

**HALIFAX**

# **Design Advisory Committee**

**Regional Centre Land Use By-law &  
Site Plan Approval Orientation**

**November 25, 2020**

# Planning and Development

Planning & Development  
Kelly Denty, Director

Regional Planning  
Eric Lucic, Manager

Formulation of long range strategies, policies and by-laws related to future land use, growth and development.

**Program Areas:**

- Regional Policy
- Community Policy
- Social & Heritage

**Key Initiatives:**

- Centre Plan (By-law Simplification)
- Regional Plan Review
- Housing
- Food Action
- Culture & Heritage Priorities Plan
- Green Network Plan

Infrastructure Planning  
Peter Duncan, Manager

Formulation of policies, standards, and by-laws related to the management of infrastructure to support growth and development.

**Program Areas:**

- Transportation Planning
- Infrastructure Policy & Standards
- Energy & Environment
- Development Engineering

**Key Initiatives:**

- HalifACT
- Integrated Mobility Plan
- Municipal Design Guidelines (Red Book)

Current Planning  
Steven Higgins,  
Manager

Administration of policies, by-laws and regulations related to land use and property development.

**Program Areas:**

- Urban & Rural Planning Applications
- Land Development & Subdivision
- Civic Addressing & Commemorative Naming

**Key Initiatives:**

- Rural Planning
- Ongoing Local Planning

Building & Compliance  
Conor O'Dea, Manager

Administration of policies, by-laws and regulations related to building construction and licensing, and adherence to by-laws.

**Program Areas:**

- Building Standards
- License Standards
- By-law Standards

**Key Initiatives:**

- Taxis & TNCs
- Minimum Standards (M-200) Rental Registry

P&D Business Services  
Margaret Pike, Manager

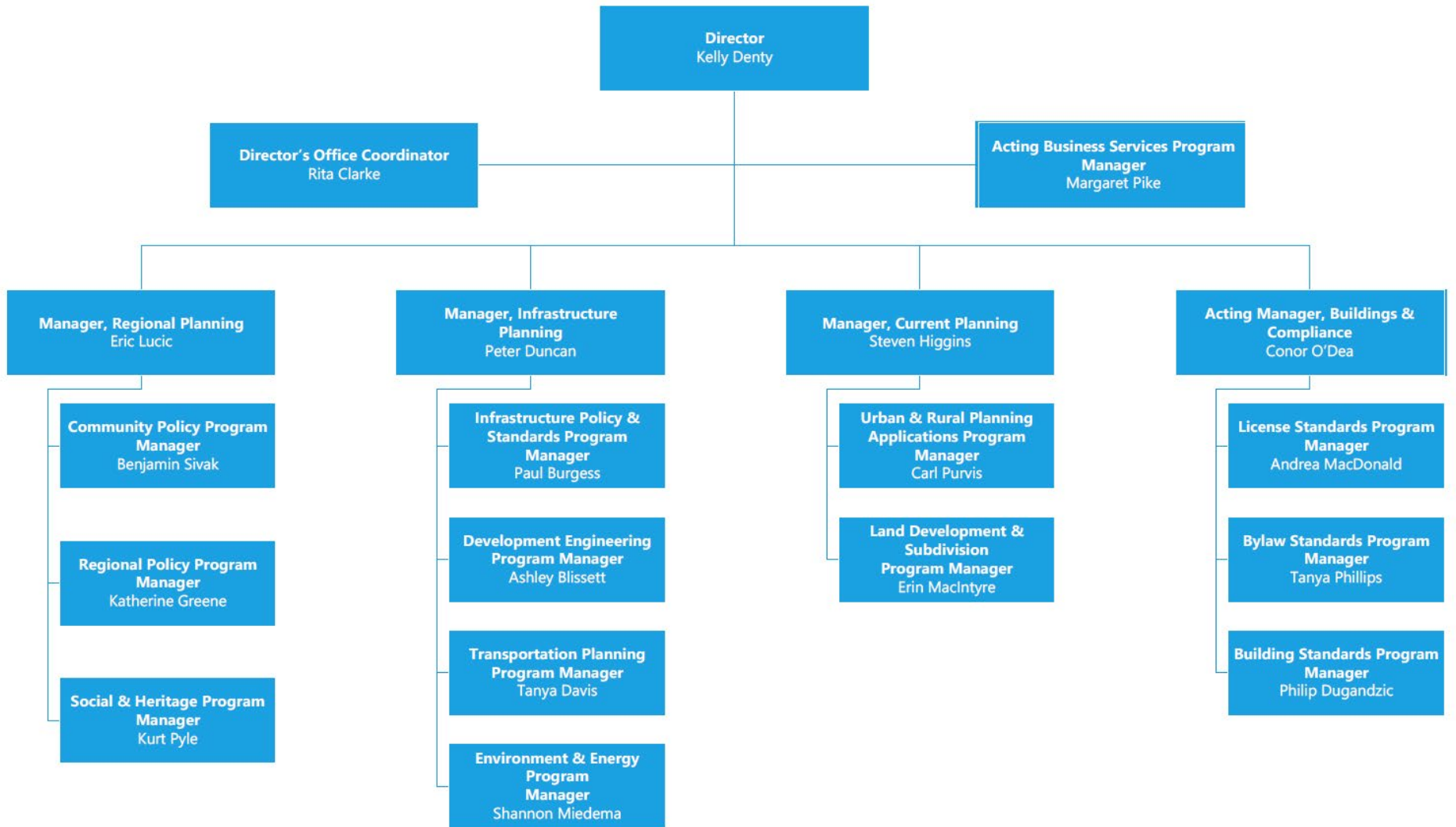
Supports P&D services through process co-ordination, improvements, communication assistance, information and change management.

