of Council to adopt the RCSMPS be given a maximum of three years for project commencement and six years for project completion following the date of filing of the agreement at the Land Registry Office. For development agreements proposed in the King's Wharf Special Area identified on Schedule 4 of the RCLUB, the project completion timeline would be twenty years instead of six years.
66. The inclusion of policy support allowing non-substantive amendments to existing development agreements to be considered under the policies in effect at the time the agreements were approved.
67. The inclusion of policy clarifying that amendments to existing development agreements to extend the project commencement and completion dates only consider project commencement not exceeding one year and project completion dates not exceeding two years, and that only one application per development agreement be considered.

Amendments to the Regional Municipal Planning Strategy

And take further notice that Halifax Regional Council intends to amend the existing Regional Municipal Planning Strategy to implement the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-law (RCLUB). Key changes to the Regional Municipal Planning Strategy that are proposed for implementation of the RCSMPS and RCLUB are as follows:

1. Amendments to the Table of Contents, Appendix B, Sections 1.1, 1.3, 1.6, 1.7, 3.1, 7.3.2, and Policy CH-10 to ensure language is consistent with other amendments to the Regional Municipal Planning Strategy and the adoption of the RCSMPS.
2. The repeal of “Chapter 6: The Regional Centre” in its entirety and the addition of a new chapter titled “Chapter 6A: The Regional Centre” which updates the vision for the Regional Centre, reflects the adoption of the RCSMPS, and provides for the phased adoption of the RCSMPS.
3. Amendment to Section 7.4 to include updated Heritage Conservation Policies to reflect Heritage Policies contained within the RCSMPS in relation to development in Heritage Contexts.

Amendments to the Regional Subdivision By-law

And take further notice that Halifax Regional Council intends to amend the existing Regional Subdivision By-law to implement the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-law (RCLUB). Key changes to the Regional Subdivision By-law that are proposed for implementation of the RCSMPS and RCLUB are as follows:

1. The addition of Section 32A which clarifies that Clause 32(a), respecting minimum lot area and frontage for Dartmouth, shall not apply within lands regulated by the RCSMPS and RCLUB.

Amendments to the Dartmouth Municipal Planning Strategy

And take further notice that Halifax Regional Council intends to amend the existing Dartmouth Municipal Planning Strategy to implement the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-law (RCLUB). Key changes to the Dartmouth Municipal Planning Strategy that are proposed for implementation of the RCSMPS and RCLUB are as follows:

1. The removal of those areas located within the Centre, Corridor, Higher-Order Residential, Future Growth Nodes, and Downtown Designations of Package A, as shown on Map 1, from the Dartmouth Municipal Planning Strategy through map amendments.
2. Amendments to the Introduction and Table of Contents to ensure language is consistent with other amendments to the Dartmouth Municipal Planning Strategy and adoption of the RCSMPS.
3. The repeal of the following sections in their entirety: Section (11) “Former Dartmouth YMCA Property”, Section (12) “Can-Euro Investments Limited Lands – Horizon Court”, Section (13) “MTT Lands – Woodland Avenue (PID No. 40173668)”, Section (14) “250 Victoria Road and, 101 Albro Lake Road and 103 Albro Lake Road”.
4. Amendments to the Precinct – Highfield Park Secondary Planning Strategy to remove development agreement policies and policies related to zoning for areas that will come under the jurisdiction of the RCSMPS and RCLUB and, to repeal “6.0 COMMERCIAL”, inclusive of “6.1 Neighbourhood Commercial Services”, preamble, and Policies 6.1.1 and 6.1.2.
5. The repeal of certain policies relating to the development of commercial facilities, including buffering, landscaping, and site-specific development agreement policies.

Amendments to the Dartmouth Land Use By-law

And take further notice that Halifax Regional Council intends to amend the existing Dartmouth Land Use By-law to implement the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-law (RCLUB). Key changes to the Dartmouth Land Use By-law that are proposed for implementation of the RCSMPS and RCLUB are as follows:

1. The removal of those areas located within the Centre, Corridor, Higher-Order Residential, Future Growth Nodes, and Downtown Designations of Package A, as shown on Map 1, from all maps and schedules.
2. Amendments to the Table of Contents and general provisions to ensure language is consistent with other amendments to the Dartmouth Land Use By-law and adoption of the RCSMPS.
3. Various housekeeping amendments to ensure that any amended sections are referred to by their amended section and subsection numbering and titles.

