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Item No. 11.3.1
Halifax Regional Council
April 6, 2021

TO: Mayor Savage Members of Halifax Regional Council

Original Signed

SUBMITTED BY:

Councillor Becky Kent, Vice Chair, Harbour East – Marine Drive Community Council

DATE: March 30, 2021

SUBJECT: **Case 21875: Amendments to the Regional Plan, Regional Subdivision By-law, Cole Harbour/Westphal Municipal Planning Strategy and the Land Use By-law for the former Nova Scotia Home for Coloured Children site along Highway 7, Westphal**

ORIGIN

- March 25, 2021 special meeting of Harbour East – Marine Drive Community Council, Item 13.1.1.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part 1, Clause 25(c):

The powers and duties of a Community Council include recommending to the Council appropriate by-laws, regulations, controls and development standards for the community.

RECOMMENDATION

Harbour East – Marine Drive Community Council recommend that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Regional Municipal Planning Strategy, Regional Subdivision By-law, Cole Harbour/Westphal Municipal Planning Strategy and the Cole Harbour/Westphal Land Use By-law as set out in Attachments A, B, C and D, to enable the adaptive reuse of the former Nova Scotia Home for Colored Children and to allow development of a portion of the site toward Highway 7, Westphal and schedule a public hearing; and
2. Adopt the proposed amendments to the Regional Municipal Planning Strategy, Regional Subdivision By-law, Cole Harbour/Westphal Municipal Planning Strategy and the Cole Harbour/Westphal Land Use By-law, as set out in Attachments A, B, C and D.

BACKGROUND

Harbour East – Marine Drive Community Council received a staff recommendation report dated March 1, 2021 at their March 25, 2021 special meeting to consider proposed amendments to the Cole Harbour / Westphal Municipal Planning Strategy and Land Use Bylaw to allow re-use of the lands containing and surrounding the former Nova Scotia Home for Colored Children.

For further information refer to the attached staff report dated March 1, 2021.

DISCUSSION

Harbour East – Marine Drive Community Council considered the staff report dated March 1, 2021 and approved a motion recommending Halifax Regional Council give first reading and schedule a public hearing.

FINANCIAL IMPLICATIONS

Financial implications are outlined in the attached staff report dated March 1, 2021.

RISK CONSIDERATION

Risk consideration is outlined in the attached staff report dated March 1, 2021.

COMMUNITY ENGAGEMENT

Community Council meetings are open to public attendance and members of the public are invited to address the Community Council for up to five minutes at the end of each meeting during Public Participation. Community Councils' agendas, reports, and minutes are posted on Halifax.ca.

ENVIRONMENTAL IMPLICATIONS

Environmental implications are outlined in the staff report dated March 1, 2021.

ALTERNATIVES

Harbour East – Marine Drive Community Council did not provide alternatives.

Alternatives are outlined in the attached staff report dated March 1, 2021.

ATTACHMENTS

Attachment 1 – Staff recommendation report dated March 1, 2021

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.

Report Prepared by: Liam Power, Legislative Assistant, Municipal Clerk's Office 902.490.6521



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Halifax, Nova Scotia
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Attachment 1
Harbour East Community Council
March 25, 2021

TO: Chair and Members of Harbour East Marine Drive Community Council

-Original Signed-

SUBMITTED BY:

Kelly Denty, Executive Director of Planning and Development

-Original Signed-

Jacques Dubé, Chief Administrative Officer

DATE: March 1, 2021

SUBJECT: **Case 21875: Amendments to the Regional Plan, Regional Subdivision By-law, Cole Harbour/Westphal Municipal Planning Strategy and the Land Use By-law for the former Nova Scotia Home for Colored Children site along Highway 7, Westphal**

ORIGIN

- Application by Akoma Holdings Incorporated
- October 2, 2018, Regional Council initiation of the Municipal Planning Strategy amendment process
- February 25, 2020, Regional Council initiation of the Regional Plan review process
- September 22, 2020, Regional Council endorsement of the African Nova Scotian Road to Economic Prosperity Action Plan as per Action #12 of the Halifax Economic Growth Plan

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that Harbour East Marine Drive Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Regional Municipal Planning Strategy, Regional Subdivision By-law, Cole Harbour/Westphal Municipal Planning Strategy and the Cole Harbour/Westphal Land Use By-law as set out in Attachments A, B, C and D, to enable the adaptive reuse of the former Nova Scotia Home for Colored Children and to allow development of a portion of the site toward Highway 7, Westphal and schedule a public hearing; and
2. Adopt the proposed amendments to the Regional Municipal Planning Strategy, Regional Subdivision By-law, Cole Harbour/Westphal Municipal Planning Strategy and the Cole Harbour/Westphal Land Use By-law, as set out in Attachments A, B, C and D.

EXECUTIVE SUMMARY

The former Nova Scotia Home for Colored Children property, owned by Akoma Holdings Inc., comprises approximately 320 acres of predominantly vacant land off Highway 7 in Westphal. This property has significant cultural and historical value, particularly to the African Nova Scotian community, given that the former Home was the first orphanage in the Province to accept children of African descent. The opening of the Home on June 6, 1921 was celebrated by thousands of people. However, in 2019 the Final Report of the Restorative Inquiry – Nova Scotia Home for Colored Children noted:

“In establishing the Restorative Inquiry, the Government of Nova Scotia recognized that the history, experience, and legacy of the Home reflects the systemic and institutionalized racism that has shaped Nova Scotia’s history and continues to impact the lives and experiences of African Nova Scotians to this day.”

Akoma Holdings Inc. has requested changes to the planning policies applicable to the lands to enable the adaptive reuse of the former Home building as well as a mix of economic and social opportunities that would benefit African Nova Scotians and the general community at the former Nova Scotia Home for Colored Children site. Akoma’s request is being considered under the current application (Case 21875) and through the current Regional Plan review exercise (Case 22257).

Upon the adoption of the Regional Plan in 2006, most of the former Home property, along with other abutting vacant properties, was designated Urban Reserve to preserve the lands for future serviced development beyond the lifespan of the Regional Plan (2031). The reasons for designating this area Urban Reserve at the time included the fact that most of the lands were vacant, there were no immediate plans to develop the properties, the vacant lands were in proximity to existing serviced development, and the cost of extending full services to the area was relatively high.

The significance of the former Home property and the actions recently endorsed by Regional Council under the African Nova Scotian Road to Economic Prosperity Action Plan, warrant consideration of Akoma’s immediate development goals. Key considerations include the upcoming centennial anniversary of the Home’s establishment; funding opportunities arising for housing initiatives; and the lands are surrounded by existing development that is serviced by central water services. The current application is focused on enabling the appropriate adaptive reuse of the former Home building for commercial purposes and community activities and development of a range of residential, commercial, institutional and community land uses. The lands are intended to be subdivided and the Water Service Area boundary extended to a 28.6-hectare (70.8-acre) portion of the former Home property adjacent to Highway 7 and Giberson Drive.

Given the considerations set out above, staff have developed new planning policies and by-law regulations for the current application on the direction of Council and in consultation with the community. Information about the proposal was shared through mailouts and community groups’ and the Provincial department of African Nova Scotian Affairs networks. Feedback was collected in multiple ways online, via email and phone following the COVID-19 Provincial social distancing mandate. There was substantial public support for Akoma’s current proposal, but public feedback received also stressed the importance of capturing the original intent of the property, consulting with African Nova Scotian communities across the Province, and reducing planning application processing times.

Staff recommend that Regional Council support Akoma’s current request and the public feedback received by lifting the Urban Reserve Designation from a portion of the lands. Staff are further recommending the extension of the Water Service Area to a 28.6-hectare (70.8-acre) portion of the property as well as adopting new planning policies and zoning requirements specifically for the former Nova Scotia Home for Colored Children site. Staff advise that the proposed amendments support the Council-endorsed African Nova Scotian Road to Economic Prosperity Action Plan and enable a range of opportunities and services that would benefit the ANS community and general community while recognising the significance of the NSHCC,

acknowledging the historical purpose of the lands, mitigating impacts to adjacent development, and ensuring supporting technical development standards are satisfied.

BACKGROUND

Akoma Holdings Inc. has applied for amendments to various municipal planning documents to enable development of the former Nova Scotia Home for Colored Children property along Highway 7, Westphal. Akoma has a vision for the entire property to provide a range of economic and social opportunities that would benefit African Nova Scotian (ANS) communities and the general community. This vision includes concluding the ongoing renovation and occupying the former Home building and developing the remainder of the site as a cultural community centre with commercial recreation uses, a mix of market and affordable housing options, educational and training facilities and employment opportunities. Amendments to the Regional Plan, Subdivision By-law and Cole Harbour/Westphal planning documents are required to enable Akoma's proposal.

Given the upcoming centennial of the former Home's opening (June 2021), and the timing of funding opportunities arising for housing projects that Akoma wishes to pursue, the Akoma development plan has been divided into multiple planning applications to enable some development to occur in the immediate future. The current application (Case 21875) is focused on the portion of the property adjacent to Highway 7 and Giberson Drive. Development of the balance of the property is to be considered through the Regional Plan review process (Case 22257).

Subject Site	PID 40150559 <ul style="list-style-type: none"> • 1016-1018 Highway 7, Westphal PID 40150567 <ul style="list-style-type: none"> • 990 Highway 7, Westphal • 18 Wilfred Jackson Way, Westphal • 35 Wilfred Jackson Way, Westphal • 20 Wilfred Jackson Way, Westphal • 49 Wilfred Jackson Way, Westphal PID 41391764
Location	Southwest of the intersection of Highway 7 and Wilfred Jackson Way at the former Nova Scotia Home for Colored Children
Regional Plan Designation (Map 1)	Rural Commuter (RC) and Urban Reserve (UR)
Community Plan Designation (Map 2)	Urban Residential (UR), Community Facility (CF), Rural Residential (RR), Highway Commercial (HC) Designations under the Cole Harbour/Westphal Municipal Planning Strategy
Zoning (Map 3)	P-2 (Community Facility), R-1 (Single Unit Dwelling), UR (Urban Reserve), C-4 (Highway Commercial) Zones under the Cole Harbour/Westphal Land Use By-law
Size of Site	The cumulative area of the subject properties is approximately 129.5 hectares (320 acres). The current proposal is for approximately 28.6 hectares (70.8 acres) toward Highway 7.
Street Frontage	Approximately 735.7 metres (2,413.8 feet) along Highway 7.
Current Land Use(s)	<ul style="list-style-type: none"> • Primarily vacant and undeveloped. • PID 40150567 - The former Nova Scotia Home for Colored Children (currently under renovation), the superintendent's cottage now used for storage, and the Bauld Community Centre used for offices and community events. • 1016-1018 Highway 7 - Two group homes for children in care of the Minister of Community Services
Surrounding Use(s)	Residential, highway commercial, recreational and institutional uses

surround the property along Highway 7 and low-density residential uses are found west of the property

Council Initiation of Proposed Amendments

Regional Council has exercised its discretion and directed staff to consider amendments to the Regional Municipal Planning Strategy, Regional Subdivision Bylaw, Cole Harbour/Westphal Municipal Planning Strategy and Cole Harbour/ Westphal Land Use Bylaw to enable Akoma Holdings' development proposal through three motions cited in the Origin section of this report and summarised below:

1. initiation of a process to consider amendments to the Cole Harbour / Westphal Municipal Planning Strategy and Land Use Bylaw to allow the appropriate adaptive re-use of the lands containing and surrounding the former Nova Scotia Home for Colored Children (Case 21875);
2. initiation of a process to review the Regional Municipal Planning Strategy including developing new planning documents and amending existing planning documents as may be necessary (Case 22257) which includes consideration of several individual land owner requests, one of which is from Akoma Holdings Inc. regarding the Urban Reserve designation applied, ongoing application Case 21875 and the long-term development goals of the former Nova Scotia Home for Colored Children lands; and,
3. endorsement of the African Nova Scotian Road to Economic Prosperity Action Plan which includes a specific action to support the Akoma led development plan for the Nova Scotia Home for Colored Children property.

Regional Council's motion to initiate Case 21875 referenced amendments to the community level planning documents only. However, upon detailed review of the application, staff realised that amendments to the Regional Plan and Subdivision Bylaw were needed to enable development as proposed within the portion of the property that Case 21875 is focused on. Council has given staff direction to consider amendments to the regional level planning documents in support of Akoma's proposal through the second review of the Regional Plan (Case 22257). Therefore, staff advise that the proposed amendments are consistent with and support Council's initiation of Case 21875 and Case 22257 relative to the former Nova Scotia Home for Colored Children property. Staff also advise that the Public Participation Program completed for the proposed amendments satisfies the engagement requirements approved by Council and support the need for the proposed amendments.

Planning Policy and By-law Context

Existing policy generally limits the development potential of the subject properties and does not allow the range of uses that are desired to fulfill Akoma's vision and the community need. Broadly speaking, development options on the lands adjacent to Highway 7 are somewhat restrictive, while the options on the lands further from Highway 7 are much more restrictive without further planning processes.

Regional Plan Context

While the Cole Harbour/Westphal Municipal Planning Strategy (MPS) allows for consideration of a variety of uses, most of the site is within the Urban Reserve Designation under the Regional Plan (RMPS). When considering planning permissions under the local plan versus the Regional Plan, the more stringent policies apply. Therefore, Council cannot consider the full range of uses enabled under the Cole Harbour/Westphal MPS within areas designated Urban Reserve under the Regional Plan.

Most of the site interior includes lands without road frontage and outside of the Water Service Area of the Regional Subdivision By-law. The Nova Scotia Home for Colored Children (NSHCC) property as well as properties immediately surrounding the lands were mostly vacant when the Regional Plan was adopted in 2006. Furthermore, there were no immediate plans to develop the site at that time. Given the area of undeveloped land, the proximity of the lands to the Halifax-Dartmouth core, and how close the properties are to municipal piped infrastructure (central water and sewer services), the site was designated Urban Reserve to retain the lands for future serviced development beyond the 25-year lifespan of the Regional Plan.

During Council's consideration of the first review of the Regional Plan, representatives of the NSHCC asked for the Urban Reserve Designation to be lifted from the property and the Water Service Area extended. Most of the property remained within the Urban Reserve Designation and outside the Water Service Area upon Regional Council's approval of the first review of the Regional Plan on June 25, 2014. The minutes of Committee of the Whole from May 20, 2014 note:

"Councillor Mason commented that there is no formal request from the Board of Directors for the Home for Coloured Children in regard to the proposed amendment.

Councillor Hendsbee indicated that the Board was waiting for the resolution of certain legal matters before moving forward with a formal request. He further clarified that land use designation and zoning is important when applying for financing.

At the request of Councillor Watts, Mr. French clarified that the Nova Scotia Home for Coloured Children do not own all of the lands contained in the subject area.

At the request of Councillor Nicoll, Mr. French indicated that the boundaries of the Phase 2 secondary planning for Westphal have not yet been determined, and it is possible that the subject property may be included."

This matter was further discussed at Regional Council as noted in the minutes from June 24 and 25, 2014 as follows:

"Mr. Bob Bjerke, Chief Planner advised that staff is supportive of the aspirations of the [NSHCC] Board and will work with them to enhance and refine their plans to the point where they could be brought forward as an application."

A portion of the property along Highway 7 is within the Rural Commuter Regional Plan Designation. The Rural Commuter Designation is applied to areas within commuting distance of the Regional Centre and is intended to protect rural character, conserve open space, support convenience uses and services and control the amount and form of development between Rural Centres.

The portion of the property within the Rural Commuter Regional Plan Designation is also within the Water Service Area of the Regional Subdivision By-law. Lands within the Water Service Area can be developed and serviced with central water and on-site sewage disposal systems. Water Service Areas are the same as the "Water Service Districts" that were established by the former Halifax County Municipality. The Regional Plan establishes criteria for consideration of new Water Service Areas as listed within Policy SU-14. Akoma Holdings' proposal does not satisfy the existing criteria for consideration of an extension of the Water Service Area.

Cole Harbour / Westphal Municipal Planning Strategy and Land Use By-law Context

Designation:

Most of the subject property is within the Rural Residential (RR) Designation of the Cole Harbour/Westphal MPS. Smaller portions of the site, toward Highway 7, are designated Urban Residential (UR), Community Facility (CF) and Highway Commercial (HC). Map 2 of this report shows the plan designations for the subject property, as well as those around it. The general intent for each of these designations is described as follows:

<i>Designation</i>	<i>Policy Intent</i>
Rural Residential (RR)	Applied to less developed areas without direct access to a public road. Lands holding this designation are intended for low densities; however, higher densities can be considered if the specific property(s) is deemed suitable for more intense uses based site-specific conditions
Urban Residential (UR)	Intended for continued residential development with a variety of housing types.
Community Facility (CF)	Recognises major institutional and open space uses.
Highway Commercial (HC)	Intended for commercial uses that require lands for outdoor storage and display

Zoning:

Most of the site is zoned Urban Reserve (UR), which aligns with the Urban Reserve Regional Plan Designation. The UR Zone only permits single unit dwellings on existing lots. This zoning was applied in 2006, when the Municipality adopted the Regional Plan to manage growth and maintain the fiscal health of the Municipality. Subdivision of the subject property for commercial, active recreational or residential purposes is not permitted. Community Facility (CF) zoning toward Highway 7 permits institutional and open space uses and enables the two group homes and Bauld Community Centre. Highway Commercial (HC) zoning along Highway 7 and at the western edge of the property permits a range of commercial and community uses. The existing zoning does not allow the former Home to be used for the local/service commercial uses desired by the applicant. Where the former Home predates municipal regulations, it is classified as 'non-conforming'. This has allowed renovation improvements to be recently undertaken, but the planning process outlined within this report is necessary before it can be occupied for certain uses.

Property Background and Historical Timeline

The former Nova Scotia Home for Colored Children (NSHCC or the former Home) has significant historical and cultural value, specifically within the African Nova Scotian (ANS) community. A high-level timeline of key events is provided in Attachment E, to provide some degree of context. Information was collected from a variety of sources including Akoma Holdings, the NSHCC Restorative Inquiry, and past provincial and municipal legislation and Council minutes. Attachment E is by no means a comprehensive account of all events on the property and, while staff have made every effort to ensure the accuracy of this information, it is acknowledged that the history of the site is best told from the perspective of and by the community itself.

A private Act to Incorporate the Nova Scotia Home for Colored Children was passed in 1915. As noted in the Act, the mandate of the NSHCC was to provide for “the care, education and proper training of the members of the Afro-American race”. The NSHCC intended to provide care and refuge for neglected ANS children that became the responsibility of the Government. At the time, the Home filled a gap in the Provincial childcare system as children of African descent were not welcome in white institutions.

The grand opening of the Home along Preston Road (now Highway 7) in June 1921 attracted the largest gathering of people of African descent in Nova Scotia since the arrival of Black Loyalists in 1783. Over 3,000 people including a procession of dignitaries and community leaders celebrated the opening. Around 1948, the two-room Henry G. Bauld Elementary School was built on the property. This facility offered classes to residents of the home and neighbouring students. Within the first 50 years, thousands of children lived at the NSHCC.

In the early 1960s, the NSHCC began accepting orphaned white children after segregation in institutions formally ended. Other orphanages also started accepting children of all racial backgrounds. By the late 1970s, dozens of NSHCC residents moved to foster homes and the NSHCC's population notably declined. The Home formally closed when two new group homes were built on the property in 1978/1979. The cottage where the superintendent of the home lived was rented for several years following closure of the Home, but it was eventually vacated and has been used for storage since.

Former residents launched a class action lawsuit revealing the poor living standards, neglect and abuse endured by residents of the facility. On October 10, 2014, Premier Stephen McNeil formally apologised, on behalf of the Province of Nova Scotia, to former residents of the NSHCC. In 2015, the Nova Scotian Government introduced the NSHCC Restorative Inquiry (RI) process aimed at providing restorative justice by revealing the history of institutionalised anti-black racism in the Province, understanding the legacy of the NSHCC that continues to affect Nova Scotians today, building just relationships, and engaging in collaborative planning to ensure no further harm and meaningful change that supports a better future for the community. The final report of the Restorative Inquiry, “Journey to Light – A Different Way Forward” was released in 2019. A copy of the full report can be found at the link below:

<https://restorativeinquiry.ca/report/Restorative-Justice-Inquiry-Final-Report.pdf>

Nova Scotia Decade for People of African Descent

On December 10, 2014, the United Nations General Assembly formally proclaimed 2015 to 2024 as the International Decade for People of African Descent (DPAD). The United Nations designated people of African descent as a distinct group whose human rights must be promoted and protected. By leveraging the theme “people of African descent: Recognition, justice and development”, DPAD calls for national, and international cooperation to uphold economic, social, cultural, civil and political rights of people of African descent, and to foster their full and equal participation in all aspects of society.

All orders of government in Canada have endorsed the DPAD proclamation including the HRM on July 21, 2020.

Road to Economic Prosperity: An African Nova Scotian Economic Action Plan

On September 22, 2020, Regional Council endorsed the African Nova Scotian Road to Economic Prosperity Action Plan in alignment with Action #12 of years 3 to 5 of the Halifax Economic Growth Plan. The Road to Economic Prosperity Action Plan was developed in collaboration with HRM’s African Nova Scotian Affairs Integration Office (ANSAIO), the Halifax Partnership, and African Nova Scotian (ANS) communities across the Municipality. The Plan identifies strategic priorities, objectives, and actions to drive growth and prosperity in ANS communities. Objective 2.1, Action 15 of the Plan is to “support the Akoma-led master plan for the restoration of the historic Nova Scotia Home for Colored Children”.

Heritage Registration

The site has significant heritage value and may qualify for municipal or provincial heritage designation. In 1997, Harbour East Community Council requested that the Municipality facilitate a heritage registration to preserve the former Home building. Staff began the registration process and the Heritage Advisory Committee gave the former Home a score of 60 in 1998. However, it did not proceed to Regional Council for a decision as the former Home building was deemed unsightly and dangerous at the time. Although records indicate that staff explored alternative options for registering the property or a portion of the property as a heritage site, there are no records of a staff report or decision of Council for any of these alternative registration options.

More recently, HRM received a request from Akoma Holdings Inc. to consider adding the subject property to the Municipal Registry of Heritage Properties. Staff began reviewing the request, but the applicant requested for that to be put on hold until a decision is made on the proposed MPS and LUB amendments. This pause will also allow both the applicant as well as staff to assess the implications of registering the property. Registration of the property would result in any future development applications for the site being assessed against a number of heritage policies found both within the Regional Plan as well as within the Cole Harbour / Westphal MPS. All involved stakeholders would want to identify any implications to the development aspirations for this property in advance of this registration process taking place.

Proposal Details

Akoma Holdings has proposed a range of residential, commercial, institutional and community land uses at the former NSHCC property along Highway 7. Akoma's vision for the entire property includes enabling the adaptive reuse of the former NSHCC building, various housing options, employment opportunities, and activities that involve training and education, health promotion, intergenerational programs, social diversity, and heritage recognition. The vision intends to acknowledge the legacy of the NSHCC, honour its historical purpose, and create opportunities that would benefit African Nova Scotians and the community at large.

Akoma commissioned a Housing Needs Assessment in 2019 to determine the demand for housing in the general area with a focus on the needs of African Nova Scotians, low income households, seniors, youth, renters, and vulnerable populations. Akoma's vision hopes to provide for the needs identified in the Housing Needs Assessment by enabling a mix of low and moderate income housing and accessible and supportive rental units as part of their overall development proposal.

Given the scale, diversity of uses and overall investment required to achieve Akoma's vision, it should be acknowledged that the timeline for completion of the project will likely exceed a decade or more. It should also be acknowledged that further technical study will be required to accommodate development of the entire 320 acre property.

Staff advise that the property's unique historical and cultural significance, combined with opportunities arising for senior government supported financing, the upcoming centennial of the Home, and the fact that existing serviced development surrounds the site, warrants more immediate consideration of development of a portion of the property including and surrounding the former Home building. Akoma Holdings' proposal is therefore being considered under two cases:

1. **The Current Site-Specific Application (Case 21875):** This application is focused on Akoma's immediate development goals without precluding future development of the site or presuming future changes to the Regional Plan impacting surrounding lands. Akoma's immediate development goals are to allow the appropriate adaptive re-use of the NSHCC building and enable development of a portion of lands surrounding the former NSHCC along Highway 7 and adjacent to Giberson Drive.
2. **The Regional Plan Review (Case 22257):** The scope of this review includes consideration of Akoma's longer-term goals to enable development of the interior lands of the NSHCC property. The Review will focus on implementing the direction of various Priority Plans (HalifACT, Green Network, Integrated Mobility) and the effectiveness of existing policies to reaffirm the intent of the RMPS and may identify areas for further study before the next detailed RMPS review exercise. The Review will consider Akoma's long-term development objectives and provide direction for future planning amendments.