**Program Areas:**

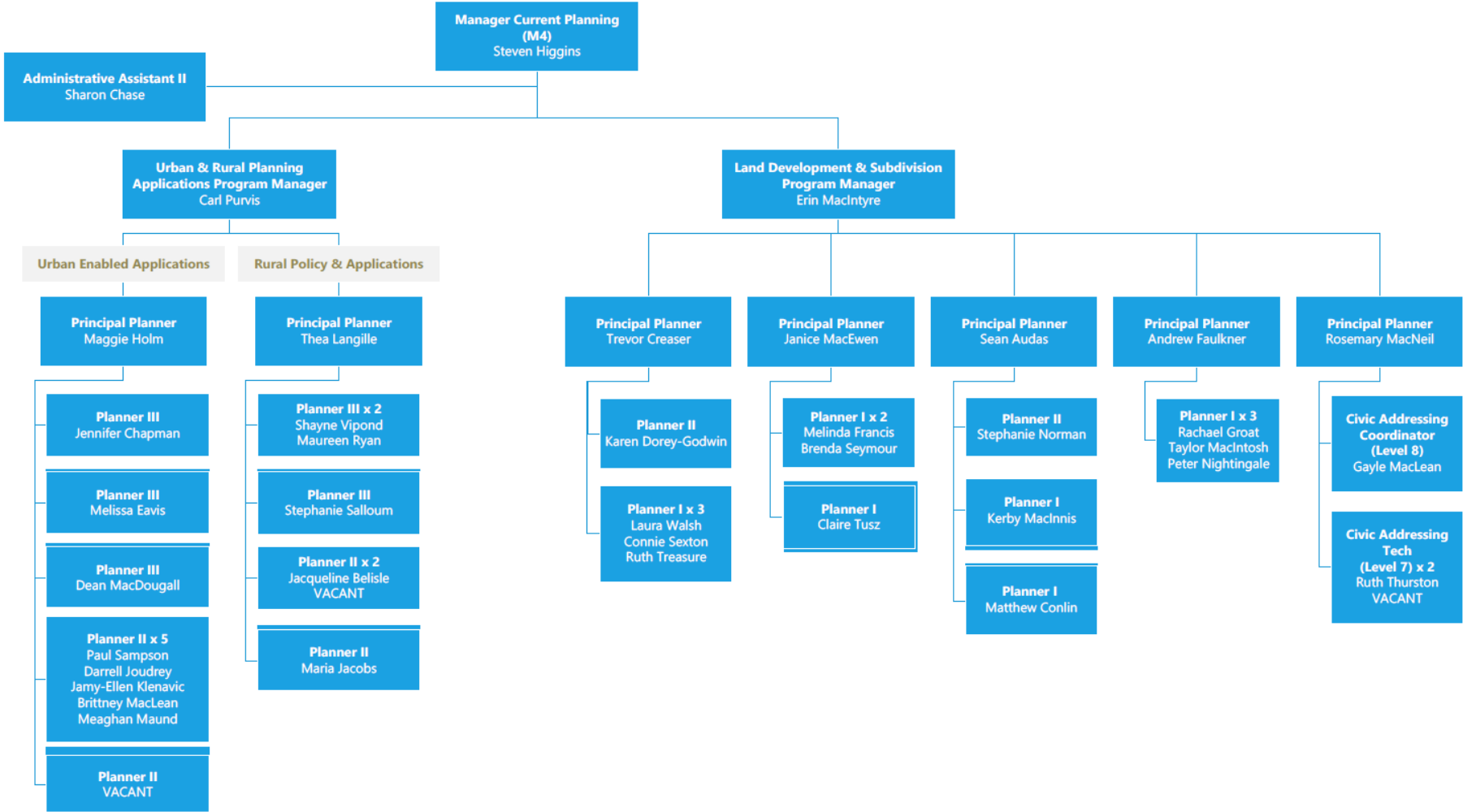
- Process Co-ordination
- Business Transformation
- Client Services