Amendments to the Downtown Dartmouth Municipal Planning Strategy

And take further notice that Halifax Regional Council intends to amend the existing Downtown Dartmouth Municipal Planning Strategy to implement the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-law (RCLUB). Key changes to the Downtown Dartmouth Municipal Planning Strategy that are proposed for implementation of the RCSMPS and RCLUB are as follows:

1. The removal of those areas located within the Centre, Corridor, Higher-Order Residential, Future Growth Nodes, and Downtown Designations, as shown on Map 1, from all maps and schedules.
2. Various amendments to the TABLE OF CONTENTS, Chapter 1 (INTRODUCTION – A NEW PLAN FOR THE DOWNTOWN), Chapter 2 (COMMUNITY OVERVIEW), Chapter 3 (THE DEVELOPMENT CONCEPT), Chapter 4 (THE POLICIES), and CHAPTER 5 (IMPLEMENTING THE PLAN) to repeal or amend policies specific to the area covered by the RCSMPS, as shown on Map 1.

Amendments to the Downtown Dartmouth Land Use By-law

And take further notice that Halifax Regional Council intends to amend the existing Downtown Dartmouth Land Use By-law to implement the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-law (RCLUB). Key changes to the Downtown Dartmouth Land Use By-law that are proposed for implementation of the RCSMPS and RCLUB are as follows:

1. The removal of those areas located within the Centre, Corridor, Higher-Order Residential, Future Growth Nodes, and Downtown Designations, as shown on Map 1, from all maps and schedules.
2. The complete repeal of Section 10 (Downtown Business District Zone).
3. Amendments to Subsections 5(28) and 5(29) and the addition of Section 5(29A) with respect to the Dartmouth View Corridors to reflect updated mapping.
4. Various amendments to the TABLE OF CONTENTS, Section 2 (ADMINISTRATION), Sections 5 (GENERAL PROVISIONS), 6 (PARKING REQUIREMENTS), 7 (SIGNS), 8 (ARCHITECTURAL REQUIREMENTS), and 9 (DOWNTOWN NEIGHBOURHOOD ZONE) to repeal or amend policies specific to the area covered by the RCSMPS and RCLUB, as shown on Map 1.
5. An update to the coordinate systems for the Dartmouth View Planes.
6. Various housekeeping amendments to ensure that any amended sections are referred to by their amended section and subsection numbering and titles.

Amendments to the Halifax Municipal Planning Strategy

And take further notice that Halifax Regional Council intends to amend the existing Halifax Municipal Planning Strategy to implement the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-law (RCLUB). Key changes to the Halifax Municipal Planning Strategy that are proposed for implementation of the RCSMPS and RCLUB are as follows:

1. The removal of those areas located within the Centre, Corridor, Higher-Order Residential, Future Growth Nodes, and Downtown Designations, as shown on Map 1 from all maps and schedules.

2. Various amendments to the Table of Contents and Introduction of Part II to ensure language is consistent with other amendments to the Halifax Municipal Planning Strategy and adoption of the RCSMPS.
3. Various amendments to SECTION II “CITY-WIDE OBJECTIVES AND POLICIES”/“SCHEDULE II.1 – SOFT AREAS OUTSIDE AREAS DESIGNATED FOR DETAILED PLANNING”; SECTION VI: “SOUTH END AREA PLAN OBJECTIVES AND POLICIES”; SECTION VII: “PENINSULA CENTRE AREA PLAN OBJECTIVES AND POLICIES”; SECTION XI: “PENINSULA NORTH SECONDARY PLANNING STRATEGY”; SECTION XII: “QUINPOOL ROAD COMMERCIAL AREA PLAN OBJECTIVES AND POLICIES”; SECTION XVI: “SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT”; and “IMPLEMENTATION POLICIES” to repeal or amend policies specific to the area covered by the RCSMPS and RCLUB, as shown on Map 1.
4. Amending Map 9A: South End Plan – Generalized Future Land Use of Section V to re-designate a portion of PID No. 00053751 (Gorsebrook Lands) from High Density Residential (HDR) to Institutional (INS).
5. Amending Map 2-2: Heights Precincts – District 2 of Section V to change the height precinct on a portion of PID No. 00053751 (Gorsebrook Lands) from a maximum of 35 feet to 66 feet.