The major aspects of the current request for MPS amendments (Case 21875) are as follows:

- Enable the adaptive reuse of the former NSHCC building for commercial purposes and community activities;
- Allow a range of residential, commercial, institutional and community land uses on a portion of the property surrounding the former Home building, toward Highway 7 and adjacent to Giberson Drive to provide housing, training and employment opportunities for the community while acknowledging the historical and cultural significance of the NSHCC;
- Enable subdivision of the lands; and
- Extend the Water Service Area boundary to allow development to be serviced with central water and on-site sewage disposal systems on approximately 28.6 hectares (70.8 acres) adjacent to Highway 7.

COMMUNITY ENGAGEMENT

The community engagement program is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Programs approved by Council on February 25, 1997 for Case 21875 and February 25, 2020 for Case 22257 - the second review of the Regional Plan. Adjustments were made to the approved Public Participation Programs as a result of the COVID-19 pandemic and direction of Administrative Order Number 2020-009-ADM respecting COVID-19. An outline of the public engagement program is provided in Attachment G.

The NSHCC Restorative Inquiry final report emphasises the need for collaborative planning and effective actions to ensure no further harm to the community. Furthermore, the DPAD proclamation affirms that action is needed to remove barriers and promote participation of the ANS community. Staff received guidance from the HRM African Nova Scotian Affairs Integration Office (ANSAIO) and the Provincial Department of African Nova Scotian Affairs in developing a robust and equitable engagement program that encouraged full public participation with the African Nova Scotian community specifically in mind. Staff also sought advice from the following four community groups in developing an inclusive public engagement program: the Akoma Board, Victims of Institutionalized Child Exploitation Society (VOICES), the Nova Scotia Decade for People of African Descent Coalition (NSDPAD), and the African United Baptist Association of Nova Scotia (AUBA).

Due to the COVID-19 pandemic and provincial social distancing mandate, staff have been unable to meet with the public in person since March 2020, though a limited number of meetings with some stakeholder groups did occur before this date. Consultation was achieved through providing information and seeking feedback through the Shape Your City (SYC) website, signage posted on the subject site, letters mailed to property owners within the notification area, emailing notices through ANSA's and community groups' networks, and a virtual public information meeting held on October 21, 2020. Given that the legacy of the NSHCC continues to impact people today, mental and emotional support counsellors were made available during and for a few days after the virtual meeting for independent and confidential conversation for any members of the public that felt triggered by the discussion. Attachment G contains a summary of the virtual public meeting minutes.

In addition, staff posted a video recording of meeting to the SYC website. Area Councillors also shared the recording of the meeting with several community group Facebook pages. Staff compiled all the public feedback posted responses to frequently asked questions, as detailed in Attachment G, to the website. The public comments received generally include the following topics:

- Acknowledging and commemorating the history of the NSHCC on the site;
- Preservation of the former Home building;
- Capturing the original intent of the property under the 1915 NSHCC Act;
- Importance of consulting with ANS communities across the Province;
- Complexity and length of planning processes that seems to be a barrier to developing the site;
- Range of services and opportunities proposed;
- Benefits of the development and to whom its serves;
- Africentric principles that motivated Akoma Holdings' proposal;
- Extension of services;
- Road network and traffic impacts; and
- Active transportation connections.

A public hearing must be held by Regional Council before they can consider approval of the proposed amendments. Should Regional Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 4 will be notified of the hearing by regular mail.

The proposal will potentially impact local residents and property owners, former residents of the NSHCC, as well as members of the African Nova Scotian community.

DISCUSSION

The Regional Plan and local MPS are strategic policy documents that set out the goals, objectives and direction for long term growth and development in the Municipality. Amendments to these policy documents are significant undertakings and Council is under no obligation to consider such requests. In this case, staff recommend approval of the proposed Regional Plan and local MPS amendments given the unique and significant history of the NSHCC and the Road to Economic Prosperity Plan endorsed by Regional Council. The following paragraphs review the rationale and content of the proposed planning amendments.

A Restorative Approach

The NSHCC Restorative Inquiry, DPAD proclamation and feedback received from the public for Akoma's proposal suggest that it is appropriate to employ a restorative approach to planning for the former NSHCC site. To help redress the harm and inequities faced by the ANS community relative to the NSHCC, applying a restorative approach to the planning process involved the following:

- learning and acknowledging how the history and legacy of the NSHCC continues to affect former residents, ANS communities and all Nova Scotians;
- building relationships with the community;
- designing a robust and inclusive public engagement program with guidance from ANS government agencies and community groups;
- promoting full public participation through the planning process by sharing information with ANSA's and community groups' networks and establishing multiple opportunities for stakeholders to provide feedback;
- understanding the existing and potential technical barriers to developing the lands;
- detailing a vision for the property inspired by Akoma's proposal and public feedback received;
- considering amending the Regional Plan and Regional Subdivision By-law separate to the Regional Plan Review to enable development of a portion of the site and the adaptive reuse of the former NSHCC building; and
- establishing site-specific planning policies and regulations that distinguish the subject property from other sites in the Plan Area given the unique history of the NSHCC.

Applying a restorative approach to the planning process has informed the proposed amendments to a significant extent. However, staff have also ensured that planning matters such as land use, built form, design, site layout, transportation network and connectivity, servicing, stormwater and landscaping have been explored through the planning process, which aligns with the overarching planning approach taken in considering MPS amendment applications. Consideration of these planning matters typically requires review of technical studies on site suitability, traffic impacts and servicing, for example, which have not all been completed at the time of writing this report. However, staff advise that the proposed amendments require detailed technical studies for matters that require additional review prior to approving a development on the NSHCC site. Staff advise that the proposed amendments:

- recognise the exceptional nature of the application given the historical significance of the NSHCC and the positive impact that the development can have on the ANS community by supporting reasonable but limited amendments to the RMPS and RSBL independent of the ongoing Regional Plan Review;
- enable a range of development options for the site that would provide social and employment opportunities for African Nova Scotians and the community at large;

- increase the amount of future development that can be considered through as-of-right and site plan approval processes thereby reducing the complexity and the length of future planning processes;
- require an expanded notification area for site plan approval applications;
- allow flexibility in the site layout and design while mitigating impacts on the former Home building and adjacent residential neighbourhoods;
- permit the adaptive reuse of the former Home to proceed in advance of requiring detailed technical studies needed to approve other more intense development proposed for the property;
- defer the required traffic impact study to the permitting stage of the development process which does not avoid the work but allows the amendments to proceed on condition that new development can only occur if engineering, traffic and other technical requirements are satisfied; and
- by considering development of a portion of the property under this site-specific application, allow development to begin on the property and revenue to be generated without compromising HRM infrastructure or prejudicing development capacity on the remaining lands.

The Vision

The overall vision for the former NSHCC property is to provide a range of opportunities and services that benefit African Nova Scotian communities and the general community. The vision recognises the historical and cultural value of the former Home and attempts to highlight the original purpose of the lands under the 1915 NSHCC Act. Staff advise that the proposed MPS and LUB amendments described in Attachments C and D, respectively, concur with the overall vision. A list of statements that strengthen the overall vision is included in the proposed MPS amendments detailed in Attachment C.

The vision statements provide direction on the following:

- the intended land uses;
- site layout, building form and design;
- overall transportation network including driveway accesses;
- active transportation linkages and allowances for future connections to adjacent Urban Reserve lands;
- parking; and
- landscaping, amenity area and buffering.

Future applications for the former NSHCC site to amend the LUB or for a development agreement would require consideration of the overall vision and vision statements listed in Attachment C.

Implementing the Vision

Staff considered the existing MPS policy context, several policy approaches and various planning tools when drafting the proposed amendments. Attachments A, B, C and D contain the proposed Regional Municipal Planning Strategy, Regional Subdivision By-law, Cole Harbour/Westphal Municipal Planning Strategy (MPS) and Land Use By-law (LUB) amendments, respectively. It is important to reiterate that staff support the proposed amendments because the NSHCC site is distinct to other properties designated Urban Reserve under the Regional Plan. The historical and cultural significance of the property as it relates to the ANS community warrants consideration of the proposal prior to the Regional Plan Review and the Regional Plan's 25-year lifespan. A summary of the proposed amendments is as follows:

- Lifting the Urban Reserve Regional Plan Designation from a portion of the property containing and surrounding the former NSHCC along Highway 7 and adjacent to Giberson Drive and applying the Rural Commuter Regional Plan Designation to these lands;
- Extending the Water Service Area boundary to include the portion of the property proposed within the Rural Commuter Designation;
- Enabling public road development on the subject lands;

- Creating site specific policy under the MPS and LUB to enable a new Mixed Opportunity District (MOD) Zone that would apply only to the portion of the NSHCC property subject to this application.
- Permitting a range of residential, commercial, institutional and community uses on lands zoned MOD;
- Requiring that certain uses only be permitted pursuant to the site plan approval or development agreement processes; and
- Enabling consideration of additional uses that are not currently contemplated that may also support the vision for the lands through an amendment to the LUB.

Lifting the Urban Reserve Designation

Urban Reserve lands are intended to be protected for future serviced development, beyond the lifespan of the Regional Plan. While the physical characteristics of the subject property justify its inclusion in the Urban Reserve Designation, the social and cultural context suggest that this designation should be revisited. Lifting the Urban Reserve Designation on any property is considered a significant undertaking that needs to consider the potential impacts (relative to servicing costs, transit, environment, and traffic for example) on existing communities and the Municipality.

Staff are committed to exploring this through the Regional Plan review process, and further direction on this designation will be provided in a subsequent report outlining the themes and directions of the Regional Plan update. However, given the upcoming centennial of the opening of the NSHCC, opportunities arising for affordable housing initiatives, and the fact that development serviced with the municipal water system currently surrounds the site, staff recommend lifting the Urban Reserve and applying the Rural Commuter Designation on a portion of the site containing and adjacent to the former Home, to enable Akoma's relatively modest but immediate development goals. A portion of the former NSHCC property is already within the Rural Commuter Designation. Staff advise that applying the Rural Commuter Designation to the portion of the NSHCC property subject to this application is appropriate as the lands are within commuting distance of the Regional Centre and outside the Urban Service Area. Furthermore, staff advise that the proposed MPS and LUB amendments support the overall intent of the Rural Commuter Designation.

Water Service Extension

Staff recommend extending the Water Service Area to include the portion of the lands proposed within the Rural Commuter Designation. Halifax Water have confirmed that upgrades to the local infrastructure are not needed to support the proposed water service extension given the uses and densities proposed by the applicant. Water service already exists along Highway 7 and in proximity to all sides of the property. Existing development surrounding the subject property is currently serviced with municipal water. A smaller portion of the subject site abutting Highway 7 is also within the Water Service Area of the Regional Subdivision By-law.

Policy SU-14 of the Regional Plan outlines criteria for considering extensions to the Water Service Area. Akoma's development proposal and the subject site do not satisfy the existing policy criteria. Therefore, staff recommend amending Policy SU-14 as detailed in Attachment A to enable extension of the Water Service Area to include a portion of the NSHCC property. This is supported by staff given the aforementioned significance of the NSHCC, the proximity of the lands to existing water service and because no upgrades to the local service infrastructure are required to service the land subject to this application (Case 21875). This RMPS amendment would also further support Akoma's immediate development goals which are endorsed by Council through the African Nova Scotian Road to Economic Prosperity Action Plan.

Akoma originally requested an extension of Urban Service Area boundary to include the NSHCC property. However, consideration of a sewer extension requires extensive analysis to determine if the extension aligns with the Regional Plan's direction for strategic growth in the Municipality, what upgrades to existing local infrastructure are required to accommodate the extension, and how the cost of upgrading the local infrastructure and extending the service can be recovered. This study would add significant time and expense to the planning process for this initial application. Accordingly, consideration of this request is

being contemplated under the Regional Plan review process (Case 22257). As such, Akoma wishes to proceed with water service extension only to allow for occupancy of the old Home by its centennial.

Adaptive Reuse of the Former Home

The proposed amendments seek to support the appropriate adaptive reuse of the former Home building. Akoma has proposed a range of commercial and community uses including a salon offering specialised services for people of African descent, a gym, café, community gathering spaces and other services that would benefit the ANS community and people of all backgrounds. Staff advise that the proposed uses are appropriate for the former Home building. Adequate parking for the uses can be provided on the site and the building is visible and readily accessible from Highway 7. Allowing the adaptive reuse helps ensure the long-term viability of the historic building. Allowing and encouraging a range of retail uses, service uses and community gathering spaces provides increased opportunities for more individuals to be regularly present in the building which in turn provides exposure to the important historical and cultural components of the property.

A Mix of Opportunities

Creation of a new Mixed Opportunity District (MOD) Zone is enabled under the proposed amendments. As described in Attachment C, the proposed MOD Zone would only apply to a portion of the subject property along Highway 7 and adjacent to Giberson Drive [approximately 28.6 hectares (70.8 acres)]. The permitted uses and requirements of the proposed MOD Zone are detailed in Attachment D. The proposed MPS and LUB amendments enable a range of residential, commercial, institutional and community land uses that support the overall vision through the three planning processes described below. These processes are applicable to individual permitted uses based largely on the intensity and potential impact of any given use. For example, the as-of-right permit and site plan approval processes are appropriate for the most straightforward, low and mid-rise uses while the more complex development agreement process is applicable to larger scale land uses.

As-of-right Zoning	The standard permitting process where proposed development must satisfy the requirements of the Land Use Bylaw before being approved by the Development Officer.
Site Plan Approval	Prior to issuing a development permit, the Development Officer must approve a site plan and notify property owners within a specific distance about the site plan approval. Decisions on site plans may be appealed to the community council. The proposal must satisfy the zoning requirements and a list of criteria under the Land Use By-law.
Development Agreement	Prior to issuing a development permit, a contract between the developer and the Municipality must be approved by Harbour East Marine Drive Community Council and registered at the Land Registry. The test for approval at Council is if the development is reasonably consistent with the applicable planning policies. This process requires a public hearing prior to a decision of Council.

Staff advise that the MOD Zone is generally in keeping with how the same uses are enabled in other areas of the plan area. For example, the uses permitted as-of-right under the MOD Zone are permitted as-of-right in other zones within the Urban Residential Designation that also surround the subject property. The MOD zoning standards are comparable to requirements for the same uses in other zones. Uses under the MOD Zone that are subject to the development agreement process are also enabled by development agreement in other areas designated Urban Residential in the plan area. One of the main differences between the MOD Zone and other zones in the plan area is that certain uses are only permitted through the site plan approval process. Staff recommend that the site plan approval process is the appropriate tool for several uses under the MOD Zone as it allows for greater flexibility than the as-of-right approval process and is more predictable and less time consuming than the development agreement process.

Sub Areas

Staff recommend alleviating land use compatibility concerns pertaining to the range of permitted uses, residential densities and building massing by establishing Sub Areas within the Zone. Additional controls have been added to the proposed zone in the interest of regulating site layout, building and use separation

distances, building scale and design, buffering, vehicular circulation and active transportation connections that enhance the semi-rural character of the area. Three Sub Areas are delineated in Attachment D to reduce the impacts of commercial and a range of mid-rise residential uses on adjacent low density neighbourhoods and to feature the former Home building as a focal point in the overall development.

The Sub Areas differ based on the proximity of the lands to the former Home and existing neighbourhoods, the range of permitted uses and the planning approval processes available for each of the permitted land uses. The following table summarises the range of uses permitted in each Sub Area and the proposed planning process. A detailed list of uses permitted in each Sub Area is provided in Attachment D.

Area Description		Uses Permitted As of Right	Uses Subject to Site Plan Approval	Uses Subject to Development Agreement	
Sub Area	A	8.23 hectares (20.33 acres) of the site containing and immediately surrounding the former NSHCC building	Commercial uses within the former NSHCC building, community uses, and institutional uses except residential care facilities	Mid-rise residential uses, commercial uses within new buildings, and residential care facilities	Multiple unit dwellings including townhouse developments that exceed the built form requirements of the MOD Zone
	B	11.67 hectares (28.84 acres) of the site along Highway 7, west of Sub Area A and across from Westphal Way	Low density residential uses and community uses	Mid-rise residential uses, commercial development, institutional uses, and mixed use buildings	Multiple unit dwellings including townhouse developments and mixed use buildings that exceed the built form requirements of the MOD Zone
	C	8.74 hectares (21.6 acres) of the site east of Giberson Drive and adjacent to an existing low density residential neighbourhood	Low density residential uses and open space uses	None	Any multiple unit dwellings including townhouse developments and residential care facilities

Public Engagement

Akoma wishes to simplify the process for future development proposals that are in line with the vision for the property as outlined in this report. By taking a restorative approach to the planning process for this application and developing a robust and inclusive engagement program, all the ANS communities were notified and welcomed to participate in the planning process and provide feedback on Akoma's proposal. Through that engagement process associated with the current application, staff learned that some members of the public agreed that the timeline of the planning process has been a barrier to developing the site while others stressed the importance of actively involving ANS communities in the ongoing development process.

Staff recognise the validity of concerns expressed by both the community and land owner and suggest that certain uses require notification to nearby property owners through the site plan approval process and developments that have greater unknowns and potentially greater impact on the community warrant further review by Council and a public hearing through the development agreement process. The proposed amendments enable an expanded notification area for site plan approval applications than what is currently required under the *HRM Charter*.

Site Plan Approval

Most uses permitted under the proposed amendments are subject to the site plan approval process. The site plan approval process offers shorter processing times than a development agreement but allows Council to establish a list of criteria for consideration prior to approving a site plan. Staff advise that the criteria detailed in Attachment D encourage an integrated approach to design, built form and site development by outlining matters to be addressed by the developer including the location of structures, loading and parking facilities, driveway accesses, landscaping, buffering, pathways, lighting, storage of solid waste, stormwater management and general maintenance of the development.

It should also be noted that the issuance or refusal of a site plan approval is appealable to Community Council which is a process not available under the as-of-right permit process.

Development Agreements and Land Use Bylaw Amendments

Staff recommend that multiple unit and mixed use developments be considered by Council through the development agreement process. These are uses which commonly have more variables and correspondingly increased potential unwanted impacts relative to such things as building size, location and design. Similarly, consideration of uses that have not yet been contemplated for the site that support the overall vision for the property is enabled through an amendment to the LUB. These processes would allow for both future members of this new community as well as individuals in the surrounding communities to participate in the planning process through the public engagement and public hearing stages of the processes. The proposed amendments require that Council have regard to the vision of the property and matters similar to those under the site plan approval process when considering development agreement and land use bylaw amendment applications.

Transportation Network

Akoma Holdings' most recent concept plan shown in Attachment F illustrates the proposed transportation network for the site. A traffic impact statement was submitted by Akoma in support of their application. Development is proposed to be accessed from four locations. First, off the existing private street at Wilfred Jackson Way, second, a new driveway accesses off Highway 7, third, an upgraded access at the existing Akoma Family Centre and Westphal Way, and fourth, an extension of Giberson Drive.

Akoma wishes to begin developing these connections as private shared driveways as the first few buildings may not generate enough capital to build public streets. They do intend, however, to upgrade connections proposed at the existing Akoma Family Centre driveway across Westphal Way and at Giberson Drive to public street status when development warrants the upgrade. Standards for private shared driveways are included in the proposed amendments to ensure all connections are capable of accommodating emergency equipment. Akoma would be responsible for the maintenance of all private shared driveways until the infrastructure is upgraded to public street status and accepted by the Municipality.

Traffic Impact Study

Staff advise that the findings of the traffic statement support development within Sub Area A of the proposed MOD Zone, where development is proposed off Wilfred Jackson Way. However, additional study is required prior to approving any development within Sub Areas B and C. This study is required where HRM engineering staff have identified that upgrades to existing infrastructure may be required in this location as additional uses and buildings are added to the lands. A full traffic study is also necessary to analyse when a second access to a public street will be constructed, when upgrades to public streets will be required and to ensure adequate road reserves are provided for future connections to adjacent Urban Reserve lands.

The subject site has the largest street frontage of all vacant properties in the immediate area. The transportation network developed at the outset of the project should therefore ensure development of the site does not preclude future development of adjacent lands.

At this time, Akoma has requested to proceed with the amendments contained within this report and to defer costly detailed technical studies until later in the approval process. The proposed amendments do not avoid the work but allow the adaptive reuse of the former Home and limited development off Wilfred Jackson

to proceed in advance of receiving a full traffic impact study. The proposed amendments require a full traffic study prepared by a Professional Engineer and accepted by the HRM Development Engineer prior to approval of any new structure or use within Sub Areas B and C of the proposed zone.

Public Road Development

Public road development for residential uses is generally limited within the Rural Commuter Designation to prevent sprawl and to protect the fiscal health of the Municipality. Given the size of vacant lands in the area, the proximity of the subject lands to existing urban serviced and water-only serviced development, availability of transit, and scale of development proposed, staff advise that it is reasonable to permit public road development at the subject site.

Staff recommend amending the Regional Subdivision By-law as detailed in Attachment B to enable public road development at the subject site to ensure safe access is provided to the various uses proposed and to ensure adequate road reserves are provided for future development of the interior Urban Reserve lands. Allowing public road development may also benefit the central water distribution system as it would allow for looping of public pipes to be constructed through the development.

Alternative Transportation Modes

Curbs and sidewalks are proposed to connect the existing sidewalk infrastructure along Highway 7, between William Ross Park and Wilfred Jackson Way. This extension of sidewalk infrastructure would facilitate desirable connections to transit and connect neighbouring communities to the commercial, institutional and community uses proposed on the site. The proposed amendments also include requirements for pathways to provide safe and unobstructed pedestrian and bicycle connections between uses on the site and access to the surrounding mobility network. Staff are also in support of the proposed development as transit services are available in the area. Routes 61 Auburn-North Preston and 68 Cherry Brook pass the subject property along Highway 7. Existing bus stops can be found in front of the Akoma Family Centre and Henry Bauld Centre.

Conclusion

Staff have reviewed the application and the existing policy context and advise that the RMPS, RSBL, MPS and LUB should be amended to enable the appropriate adaptive reuse of the former Nova Scotia Home for Colored Children and development of a portion of the property containing and surrounding the Home.

Staff advise that the proposed amendments enable a range of opportunities and services that would benefit the ANS community and general community while recognising the significance of the NSHCC, acknowledging the historical purpose of the lands, mitigating impacts to adjacent development, and ensuring supporting technical development requirements are satisfied. The proposed amendments support additional public involvement for uses that are not currently contemplated and for larger scale residential or mixed use developments.

Subject to Council's decision on the amendments outlined in this report, the development of this site will be the subject of further reports to both Regional and Community Councils over the coming months and years to address both the question of regional planning policies, as well as to assess any proposed development agreement applications. Staff also advise that the proposed amendments support the Council endorsed African Nova Scotian Road to Economic Prosperity Action Plan.

Staff recommend that the Harbour East Marine Drive Community Council recommend that Regional Council approve the proposed RMPS, RSBL, MPS and LUB amendments.

FINANCIAL IMPLICATIONS

There are limited financial implications for the current application (Case 21875). The only costs associated with the proposed amendments are relative to ongoing maintenance of street infrastructure after upgrades to existing intersections and any new public streets are accepted by the Municipality similar to any other development.

The proposed Water Service Area does not require any upgrades to existing local infrastructure nor the extension of central pipe infrastructure to the subject property. Water Service currently exists along Highway 7, abutting the frontage of the subject property. The Developer would be responsible for constructing any new water service infrastructure, including central pipes and private laterals, on the subject site to service new development through the as-of-right subdivision and permitting process. Therefore, there are no Local Improvement Charges nor Capital Cost Contributions required for the Water Service Area proposed under the current application.

The HRM costs associated with the processing of this planning application can be accommodated within the approved 2020-2021 operating C310 Urban and Rural Planning Applications.

RISK CONSIDERATION

There are some risks associated with the recommendations contained within this report. This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report. Staff advise that Akoma Holdings' request has been approached differently to other planning applications due to the history of the site. This may raise concerns respecting the proposed amendments, but staff believe the approach is defensible based on the review of planning matters and other factors detailed in the discussion section above.

ENVIRONMENTAL IMPLICATIONS

The redevelopment of a property this large has the potential to have impacts on the existing and surrounding natural environment to the site. A preliminary land suitability analysis was completed by the applicant and has informed their development proposal as outlined within this report. The proposed amendments require a land suitability analysis prepared by a Qualified Professional for a site plan approval application that identifies areas suitable for development and areas that should be avoided in terms of site conditions and environmental features. There will also be subsequent environmental approvals needed at a provincial level in advance of construction taking place. This will include addressing any issues related to wetland alteration, as well as the design and placement of any on-site infrastructure relating to septic systems.

