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Item No. 13.1.1
Halifax and West Community Council
December 11, 2019

TO: Chair and Members of Halifax and West Community Council

-ORIGINAL SIGNED-

SUBMITTED BY:

Kelly Denty, Director of Planning & Development

-ORIGINAL SIGNED-

Jacques Dubé, Chief Administrative Officer

DATE: November 4, 2019

SUBJECT: **Adoption Process for Centre Plan (Package B) - Amendments to Halifax Peninsula Planning Advisory Committee Terms of Reference**

ORIGIN

- On September 18, 2019, Halifax Regional Council passed the following motion regarding Item No. 12.1:
 20. Direct the Chief Administrative Officer to prepare amendments to the various committee Terms of Reference as appropriate, to establish the Community Design Advisory Committee, the Community Planning and Economic Development Standing Committee, the Heritage Advisory Committee, the Halifax and West Community Council, and the Harbour East – Marine Drive Community Council as the only advisory bodies to the planning process for the Regional Centre Plan Package B area, and return to the Council or the necessary body for consideration, with an amendment to add “the Design Review Committee” after “Community Design Advisory Committee;”.

LEGISLATIVE AUTHORITY

- *Halifax Regional Municipality Charter (HRM Charter)*, Part I, The Municipality, Section 30
- *HRM Charter*, Part III, Powers, Sections 58 and 59
- Administrative Order 48, the *Community Council Administrative Order*

RECOMMENDATION ON PAGE 2

RECOMMENDATION

It is recommended that Halifax and West Community Council adopt amendments to the terms of reference of the Halifax Peninsula Planning Advisory Committee, as set out within Attachment B of this report.

BACKGROUND

On September 18, 2019, Regional Council approved the Regional Centre Secondary Municipal Planning Strategy (Plan) and the Regional Centre Land Use By-law (LUB), which will regulate land use and development for lands within the Package A area of the Regional Centre. The documents are the result of a planning process that included extensive analysis of the Regional Centre's physical, social and economic structure, and which consisted of several distinct phases of public engagement sessions. As part of the adoption process of the Regional Centre Plan (Package A), Council directed the CAO to develop several governance changes necessary to implement Package A and bring forward amendments to the various committees Administrative Orders and Terms of Reference as necessary to streamline the approval process for the Regional Centre Plan (Package B).

As part of simplifying and streamlining the adoption process for Centre Plan Package B, this staff report presents, for Halifax and West Community Council's consideration the required amendments to the Halifax Peninsula Planning Advisory Committee's (HPPAC) Terms of Reference to address the September 18, 2019 motion of Regional Council. A separate staff report to Regional Council will include address amendments to Terms of Reference and Administrative Orders to create a new Regional Centre Community Council and a Design Advisory Committee.

DISCUSSION

Regional Centre Plan (Package A) Adoption Path – Process Issues

The Regional Centre Plan project was initiated by Regional Council in January 2015. An adoption process for the planning documents was not specified at that time, and no specific amendments to Administrative Orders or Terms of Reference for the various advisory and Standing Committees of Council with jurisdiction over planning matters were identified or initiated to clarify the details of the adoption process. Although the Community Design Advisory Committee (CDAC) was appointed by Council to serve as the main advisory body for the Centre Plan project, the existing adoption path required staff to seek formal recommendations from all applicable committees and boards that have an advisory role for any planning-related matters or other major initiatives.

The requirement to present Package A to multiple advisory bodies resulted in extending the adoption path timeline over a five-month period and requiring extensive staff, Council and committee resources. While outreach and feedback from the various committees can be valuable to the project, it is not efficient to involve nine (9) committees in the same level of review as was undertaken by CDAC, the Community Planning and Economic Development Standing Committee (CPED), and Heritage Advisory Committee (HAC). In total nine committees, two Community Councils, the Committee of the Whole and Regional Council were part of the adoption process for Package A.

Regional Centre Plan (Package B)

Staff are currently preparing to engage the community and present for Council's consideration planning documents for Package B lands. This will include policies and provisions relating to:

- Downtown Halifax and Cogswell Interchange lands;
- Established Residential areas;
- Employment Lands (Institutional, Industrial, and Commercial);
- Water Access Lands (water lots); and

- Parks and Open Space lands.

Based on Regional Council's direction the following committees are proposed to be the only advisory bodies to Regional Council for the Centre Plan Package B adoption process:

- Community Design Advisory Committee (CDAC);
- Heritage Advisory Committee (HAC);
- Design Review Committee (DRC);
- Community Planning and Economic Development Standing Committee (CPED);
- Halifax and West Community Council (HWCC);
- Harbour East – Marine Drive Community Council (HEMDCC); and
- Regional Centre Community Council (RCCC) (once established).

Proposed Changes to Halifax Peninsula Planning Advisory Committee

Simplifying the adoption process for Package B requires amendments and updates to current Terms of Reference and Administrative Orders for specific boards and committees with the intent of clarifying their duties and responsibilities with regards to the formal Centre Plan adoption process. The proposed changes to the Terms of Reference document for the Halifax Peninsula Planning Advisory Committee (HPPAC) include an exemption for the adoption of the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law, and any necessary amendments to existing planning documents.

Should Community Council approve the proposed changes contained in Attachment B, this does not preclude staff from consulting with advisory committees as part of the Package B consultation program. Those committees will continue to advise Council on other planning matters relating to planning applications, such as site-specific plan amendments and development agreement applications outside of the Regional Centre, as identified in their Terms of Reference.