Amendments to the Halifax Peninsula Land Use By-law

And take further notice that Halifax Regional Council intends to amend the existing Halifax Peninsula Land Use By-law to implement the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-law (RCLUB). Key changes to the Halifax Peninsula Land Use By-law that are proposed for implementation of the RCSMPS and RCLUB are as follows:

1. The removal of those areas located within the Centre, Corridor, Higher-Order Residential, Future Growth Nodes, and Downtown Designations, as shown on Map 1, from all maps and schedules.
2. Various amendments to the “TABLE OF CONTENTS” and “GENERAL PROVISIONS” to ensure language is consistent with other amendments to the Halifax Peninsula Land Use By-law.
3. Various amendments to Section 1 (“DEFINITIONS”) to ensure language is consistent with the other amendments to the Halifax Peninsula Land Use By-law and adoption of the RCSMPS and RCLUB.
4. The removal of the RC-4 Zone and BCDD Zone.
5. Amendments to Section 24, by repealing Clause 24(a), and adding a new Clause 24(b) to clarify protrusions through view planes.
6. Replacing Section 26B with Section 26B-A to refer to “Schedule ZM-26 – Halifax Citadel Ramparts”.
7. The repeal of various subsections under “PENINSULA NORTH – AREA 8 – GOTTINGEN STREET” of “ZONES, ZONING MAPS AND BUILDING LINE PLAN” to remove requirements related to development in the Gottingen Street area.
8. Amendments to the C-2 Zone to remove all requirements for Peninsula North Area 8.
9. The repeal of Section 92 “SCHEDULE Q” in its entirety.
10. Various amendments to remove requirements related to development agreements in those areas covered by the RCSMPS and RCLUB, as shown on Map 1.
11. Various housekeeping amendments to ensure that any amended sections are referred to by their amended section and subsection numbering and titles.
12. Amendments to Map ZM-1: Zoning – Halifax Peninsula Land Use By-law to rezone a portion of PID No. 00053751 (Gorsebrook Lands) from General Residential Conversion (R-2A) to Park and Institutional (P) Zone.
13. Amendments to Map ZM-17: Heights Precincts – Halifax Peninsula Land Use By-law to change the Height Precinct on a portion of PID No. 00053751 (Gorsebrook Lands) from a maximum of 35 feet to 66 feet.
14. Amendments to Map “ZM-17 – Height Precincts” to remove “INSET A – Citadel Elevations”.
15. The addition of a new Map, “ZM-26 – Halifax Citadel Ramparts”, which contains an updated coordinates system for the Ramparts.
16. Replacing the Map “TT20158A – View Map” with “Schedule ZM-25 – Halifax Citadel View Planes”, which contains an updated coordinates system for the View Planes.

Amendments to the Downtown Halifax Land Use By-law

And take further notice that Halifax Regional Council intends to amend the existing Downtown Halifax Land Use By-law to implement the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Regional Centre Land Use By-law (RCLUB). Key changes to the Downtown Halifax Land Use By-law that are proposed for implementation of the RCSMPS and RCLUB are as follows:

1. Various amendments to the definitions of “Ramparts” and “View Plane” under Section 2 (“DEFINITIONS”) to replace references to Section 26B of the Halifax Peninsula Land Use By-law with reference to Section 26B-A of the Halifax Peninsula Land Use By-law, and to replace reference to Map ZM-17 of the Halifax Peninsula Land Use By-law with Schedule ZM-26-Halifax Citadel Ramparts.
2. Amendments to the Ramparts Requirements section to replace the reference to Section 26B of the Halifax Peninsula Land Use By-law with reference to Section 26B-A of the Halifax Peninsula Land Use By-law.
3. Various housekeeping amendments to ensure that any amended sections are referred to by their amended section and subsection numbering and titles.