No additional environmental implications are identified within the current application.

ALTERNATIVES

The Harbour East Marine Drive Community Council may choose to recommend that Regional Council:

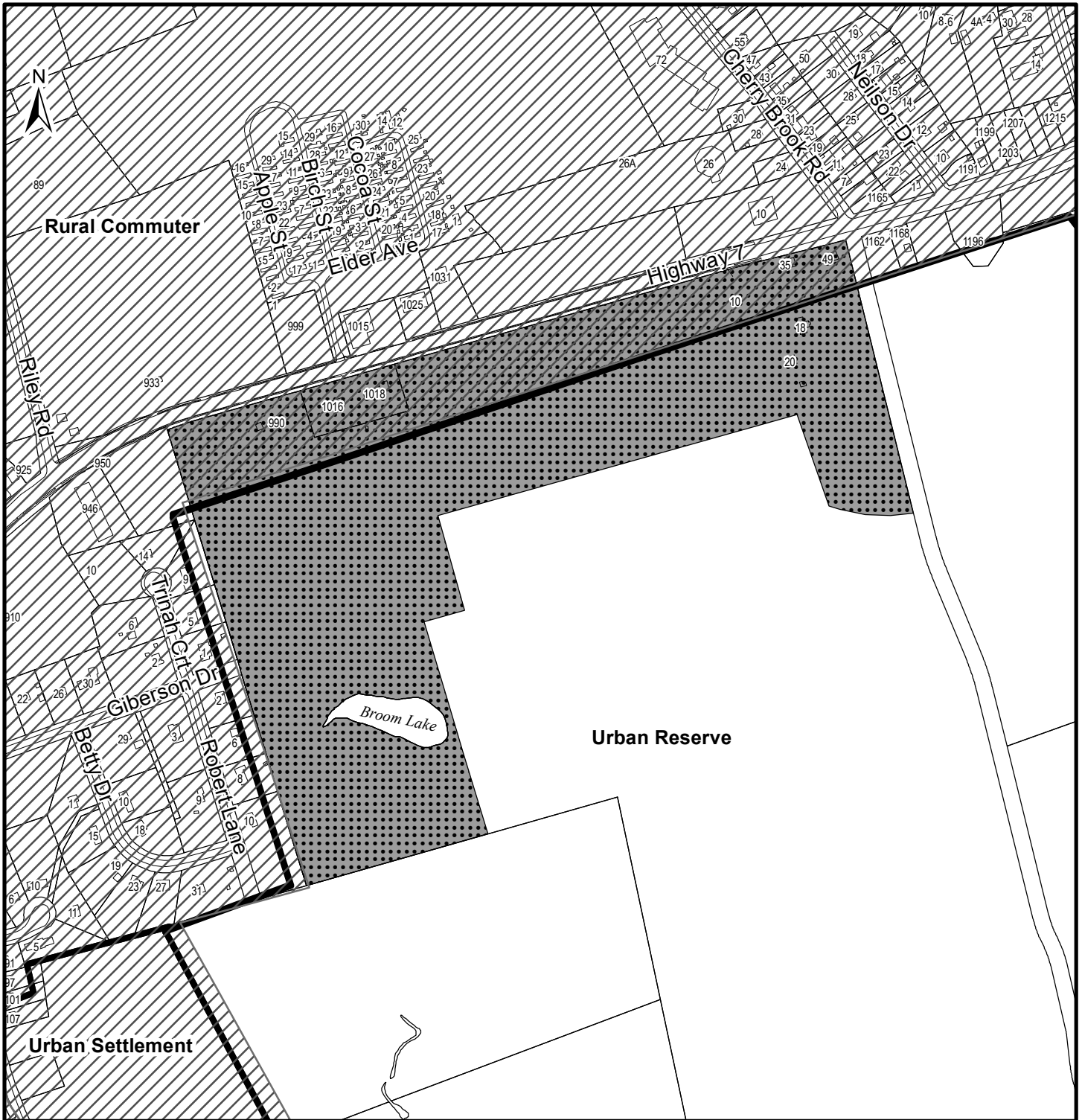
1. Modify the proposed amendments to the RMPS, RSBL, MPS and LUB as set out in Attachments A, B, C and D, of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the RMPS, RSBL, MPS and LUB. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1:	Regional Plan Designation and Service Boundary
Map 2:	Cole Harbour/Westphal Plan Generalized Future Land Use
Map 3:	Zoning
Map 4:	Area of Notification
Attachment A:	Proposed Amendments to the Regional Municipal Planning Strategy
Attachment B:	Proposed Amendments to the Regional Subdivision By-law
Attachment C:	Proposed Amendments to the Cole Harbour/Westphal Municipal Planning Strategy
Attachment D:	Proposed Amendments to the Cole Harbour/Westphal Land Use By-law
Attachment E:	Brief History and Timeline of the Nova Scotia Home for Colored Children
Attachment F:	Akoma's Most Recent Concept Plan
Attachment G:	Summary of Public Engagement Program



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.

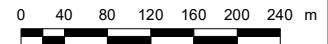
Report Prepared by: Stephanie Salloum, Planner III, Rural Policy and Applications, 902.476.2792



Map 1 - Regional Plan Designation and Service Areas

PID 40150567 and 40150559
 Cole Harbour

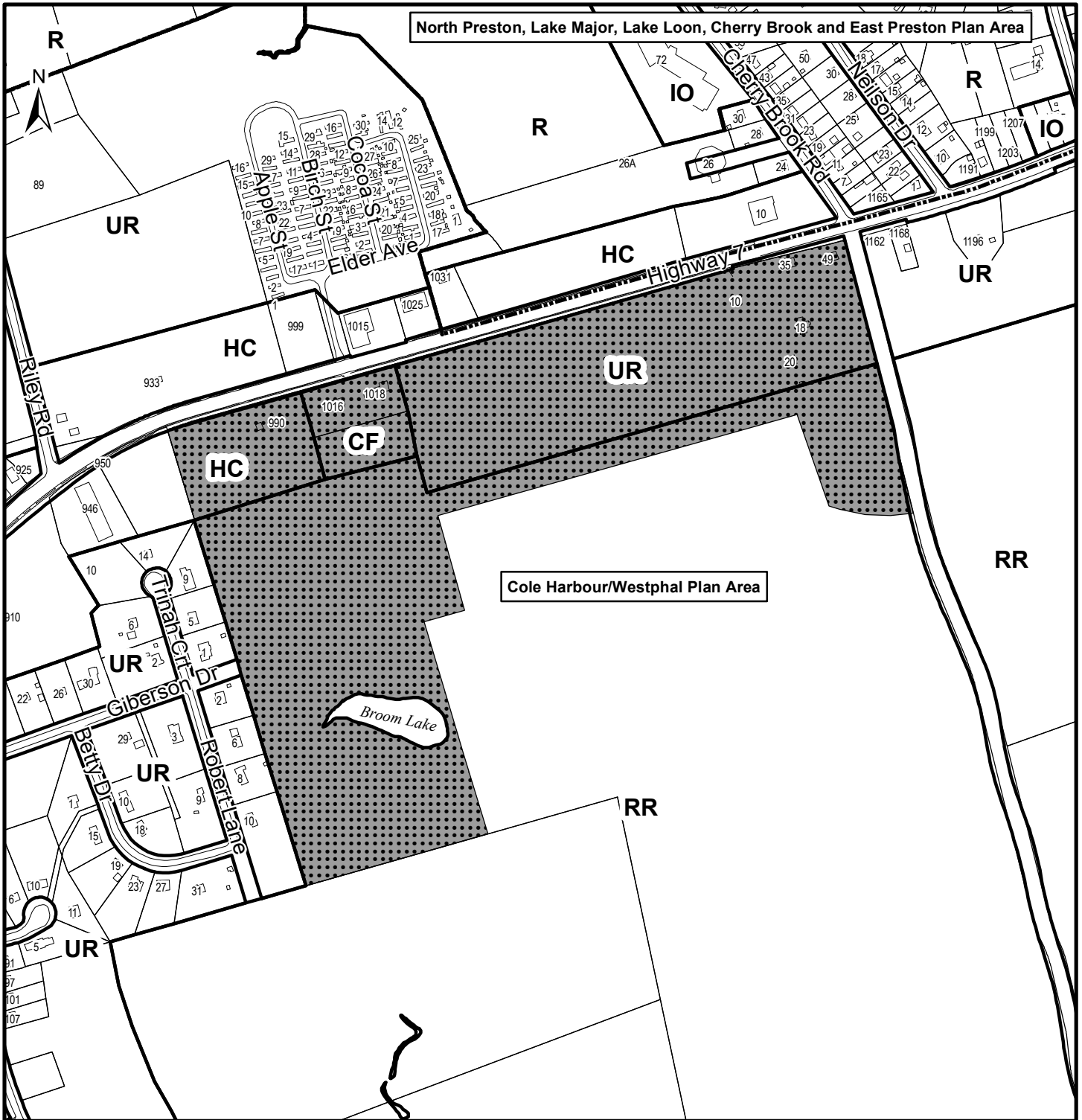
-  Area of Proposed Policy Amendments
-  Water Service Area



Cole Harbour/Westphal
 Plan Area

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.




North Preston, Lake Major, Lake Loon, Cherry Brook and East Preston Plan Area

Cole Harbour/Westphal Plan Area

Map 2 - Generalized Future Land Use

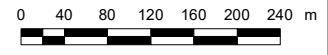
PID 40150567 and 40150559
Cole Harbour

 Area of Proposed Policy Amendments

- Designation Cole Harbour/Westphal**
- CF Community Facility
 - HC Highway Commercial
 - RR Rural Residential
 - UR Urban Residential

- Designation NPLM**
- HC Highway Commercial
 - IO Institutional-Open Space
 - R Residential

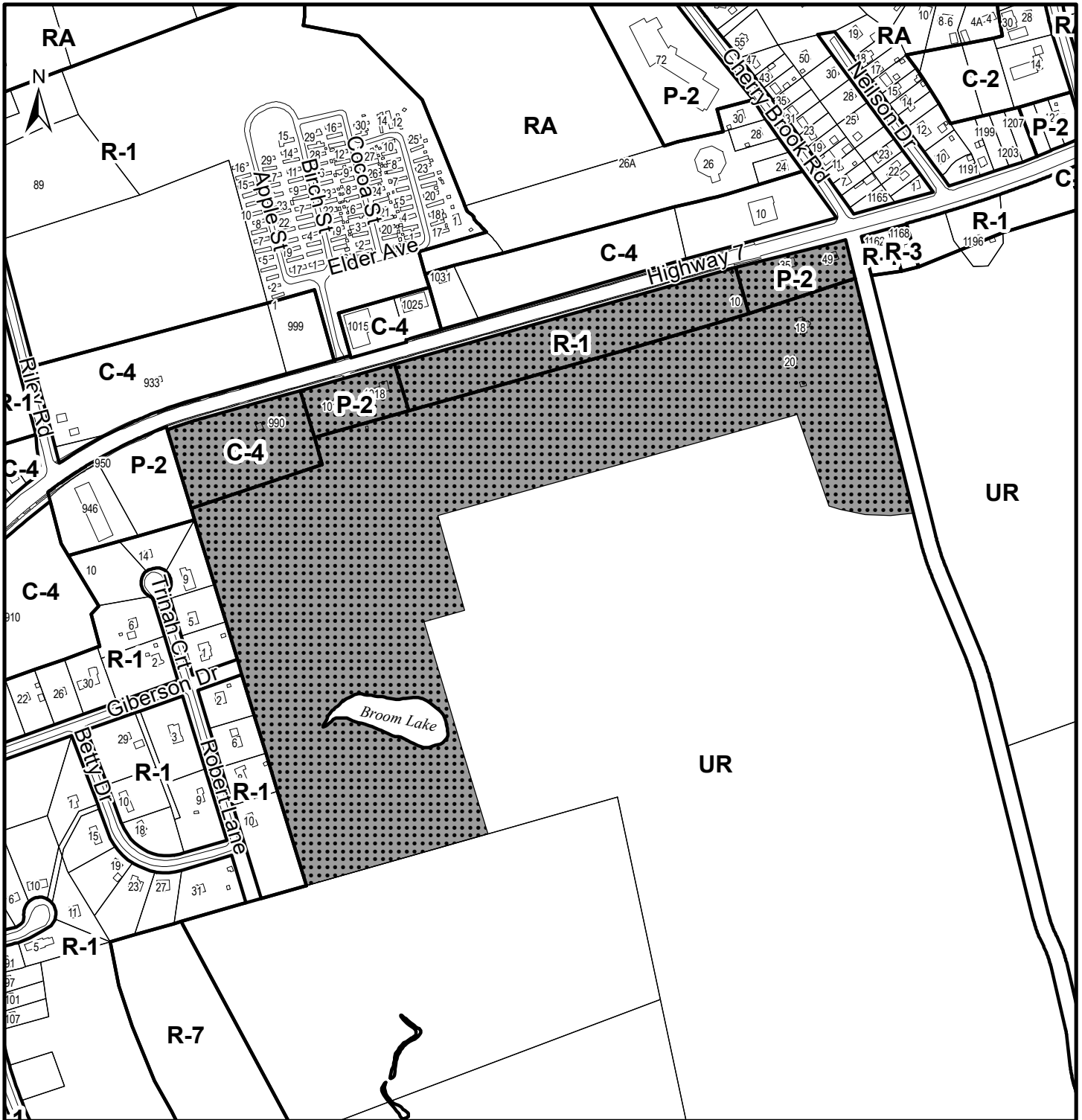
HALIFAX



Cole Harbour/Westphal Plan Area


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 3 - Zoning

PID 40150567 and 40150559
Cole Harbour

 Area of Proposed Policy Amendments

Cole Harbour/Westphal
Land Use By-Law Area

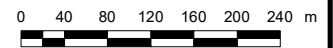
Zone - Cole Harbour/Westphal

- C-4 Highway Commercial
- P-2 Community Facility
- R-1 Single Unit Dwelling
- R-3 Mobile Dwelling
- R-7 Rural Estate
- UR Urban Reserve

Zone - NPLM

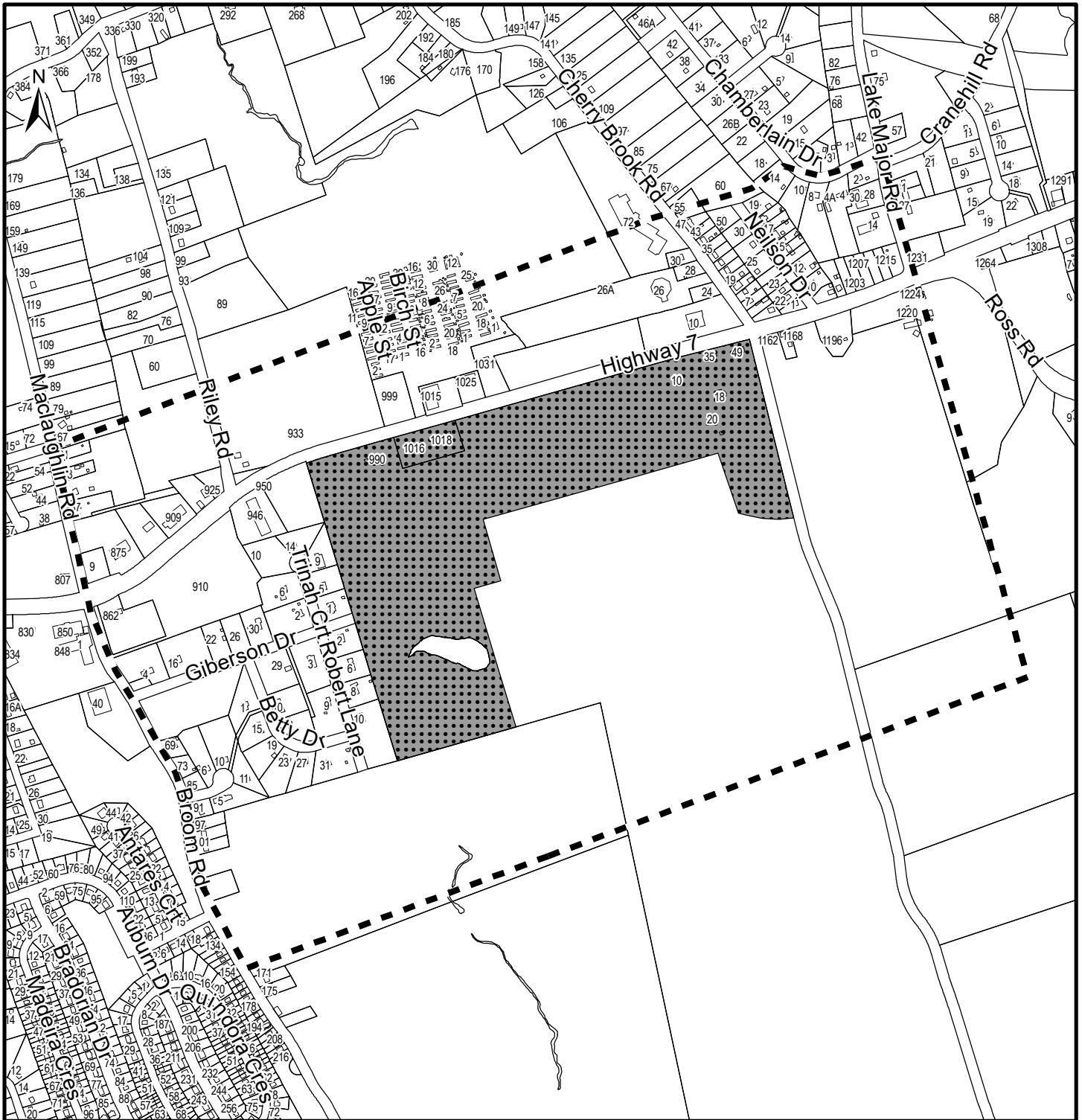
- C-2 General Commercial
- C-4 Highway Commercial
- P-2 Community Facility
- RA Residential

HALIFAX





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.



Map 4 - Area of Notification

PID 40150567 and 40150559
 Cole Harbour

-  Area of Proposed Policy Amendments
-  Area of Notification

HALIFAX



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

ATTACHMENT A

Proposed Amendments to the Regional Municipal Planning Strategy

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Regional Municipal Planning Strategy is hereby further amended as follows:

1. Amend Map 2 – Generalized Future Land Use by re-designating a portion of PID 40150567 from the Urban Reserve Designation to the Rural Commuter Designation as shown on Appendix A attached hereto.
2. Amend Policy SU-14 by deleting the words in ~~strikeout~~ and inserting the words in bold below:

SU-14 HRM may consider establishing new Water Service Areas, subject to the financial ability of HRM to absorb any related costs, provided a wastewater management plan is also considered in accordance with Policy SU-20, if:
 - (a) (i) the area is within a Rural Commuter, Rural Resource or Agricultural centre and it has been determined through a secondary planning process that new growth is to be encouraged in this area; or
 - (ii) the lands are adjacent to an existing Water Service Area and a Classic Conservation Design development is proposed; or
 - (iii) the lands are adjacent to an existing Water Service Area and a Classic Conservation Design development is proposed within an Urban Reserve designation, subject to the provisions of clause (d) of policy G-16; ~~and~~ or
 - (iv) the lands are adjacent to an existing Water Service Area and within the portion of PID 40150567 designated Rural Commuter; and**
- (b) the new service area and a charge needed to pay for growth related improvements to the water or stormwater services has, where required, been approved by the Review Board.

ATTACHMENT B

Proposed Amendments to the Regional Subdivision By-law

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Regional Subdivision By-law is hereby further amended as follows:

1. Amend Schedule "B" Service Requirement Map to include a portion of PID 40150567 within the Water Service Area as shown on Appendix B attached hereto.
2. Amend Section 9 (1) by deleting the text in strikeout and adding the text in bold below:

9 (1) Unless otherwise provided for in sections 10, 11, ~~or 12~~ **or 12C** of this by-law, no subdivision which creates lots for residential uses on new public streets or highways shall be approved within the areas designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Rural Commuter, Harbour (outside of the Urban Service Area as shown on Schedule "B"), Rural Resource, Agricultural and Open Space and Natural Resources and on new roads identified as "Future Community Connector" on Map 1 of the Regional Municipal Planning Strategy.

3. Insert Section 12C shown in bold below immediately after Section 12B (2) and immediately before Section 13 (1):

12C Notwithstanding Section 12, within the portion of PID 40150567 designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Rural Commuter, a subdivision which creates lots for permitted uses involving new public streets shall be permitted subject to meeting the following requirements:

- (a) **the proposed lots must be contiguous and be designed to maximise the lot frontage of the public street based on the applicable minimum required lot frontage of the zone;**
- (b) **where in the opinion of the Development Officer, it is necessary to provide for efficient street connections, the requirements of subsection (a) may be relaxed; and**
- (c) **no new public street shall intersect with an existing public street other than Highway #7 or Giberson Drive.**

ATTACHMENT C

Proposed Amendments to the Cole Harbour / Westphal Municipal Planning Strategy

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Cole Harbour / Westphal is hereby further amended as follows:

1. Amend Map 1: Generalized Future Land Use to re-designate a portion of PID 40150567 to the Urban Residential Designation as shown on Appendix C attached hereto.
2. Insert the text in bold below after Policy UR-31 and before the Morris-Russell Lake Secondary Planning Strategy:

Former Nova Scotia Home for Colored Children

The property described as the former Nova Scotia Home for Colored Children (NSHCC or the former Home), located along Highway #7 in Westphal, has significant historical and cultural value, particularly within the African Nova Scotian community, as its legacy continues to impact the lives of many today. The opening of the Home in 1921 was a very important event for the African Nova Scotian community.

While the Home closed when two new group homes were built on the property in 1978/1979, several buildings associated with the history of the NSHCC still exist on the property today. These buildings include the former Home, a cottage where the superintendent of the Home lived, and the Henry G. Bauld Elementary School. The Henry Bauld School was converted to a community centre; however, the former Home and superintendent's cottage remained vacant for several years.

Since the adoption of the 2006 Regional Plan, most of the property has been reserved for future serviced development. In recognition of the unique and significant history of the Home, and the importance of the lands to the African Nova Scotian community, it is appropriate to create a new zone to enable the adaptive reuse of the former Home and development of a portion of the site toward Highway #7.

The Vision

The vision for the former Nova Scotia Home for Colored Children (NSHCC) site is to provide opportunities and services that benefit African Nova Scotian communities and the general society. The vision recognises the significance of the NSHCC and honours the historical purpose of the lands by enabling the adaptive reuse of the former Home building, various housing options, employment opportunities and activities that involve training and education, health promotion, intergenerational programs, social diversity, and heritage recognition. The vision for the entire property is to:

- (a) enable uses for the care, training, employment and education of African Nova Scotian communities and the general society;**
- (b) allow a range of land use opportunities including residential, commercial, institutional and community uses to serve the diverse needs of the community;**
- (c) ensure new development considers the context of adjacent neighbourhoods, in terms of density and scale, and is built to reflect an integrated approach to design, building form, and site development;**
- (d) develop a transportation network on the site that provides efficient access and traffic circulation within the site and that allocates adequate land for future connections to adjacent urban reserve lands;**

- (e) situate buildings in a manner to develop a safe, accessible and continuous active transportation network that connects uses on the site as well as new development with the Municipal active transportation network and transit services;
- (f) provide safe, unobstructed private driveway accesses that can support the proposed uses, emergency and operational maintenance vehicles;
- (g) allow for effective circulation of vehicles and safety of pedestrians/cyclists including within parking and loading facilities;
- (h) locate off-street parking and loading areas in a manner to minimise their visual impact on surrounding roads and development;
- (i) maximise retention of existing vegetation, protect natural features, and minimise impervious surface areas;
- (j) establish standards for height, massing and design;
- (k) minimise the visual impact of any new development on low-rise residential uses surrounding as well as within the site; and,
- (l) provide access to common amenity areas, public spaces, goods and services, and recreational facilities both within the site and to the surrounding community.

Implementing the Vision

Creating a new zone, that enables a range of uses on this site, recognises the historical intent of the former NSHCC, supports various housing options that meet the diverse needs of citizens, and provides economic and employment opportunities for the community. Land use compatibility concerns between new development, the former Home building, existing adjacent residential neighbourhoods, and Highway #7 shall be mitigated by establishing separation distances, building scale and design, and buffering controls. In addition, the lands have been divided into three sub areas. In order to minimise land use compatibility concerns and encourage unity among uses on the site, certain uses shall proceed through the site plan approval process. Larger-scale residential developments that exceed the built form requirements of the zone shall be subject to the development agreement process. Although the three sub areas are different, they should be interconnected by regulating site layout, landscaping, vehicular circulation, and pedestrian access.