FINANCIAL IMPLICATIONS

There are no anticipated budget implications resulting from the report recommendations.

COMMUNITY ENGAGEMENT

An extensive public engagement program was undertaken in preparing the Regional Centre Plan (Package A). A summary of this program is included in the staff report, dated April 3, 2019.

Details can also be found at <https://www.shapeyourcityhalifax.ca/centre-plan>.

ENVIRONMENTAL IMPLICATIONS

There are no anticipated environmental implications related to the report recommendation.

ALTERNATIVES

Halifax and West Community Council may choose to:

1. Approve with conditions, the proposed amendments to the Halifax Peninsula Planning Advisory Committee's Terms of Reference as contained in Attachment B. This may require a subsequent report for Council's consideration depending on the extent of changes Council directs.
2. Refuse the proposed amendments to the Halifax Peninsula Planning Advisory Committee's Terms of Reference as contained in Attachment B of this report. This is not recommended as it will not

allow for a streamlined adoption path of Package B.

ATTACHMENTS

Attachment A: Proposed Changes to Halifax Peninsula Planning Advisory Committee Terms of Reference

Attachment B: Amending Halifax Peninsula Planning Advisory Committee Terms of Reference

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

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ATTACHMENT A:
Showing Proposed Changes to
The Halifax Peninsula Planning Advisory Committee
Terms of Reference

Serving Polling Districts 7, 8 (except for the HRM by Design Area) (maps attached) and the portion of District 9 (map attached) incorporated into the Halifax & West Community Council.

1. Membership
 - Up to 2 Community Council Members
 - Up to 8 community citizens
2. Appointment
 - Term of Appointment
 - Councillor: 1 year
 - Residents: 2 years
 - Appointments shall be made by the Halifax & West Community Council
 - The Committee shall annually elect from its non-council members a Chair and Vice- Chair.
3. Re-appointment of Members
 - Citizen members may be appointed for a maximum of two (2) consecutive terms.
 - Citizen members may be appointed for more than two (2) consecutive terms when there are no other interested and qualified candidates.
4. Legislated Duties
 - To advise the Halifax & West Community Council with respect to the preparation or amendment of planning documents within or affecting (all or portions of) Polling Districts 7, 8 and 9 incorporated into the Halifax & West Community Council, **except for the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, and any necessary amendments to existing planning documents respecting their adoption.** The term “planning documents” shall be as defined in clause m of section 209 of the *Halifax Regional Municipality Charter*.
 - To advise the Halifax & West Community Council with respect to planning matters generally within or affecting (all or portions of) Polling Districts 7, 8 and 9 incorporated into the Halifax & West Community Council, **except for the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, and any necessary amendments to existing planning documents respecting their adoption.** The term “planning matters” means any discretionary decision of Community Council related to the use and development of land.
 - Hold public meetings associated with municipal planning strategy amendments as deemed necessary, **except for public meetings respecting the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law Land Use By-law, and any necessary amendments to existing planning documents respecting their adoption.**
5. Additional Duties
 - As may be directed by Community Council.
6. Meetings
 - The Planning Advisory Committee shall meet at least once per month or as required to conduct business of the Committee. Additional meetings may be scheduled at the discretion of the Chair in consultation with staff.
 - The quorum for regular meetings shall be in accordance with Section 74 of Administrative Order One, the Procedure of Council Administrative Order, Quorum of Committee.
 - Any member of the Committee who fails to attend three (3) consecutive meetings, without having been excused by the Committee shall vacate the member’s seat in accordance with subsection 3 of section 68 of Administrative Order One, the Procedure of Council Administrative Order, and subsection 1 of section 22 of the *Halifax Regional Municipality Charter*.
 - All Planning Advisory Committee meetings shall be open to the public, or as allowed under Part VII Section 218 (1) of the *Halifax Regional Municipality Charter*.

7. Procedure

- Meeting procedures shall be governed by the HRM Administrative Order One, the Procedure of Council Administrative Order, as it relates to Committee procedures.

8. Remuneration

- Remuneration shall be paid related to travel for attendance at meetings at rates established by Halifax Regional Municipality.

9. Resignation

- Member may resign from the Committee at any time in accordance with Section 68 of Administrative Order One, the Procedure of Council Administrative Order, Vacating of position on Committee.

Adopted by Halifax & West
Community Council
June 10, 2013
Revised by Halifax & West
Community Council
May 30, 2017

ATTACHMENT B:
Amending the Halifax Peninsula Planning Advisory Committee
Terms of Reference

BE IT ENACTED by the Halifax & West Community Council that the Halifax Peninsula Planning Advisory Committee Terms and Reference is further amended as follows:

1. Section 4 is amended by:
 - (a) in the first bullet, adding the words, and commas “, except for the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, and any necessary amendments to existing planning documents respecting their adoption” after the words and comma “Halifax & West Community Council” and before the period;
 - (b) in the second bullet, adding the words, and commas “, except for the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, and any necessary amendments to existing planning documents respecting their adoption” after the words and comma “Halifax & West Community Council” and before the period; and
 - (c) in the third bullet, adding the words, and commas “, except for public meetings respecting the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law Land Use By-law, and any necessary amendments to existing planning documents respecting their adoption” after the words and comma “amendments as deemed necessary” and before the period.

Done and passed this day of 20__,

Mayor

Municipal Clerk