**Key Initiatives:**

- Permitting, Licensing and Compliance Project



# CURRENT PLANNING



# Land Development & Subdivision

Manager Current Planning  
(M4)  
Steven Higgins

Land Development & Subdivision  
Program Manager  
Erin MacIntyre

Principal Planner  
Trevor Creaser

Planner II  
Karen Dorey-Godwin

Planner I x 3  
Laura Walsh  
Connie Sexton  
Ruth Treasure

Principal Planner  
Janice MacEwen

Planner I x 2  
Melinda Francis  
Brenda Seymour

Planner I  
Claire Tusz

Principal Planner  
Sean Audas

Planner II  
Stephanie Norman

Planner I  
Kerby MacInnis

Planner I  
Matthew Conlin

Principal Planner  
Andrew Faulkner

Planner I x 3  
Rachael Groat  
Taylor MacIntosh  
Peter Nightingale

Principal Planner  
Rosemary MacNeil

Civic Addressing  
Coordinator  
(Level 8)  
Gayle MacLean

Civic Addressing  
Tech  
(Level 7) x 2  
Ruth Thurston  
VACANT



# Regional Centre Boundary

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# What is Site Plan Approval?

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- Applicable in Downtown Halifax plan area, limited use outside of the Peninsula, Regional Centre Package A
- A shorter, streamlined process compared to Development Agreements or rezonings
- Specific, quantifiable regulations, and design criteria, with potential for variations to certain elements.
- Not all requirements can be varied; the By-law is specific about what can and cannot be varied



# Regional Centre Site Plan Approval

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Regional Centre LUB sets out three levels of Site Plan Approval (I, II & III).

Exempt from Site Plan Approval:

- Low-density dwelling uses
- Repairs
- Interior renovation
- Change of use
- Limited changes to external cladding
- Accessory structures



# Level I Site Plan Approval

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- New buildings of less than 2,000 square metres in floor area
- Additions of less than 1,000 square metres in floor area
- New windows and door openings
- Changes to exterior cladding that are not exempt

Level I Site Plan Approval is not subject to Public Information or Consultation.

**No recommendation is required from the Design Advisory Committee on Level I SPA.**

# Level II Site Plan Approval

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- New buildings of more than 2,000 square metres but less than 5,000 square metres in floor area
- Additions of more than 1,000 square metres but less than 3,000 square metres in floor area

Level II Site Plan Approval is subject to Public Information (site sign, website).

Recommendation is required from the Design Advisory Committee on Level II SPA.

# Level III Site Plan Approval

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Any proposal that is not exempt, or listed as subject to Level I or II Site Plan Approval is a Level III Site Plan Approval.

Level III Site Plan Approval is subject to Public Information (site sign, website) and Consultation (Open House).

Recommendation is required from the Design Advisory Committee on Level III SPA.

# Site Plan Approval Process

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## 1. Pre-Application for Site Plan Approval

Proposals are reviewed by the Development Officer for conformance with the Land Use By-law requirements, and to identify any requested variations to the Design Requirements.

## 2. Public Information/Consultation & Recommendation from DAC

- Applicants are required to advertise their development via on-site signage and a webpage. Level III SPAs require an open house (currently held virtually).
- Recommendation from Design Advisory Committee on design requirements and requested variations.

## 3. Full Site Plan Approval Application

If no changes to design and form, SPA is issued by the Development Officer.