The Policies

- UR-32** Within the Urban Residential Designation, it shall be the intention of Council to establish the Mixed Opportunity District Zone. The Mixed Opportunity District Zone shall only apply to PID 40150559 and the portion of PID 40150567 designated Urban Residential on Map 1 – Generalized Future Land Use Map. The MOD Zone shall divide the lands into three sub areas that differ based on the proximity of the lands to the former NSHCC and existing neighbourhoods, permitted uses, and the planning processes in which permitted land uses are subject to.
- UR-32A** Within the Urban Residential Designation on lands zoned Mixed Opportunity District, Sub Area A shall be established as identified under the Land Use By-law. Sub Area A shall apply to lands containing and immediately surrounding the former NSHCC building. Sub Area A shall enable the adaptive reuse of the former Home building for commercial purposes, institutional and community uses, as well as residential care facilities and multiple unit dwellings. New commercial buildings, residential care facilities and multiple unit dwellings shall be considered through the site plan approval process.
- UR-32B** Within the Urban Residential Designation on lands zoned Mixed Opportunity District, Sub Area B shall be established as identified under the Land Use By-law. Sub Area B shall apply to lands further from the old Home building

and along Highway #7. Sub Area B shall enable a range of residential, commercial, institutional, community and mixed use developments. Uses other than low-rise residential and community uses, such as recreational and open space uses, shall be considered by the site plan approval process. Multiple unit dwellings and mixed use buildings that exceed the built form requirements of the zone shall be considered by development agreement.

UR-32C Within the Urban Residential Designation on lands zoned Mixed Opportunity District, Sub Area C shall be established as identified under the Land Use By-law. Sub Area C shall apply to areas abutting existing residential neighbourhoods. Sub Area C shall enable residential and open space uses. Townhouse dwellings shall be considered through the site plan approval process. Residential care facilities and multiple unit dwellings, except for townhouse dwellings, shall be considered by development agreement.

UR-32D Notwithstanding Policy UR-16, within the Urban Residential Designation on lands zoned Mixed Opportunity District, commercial recreation uses shall be considered through the site plan approval process in Sub Areas A and B.

UR-32E Within the Urban Residential Designation on lands zoned Mixed Opportunity District, two studies shall be required. Firstly, a traffic impact study prepared by a Professional Engineer shall be required prior to development of any new structure or use within Sub Areas B and C. The traffic impact study shall meet the most current edition of the Municipal Design Guidelines and Municipal Traffic Impact Guidelines, as amended, and shall include an analysis of the following:

- (a) The proposed land uses and density for all lands zoned MOD;
- (b) The proposed transportation network on all lands zoned MOD including proposed public streets, private shared driveways, active transportation connections, and allowances for future connections;
- (c) Adequate road reserves are provided for future connections to adjacent lands;
- (d) Phasing for construction of proposed transportation network including when a second access to an existing public street will be constructed;
- (e) Site access including a sightline assessment, access dimensions and intersection controls like lane usage and traffic signals;
- (f) The conditions of the existing intersections adjacent to the site including the signalised intersection at Highway 7 and Westphal Way; and
- (g) If upgrades to existing public infrastructure are required, and when required upgrades will be undertaken.

Secondly, where required in the land use by-law, a land suitability study prepared by a Qualified Professional shall be required that:

- (a) identifies areas suitable for development;
- (b) identifies areas unsuitable for development, including access to the site, soil conditions, steepness of grades, geological conditions, locations of watercourses, on-site services, marshes or bogs, susceptibility to flooding and areas of significant cultural and historical value.

UR-32F For lands zoned Mixed Opportunity District, the Land Use By-law may increase the notification distance for a site plan approval application that is granted or refused by a Development Officer.

- UR-32G** Council may consider amendments to the Mixed Opportunity District Zone, and when considering such amendments, Council shall consider the vision and the following:
- (a) the provisions to mitigate the land use impacts on the former Nova Scotia Home for Colored Children building, and other uses permitted under the zone and adjacent land uses, in terms of separation distances, building scale and design, and buffering;
 - (b) the location of structures on the lot, off-street parking and loading facilities, driveway accesses, walks or other means of pedestrian access, landscaping, planting or retention of trees, outdoor lighting, storage of solid waste, and signs;
 - (c) grading, sedimentation and erosion control, and stormwater management;
 - (d) the general maintenance of the development;
 - (e) the capability of servicing the development by municipal water and on-site septic services;
 - (f) the impact on the existing transportation network and traffic circulation including access entering and exiting the site as well as sighting distances; and
 - (g) the provisions of Policy IM-11.
- UR-32H** Within the Urban Residential Designation on lands zoned Mixed Opportunity District, it shall be the intention of Council to consider the following uses pursuant to the development agreement provisions of the HRM Charter:
- (a) multiple unit dwellings, including townhouse dwellings, that exceed the built form requirements of the zone on lands within Sub Area A or Sub Area B;
 - (b) mixed use buildings, containing residential units and any one or more of the following: commercial, institutional or community uses, that exceed the built form requirements of the zone on lands within Sub Area B; or
 - (c) multiple unit dwellings, except for townhouse dwellings, that meet the built form requirements of the Mixed Opportunity District Zone within Sub Area C.
- UR-32I** Within the Urban Residential Designation on lands zoned Mixed Opportunity District, where a building, or access to a building, for a residential care facility or multiple unit dwelling, except for townhouse dwellings, is proposed on lands within both Sub Area B and Sub Area C, it shall be the intention of Council to consider the development pursuant to the development agreement provisions of the HRM Charter.
- UR-32J** In considering a development agreement subject to Policy UR-32H or UR-32I, Council shall consider the vision and the following matters:
- (a) the land use impacts of the proposed development on the former Nova Scotia Home for Colored Children building, other uses permitted under the zone and adjacent land uses, in terms of separation distances, building scale, height and design, and buffering;
 - (b) private and common amenity needs of residents of the development;
 - (c) provisions for building design, height, bulk, lot coverage, and separation distances from low-rise residential uses;
 - (d) the location of structures on the lot, off-street parking and loading facilities, driveway accesses, landscaping, planting or retention of trees, outdoor lighting, storage of solid waste, and signs;

- (e) walks or other means of pedestrian and bicycle connectivity within the building site and to the surrounding community;**
- (f) grading, sedimentation and erosion control, and stormwater management;**
- (g) the general maintenance of the development; and**
- (h) the provisions of Policy IM-11.**

3. Amend Policy IM-9 by adding the text in bold below immediately after subsection (a) (xii) and immediately before subsection (b):

- (xiii) multiple unit dwellings, including townhouse dwellings, that exceed the built form requirements of the MOD Zone on lands within Sub Area A or Sub Area B as identified on Schedule E;**
- (xiv) mixed use buildings, containing residential units and any one or more of the following: commercial, institutional or community uses, that exceed the built form requirements of the MOD Zone on lands within Sub Area B as identified on Schedule E;**
- (xi) multiple unit dwellings, except for townhouse dwellings, and residential care facilities on lands within Sub Area C of any MOD Zone as identified on Schedule E.**

ATTACHMENT D
Proposed Amendments to the
Cole Harbour / Westphal Land Use Bylaw

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use Bylaw for Cole Harbour / Westphal is hereby further amended as follows:

1. Amend Schedule A – Cole Harbour/Westphal Zoning Map by rezoning PID 40150559 and a portion of PID 40150567 to the MOD (Mixed Opportunity District) Zone as shown in Appendix D attached hereto.
2. Amend the Table of Contents by adding the text shown in bold below immediately after the text “PART 15: R-8 (SPECIAL AREA) ZONE” and before the text “PART 16: C-1 (NEIGHBOURHOOD BUSINESS) ZONE”:

PART 15A: MOD (MIXED OPPORTUNITY DISTRICT) ZONE

3. Amend the Table of Contents by adding the text shown in bold below immediately after the text “Schedule D: Mixed Form Residential Development in the C-4 (Highway Commercial) Zone” and immediately before the text “SCHEDULE A: COLE HARBOUR/WESTPHAL ZONING MAP”:

SCHEDULE E: SUB AREAS OF MOD (MIXED OPPORTUNITY DISTRICT) ZONE

4. Insert Schedule E: Sub Areas of MOD (Mixed Opportunity District) Zone as shown in Appendix E attached hereto.
5. Within Part 2: Definitions, amend Section 2.6 by inserting subsections (a) and (b) in bold below immediately below the definition of Amenity Area and immediately before Section 2.7 Attached Building:
 - (a) **Common Amenity Area means an amenity area for the common use and enjoyment of all occupants of a building or development.**
 - (b) **Private Amenity Area means an amenity area for the enjoyment of occupants of an individual dwelling unit.**
6. Within Part 2: Definitions, amend Section 2.17 DWELLING (g) by inserting the text shown in bold below immediately after the word “Rowhouse” and immediately before the words “means a building...”:

- (g) **Dwelling, Rowhouse or Townhouse means a building that is divided vertically into three (3) or more dwelling units, each of which is located on a separate lot and each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of the unit.**

7. Within Part 2: Definitions, insert Section 2.52A as shown in bold below immediately after the definition for Personal Service Shop under Section 2.52 and immediately before Section 2.53 Public Park:

2.52A PRIVATE SHARED DRIVEWAY means a travelled way, located on private property and designed for vehicular travel, that leads from a public street to more than one main building or use.

8. Amend Part 3: Zones and Zoning Maps by adding the text shown in bold below to the list of residential zones under Section 3.1 immediately after the words "R-8 Special Area Zone FOR CONVENIENCE ONLY" and before the words "CDD Comprehensive Development District":

MOD Mixed Opportunity District Zone

9. Amend Section 3.6 Other Uses Considered by Development Agreement within Part 3: Zones and Zoning Maps to fix the numbering of the subsections and insert subsections (ab), (ac) and (ad) by deleting the text shown in ~~strikeout~~ and adding the text in bold shown below:

- (x) residential care facilities.
- (y) Mixed residential development within the lands as shown on Schedule D in accordance with MPS policy HC-10.

~~In addition, the development of certain uses which are permitted within any CDD (Comprehensive Development District) may only be considered in accordance with the development agreement provisions of the Planning Act.~~

- ~~(y)~~ (z) expansion on, or subdivision of, a building in the C-3 Zone.
- (z) (aa) As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, Conservation Design Developments may be considered by development agreement on lands designated Rural Commuter, in accordance with policies S-14, S-15, S-16 and S-17 of the Regional Municipal Planning Strategy, as applicable.
- (ab) **multiple unit dwellings, including townhouse dwellings, that exceed the built form requirements of the MOD Zone on lands within Sub Area A or Sub Area B as identified on Schedule E;**
- (ac) **mixed use buildings, containing residential units and any one or more of the following: commercial, institutional or community uses, that exceed the built form requirements of the MOD Zone on lands within Sub Area B as identified on Schedule E;**
- (ad) **multiple unit dwellings, except for townhouse dwellings, and residential care facilities on lands within Sub Area C of any MOD Zone as identified on Schedule E.**

In addition, the development of certain uses which are permitted within any CDD (Comprehensive Development District) may only be considered in accordance with the development agreement provisions of the Halifax Regional Municipality Charter.

10. Within Part 4: General Provisions for all Zones Section 4.5 One Main Building on a Lot, insert the words "MOD (Mixed Opportunity District) Zone," immediately after the words "except for buildings within an" and immediately before the words "I-1 (Light Industry) Zone" as shown in bold below:

4.5 ONE MAIN BUILDING ON A LOT

No person shall erect more than one (1) main building on a lot within any zone except for buildings within an I-1 (Light Industry) Zone, **MOD (Mixed Opportunity District) Zone** or a C-4 (Highway Commercial) Zone or LRIS Parcel Index 40124448.

11. Insert Part 15A as shown in bold below after PART 15: R-8 (SPECIAL AREA) ZONE and before PART 16: C-1 (NEIGHBOURHOOD BUSINESS) ZONE:

Part 15A: MOD (Mixed Opportunity District) Zone

15A.1 USES PERMITTED

- 15A.1.1 No development permit shall be issued within Sub Area A of any MOD Zone, as shown on Schedule E, except for the following:**

Low-Rise Residential Uses

Townhouse dwellings
Daycare facilities in conjunction with permitted dwellings
Home business or home office uses in conjunction with permitted dwellings

Mid-Rise Residential Uses

Multiple unit dwellings

Commercial Uses

Food stores
Personal service shops
Retail stores
Offices
Restaurants except drive-through restaurants

Institutional Uses

Educational institutions and uses
Daycare facilities
Residential care facilities
Medical clinics
Museums and galleries

Community Uses

Community centres and halls
Recreation uses
Commercial recreation uses
Open space uses

15A.1.2 No development permit shall be issued within Sub Area B of any MOD Zone, as shown on Schedule E, except for the following:

Low-Rise Residential Uses

Single unit dwellings
Two unit dwellings
Townhouse dwellings
Daycare facilities in conjunction with permitted dwellings
Home business or home office uses in conjunction with permitted dwellings

Mid-rise Residential Uses

Multiple unit dwellings

Commercial Uses

Food stores
Personal service shops
Retail stores
Offices
Restaurants
Bed and breakfast establishments
Hotels

Institutional Uses

Educational institutions and uses
Daycare facilities
Residential care facilities
Medical clinics
Museums and galleries

Community Uses

Community centres and halls
Recreation uses
Commercial recreation uses
Open space uses

Mixed Use Buildings

Mixed use buildings containing residential units and one or more of the following:
commercial, institutional or community uses

- 15A.1.3 No development permit shall be issued within Sub Area C of any MOD Zone, as shown on Schedule E, except for the following:

Low-Rise Residential Uses

Single unit dwellings
Two unit dwellings
Townhouse dwellings
Daycare facilities in conjunction with permitted dwellings
Home business or home office uses in conjunction with permitted dwellings

Community Uses

Open Space Uses

- 15A.1.4 Prior to issuing a development permit, the following uses shall be subject to the Site Plan Approval process:

Within Sub Area A of Schedule E

Townhouse dwellings
Multiple unit dwellings
Food stores
Personal service shops
Retail stores
Offices
Restaurants except drive-through restaurants
Residential care facilities
Commercial recreation uses

Within Sub Area B of Schedule E

Townhouse dwellings
Multiple unit dwellings
Food stores
Personal service shops
Retail stores
Offices
Restaurants
Hotels
Educational institutions and uses
Daycare facilities
Residential care facilities
Medical clinics
Commercial recreation uses
Mixed use buildings containing residential units and any one or more of the following: commercial, institutional or community uses

Within Sub Area C of Schedule E

Townhouse dwellings

15A.1.5 Notwithstanding Sections 15A.1.1, 15A.1.2 and 15A.1.3, driveway access to a use permitted in a specific Sub Area of the MOD Zone shall be permitted within any Sub Area of the MOD Zone.

15A.2 **MOD ZONE GENERAL REQUIREMENTS**

15A.2.1 More than one main use or building may be allowed on a lot zoned MOD provided that a development permit or site plan application includes a plan showing each building on its own potential lot. A potential lot shall meet all the requirements of the MOD Zone. For any building located behind another main building, no lot frontage on a public street shall be required.

15A.2.2 **Streets and Driveways Network**

15A.2.2.1 Prior to the issuance of a development permit for any new building or use within, or partially within, Sub Areas B and C, a traffic impact study prepared by a Professional Engineer shall be required that meets the most current edition of the Municipal Design Guidelines and Municipal Traffic Impact Guidelines and that includes analysis of the following:

- (a) The proposed land uses and density for all lands zoned MOD;
- (b) The proposed transportation network on all lands zoned MOD including proposed public streets, private shared driveways, active transportation connections, and allowances for future connections;
- (c) Lands reserved for future connections to adjacent lands;
- (d) Phasing for construction of proposed transportation network including when a second access to an existing public street will be constructed;
- (e) Site access including a sightline assessment, access dimensions and intersection controls like lane usage and traffic signals;
- (f) The conditions of the existing intersections adjacent to the site including the signalised intersection at Highway 7 and Westphal Way; and
- (g) If upgrades to existing infrastructure are required, and when required upgrades will be undertaken.

15A.2.2.2 Access to a Public Street:

- (a) In any MOD Zone, one access to a public street shall serve no more than the equivalent of 250 residential units.
- (b) For the purpose of subsection (a), 1 residential unit shall be equivalent to 74.3 sq. m. (800 sq. ft.) of any other permitted use.

15A.2.2.3 In any MOD Zone, more than one main use or building may share access to a public street over a private shared driveway.

15A.2.2.4 Private shared driveways within the MOD Zone shall meet the following standards:

- (a) Private shared driveways shall be designed and constructed with a paved asphalt surface or other stable ground, in consultation with the HRM Development Engineer and HRM Fire Services, to adequately support the loads produced by emergency and fire equipment.
- (b) Private shared driveways shall be designed in accordance with the following:

Minimum clear width	27 m (88.6 ft.)
Minimum width of travel lane in each direction	3 m (9.8 ft.)
Minimum clearance width (shoulders) on both sides of	1.5 m (4.9 ft.)

travel lanes	
Minimum centre line radius to the edge of asphalt	13 m (42.6 ft.)
Minimum centre line radius to the outside of shoulder	15 m (49.2 ft.)
Minimum overhead clearance	5 m (16.4 ft.)
Maximum change in gradient	1 in 12.5 over a minimum distance of 15 m (49.2 ft.)

- (c) The minimum width requirements of subsection (b) shall not include required parking.
- (d) Driveway accesses shall provide clear unobstructed access for firefighting and emergency response equipment.

15A.2.3 Parking and Loading

- (a) Required off-street parking may be permitted in a shared parking lot where multiple buildings are located on the same lot or where buildings are located on abutting lots or potential lots zoned MOD.
- (b) Off-street loading space shall not be counted as off-street parking and off-street parking shall not be counted as off-street loading space.
- (c) All parking lots including driveways and manoeuvring areas shall be maintained with a permanent hard surface and shall be defined by a concrete curb, ornamental brick, planting or other landscaped feature.

15A.3 MOD ZONE REQUIREMENTS: RESIDENTIAL USES

15A.3.1 In any MOD Zone, no development permit shall be issued for any residential use except in conformity with the following:

	Single Unit Dwellings	Two Unit Dwellings	Townhouse Dwellings	Multiple Unit Dwellings / Mixed Use Buildings
Minimum Lot Area	1,858 sq. m (20,000 sq. ft.) where each dwelling is serviced by an individual septic system or as required for on-site septic approval, whichever is greater; or 929 sq. m (10,000 sq. ft.) per unit where dwellings are serviced by a shared septic system or as required for	929 sq. m (10,000 sq. ft.) per unit or as required for on-site septic approval, whichever is greater	929 sq. m (10,000 sq. ft.) per unit or as required for on-site septic approval, whichever is greater	11,613 sq. m (125,000 sq. ft.) or as required for on-site septic approval, whichever is greater

	on-site septic approval, whichever is greater			
Minimum Lot Frontage		30.5 m (100 ft.)	30.5 m (100 ft.)	30.5 m (100 ft.)
Minimum Frontage per Unit	30.5 m (100 ft.)	15.25 m (50 ft.)	6.1 m (20 ft.)	-
Minimum Front or Flankage Yard	6.1 m (20 ft.)			9.1 m (30 ft.)
Minimum Rear or Side Yard	2.4 m (8 ft.)	3 m (10 ft.) or 0.0 ft. (0.0 m) from the side being common with another dwelling unit		½ the height of the building
Minimum Separation Distance Between Dwellings	4.8 m (16 ft.)	6.1 m (20 ft.)		The height of the building or as required under the National Building Code, whichever is greater
Maximum Lot Coverage	35 percent of the lot or potential lot required under Section 15A.2.1			
Maximum Height	10.7 m (35 ft.)	See Section 15A.3.2		See Section 15A.3.3

15A.3.2

OTHER REQUIREMENTS: TOWNHOUSE DWELLINGS

Where townhouse dwellings are erected in any MOD Zone, the following shall apply:

Building Form

- (a) Notwithstanding Section 2.17 (g), more than one townhouse dwelling unit may be located on a lot or potential lot.
- (b) No building shall include more than 6 townhouse dwelling units.
- (c) No building containing a townhouse shall exceed 10.7 m (35 ft.) in height.

Building Design

- (d) Townhouse dwellings shall incorporate at least 2 of the following design elements:
 - (i) covered entrance with a canopy, awning, recess or similar design feature to provide weather protection;
 - (ii) projecting or recessed offsets such as wall projections and indentations, balconies, bay windows, cantilevered floors, cupolas, or dormers;
 - (iii) varying roof planes using gables, turrets, roof projections, variations in cornice lines, dormers, cupolas, belvederes or similar architectural features; or
 - (iv) mixed architectural features including varied cladding materials and textures, window treatments, or changes in colour.

Amenity Area

- (e) A minimum of 12 sq. m (129 sq. ft.) of private amenity area shall be provided for each dwelling unit for private use by occupants of the individual dwelling unit.
- (f) Any required private amenity area shall be located on the potential lot containing the townhouse dwelling that the private amenity area serves.
- (g) Driveways and front yards of abutting units may be twinned to provide larger front yards suitable for landscaping and planting.

15A.3.3

OTHER REQUIREMENTS: MULTIPLE UNIT DWELLINGS, EXCEPT FOR TOWNHOUSE DWELLINGS, AND MIXED USE BUILDINGS

Where multiple unit dwellings or mixed use buildings, except for townhouse dwellings, are erected in any MOD Zone, the following shall apply:

Building Form

- (a) No building footprint shall exceed 929 sq. m (10,000 sq. ft.);
- (b) No building shall exceed 13.7 m (45 ft.) in height;
- (c) Non-residential uses shall only be permitted on the ground floor of any mixed use building;

Building Design

- (d) Main entrances shall be covered with a canopy, awning, recess or similar design feature to provide weather protection;
- (e) To mitigate the actual and perceived bulk of building massing, any street-facing or private-shared-driveway-facing facades shall be designed through architectural elements to be visually broken into smaller parts using any 2 of the following:
 - (i) projecting or recessed offsets such as wall projections and indentations, balconies, bay windows, cantilevered floors, cupolas, or dormers;
 - (ii) varying roof planes using gables, turrets, roof projections, variations in cornice lines, dormers, cupolas, belvederes or similar architectural features; or
 - (iii) varied architectural features including varied cladding materials and textures, window treatments, or changes in colour.
- (f) All rooftop equipment, including satellite and other telecommunication equipment for private use, air handling units, elevator equipment, cooling towers and exhaust fans, shall be visually screened from the street or private shared driveway.

Amenity Areas

- (g) An average of 2 sq. m (21.5 sq. ft.) of private amenity area per unit shall be provided for a multiple unit dwelling or mixed use building. Where provided, private amenity areas shall have a minimum depth of 1.8 m;
- (h) Indoor or outdoor common amenity areas shall be provided for use by all residents of a development in accordance with the following:

Multiple unit dwelling or mixed use building with 8 residential units or more	the greater of 100 sq. m or 5 sq. m per 1 bedroom unit, 10 sq. m per 2 bedroom unit, and 15 sq. m per 3+ bedroom unit
---	--
- (i) Common amenity areas shall be located on the same lot or potential lot as the building or use it is intended to serve or shall be located on an abutting lot or potential lot zoned MOD.

Access, Parking and Loading Space

- (j) Notwithstanding Section 4.25, the parking requirements for multiple unit dwellings within the MOD Zone shall be a minimum of 1 space per dwelling unit.
- (k) Entryways to below-grade parking shall be recessed into the structure;
- (l) Loading docks, overhead doors and other service entries shall be screened and shall not be located on public street facing facades;

Buffering

- (m) Where a building is within 15.2 m (50 ft.) of a low-rise residential use, the area between the building and the low-rise residential use shall be buffered. For the purpose of this section, buffering shall consist of a grassed landscaped area a minimum 6.1 m (20 ft.) in depth with trees, shrubs or a combination.

15A.3.4

OTHER REQUIREMENTS: DAYCARE FACILITIES IN CONJUNCTION WITH PERMITTED DWELLINGS

Where day care facilities in conjunction with permitted dwellings are permitted in any MOD Zone, the following shall apply:

- (a) With the exception of outdoor play space, any day care facility shall be wholly contained within the dwelling, which is the principal residence of the operator of the facility.
- (b) No open storage or outdoor display shall be permitted.
- (c) No more than 1 sign shall be permitted for any facility and no such sign shall exceed 0.2 sq. m (2 sq. ft.) in area.
- (d) At least 1 off-street parking space, other than that required for the dwelling, shall be provided.