Public Hearing – Date and Location

The public hearing will be held by Halifax Regional Council commencing on Tuesday, September 17, 2019 at 6:00 p.m. at Halifax City Hall (Council Chamber), 1841 Argyle Street, Halifax, NS. All oral and written submissions will be considered at that time. Written submissions may be forwarded to the Municipal Clerk by mail, P.O. Box 1749, Halifax, Nova Scotia, B3J 3A5; by fax, 902-490-4208; or by email, clerks@halifax.ca. Written submissions should be received by the Municipal Clerk's office as early as possible and not later than 3:00 p.m. on September 17, 2019. **For any written submissions exceeding three standard letter sized pages in length, thirty copies must be supplied to the Municipal Clerk's office.**

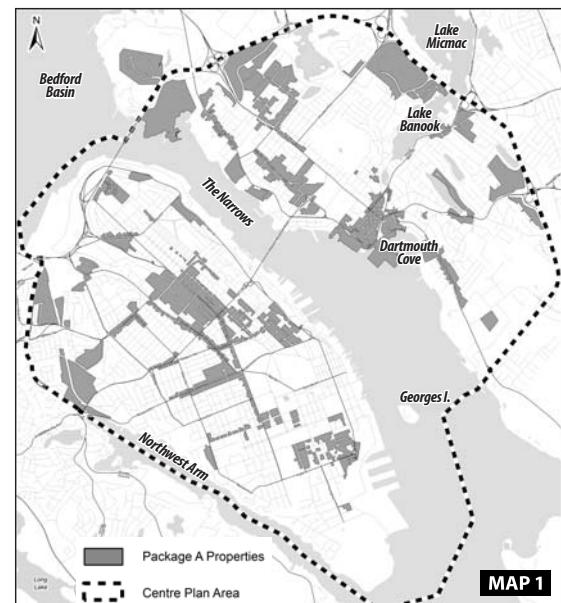
Electronic or paper copies of the Regional Centre Secondary Municipal Planning Strategy, the Regional Centre Land Use By-law, and associated amendments to other planning documents are available for in person inspection at the following three locations during regular business hours: the Municipal Clerk's Office, Halifax City Hall, 1841 Argyle Street, Halifax, NS; the HRM Customer Service Centre, 1st Floor Alderney Gate, 40 Alderney Drive, Dartmouth, NS, and the HRM Customer Service Centre, 2nd Floor Bayers Road Centre, 7071 Bayers Road, Halifax, NS. Alternatively, the Regional Centre Secondary Municipal Planning Strategy, the Regional Centre Land Use By-law, and associated amendments to other planning documents are available on-line at <https://www.halifax.ca/city-hall/regional-council/july-30-2019-halifax-regional-council> (item 15.1.13). **PLEASE REFER TO IMPORTANT NOTICE BELOW.**

IMPORTANT NOTICE: On July 30, 2019, Halifax Regional Council amended Policy 10.29(f) of the proposed Regional Centre Secondary Municipal Planning Strategy (Attachment A) that is available on-line at <https://www.halifax.ca/city-hall/regional-council/july-30-2019-halifax-regional-council> (item 15.1.13). The following amendments are not reflected in the July 30, 2019 version of the RCSMPS:

1. Delete subsection (iii) and replace with the following: the ground floor of the building is setback a minimum of 1.5 metres from the front property line inclusive of stairs, ramps, or other access points.
2. Delete subsection (iv) and replace with the following: the building is setback a minimum of 6 metres from the rear property line from ground to a height of 6.2 metres, and above a height of 26 metres, and further no portion of the building may be closer than 4.5m to the rear property line.
3. In subsection (v), replace the words “the podium” with “a height of 26 metres”.
4. Delete subsection (vi) and replace with the following: all floors above a height of 26 metres do not exceed a floor area of 523 square metres per floor, and all other floors above the podium not exceed a floor area of 676 square metres.

See Action Summary from Halifax Regional Council (Item 15.1.13) available on-line at <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/as190730carevised.pdf>

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PLEASE SEE SECTION 161 – EMPLOYMENT OPPORTUNITIES IN SATURDAY'S PAPER AND SECTION 258 – TENDERS IN CLASSIFIEDS. FOR ALL TENDERS AND REQUEST FOR PROPOSALS ADVERTISEMENTS IN SATURDAY AND WEDNESDAY'S EDITIONS.

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