## 4. Appeal Period

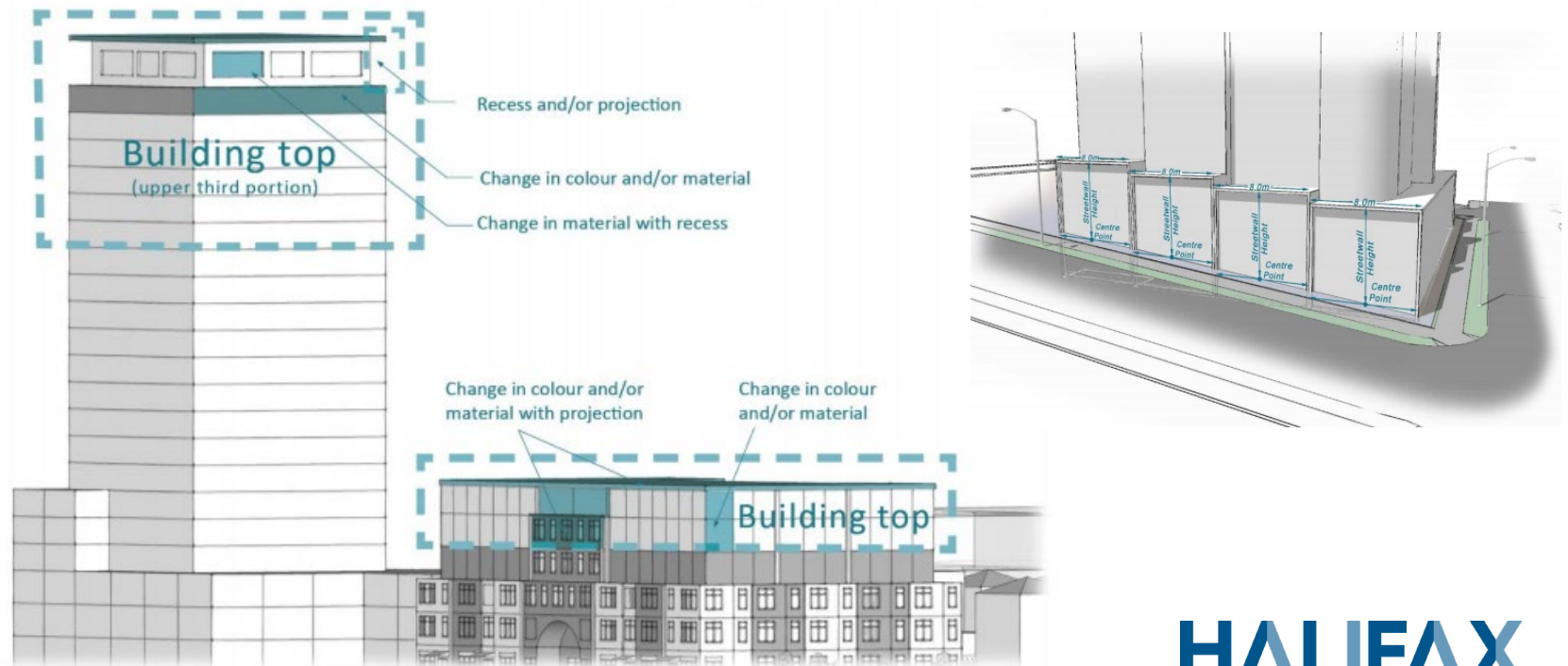
14 days (+3 for mailing). Appeal option available to owners within 30m/100m. Decision on appeal made by Regional Centre Community Council. If decision of DO to approve is upheld, proceed to permit process; if DO approval is overturned (appeal of approval is accepted), then SPA is refused.

## 5. Permit Process

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# Purpose of the Design Advisory Committee

To advise the Development Officer on Design Requirements and Variations as set in the Regional Centre Land Use Bylaw, for Level II & Level III Site Plan Approval Applications



# Design Requirements

Part VI of the Regional Centre LUB sets out Design Requirements relative to:

- At-Grade Private Open Space
- Building Design
- Parking, Access, Utility Design
- Heritage Conservation Design



# Example of Design Requirement

## Design Requirement: Weather Protection for At-Grade Private Open Spaces – Medium Scale

- 116 At-grade private open spaces with a contiguous area of 15 square metres or greater, and dimensions of not less than 3.0 metres by 5.0 metres shall offer weather protection to its users through at least one of the following (Diagram 7):
- (a) a new deciduous tree that is not a shrub or the retention of an existing tree that is not a shrub with a minimum base caliper of 100 millimetres;
  - (b) canopies or awnings on abutting façades;
  - (c) recessed entrances of abutting façades;
  - (d) cantilever(s) of a building on the same lot; or
  - (e) structures such as gazebos, pergolas, or covered site furnishings.

## Design Requirement: Privacy for Grade-Related Units

119 At-grade private open spaces which are 2.5 metres deep or greater, as measured perpendicularly from the streetline, and which are located between the streetline and a grade-related unit, shall provide privacy for the residential units by using a minimum of one of the following elements per grade-related unit (Diagram 8):

- (a) a deciduous tree that is not a shrub with a minimum base caliper of 50 millimetres;
- (b) a minimum of two shrubs, each no less than 1.0 metre in height;
- (c) planters ranging in height from 0.25 to 1.0 metres; or
- (d) masonry walls ranging in height from 0.25 to 1.0 metres.