15A.3.5

OTHER REQUIREMENTS: HOME BUSINESS AND HOME OFFICE USES

Where home business or home office uses are permitted in any MOD Zone, the following shall apply:

- (a) Any home business or home office use shall be operated within the dwelling unit which is the principal residence of the operator of the home business or office;
- (b) No more than 25 percent of the gross floor area shall be devoted to any business use, and in no case shall any business use occupy more than 27.9 sq. m (300 sq. ft.) of gross floor area;
- (c) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which does not create a nuisance by virtue of noise, vibration, glare, odour or dust or which is obnoxious;
- (d) No outdoor storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted;
- (e) No more than 1 sign, which shall be affixed to the main dwelling, shall be permitted for any business and no such sign shall exceed 0.2 sq. m (2 sq. ft.) in area;
- (f) At least 1 off-street parking space, other than that required for the dwelling, shall be provided for every 13.9 sq. m (150 sq. ft.) of floor area devoted to any business; and,
- (g) No retail operation shall be permitted except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service.

15A.4

MOD ZONE REQUIREMENTS: COMMERCIAL AND INSTITUTIONAL USES

15A.4.1 In any MOD Zone, no development permit shall be issued for any commercial or institutional use except in conformity with the following:

Minimum Lot Area	1858.1 sq. m (20,000 sq. ft.) or as required for on-site septic approval, whichever is greater
Minimum Frontage	30.5 m (100 ft.)
Minimum Front or Flankage Yard	7.6 m (25 ft.)
Minimum Rear or Side Yard	4.6 m (15 ft.)
Maximum Lot Coverage	50 percent
Maximum Height	10.7 m (35 ft.)
Maximum Building Footprint	929 sq. m (10,000 sq. ft.)

15A.4.2 Where a building is within 15.2 m (50 ft.) of a low-rise residential use, the area between the building and the low-rise residential use shall be buffered. For the purpose of this section, buffering shall consist of a grassed landscaped area a minimum 6.1 m (20 ft.) in depth with trees, shrubs or a combination.

15A.4.3 **OTHER REQUIREMENTS: HOTELS AND RESIDENTIAL CARE FACILITIES**

Where hotels or residential care facilities are erected in any MOD Zone, the following shall apply:

Building Form

- (a) No building footprint shall exceed 929 sq. m (10,000 sq. ft.);
- (b) No building shall exceed 13.7 m (45 ft.) in height;

Building Design

- (c) Main entrances shall be covered with a canopy, awning, recess or similar design feature to provide weather protection;
- (d) To mitigate the actual and perceived bulk of building massing, any street-facing or private-shared-driveway-facing facades shall be designed through architectural elements and be visually broken into smaller parts using any 2 of the following:
 - (i) projecting or recessed offsets such as wall projections and indentations, balconies, bay windows, cantilevered floors, cupolas, or dormers;
 - (ii) varying roof planes using gables, turrets, roof projections, variations in cornice lines, dormers, cupolas, belvederes or similar architectural features; or
 - (iii) varied architectural features including varied cladding materials and textures, window treatments, or changes in colour.
- (e) All rooftop equipment, including satellite and other telecommunication equipment for private use, air handling units, elevator equipment, cooling towers and exhaust fans, shall be visually screened from the street by the roof structure.

Amenity Area

- (f) The greater of 100 sq. m or 5 sq. m of indoor or outdoor common amenity area shall be provided for every 92.9 sq. m (1,000 sq. ft.) of gross floor area of a residential care facility.
- (g) Common amenity areas shall be located on the same lot or potential lot as the residential care facility it is intended to serve.

Access, Parking and Loading Space

- (h) Entryways to below-grade parking shall be recessed into the structure; and
- (i) Loading docks, overhead doors and other service entries shall be screened and shall not be located on public street facing facades;

15A.5 MOD ZONE REQUIREMENTS: COMMUNITY USES

15A.5.1 In any MOD Zone, where community uses are permitted, no development permit shall be issued except in conformity with the provisions of Part 21 apart from the requirements for frontage.

15A.6 MOD ZONE REQUIREMENTS: ACCESSORY BUILDINGS AND STRUCTURES

15A.6.1 Notwithstanding Section 4.11 (a), accessory uses, buildings and structures in any MOD Zone shall be permitted but shall not:

- (a) be built closer to the public street or private shared driveway than the minimum required for the main building or use;
- (b) be built closer than 2.4 m (8 ft.) of any lot or potential lot line;
- (c) be built within 2.4 m (8 ft.) of a residential use or 3.7 m (12 ft.) of any other use;
- (d) be built within 2.4 m (8 ft.) of any other accessory building or structure;
- (e) be greater than 4.57 m (15 ft.) in height; and
- (f) have a footprint greater than 70 sq. m (750 sq. ft.).

15A.7 MOD ZONE REQUIREMENTS: SITE PLAN APPROVAL

15A.7.1 Provisions of the MOD Zone shall not be varied by site plan approval.

15A.7.2 An application for a use subject to site plan approval shall include the following:

- (a) Dimensions and area of the development site;
- (b) A description of the proposed development including the following:
 - (i) proposed and surrounding land uses;
 - (ii) number, size and type of dwelling units including an indication of the number of bedrooms in each unit;
 - (iii) septic systems proposed to service the development including features associated with such system;
 - (iv) measures proposed for the effective drainage of stormwater; and
 - (v) details on how private shared infrastructure including private shared driveways will be maintained in terms of ongoing repairs and snow clearance.
- (c) A site plan drawn to scale showing the following:
 - (i) location of all existing and proposed buildings and structures on the lot including their respective uses;
 - (ii) location and width of all existing and proposed driveway accesses to public streets;
 - (iii) location of all existing and proposed parking including bicycle parking facilities and loading space;
 - (iv) location of all existing and proposed on-site services;
 - (v) type, location, and height of walls, fences, hedges, trees, shrubs, ground cover, or other landscaping;
 - (vi) location of common or public outdoor amenity areas;
 - (vii) any existing vegetation to be retained;

- (viii) location of all existing and proposed walkways and sidewalks;
- (ix) location of facilities for the storage of solid waste;
- (x) location of areas that are unsuitable for development as determined by a land suitability study;
- (xi) location and type of any existing and proposed easements on and abutting the site;
- (xii) type, location and size of existing sign structures;
- (xiii) type and location of lighting in all parking facilities, driveways and walkways; and
- (xiv) an overlay of the sub area boundaries shown on Schedule E.

- (d) Front, side and rear building elevations;
- (e) A letter provided by the applicant indicating the owner agrees to maintain the terms of the site plan;
- (f) Stormwater Management and Erosion and Sedimentation Control Plans showing the sequence of construction, erosion and sedimentation control measures, and interim stormwater management measures to be put in place prior to and during construction;
- (g) A plan showing the sequence of construction including private shared driveway connections, any upgrades to existing public infrastructure, and the land uses the driveways are intended to serve;
- (h) A traffic impact study as required under Section 15A.2.2.1. An addendum to the traffic study may be required at the discretion of the Development Engineer. Any required addendum to the traffic study shall be prepared by a Professional Engineer and shall address all matters detailed in Section 15A.2.2.1;
- (i) Design of any private shared driveway prepared by a Qualified Professional;
- (j) Land suitability study prepared by a Qualified Professional that identifies areas suitable for development and areas that shall be avoided with consideration of access to the site, soil conditions, steepness of grades, geological conditions, locations of watercourses, on-site services, marshes or bogs, and susceptibility to flooding; and
- (k) Any other information the Development Officer deems necessary to evaluate the proposal.

15A.7.4 The notification distance for a site plan approval application in the MOD Zone shall be increased to 100 m (328 ft.) from the property boundary of the lot that is the subject of the application.

15A.7.5 The Development Officer shall approve a site plan application where the following matters have been addressed by the applicant:

- (a) Location of Structures on a Lot:
 - (i) Buildings shall be located in a manner such that main entrances of a building shall be parallel to a public street or private shared driveway unless the areas unsuitable for development, as determined by a land suitability study, do not permit.
 - (ii) The location of buildings shall avoid areas unsuitable for development as determined by a land suitability study.

(iii) Buildings that are accessed by the same driveway from a public street shall be clustered where possible.

(b) Location of Driveway Accesses

(i) Where more than one access to a public street is required, the accesses shall be located at opposite ends of the development.

(c) Retention of Existing Vegetation and Landscaping Elements

(i) Existing vegetation shall be retained, except for the development of permitted uses, amenity areas, landscaped areas, parking, walkways, public streets or driveway accesses, to buffer the development from adjacent uses.

(ii) Outdoor private amenity areas shall include balconies, decks, landscaped yards, or similar area.

(iii) Outdoor common amenity area shall include courtyards, walkways, community gardens, outdoor landscaped gathering spaces with furniture, or similar area.

(iv) Landscaped areas shall consist of shrubs, trees, perennials, annuals, other plantings, grass, mulch, gravel, pavers, natural ground covers such as water features, stone (washed or flat), mulch, or combination. Existing trees and shrubs may be incorporated into the landscaped area.

(v) Where a parking lot for a medium-rise residential, commercial, or mixed use building abuts existing residential uses, such parking facilities shall be screened by a vegetated buffer or fence.

(vi) Parking lots with 20 or more parking spaces shall have 10 percent of their area landscaped such that the parking lots do not have groups of parking spaces greater than 20 in an uninterrupted lot.

(d) Location of Walkways:

(i) Walkways shall be provided between the following to develop an active transportation network on lands zoned MOD:

- i. Medium-rise residential uses and non-residential uses;
- ii. parking lots and the main entrance of a building;
- iii. buildings and the Municipal pedestrian network; and
- iv. buildings and a transit stop.

(ii) Pedestrian walkways shall be located between pedestrian and vehicular movements in all parking lots that have greater than 20 parking stalls.

(iii) Walkways shall be clearly delineated and separate from vehicular circulation areas by using landscaping, curb, crusher dust, painted line or a hard surface such as asphalt, pavers, or concrete.

(iv) Crossing distances of walkways or active transportation connections over vehicular circulation areas shall be minimised by crossing at the narrowest part of a parking lot or private shared driveway.

(v) Walkways shall be able to accommodate mobility devices such as walkers, wheelchairs and scooters.

(e) Type and Location of Outdoor Lighting:

(i) All lighting devices shall be designed to direct light to driveways, parking facilities and loading space, building entrances and walkways, and arranged to divert the light away from streets, adjacent lots, and buildings.

(ii) Different types of lighting shall be provided, such as flush mount lighting for building accent, or ground-oriented lighting along walkways.

(iii) Lighting shall comprise full cut-off fixtures that are properly shielded to reduce the spillover of lighting onto adjacent properties.

(f) Location of Facilities for the Storage of Solid Waste

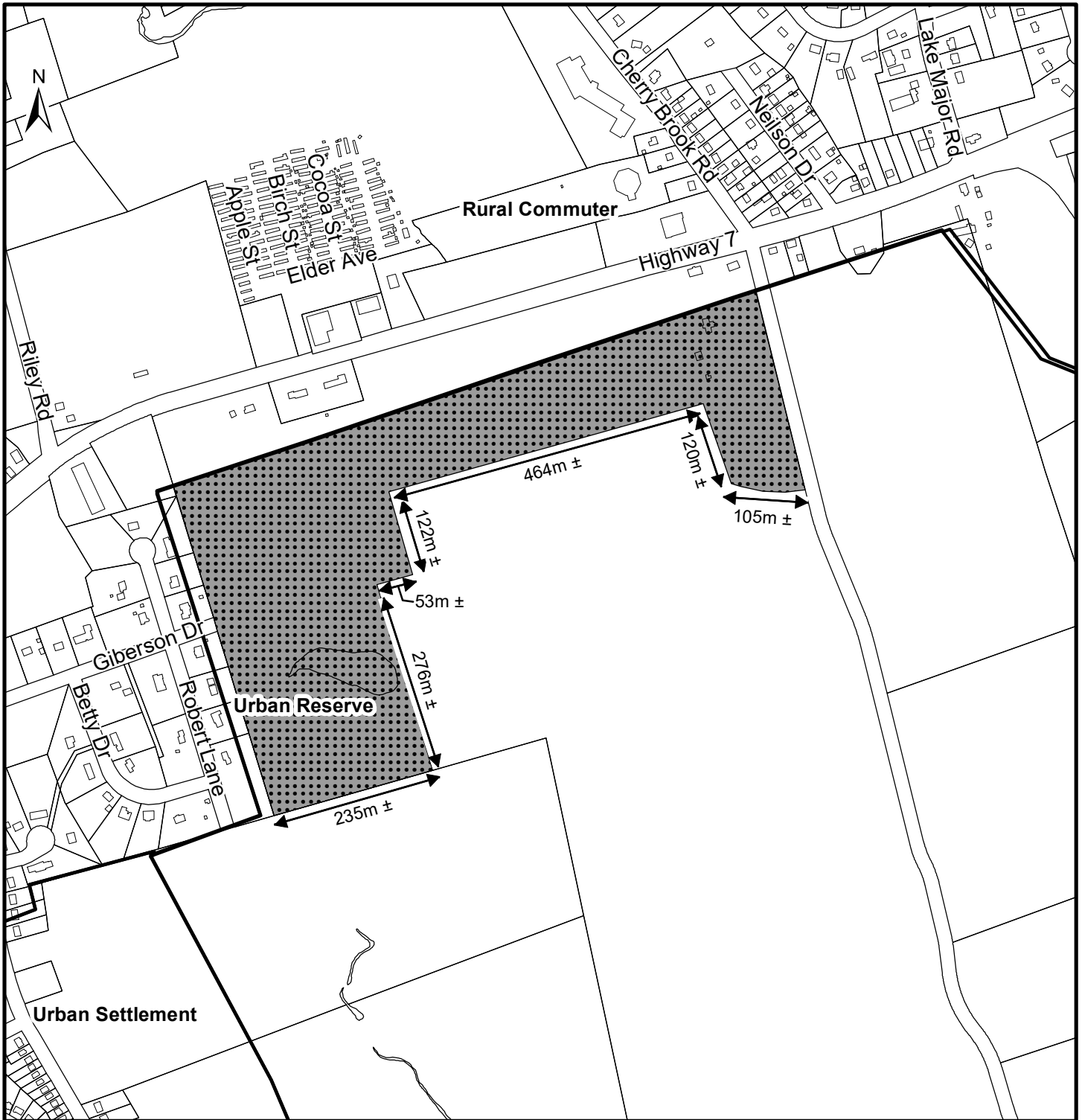
(i) Solid waste storage shall be located so they are not visible from adjacent uses, surrounding properties, or the public street.

15A.7.6 Provisions for Maintenance

All matters considered by site plan approval shall be adequately maintained. Parking lots shall make provisions for the stockpiling of snow to prevent the reduction in the number of parking spaces and obstruction of loading areas.


15A.7.7 The following shall be exempt from site plan approval:

- (a) Temporary construction uses;
- (b) Exterior renovations and additions provided that:
 - (i) the street facing or private shared driveway facing facades are not changed; and
 - (ii) the addition has a gross floor area of 75 sq. m (807.3 sq. ft) or less;
- (c) Interior renovations;
- (d) Signs;
- (e) Steps, stairs or other building entrance features;
- (f) Accessory structures;
- (g) Change of use or tenancy; and
- (h) Commercial uses within the existing buildings within Sub Area A.

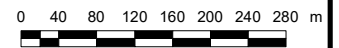


Appendix A: Proposed Amendments to Map 2 – Generalized Future Land Use of the Regional Municipal Planning Strategy

PID 40150567
Cole Harbour

 Area proposed to be redesignated from UR (Urban Reserve) to RC (Rural Commuter)

HALIFAX




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.



Appendix B: Proposed Amendments to Schedule "B"
Service Requirement Map of the Regional Subdivision By-law

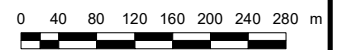
PID 40150567
 Cole Harbour

 Area proposed to be added to
 Water Service Area - Service Requirement Map
 Schedule "B"

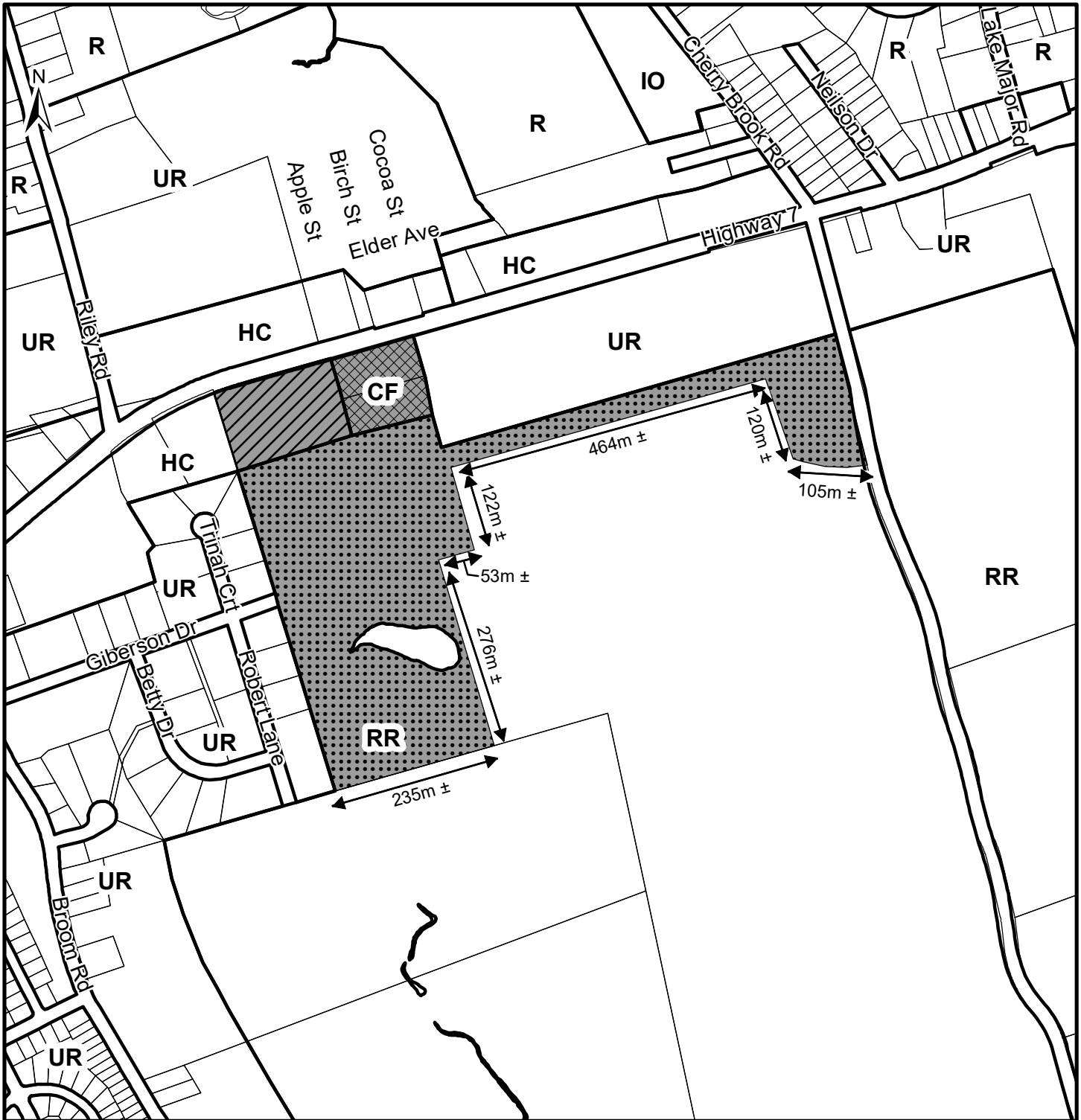
 Water Service Area - Subdivision By-law
 Service Requirement Map
 Schedule "B"

Regional Subdivision By-law

HALIFAX



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




Appendix C: Proposed Amendments to Map 1: Generalized Future Land Use of the Cole Harbour / Westphal Municipal Planning Strategy

HALIFAX

PID 40150567 and 40150559
Cole Harbour

Cole Harbour/Westphal Designations


 Area proposed to be redesignated from RR (Rural Residential) to UR (Urban Residential)


UR Urban Residential

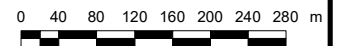
RR Rural Residential

HC Highway Commercial

CF Community Facility

 Area proposed to be redesignated from HC (Highway Commercial) to UR (Urban Residential)

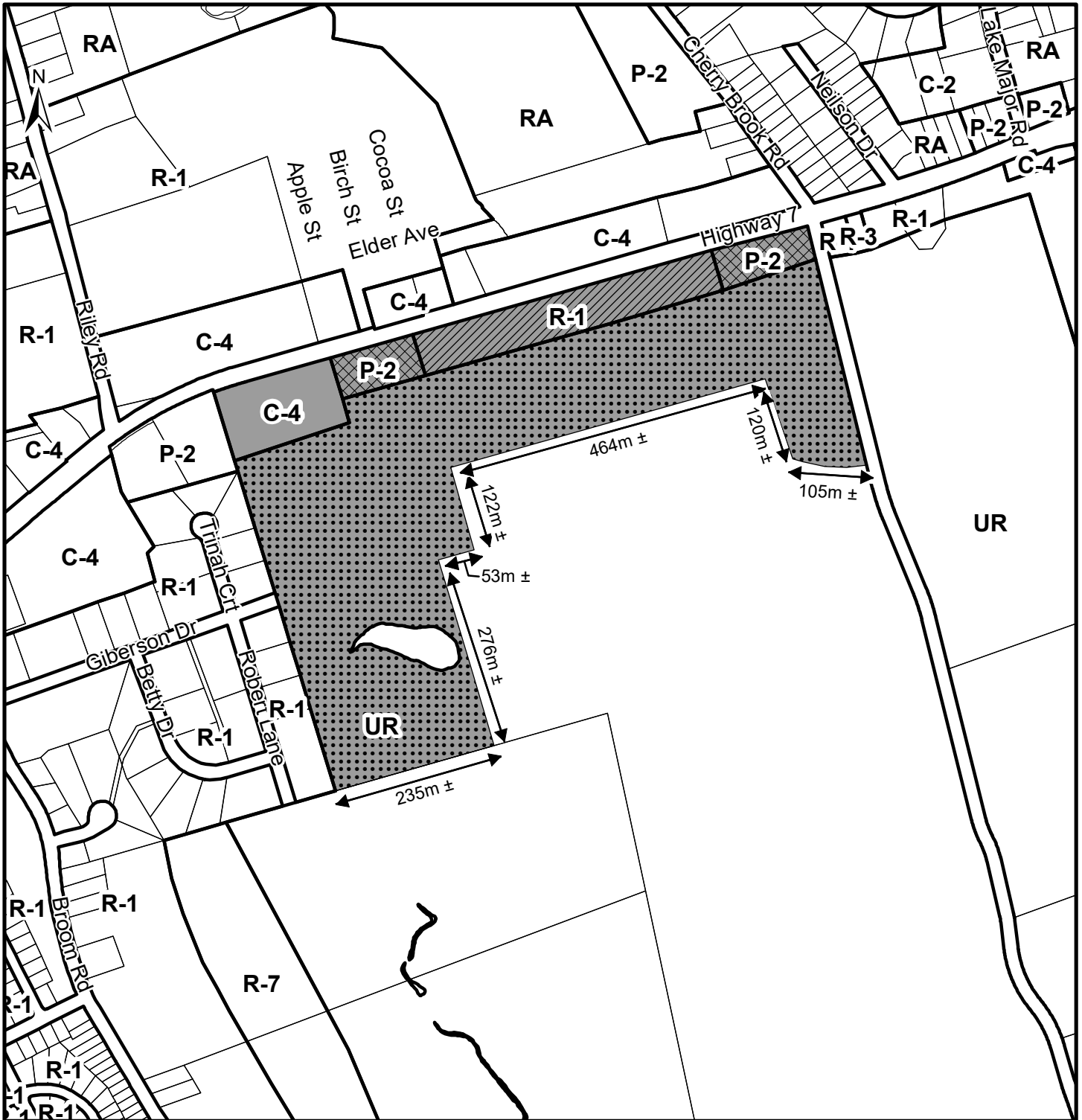
 Area proposed to be redesignated from CF (Community Facility) to UR (Urban Residential)



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.

Cole Harbour / Westphal Municipal Planning Strategy



Appendix D: Proposed Amendments to Schedule A – Cole Harbour/Westphal Zoning Map of the Cole Harbour / Westphal Land Use Bylaw

PID 40150567 and 40150559

Cole Harbour

Area proposed to be rezoned from UR (Urban Reserve) to MOD (Mixed Opportunity District)

Area proposed to be rezoned from R-1 (Single Unit Dwelling) to MOD (Mixed Opportunity District)

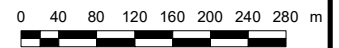
Area proposed to be rezoned from P-2 (Community Facility) to MOD (Mixed Opportunity District)

Cole Harbour/ Westphal Zones

- R-1 Single Unit Dwelling
- R-7 Rural Estate
- C-4 Highway Commercial
- I-1 Light Industrial
- P-2 Community Facility
- UR Urban Reserve

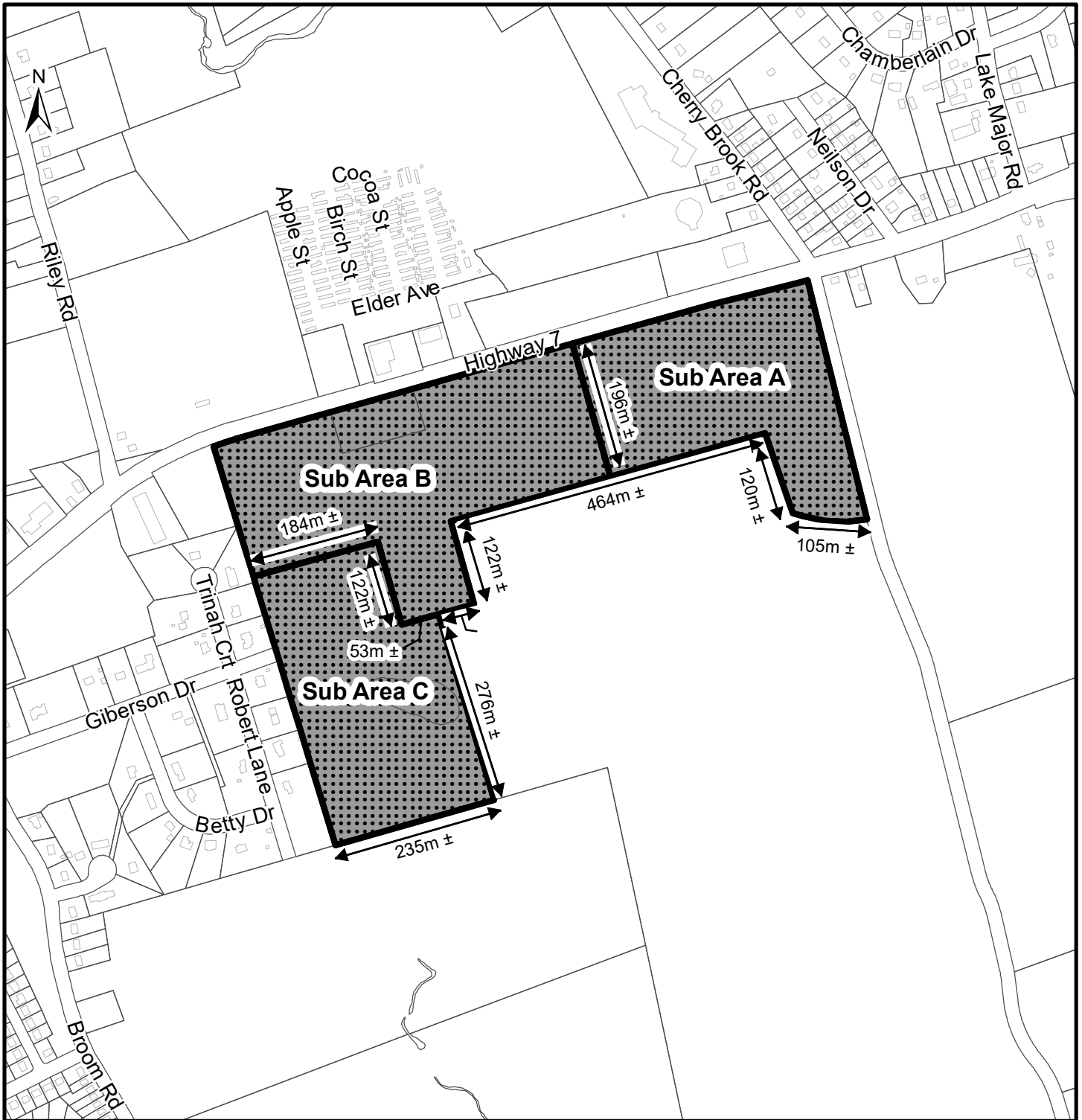
Area proposed to be rezoned from C-4 (Highway Commercial) to MOD (Mixed Opportunity District)

HALIFAX



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.

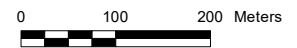


**Proposed Schedule E - Sub Areas of MOD (Mixed Opportunity District) Zone
Cole Harbour/Westphal Land Use By-Law**

HALIFAX

Cole Harbour

 Sub Areas of Mixed Opportunity District (MOD) Zone



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

Effective Date:

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ATTACHMENT E

A Brief History of the Nova Scotia Home for Colored Children



The former Nova Scotia Home for Colored Children (NSHCC) has significant historical and cultural value, specifically within the African Nova Scotian community, which cannot be adequately described in this format. The following is a high-level description and timeline of key events intended to provide context and insight for those who may not be familiar with the site. Information was collected from Akoma Holdings, the NSHCC Restorative Inquiry, past Provincial and Municipal legislation and Council minutes. This document is by no means a comprehensive account. While staff have made every effort to ensure the accuracy of this information, the history of the site is best told from the perspective of and by the community itself!

The NSHCC was incorporated in 1915. The NSHCC intended to provide care and refuge for neglected ANS children that became the responsibility of the Government. The Home filled a gap in the Provincial childcare system as children of African descent were not welcome in White institutions.

The grand opening of the Home on Preston Road (now Highway 7) in 1921 attracted the largest gathering of people of African descent in Nova Scotia since the arrival of Black Loyalists in 1783. Around 1948, the two-room Henry G. Bauld Elementary School was built on the property. This facility offered classes to residents of the home and neighbouring students. Within the first 50 years, thousands of children lived at the NSHCC. Over the years, the Home fell in disrepair and former residents suffered systemic and institutional racism, neglect and abuse at the NSHCC. Government aid was scarce. Children were physically, mentally, emotionally and sexually abused.

In the early 1960s, the NSHCC began accepting orphaned White children after segregation in institutions formally ended. Other orphanages also started accepting children of all racial backgrounds and by the late 1970s, dozens of NSHCC residents moved to foster homes and the NSHCC's population notably declined. The orphanage facility closed after two group homes were built on the property in 1978/79. The cottage where the superintendent of the home lived was rented for several years following closure of the orphanage, but the cottage was eventually vacated and has been used for storage since.

Former residents of the NSHCC launched a class action lawsuit revealing poor living standards and the abuse endured by residents of the facility. On October 10, 2014, Premier Stephen McNeil formally apologised, on behalf of the Province of Nova Scotia, to former residents of the NSHCC. In 2015, the Nova Scotian Government introduced the NSHCC Restorative Inquiry (RI) process aimed at providing restorative justice by revealing the history of institutionalised racism in the Province, understanding the legacy of the NSHCC that continues to affect Nova Scotians today, building just relationships, and engaging in collaborative planning to ensure no further harm and meaningful change that supports a better future for the community. The final report of the Restorative Inquiry, "Journey to Light – A Different Way Forward" was released in 2019.

Zoning History

In 1972, the NSHCC lands as well as abutting properties south of Highway #7 were zoned G (General Building). Just before the Regional Plan was adopted in 2006, most of the NSHCC property was zoned R-1 (Single Unit Dwelling) and R-7 (Rural Estate) which permitted low density residential development. Smaller portions of the property along Highway #7, where the Henry Bauld Centre and Akoma Family Centre buildings are located, were zoned P-2 (Community Facility) and C-4 (Highway Commercial).

Most of the property owned by Akoma Holdings currently has zoning that limits development and protects the lands for future serviced development. This zoning was applied in 2006, when the Municipality adopted a 25-year Regional Plan and planning policies to manage growth and maintain the fiscal health of the Municipality. The NSHCC site as well as properties immediately surrounding the lands were mostly vacant around 2006 and there were no immediate plans to develop the site. Given the size of undeveloped land, the proximity of the lands to the Halifax-Dartmouth core and how close the properties are to public pipe infrastructure (Municipal water and sewer services), it was felt that the site should be protected for future serviced development, beyond the 25-year lifespan of the Regional Plan. Given the significant history of the property, Council and staff recognize there is merit in considering amending these policies for the former NSHCC site.

Continued on following page >

Timeline of Key Events

- 1915 An Act to Incorporate the Nova Scotia Home for Colored Children was adopted (Chapter 107). The Board of Trustees included members of the community and the City of Halifax.
- 1917 The Board of Trustees secured an abandoned property in the north end of Halifax. However, in December that year, the Halifax Explosion destroyed the home building.
- 1921 The City of Halifax deeded a property of over 300 acres to the NSHCC located on Preston Road (now Highway #7). There was a need for a new, larger home to accommodate an increasing number of children. Care institutions were over capacity and lacking supplies after the Explosion, so the Board attempted to find a farm property that could provide food security for the residents.
- 1948 The two-room Henry G. Bauld Elementary School was built on the property.
- 1972 The NSHCC lands were zoned G (General Building).
- 1978/79 The NSHCC closed when two new group homes were built on the property.
- 1982 A portion of the NSHCC lands along Highway #7 were zoned R-1 (Single Unit Dwelling), P-2 (Community Facility) and C-4 (Highway Commercial). The interior lands were zoned R-7 (Rural Estate).
- 1983 The [County of Halifax](#) approved a request to rezone a portion of the lands containing the Henry Bauld School from R-1 (Single Unit Dwelling) to P-2 (Community Facility) to convert the school building to a recreation centre for the children (now known as the Henry Bauld Centre).
- 1994 The [County of Halifax](#) established water service districts in the Cole Harbour/Westphal, Eastern Passage/Cow Bay and North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston areas. Areas within the water service districts included lands where problems existed with on-site water supplies, where pipes could be installed to improve the overall water distribution system, and where developers that had active subdivision proposals received a commitment that their lands would be serviced. The NSHCC lands were not included in the districts as they failed to meet the criteria for consideration.
- 1997 At [Harbour East Community Council](#) on February 6, Councillor Cooper requested that the Municipality facilitate a heritage registration process and allocate emergency funding to stabilise and preserve the Home building. Councillor Cooper mentioned that the Home had development plans and the NSHCC was important to protect as a significant as part of African NS history and heritage. Staff began a process to register the old Home, but the site was not registered.
- 2005 On February 28 at [Marine Drive, Valley & Canal Community Council](#), Councillor Hendsbee put forward a motion requesting HRM and HW examine the extension of the Water Service Boundary to include the NSHCC property.
- 2006 On May 16 was the [Public Hearing](#) for the adoption of the Regional Plan. Council requested a supplementary report that responds to a request to re-designate lands in Cole Harbour/Westphal as Urban Settlement instead of Urban Reserve and extending the water service district. The [supplementary report](#) from June 13 noted that re-designating the lands to Rural Commuter and creating another Rural Growth Centre could be considered at the Regional Plan review.
- On June 27, Regional Council adopted the Regional Plan. Most of the NSHCC lands were designated and zoned Urban Reserve (UR) to protect the lands for future serviced development. The portion of lands rezoned to UR were zoned R-1 (Single Unit Dwelling) and R-7 (Rural Estate) just before adopting the Regional Plan.
- 2009 An [information report](#) was presented to Marine Drive, Valley & Canal Community Council that responded to Councillor Hendsbee's 2005 motion. The report suggested that Council await the findings of the Wastewater Management Functional Plan (WWFP), that was initiated by Halifax Water, and the five-year review of the Regional Plan before extending water service to the subject property.

Continued on following page >

Timeline of Some Key Events Continued...

2014 [Public Hearing for RP+5 \(the first review of the Regional Plan\)](#). Dr. Wanda Thomas Bernard, Board Member for the NSHCC; Veronica Marsman, Executive Director of the NSHCC; Dr. Wayne Adams, representative of the NSHCC; and, Joanne Light, Halifax requested that Council remove the UR Designation from the NSHCC lands and extend the service boundary as they limited development opportunities to provide affordable housing and employment. Staff advised that they are supportive of the aspirations of the Board and will assist the Board so their plans could be brought forward as an application.

Premier Stephen McNeil formally apologised, on behalf of the Province of Nova Scotia, to former residents of the NSHCC.

Akoma Holdings Inc. was established. They acquired the assets from the NSHCC which included over 300 acres of property containing the former NSHCC, NSHCC superintendent's cottage, Henry Bauld Centre, two child care residential buildings, and the Watershed Association Development Enterprises (WADE) building. There is also an easement in favor of Nova Scotia Power across the property.

2015 The Province introduced the [NSHCC Restorative Inquiry \(RI\)](#) process aimed at providing restorative justice by revealing the history of institutionalised anti-black racism in the Province, understanding the legacy of the NSHCC that continues to affect Nova Scotians today, building just relationships, and engaging in collaborative planning to ensure no further harm and meaningful change that supports a better future for the community.

2018 In May, Regional Council endorsed the [2016-2021 Economic Growth Plan](#). Action #12 of the action plan states, "Develop and implement an African Nova Scotian (ANS) Action Plan to advance economic development and community priorities."

Akoma Holdings submitted an application to amend the planning policies to enable development of the NSHCC lands. On October 2, Regional Council [initiated](#) a process to consider the appropriate adaptive re-use of the lands containing and surrounding the former NSHCC ([Case 21875](#)).

2019 Staff initiated the African Nova Scotian Economic Action Plan. An [information report](#) was [presented](#) to the Community Planning and Economic Development Committee on November 19. The Road to Economic Prosperity: An African Nova Scotian Economic Action Plan includes a series of actions and priorities aimed at building unity in the ANS community while advancing ANS economic and community development.

The final report of the NSHCC Restorative Inquiry, "[Journey to Light – A Different Way Forward](#)" was released.

2020 Regional Council initiated [Case 22572](#) on February 25: [the second review of the Regional Plan](#). The Review will consider Akoma's long-term development objectives and provide direction for future plan amendments.

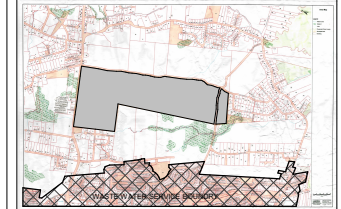
Regional Council endorsed the [Road to Economic Prosperity: An African Nova Scotian Economic Action Plan](#). Objective 2.1 and Action 15 speaks to Akoma Holding's proposal.

ATTACHMENT F: MOST RECENT CONCEPT PLAN



T.A. SCOTT
ARCHITECTURE + DESIGN
DRAWING INSPIRATION

Keyplan



No.	Description	Date
10.	ISSUED FOR HRM	2021.02.08
9.	ISSUED FOR PHASING REVIEW	2021.01.11
8.	ISSUED FOR SITE GEOLOGY	2021.01.07
7.	ISSUED FOR BUILDING D	2020.12.24
6.	RE-ISSUED FOR CDD APPLICATION	2020.09.08
5.	ISSUED FOR CDD APPLICATION	2020.05.26
4.	ISSUED FOR REVIEW	2019.08.01
3.	ISSUED FOR ZONING APPLICATION	2019.03.27

Issue Schedule

No.	Description	Date

Revision Schedule

No.	Description	Date

Akoma Holdings Inc. - Development

Project Address 18 Wilfred Jackson Way

Project PID 40150567

Site Plan - Akoma Development (Phasing)

Project Number 18-077

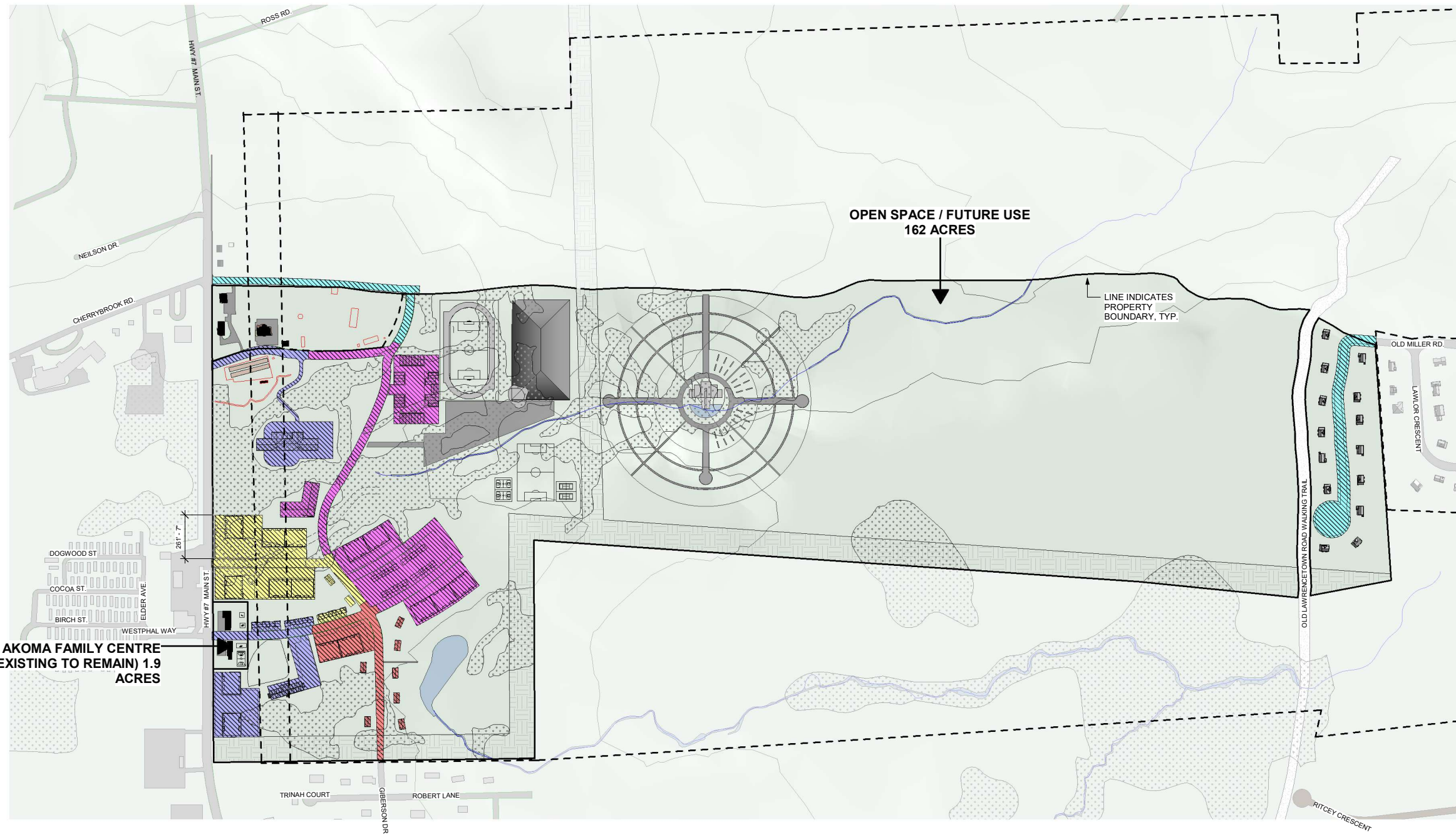
Date 2021.02.08

Drawn By JTP

Checked By TAS

A-100.3

Scale As indicated



AKOMA FAMILY CENTRE (EXISTING TO REMAIN) 1.9 ACRES

OPEN SPACE / FUTURE USE 162 ACRES

LINE INDICATES PROPERTY BOUNDARY, TYP.

1 Site Plan - New (Phasing)
1" = 300'-0"

PHASING LEGEND:

	PHASE 1
	PHASE 2
	PHASE 3
	PHASE 4
	AREAS TO BE INCLUDED INTO PHASING ONCE PERMITTED

ATTACHMENT G

Summary of Public Engagement Program

African Nova Scotian government agencies and community groups emphasized the need for a robust and inclusive public engagement program for Case 21875 that promotes full participation of the community. An outline of the public engagement program is illustrated in Figure 1 below. This attachment includes a summary of the advice received from ANSA government agencies and community groups, how and what information was shared with the public, a summary of the virtual public meeting minutes and responses to public questions and concerns that were posted to the case website.

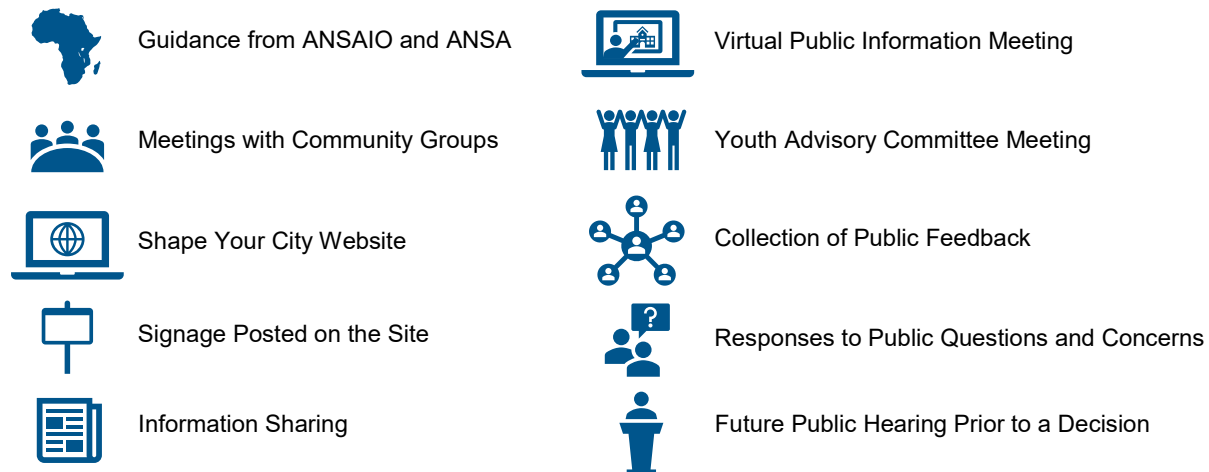


Figure 1: Outline of Public Engagement Program

Guidance from ANSAIO and ANSA

Planning staff met with Diversity and Inclusion Advisors from the HRM African Nova Scotian Affairs Integration Office (ANSAIO) and the Provincial Office of African Nova Scotian Affairs (ANSA) on various occasions throughout the planning process. Both ANSAIO and ANSA's role has been to help planning staff better engage with the African Nova Scotian community. ANSAIO and ANSA have helped planning staff:

- connect with various community groups;
- present information about the proposal in a clear, inclusive and respectful manner;
- share HRM public meeting notices for the proposal with their networks;
- ensure that feedback can be collected by HRM staff in various ways; and
- coordinate the mental and emotional support services for the public at the virtual public information meeting.

Meetings with Community Groups

As per the recommendations from ANSAIO and ANSA, HRM planning staff consulted with community groups prior to meeting with the greater public. The role of the community groups in the planning process was to help staff develop an inclusive engagement program and share information with the public. The assistance received by the community groups did not equate their

support for the development proposal itself. These groups were not all part of developing the plans for the subject property. The plans were submitted by the applicant, Akoma Holdings Incorporated.

Four community groups were selected based on their involvement in matters pertaining to the Nova Scotia Home for Colored Children and the African Nova Scotian community as follows:

1. The **Akoma Board** manages matters pertaining to the Akoma Family Centre and Akoma Holdings Inc.'s assets including the former Nova Scotia Home for Colored Children. The Akoma Family Centre is a non-profit organisation that provides care and programs for children and youth with special needs in the care of Community Services. Akoma Holdings is also a non-profit organisation that aims to create affordable housing and socio-economic opportunities for African Nova Scotians and the greater community.
2. **Victims of Institutionalized Child Exploitation Society (VOICES)** was established by former residents of the Nova Scotia Home for Colored Children to support and advocate for former residents. VOICES played a fundamental role in the Restorative Inquiry for the Nova Scotia Home for Colored Children. One of their objectives is to ensure commitments of “no further harm”, especially to former residents that experienced trauma at the Home, are upheld.
3. The **African United Baptist Association (AUBA) of Nova Scotia** is a religious organisation that was founded in 1815. The AUBA has served African Nova Scotians and general society in supporting education opportunities and advocating social change for Black families throughout the Province. The AUBA played an integral role in the opening of the Nova Scotia Home for Colored Children in 1915.
4. **African Nova Scotian Decade for People of African Descent Coalition (ANSDPAD)** was developed after the United Nations’ declaration of the International Decade for People of African Descent (DPAD) commencing January 1, 2015 and ending on December 31, 2024. ANSDPAD is focused on building strength and health across African Nova Scotian communities and building relationships with government(s) to create opportunities for all people of African descent in the Province to thrive.