# Variations

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- Roof edge setbacks of height-exempted rooftop features
- location of a structure on a lot in relation to maximum front and flanking yards
- minimum and maximum streetwall height
- side and rear setbacks for portions of high-rise and tall mid-rise buildings above the streetwall
- maximum width of a building below the height of the streetwall
- side yard setbacks for pedestrian access

# Example of Variation Criteria

## Variation: Roof Edge Setbacks of Height-Exempted Rooftop Features

- 157 For height-exempted rooftop features, the minimum setback from the outermost edge of the roof may be varied by site plan approval where:
- (a) the variation is to an interior lot line only; and
  - (b) the rooftop feature is designed or buffered in such a way to minimize its potential visual impact.

## Variation: Maximum Streetwall Height on Sloping Conditions

- 160 Where a variation to a maximum streetwall height is required to address sloping conditions, the maximum streetwall height may be increased by a maximum of 5% through site plan approval.

# LUB and SMPS

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Regional Centre Land Use By-law

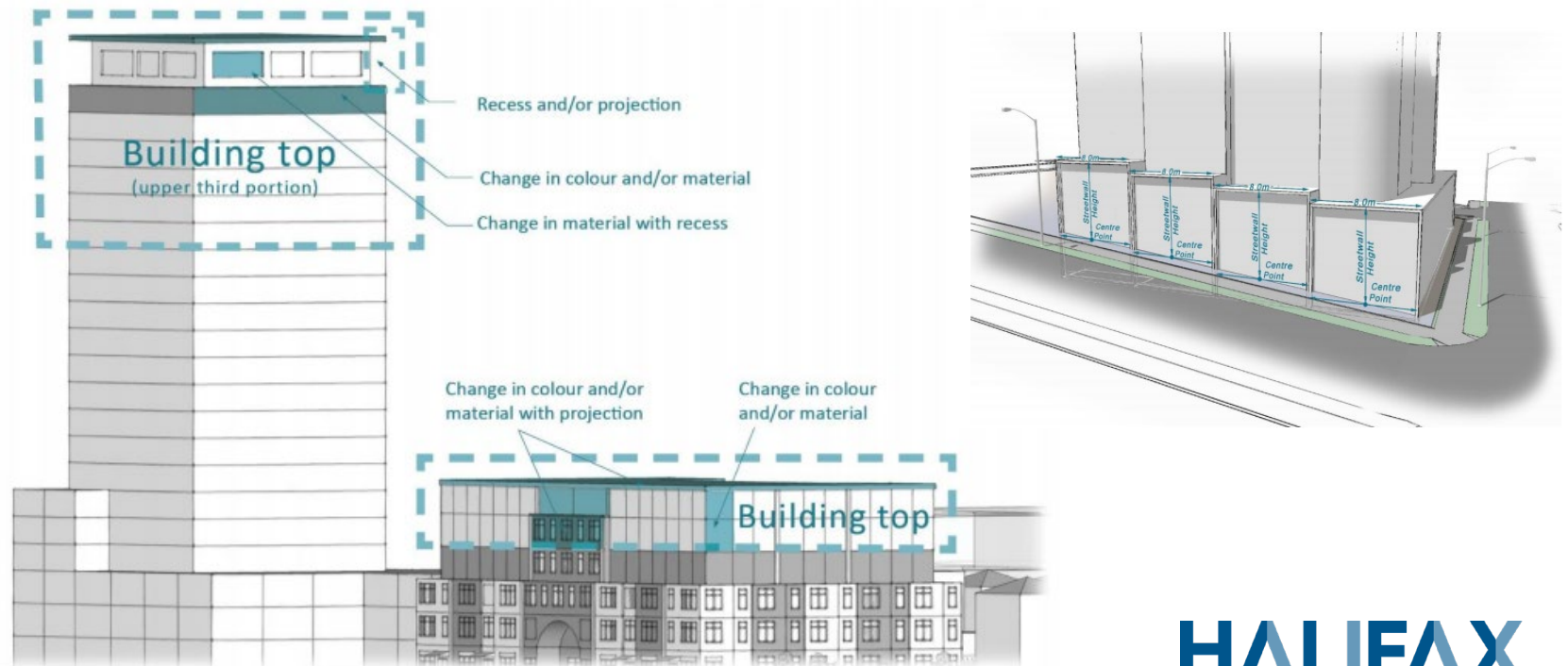
Part VI- Site Plan Approval Design Requirements  
and Variation Criteria

Secondary Municipal Planning Strategy

Maps and Schedules

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**Questions?**