Staff met with each community group twice as shown Table 1 below. The first meeting was in person whereas the second meeting was virtual using Microsoft Teams to adhere to Provincial social distancing requirements due to the Covid-19 pandemic.

Table 1: Meetings with Community Groups

Akoma Board	VOICES	AUBA	ANSDPAD
January 9, 2020 July 27, 2020	January 27, 2020 August 4, 2020	January 28, 2020 August 10, 2020	December 12, 2019 August 31, 2020

At the first round of community group meetings, staff presented the context of the application by Akoma Holdings and asked the community groups:

1. How do we reach out to interested parties for the public session(s)?
2. Where should we meet?
3. What time of day should the meeting be?
4. How many meetings should be held?
5. What format should the public sessions be in? Would the preliminary design encourage full participation of the community?

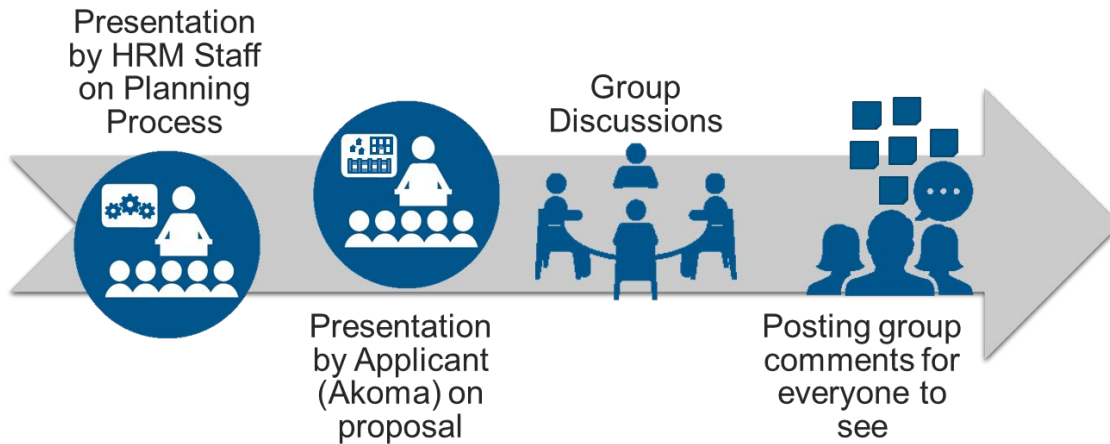


Figure 2: Preliminary Format of Public Meeting

Staff compiled all the feedback from the community groups which generally included the following topics:

Staff Presentation

- Make staff's role clear
- Avoid planning jargon
- Simplify the planning process
- Clearly explain why everyone is at the meeting and how feedback will be incorporated or considered through the planning process

Encouraging Full Participation

- Interested persons include those connected to the past, present and future of the site
- Outreach Province and Canada-wide by using DPAD, VOICES, Akoma Board and AUBA's networks
- Hold public in-person sessions in local communities such as the Black Cultural Centre and Halifax North Memorial Library, for example
- Facilitate pocket sessions for broader ANS community
- Consider live stream or recorded sessions
- Host day and night sessions

- Consider a youth perspective

Public Sessions Format

- Sharing circles format would be more inclusive
- Provide food for in-person meetings
- Provide a toolkit including topics to prompt questions and discussion
- Post feedback report online

Group Discussions

- Take a listening approach
- Be aware of mixed feelings about the home
- Arrange mental and emotional support during and after the meeting
- Be aware of underlying contention around the ownership of the home and formation of the Akoma Board
- Make extra efforts to seek feedback from women as voices of women can be underrepresented
- Avoid “naming, blaming or shaming”
- Safeguard the program from “self-proclaimed leaders and advocates” who tend to dominate conversations
- Analyze feedback through a critical race theory and reparations lens

At the second set of community group meetings, staff presented what we heard from the first round of meetings and discussed adjusting the program to align with the Province’s Covid-19 social distancing mandate. Staff presented a new program for an online public information meeting, with a call in option, that took into consideration most of the suggestions from the community groups and a range of tools and resources including photographs of the property, the applicant’s submission of plans and other supporting documents, a public forum, mental and emotional supports, the planning process flow chart, glossary of terms for the planning process, and examples of topics for discussion. Staff also explained that attempts were made to meet with students of Auburn High School but, due to the pandemic, this could not be pursued at the time. Instead, staff committed to presenting Akoma’s development proposal to HRM’s Youth Advisory Committee for feedback.

Questions asked of the community groups at the second round of meetings included:

1. Do you think the community would participate in an online format?
2. What other tools would be helpful?
3. How much time would the community need to provide feedback?
4. Are there other ways HRM staff can encourage participation from youth in the community?
5. Do you have any other ideas for or concerns with a virtual public meeting?

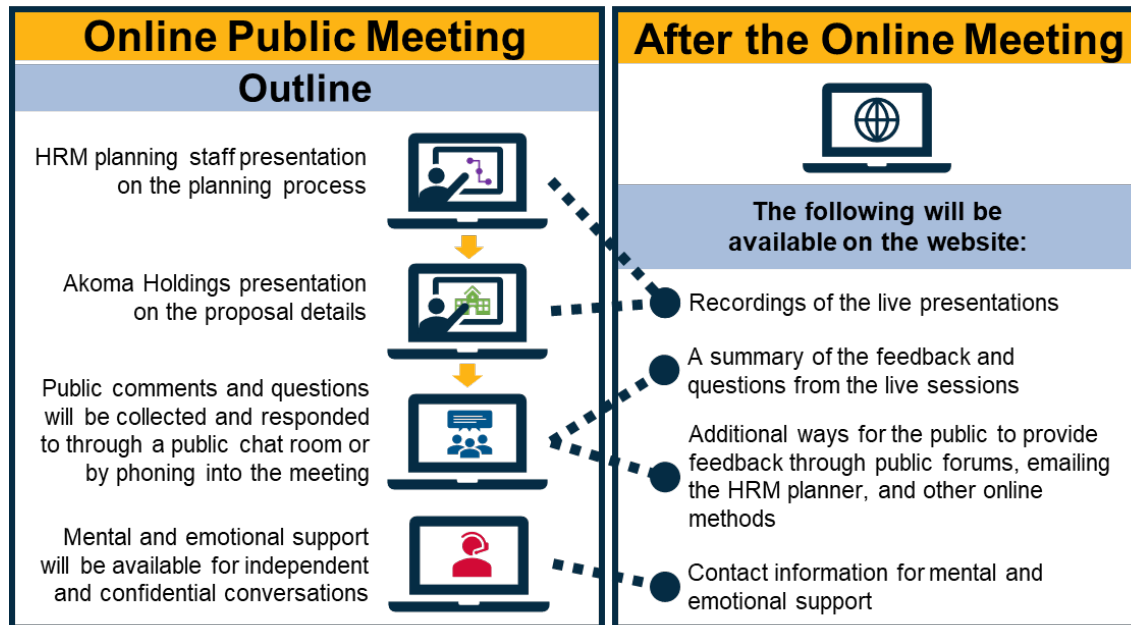


Figure 3: Online Public Information Meeting Program

There was general support from the groups for the revised program with a virtual public meeting as, by the summer months, most people became accustomed to working from home and meeting online. Several members of the community groups reiterated their concerns from the first set of meetings relative to encouraging full participation.

Information Sharing

Information on Case 21875 was shared through the HRM planning applications webpage, Shape Your City website, signage posted on the subject site, notices mailed to property owners within the notification area and emailed through African Nova Scotian government agencies' and community groups' networks, a virtual Public Information Meeting held on October 21, 2020, and a presentation to the Youth Advisory Committee on November 19, 2020.

The tools available for engaging with the public using the HRM planning applications webpage were limited. After learning about the Provincial Covid-19 social distancing mandate, staff created a new website for Case 21875 on Shape Your City to take advantage of the range of tools that offered multiple ways to share information with and collect feedback from the public. The Shape Your City website was updated as new information became available and included the following:

- Information on the proposal including plans and documents submitted by Akoma for evaluation;
- A flow chart of the planning process with definitions;
- Examples of topics that would help with developing new planning policies for the site;
- A timeline of the application's progress through the planning process;
- A brief history of the Nova Scotia Home for Colored Children;
- Answers to frequently asked questions;
- Photographs of the subject property;
- Links to important documents including the staff initiation report;
- Information on how to join the virtual public meeting;

- A video recording of the virtual public meeting;
- A summary of the minutes from the virtual public meeting;
- Information on the various ways to provide feedback on the proposal; and
- Contact information for the HRM planner guiding the application through the planning process if the public has any further questions.

Notices about the virtual public information meeting were mailed to property owners within the notification area in Map 4 of the staff report. The notice was also shared via email to African Nova Scotian communities using ANSA's and the four community groups' networks. The public notice welcomed all members of the public to attend the virtual meeting and provide feedback on the proposal and encouraged participation from seniors and youth.

Area Councillors posted a link to the video recording of the virtual meeting to a variety of Facebook pages for community groups in Dartmouth, Cole Harbour, Westphal, Cherry Brook, Lake Loon, North Preston, East Preston, Mineville, Porters Lake, Lake Echo, and Lawrencetown.

Public feedback was collected for more than five weeks after the virtual meeting. The following table outlines the various ways in which the public received information about the proposal and how popular each tool was:

Table 2: Tools Used to Share Information with and Collect Feedback from the Public

Shape Your City Website	
Total number of website views from the date the page was launched, September 29, 2020 to February 4, 2020	1.1K
Total number of informed visitors meaning the visitor viewed a video, photo or downloaded a document from the page	358
Total number of aware visitors meaning the visitor clicked on a project or tool on the website	633
Number of posts to public forum	8
Halifax.ca Planning Applications Website	
Number of unique website views from the date of Regional Council's initiation, October 2, 2018 to December 31, 2020	483
Average time spent on the website (minutes: seconds)	3:39
Notices Mailed to Area Residents	
Number of notices mailed within notification area	229
Video of Virtual Meeting Recording	
Total number of views	327
Facebook Posts	
Number of unique user comments	36
Total number of reactions to the posts (like, love and shocked reactions)	107
Direct Communication with the HRM Planner	
Number of calls received (unique callers)	13
Number of emails received from the public (unique email addresses)	18

Virtual Public Information Meeting

A virtual public information meeting was held using Microsoft Teams on October 21, 2020. Staff gave a presentation on the scope of the proposal including what is being considered through Case 21875 and what parts of the proposal are being considered under the Regional Plan Review (Case22257), the planning process, how the public can participate in the planning process, and various ways in which they can provide feedback on the proposal. Akoma Holdings Inc. presented the details of their proposal. Members of the public connected to the meeting online and via phone

and were welcomed to offer their feedback and ask questions about the proposal after the presentations. A video recording of the meeting was posted to the Shape Your City website for anyone who was unable to attend the live event.

Figure 4 below shows the concept plan that was presented to the public at the virtual meeting.

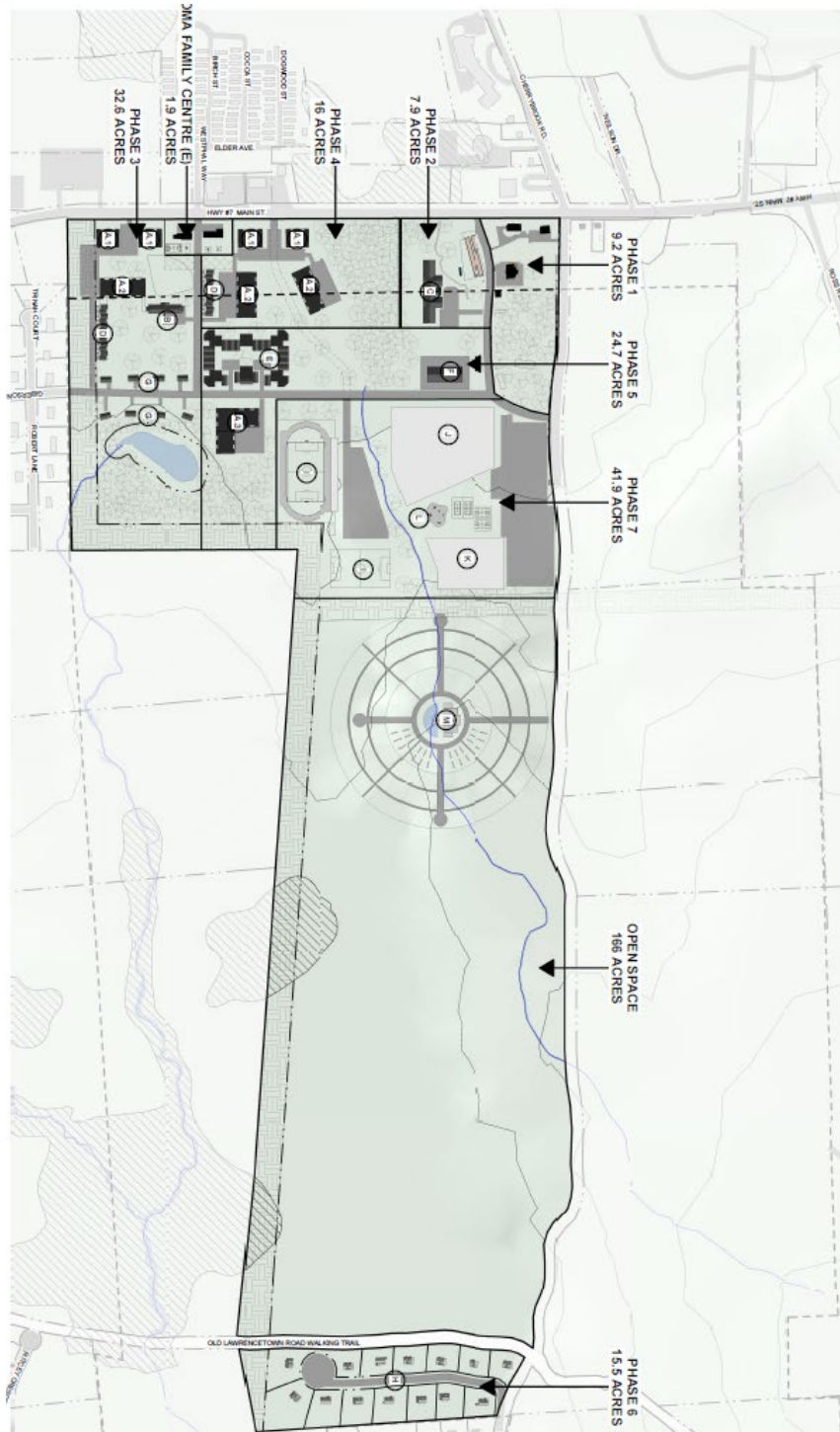


Figure 4: Concept Plan that was Presented to the Public

A summary of the minutes of the virtual meeting, which was posted to the Shape Your City website, is provided below:



**Virtual Public Information Meeting
Case 21875**

The following does not represent a verbatim record of the proceedings of this meeting.

**Wednesday, October 21, 2020
6:30 p.m.
Virtual**

STAFF IN

ATTENDANCE: Stephanie, Planner, Planner III, HRM Planning
Thea Langille, Principal Planner
Carl Purvis, Program Manager
Tara Couvrette, Planning Controller, HRM Planning
Deanna Wilmshurst, Client Service Coordinator
Ayo Aladejebi, Diversity & Inclusion Advisor
Mapfumo Chidzonga, Diversity & Inclusion Advisor

ALSO IN

ATTENDANCE: Jason Jackson – Presenter for Applicant, Akoma Holdings Inc.
Spencer Colley – Presenter Applicant, Akoma Holdings Inc.
Veronica Marsman – Applicant, Akoma Holdings Inc.
Troy Scott – Architect, T.A. Scott Architecture + Design for Akoma Holdings Inc.
David Harrison – Project Manager for Akoma Holdings Inc.
Jeff Pinhey – Civil Engineer, ABLE Engineering for Akoma Holdings Inc.
David Hendsbee – Councillor, District 2 and Akoma Property Committee Chair
Lana Maclean – Mental and Emotional Support Counsellor
Cynthia Jordan – Mental and Emotional Support Counsellor
Lorelei Nicoll, Councillor, District 4
Wayn Hamilton – Provincial Office of African Nova Scotian Affairs

PUBLIC IN

ATTENDANCE: Approximately: 25

1. Call to order and Introductions – Ayo Aladejebi and Stephanie Salloum

Mr. Aladejebi welcomed attendees to the meeting, introduced themselves and the development proposal:

Case 21875: An application by Akoma Holdings Inc. to enable development of the former Nova Scotia Home for Coloured Children property, located along Highway #7 in Westphal.

Mr. Aladejebi then acknowledged our location in the ancestral and traditional lands of the Mi'kmaq people, and affirmed that we are in the Decade for People of African Descent. They also gave special thanks to the Akoma Board, VOICES (Victims of Institutionalized Child Exploitation Society), AUBA

(African United Baptist Association of Nova Scotia), and ANSDPAD (Nova Scotia Decade for People of African Descent) for their help in developing the public engagement program for the application.

Ms. Salloum introduced herself as the Planner and Facilitator guiding Akoma Holdings' application through the planning process. They also introduced other staff members, the two presenters from Akoma and the mental and emotional support councillors who were in attendance. The area Councillor for District 4, Lorelei Nicoll, was also in attendance online.

2. Presentations

2a) Presentation by HRM Staff – Stephanie Salloum

Ms. Salloum's presentation included information on the following:

- (a) the purpose of the meeting including to share information and collect public feedback about the proposal - no decisions were made at this meeting;
- (b) the role of HRM staff through the planning process;
- (c) a brief description of the application including what parts of Akoma's proposal are being considered through the current application and Regional Plan Review project;
- (d) the context of the subject property including an overview of the historical significance of the site in addition to the existing planning policies and zoning; and
- (e) the planning process and status of the application.

2b) Presentation by Jason Jackson & Spencer Colley – Applicant

Mr. Jackson & Mr. Colley presented details about Akoma Holding's proposal including the principles that guided their development plans, the goals for the site, proposed land uses, servicing details and housing objectives.

3. Questions and Comments

Ms. Salloum welcomed attendees to ask questions to staff and the presenters and provide their feedback, including what they liked and disliked about the proposal. There were two ways in which the public could provide comments: (1) some attendees signed up in advance of the meeting to speak and were connected to the meeting via phone; and (2) other attendees that were connected via the online webcast were asked to enter their questions and comments in the Q&A chat of the MS Teams meeting.

(1) Speakers Connected via Phone

Mr. Chidzonga invited the speakers from the public one at a time to unmute themselves and provide their comments:

- (i) Mr. McCulloch identified themselves as a representative of the Canada Mortgage and Housing Corporation (CMHC) who assisted with the housing needs assessment completed in support of Akoma's proposal. They expressed their support for Akoma's proposal as it relates to the objectives and initiatives of the National Housing Strategy. They also asked when approval could be achieved for the initial phases of the project to allow for funding opportunities for the development.

Ms. Salloum responded that the current application is focused on Phases 1-4 of the proposal and the hope is to bring a report to Council for a decision next year. Phases 1-4 may be brought to Council under two reports to allow for occupancy of the former Home by the centennial of its opening.

Mr. McCulloch thanked staff for their response and mentioned they look forward to working with everyone on this project.

- (ii) Dr. Wanda Thomas Bernard identified themselves as a Senator of Nova Scotia and a resident of East Preston. They expressed excitement for the development and recalled previous public engagement and analysis that was completed by Akoma leading up to the current proposal. Senator Bernard voiced their hopes for removal of barriers and recognition of the development opportunities of Akoma's project. Senator Bernard affirmed that Anti-Black Racism has affected residents through the lack of development opportunities in the community. They also mentioned development of the subject property would be a significant step in the right direction.

Senator Bernard asked about the lack of services and access to the Dartmouth city sewer and water services in the area. They stated that Cherry Brook now has access and wondering why this can't be made available to the Akoma property?

Ms. Salloum responded that Akoma has requested an extension of the Municipal water service to include their property. The proposed development would be serviced by on-site septic systems. Consideration of municipal sewer services for the Akoma property is something that can be considered through the larger second review of the Regional Plan project. Ms. Salloum hoped to provide more details and a response to the general question about access to city services for East Preston through a Question and Answer (Q&A) document that would be posted to the website at a later date.

Senator Bernard expressed their support and endorsement of Akoma's plans and viewed the lack of municipal services to the property as a systemic barrier that could create problems for the development. Senator acknowledged CMHC's support and asked if there has been any private support in Akoma's proposal?

Mr. Jackson responded that nothing is in place at the moment and that Akoma is trying. Mr. Scott added that Akoma's intent is to maintain ownership of the property while allowing the community to leverage the land to gain funding and support for the development. Senator Bernard clarified that they were wondering more about third party financial support rather than land ownership. They felt that perhaps partnerships with some private organisations like amateur sports groups could offer financial support and would align with the Africentric principles described in Akoma's presentation.

Mr. Harrison provided clarity on Akoma's intent to allow for partnerships with private entities through a comprehensive development approach to maximize value in financing and to leverage economic development. Mr. Harrison referenced some businesses that Akoma may be open to partnering with, including Northwood, Oceanview or Shannex for a senior's development as well as the Community College for innovative programming for apprenticeship training in construction trades.

Senator Bernard agreed that community economic development is much needed in the Preston townships and in other Black communities and believed that Akoma's development could lead this initiative. They reiterated the need for and importance of removing systemic barriers.

Senator Bernard expressed thanks for the time to participate.

- (iii) Theresa Pryde – no comments were provided.
- (iv) Bernadette Hamilton introduced themselves as an area resident and a member of the NSDPAD Coalition. They asked for clarification if a decision on Phases 1-4 would not occur until summer next year.

Ms. Salloum responded that Akoma is going through a process to change the planning policies. This process involves writing a report on the proposed changes in the zoning and planning policies before Council makes a decision on the proposal. There are various groups within HRM

that need to review the report before it proceeds to Council. Akoma can only apply for permits for the proposed development after Council decides on the policy and zoning changes, which is the timeline that was outlined.

Ms. Hamilton asked why the timeline takes so long. Ms. Salloum acknowledged that it is a relatively long process, but it is legislated and so there are steps that cannot be avoided to quicken the timeline. Ms. Salloum clarified that HRM staff are doing as much as they can to expedite the process. One way in which that may be done is by splitting Akoma's request into two reports and two decisions for Council so one report on the old Home and the senior's development (Phases 1 and 2) can be brought forward earlier.

Ms. Hamilton asked if there was something the community could do to expedite the timeline? Ms. Salloum reiterated that staff are doing as much as they can to expedite the process being mindful of the deadline Akoma is trying to achieve, but there are legislated steps in the planning process, like the public meeting to collect public feedback, that cannot be avoided. Bernadette asked for details on the timeline and process to be put on the website. Ms. Salloum responded that the planning process flow chat is available on the website, but additional details on the timeline and process can be provided on the website.

Ms. Hamilton asked if HRM Planning would support the Comprehensive Development District as it relates to an Africentric approach and lens for this development process. They wanted the proposal to be seen from the community's lens and not from a general lens. Ms. Salloum agreed with the need to view the proposal through a community lens. Ms. Salloum also clarified that staff are focused on getting feedback from the public on "what" is being proposed like the land uses, driveway accesses, streets, sidewalks etc. Planning staff will later work with Akoma to determine "how" the development can be enabled, what planning tool would be appropriate such as a new zone or development agreement.

Ms. Hamilton asked why is the feedback window so long? Why is staff collecting feedback until November 25? Ms. Salloum clarified that this date was selected based on feedback received from the four community groups that helped establish the engagement program. It was also selected in recognition of the current Covid-19 pandemic and the inability for the public to meet with staff in person due to social distancing mandates. As a result of the pandemic, HRM planning staff are collecting public feedback in various ways and the November 25 deadline was selected to give members of the public enough time to learn about the proposal and participate in the engagement program. Ms. Hamilton expressed concern that the longer we wait for feedback, sometimes feedback will not be received as members of the community may forget about the request. They felt that the five-week feedback period could further delay the process.

Ms. Hamilton thanked staff for the opportunity to participate and expressed overall support for the opportunities for Black businesses and economic development in Akoma's proposal.

After Ms. Hamilton completed their comments, Mr. Aladejebi brought forward questions from the Q&A chat of the meeting. The last caller was experiencing technical difficulties but got connected later in the meeting.

- (v) Tony Smith introduced themselves as a member of VOICES (Victims of Institutionalized and Child Exploitation Society). They referenced the 1915 Private Bills Act which required the establishment of land and buildings for the use of education and proper training for the Afro-American race. There was another bill that was amended in 1978, which reiterated the purpose of the Home for establishing and securing land and buildings for education and training for members of the Black Afro race. There was an amendment to that Bill that outlined in the event that the Home was dissolved, the remaining assets would be distributed to the African United Baptist Association or any other charitable organization with the objective of providing care and protection for the Black Afro race. Mr. Smith provided information about VOICES, the court settlement for the abuse they suffered at the Nova Scotia Home for Coloured Children, and the

apology received. They recalled that the subject lands were given to the Black community to meet those needs. When the Home dissolved – the Coloured Home only exists in name – the assets were transferred to Akoma. Mr. Smith expressed that the Home no longer belongs to the Black community, but mentioned they heard that efforts were being made to rectify that, which was felt as very important. Mr. Smith expressed that when looking at development of the lands and the lands belonging to all Black communities throughout the Province, they felt unsure that the various ANS communities were consulted to determine if the development would meet their needs. Mr. Smith suggested that a way forward is to ensure complete transparency and to be more inclusive. They recognized HRM staff's approach and advised for it to be done properly as many community members are passionate toward the institution, as it was one of the proudest moments in Black history, there was unfortunate suffering endured by the former residents, and it was hoped that the issues were addressed through the Restorative Inquiry, but the institution was not present in honouring the apology. As former residents of the Home, Mr. Smith expressed that they never sought ownership of the land because they believe it belongs to the Black communities. Moving forward, Mr. Smith suggested that other people in the various Black communities should be included in the process to avoid repeating the negativity that was done in the past that led to today. Mr. Smith hopes that the current process would allow for greater transparency and clarified the lack of transparency within the Black community was relative to the name change, transfer of ownership of the NSHCC assets. Out of respect for VOICES and the Restorative Inquiry, they went to the AUBA to inform them of the changes as they played in integral role in the establishment of the Home.

Mr. Smith acknowledged previous comments raised by other callers about the timeline. They believed that there were many good ideas presented for the site, but also felt it was important to ensure sufficient time is allowed for inclusivity with the various Black communities because historically, the Black communities owned the lands.

Mr. Scott replied that it is unusual for HRM staff to actively seek feedback from the public beyond the Municipality's borders, but in this case, the process with HRM has included organisations outside its borders. Akoma is aware and interested in hearing feedback from those groups. Akoma's desire is to move as quickly as possible, but they do understand that this is the process and they look forward to VOICES' feedback and others'.

(2) Questions from the Q&A Chat of the MS Teams Meeting

Mr. Purvis and Ms. Langille responded to some of the questions in the Q&A chat. Questions were also brought forward by Mr. Aladejebi to the presenters for a response. Below are all the questions from the meeting chat and the respective responses.

(i) Anonymous Attendee:

My understanding is that Leeman Langille, Castle Hill Capital Incorporated, a Halifax based real-estate development and investment company and fully integrated sales and services organization focusing primarily acquisitions and sales of residential, commercial and industrial properties. Mr. Langille states he gave AKOMA Holdings a \$250,000.00 deposit to the property manager to purchase land from the Colored Home. He states he is awaiting approval from HRM to rezone the land to build a sub-division. Is there any truth to that?

This question was brought forward to the presenters.

Ms. Marsman responded that Akoma received \$250,000 from an application to the Federal Government under Canada 150. Akoma was also in discussion with Castle Hill about property development. They might have informed Akoma about the Canada 150 application at the time, which was going back a few years, but the \$250k was received by the Federal Government.

(ii) Anonymous Attendee:

The maps show a connection to Giberson Dr. in Linwood Estates but there doesn't appear to

be any reference to such in the text. Is this connection planned?

This question was brought forward to the presenters. Mr. Purvis also responded in the chat: Yes - the intent would be to extend Giberson and allow individuals to connect to Main Street via the Akoma lands.

Ms. Salloum confirmed that the connection to Giberson is planned. Mr. Scott outlined that Giberson was set up to allow the possibility of extending it and HRM has maintained ownership of the lands between the end of Giberson Drive and Akoma Holdings' property. The intent is to extend Giberson which would give the community an ability to connect to Main Street through Akoma's property.

(iii) VOICES:

I believe that there should be no rush in deciding what should be done with the property because what we fail to see is that these lands were provided for all members of the black communities of Nova Scotia. Each community should have a say in what happens to the properties. The home serviced all black communities and was established with an explicit mandate and mission to provide care and support self-reliance and empowerment for the "Afro-American race" through care, education and training of those in the black community. How does this plan service that?

Mr. Purvis responded in the chat: Akoma notes their development is guided through Afro-centric principles. The community has stated there is a need for affordable housing and housing for individuals at need. Additionally, there were needs expressed for community space which it is felt this development would address.

Mr. Jackson recalled from their presentation that the proposal is guided by 7 Africentric principles and Akoma is working collectively with community. Also, in 2018, Akoma conducted a housing needs study and community members were engaged and are a part of that study. Through the housing study, the community raised the needs for seniors housing, homes for young adults, families, students, and those with different abilities. Additionally, there were needs expressed for community space which it is felt this development would address.

(iv) Councillor Lorelei Nicoll:

What might the timeline going forward be? Who decided on the phasing of this application? Will this phasing expedite the development or delay it? Council approved the following motion: Direct staff to 1. Initiate a process to consider amendments to the Cole Harbour/Westphal MPS to allow the appropriate adaptive re-use of the lands containing and surrounding the NS Home for Coloured Children.

Mr. Purvis responded in the chat: Phasing is something determined by Akoma. Planning staff have been working with Akoma to determine the most expeditious route forward to advance the project to Council quickly to meet their desired timelines. This is why the entire development will not be dealt with in a single report and decision by Council.

Ms. Salloum referenced a previous response which outlined the timeline and the two projects whereby Akoma's proposal is being considered. Phasing is something determined by Akoma, the applicant. Planning staff have been working with Akoma to determine the most expeditious route forward to advance the project to Council quickly to meet their desired timelines while satisfying the legislated requirements of the planning process. Therefore, the entire proposal may not be dealt with in a single report and decision by Council.

Mr. Harrison added that Akoma is urgently seeking approval to allow interior renovations of the old Home. There is also an opportunity and urgent need for seniors housing. Mr. Harrison explained that Akoma has a funding opportunity to move forward with the senior's development. Other phases are in response to questions and feedback from HRM staff including planning,

engineering, and transit. Mr. Harrison explained that the phased reports for Council decisions is not something Akoma initiated - it is something that HRM is recommending. They added that Akoma's request for a Comprehensive Development District would allow for changes in the phasing of the development and Akoma believes the Comprehensive Development District planning tool is appropriate for the community.

(v) Anonymous Attendee:

You talk about studies can you confirm how many community residents took part in the studies or surveys? My point to asking how many have been involved in the questions and surveys even within communities next door.

Ms. Langille responded in the chat: Several groups have been working with Akoma to develop the proposed plan, approximately 500 residents from communities of East Preston, Cherry Brook and surrounding areas.

Mr. Jackson clarified that several groups have been working with Akoma to develop the proposed plan including African Nova Scotian communities and others such as East Preston, North Preston Rate Payers Association, AUBA (African United Baptist Association), and Roads to Prosperity. Over 500 people were involved in the plan and study.

(vi) VOICES:

The Home property was incorporated in legislation by a private members bill in 1915. It was deemed advantageous to the interests for the purpose of securing and establishing lands and buildings for the care, education and proper training of members of the Afro-American Race. How does this proposal fit that legislation?

Ms. Salloum expressed that staff hope to provide a more detailed response to this question through a question and answer document that will be posted to the website in the coming weeks.

Mr. Purvis responded in the chat: For this planning process, HRM Council will make their decisions based on applicable planning policies and legislation related to development and land use. That said, we can ask Akoma about the applicability of this bill.

Mr. Harrison added that many of the buildings referenced relate to care including the children's centre, long term care facility and seniors home at a minimum. All of Akoma's efforts through the Comprehensive Development District process would allow for further opportunities for care, apprenticeship training, partnership with the community college (NSCC) involving constructing the buildings and trades. Akoma is focused on care, education and training as elements of economic development. There are plans for a halfway house. Akoma proposes a range of opportunities to allow for mixed income communities, ground floor retail along Main Street and private investments and services. Mr. Harrison felt that the Comprehensive Development District would answer the questions, and zoning properties for education and care would not allow for flexibility to meet the mandate for education, care and training.

4. Closing Comments

Ms. Salloum thanked everyone for their participation in the meeting.

5. Adjournment

The meeting adjourned at approximately 8:02 p.m.

Responses to Public Questions and Concerns

HRM planning staff compiled all the public comments and questions provided to date. In collaboration with the applicant (Akoma Holdings Inc.), we prepared the following responses to the concerns and questions raised by the public.

**Please note that responding to the public feedback required input from other HRM departments and external agencies including Development Engineering, Traffic Services, Halifax Water, ANSA, ANSAIO and the applicant. Responses from the applicant have been clearly identified. All responses provided by staff are based on the applicable policies, regulations, guidelines and information/studies submitted by the applicant for their proposal.*

The Planning Process including Public Involvement

1. How have African Nova Scotian communities across the Province been consulted through the planning process? How has the Municipality been reaching out and seeking feedback from the various Black communities?

HRM planning staff have been working with the HRM African Nova Scotian Affairs Integration Office (ANSAIO) and the Provincial Department of African Nova Scotian Affairs (ANS) as well as community groups to share information about the proposal with and collect feedback from the various African Nova Scotian communities across the Province. Four community groups have been very helpful in sharing information about the proposal to their networks: the Akoma Board, the African United Baptist Association (AUBA), Victims of Institutionalized Child Exploitation Society (VOICES), and the Nova Scotia Decade for People of African Descent Coalition (NSDPAD)*. In addition, current and former area councillors have shared the proposal with their constituents.

Before a decision is made on the proposal, the public will be invited to a public hearing where they can provide their feedback directly to Council. Staff will work with the above groups to ensure notices for a future public hearing and decision of Council are shared with the communities.

**Please note that the role of the four community groups in the planning process is to help staff share information with the public. The assistance received by the four community groups does not equate their support for the development proposal itself. These groups have not all been part of developing the plans for the subject property. The plans have been submitted by the applicant, Akoma Holdings Incorporated.*

2. What is the role or responsibilities of the Province in this project?

The use of land for residential, commercial, industrial or institutional purposes, for example, is in the exclusive domain of the Municipality. However, the Province does have authority in matters related to accessing Provincial streets and environmental issues. The Provincial department of African Nova Scotian Affairs (ANSA)'s role in this project is to provide guidance to HRM planning staff in engaging with the public. The HRM African Nova Scotian Affairs

Integration Office (ANSAIO) has also assisted staff with public engagement. For example, ANSA and ANSAIO have helped staff:

- connect with various community groups;
- present information about the proposal in a clear, inclusive and respectful manner;
- share HRM public meeting notices for the proposal with their networks;
- ensure that feedback can be collected by HRM staff in various ways; and
- coordinate the mental and emotional support services for the public at the virtual public information meeting.

3. How long will the planning process take? Can the planning process be expedited?

Staff are hoping to take a report to Council for a decision on Phases 1-4 of Akoma's proposal in Spring 2021. The remaining Phases will be considered through the [Regional Plan Review](#) project. The type of planning process we are in for Phases 1-4 can take approximately 18 months from receiving a complete application to getting a report to Council for a decision on the proposal. The process can take longer if an application is incomplete, additional technical study or public consultation is required, the scope of the project is relatively complex, or there are unforeseen circumstances. For example, Covid-19 has delayed most, if not all planning applications this year. Staff are hoping to expedite a report to Council for a decision by (or in) the Spring of 2021. This is the earliest staff can take a report to Council while meeting the legislated requirements of the planning process.

4. When will the report come to Council for a decision?

Although we have experienced delays, staff are working diligently to take a report to Council for a portion of the proposal toward Highway #7 in Spring 2021 in time for the 100th anniversary of the opening of the former Home (June 2021).

The Property

5. Who does the property belong to? How did the current owner acquire the property?

The following response was provided by the applicant, Akoma Holdings Incorporated: In 1921, members of the African NS community came together to develop The Nova Scotia Home for Colored Children (NSHCC). The opening of the NSHCC was considered to be the greatest day in the history of African Nova Scotians. It is estimated that close to 3000 people came to the opening of this facility which would care for African Nova Scotia children who were destitute or whose parents were unable to provide for them. In 2011, the NSHCC Board of Directors who have decision making authority agreed upon and voted unanimously to launch the Akoma Family Centre (AFC) which took over the operation of providing residential care for children who are in the care of the Minister of Community Services. The AFC changed its mandate from caring for at-risk teens to siblings. In 2015, all assets of the NSHCC were gifted to Akoma Holdings Incorporated (AHI) or the Akoma Family Centre (AFC) as two separate charitable entities who are responsible for the properties. The NSHCC which is a legislated organization continues to exist, however has lost its charitable status as it is no longer conducts any operations. In 2016, the AFC again changed its mandate to provide for children with special needs.

6. Can the site be deemed a historic site or a registered historic property?

The site has significant heritage value and may qualify for municipal or provincial heritage designation, but no formal application for registering the site with the HRM Heritage Property Program has been received or processed. Federal heritage designation is mainly for the purposes of commemoration and does not provide formal protection or access to financial assistance. Information on applying for national historic site status can be requested from the National Historic Sites and Monuments Board of Canada.

The Developer

7. Who is Akoma Holdings Incorporated?

The following response was provided by the applicant, Akoma Holdings Incorporated: Akoma Holdings Incorporated is a registered company with NS Joint Stocks and operated by a community Board of Directors. Akoma has charitable status with the Canada Revenue Agency. The mission of AHI is to 'commit to providing stewardship of its assets to create economic and social opportunities for the African Nova Scotian community and the general society. The establishment of AHI and AFC provides a separation of the childcare services (operated from Akoma Family Centre) from the real property/assets.

8. How is a non-profit able to profit from these investment opportunities on land that was originally deeded to the Black communities for the education and wellbeing of children in the Black communities?

The following response was provided by the applicant, Akoma Holdings Incorporated: Charitable organizations must provide evidence to CRA that they are adhering to the charitable guidelines. In order to provide affordable programs and services, a portion will need to be subsidized; therefore, any profit gained by the organization will be utilized to offset any required subsidy. An example of this is currently occurring through our Bauld Centre office space and special events rentals which are very affordable and approximately ½ of the market rate for rentals. In essence, they are subsidized by AHI as a way of giving back to the Black communities.

The Proposed Development

9. Who was involved in developing the proposal? Were ANS communities involved?

The following response was provided by the applicant, Akoma Holdings Incorporated: The property development vision was developed by the AHI Property Committee and Board. Since inception in 2017, the plans have been shared with over 400 people which included members of the ANS communities, ANS organizations, community members, businesses, developers, members of the various levels of government and government departments. Consultations on what was proposed by Akoma and what's missing was discussed.

10. Will the proposed development be exclusively for people of African descent?

No. All members of communities of all backgrounds will be welcomed to utilize the services offered by the development. However, for example, Akoma wishes to allow businesses like a salon, which can offer specialized services for people of African descent.

The following response was provided by the applicant, Akoma Holdings Incorporated:
Akoma adheres to Africentric principles much like the NSHCC which accepted all children who require a place to live. Although our focus is for people of African descent, we are an inclusive organization.

11. Who benefits from the proposed development and changes to the planning documents?

The following response was provided by the applicant, Akoma Holdings Incorporated:
Anyone who utilizes the services/programs of the Akoma development will benefit directly i.e., accommodations, those who live in the surrounding communities, will benefit from the various programs offered on the premises and the impact the development will have for their communities as development enhances property values in any area. As well, the development will benefit ANS people who will be able to apply for employment opportunities at the various facilities. Ultimately, HRM and the Province will benefit when incomes increase due to employment.

12. How does the proposed rezoning and development accomplish the mandate of the 1915 Act that applied to the NSHCC which was “to provide for the care, education and training of members of the Afro-American race”? How does the proposal fit in with the 1915 legislation?

The following response was provided by the applicant, Akoma Holdings Incorporated:
The Akoma Family Centre continues to provide care for children in the care of the Minister of Community Services. Since the early 60's the NSHCC accepted children of all races. Adhering to the Act which also states that the NSHCC “may sell, convey, lease, mortgage ...as may be deemed advantageous to the interest of the said corporation, for the purpose of securing and establishing lands and building for the care, education and training of the members of the Afro-African race”. Over the years, discussions have been held with the Africentric Learning Institute to host a school on the premises. More recently the East Preston Empowerment Academy (EPEA) is renting space in one of the buildings and will be a major contributor to the development of building on the property. Programs offered by AHL and EPEA will provide for the education and training of members of the ANS community. The plans outlined by Akoma definitely fits the mandate as outlined in the initial NSHCC Act.

13. How does the proposal honour the history of the Home and the people/former residents who were harmed?

The following response was provided by the applicant, Akoma Holdings Incorporated:
As presented to the Council of Parties of the Restorative Inquiry, plans are underway to recognize the full history of the NSHCC through a number of initiatives. Some examples include: a historical timeline on the entrance of the old home building, markers on the land at

various places that provide the history of the Home; an annual community family day where former residents, staff and those connected to the NSHCC can come and socialize; an annual church service in partnership with the African United Baptist Association; and, a scholarship for former residents of the NSHCC. We are cognizant that as African Nova Scotians we are a resilient people who have been traumatized for centuries through systemic racism, yet we survive!

14. What is “Africentric design”?

The following response was provided by the applicant, Akoma Holdings Incorporated:
Africentric design takes into consideration the cultural aspects of people of African descent. Research is being conducted on what design would be appropriate for the various buildings on the property. Africentric design provides a cultural imprint on the property through the development of African designs, some traditional and some modern, but with cultural adaptations such as coloring, the addition of columns, pyramid styling etc. Africentric Design is a process responding to the Africentric principles. As opposed to simply replicating designs of African buildings, the process will focus on aspects of design that illuminate ancestry and heritage while engaging the community in the process. With the exception of basic parameters like building height, Africentric design cannot be prescribed in advance through zoning, nor, left to the whims of external design review processes.

15. Are there any plans to reserve a small section of land near Highway 7 to educate the public on the history of the home and honour former residents? For example, are there plans for a commemorative monument or plaque?

The following response was provided by the applicant, Akoma Holdings Incorporated:
It is our plan to work with the Black Cultural Centre and other ANS educational organizations to find the best method to ensure the history of the Home is memorialized. Working with these organizations, they can also provide advice on what type of monument and/or plaque would be best.

16. What services and opportunities would the proposal provide for the community?

The following response was provided by the applicant, Akoma Holdings Incorporated:
The proposal provides some options based on feedback provided to date from the Housing Needs Assessment and input from community members. The following services have been identified as required for the area: halfway facility for ex-offenders, facilities for homeless people, facilities for single parents, long term care facility, housing for seniors, affordable housing, housing for students and youth, educational programs, library resources, domed sports facilities, cemetery etc. Along with these services, our development will provide job creation opportunities.

17. How much will the proposed development cost and who will pay for it? Will it be funded by the government or private companies?

The following response was provided by the applicant, Akoma Holdings Incorporated:

The development is being phased in as funders are obtained. Currently, the exterior renovations to the Old Home have been funded by various level of government through grant funding and from Akoma. Plans are underway to work with fundraisers to assist in generating the required funds for each phase of the development.

18. Who will get to bid on the construction work?

The following response was provided by the applicant, Akoma Holdings Incorporated:
In accordance with Akoma policies, tenders will be sought for each development. Akoma tenders require that a percentage of work must be completed by persons of African descent.

The Old Home

19. Why is the Old Home being retained and repurposed?

The following response was provided by the applicant, Akoma Holdings Incorporated:
The Old Home is a legacy building in the ANS community. As noted in question 5, the opening of the NSHCC was considered to be the greatest day in the history of African Nova Scotians. It is estimated that close to 3000 people came to the opening of this facility which would care for African Nova Scotia children who were destitute or whose parents were unable to provide for them in the Atlantic provinces. It is the oldest Black owned building in the province and was structurally sound. The board considers the restoration of the Old Home as the 'Phoenix Rising out of the Ashes' to make it the focal point of the development on the property, and honours the legacy of this history.

20. How much money was spent on renovating the Home and who paid for the work?

The following response was provided by the applicant, Akoma Holdings Incorporated:
To date, \$1.5m was spent on phase 1 of the Old Home. As noted, in questions 17, grant funding of approximately \$450k was received. The remainder was raised by Akoma from a line of credit and some of their investments.

Water and Sewer Services

21. Will water and sewer service be extended to the subject property?

The proposal includes an extension of the Water Service Area Boundary to include Phases 1-4 of the development. An extension of the sewer service and a further extension of the water service for the remainder of the property will be considered through the Regional Plan Review project. Ultimately, the Regional Council of Halifax Regional Municipality will make this decision at the conclusion of the Regional Plan Review project.

22. Why can't sewer be considered through this process?

Additional studies are required for consideration of a sewer boundary extension. These studies are required to determine what technical upgrades are needed to the existing sewage treatment plants to create capacity for the proposed development, what it would cost, and how

the cost can be recovered. This study would add time on to the planning process and Akoma wishes to proceed with a report to Council with a water service extension only, to allow for occupancy of the old Home by its centennial.

23. Why can't services be extended to the East Preston community as well?

A service extension to include the East Preston community is not being considered at this time. Ultimately, the Regional Council of Halifax Regional Municipality decides whether to extend services to an area or not. Service extensions are significant undertakings that require extensive analysis and changes to the Regional planning documents prior to commencing any construction.

In general, when considering if water and sewer services can be extended to any area in the Municipality, there are three major components that require analysis:

- Does the extension align with the Regional Plan's direction for strategic growth in the Municipality?
- Are upgrades to existing infrastructure required to technically accommodate the extension? What are the upgrades needed?
- How can the cost of upgrading existing infrastructure and installing new infrastructure be recovered? Are residents willing to pay for the service?

The Regional Plan identifies the East Preston community as a Rural Local Centre. Rural Local Centres are characterized by having a mix of low to medium density residential, convenience commercial, institutional and recreation uses serviced by individual on-site sewage disposal systems. The Regional Plan does not currently identify East Preston as a community targeted for high levels of growth. Higher levels of growth are mainly focused where services are already available.

Halifax Water completes updates to their Infrastructure Master Plan on a five-year cycle. It considers desired growth locations within HRM's Regional Plan and identifies infrastructure requirements to support growth. Additional study would be required to determine the technical upgrades required to the local infrastructure, the capital cost to the Municipality, how the cost can be recovered by area residents, and if residents would be willing to pay for the service.

Road Network and Traffic

24. When will the Ross Road realignment to the traffic light on Main Street be completed?

Opportunities for improvements to Highway #7 between Forest Hills Parkway and Ross Road are being examined as a whole as portions of Highway #7 are due for infrastructure renewal in the next few years. HRM staff are currently reviewing opportunities for the enhancement of active transportation facilities (e.g. sidewalks) and potentially left turn lanes in this area.

25. Will any upgrades to existing streets (along Highway #7, for example) be required to support the proposed development?

The following response was provided by the applicant, Akoma Holdings Incorporated:

The development has been designed to take advantage of existing hwy#7 infrastructure and extension of existing road corridors that have been set aside with the foresight that this property would connect to the road network in the future. With internal connections and the existing lighted intersection, Akoma sees little impact on the infrastructure unless services are extended.

26. Can the connection to Giberson Drive be for pedestrian access only?

The following response was provided by the applicant, Akoma Holdings Incorporated:
The community intends to be inclusive and integrate with the surrounding neighbourhood. Akoma sees the connection to Giberson as a road connection that will integrate the segregated property into the greater community.

27. Can street names be a symbolic reminder of the history of the property?

Yes. Prior to the actual construction of streets and private shared driveways, a developer can reserve street names with the HRM Civic Addressing department. Staff can work with Akoma to determine a list of street names for the development that commemorate the history of the property. If a member of the public has ideas for street names, please feel free to email them to the HRM planner, Stephanie Salloum, at sallous@halifax.ca.

28. How will the proposed development impact traffic on the existing streets and surrounding neighbourhoods?

The following response was provided by the applicant, Akoma Holdings Incorporated:
There has been a traffic statement which was prepared by a senior traffic engineer who works with WSP which was completed as part of the application process. The statement concluded that connections to the adjacent neighbouring streets would be advantageous for both developments giving access to Highway #7, Giberson Drive and Broom Road.

29. Has any consideration been given to sidewalks including a safe means of crossing Highway #7?

The following response was provided by the applicant, Akoma Holdings Incorporated:
Sidewalks along the south side of Highway #7 should be built in parallel with development as it proceeds. Concerning safe means of crossing the highway, the lighted intersection at the Akoma Family Centre satisfies this need on the west side.