

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:** Original Signed by   
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Jacques Dubé, Chief Administrative Officer

**DATE:** October 13, 2021

**SUBJECT:** **Regional Centre Secondary Municipal Planning Strategy and Land Use By-law – Centre Plan Package B**

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## SUPPLEMENTARY REPORT

### ORIGIN

October 5, 2021, Halifax Regional Council Item 15.1.4, First Reading Proposed Regional Centre Secondary Municipal Planning Strategy and Land Use By-law and Proposed By-law U-111, Amending By-law U-100, Respecting User Charges – Centre Plan Package B.

### LEGISLATIVE AUTHORITY

- *Halifax Regional Municipality Charter (HRM Charter)*, Part I, The Municipality, Sections 23, 24, 25, 31, 31A, and 32
- *HRM Charter*, Part III, Powers, Sections 58 and 59
- *HRM Charter*, Part IV, Finance
- *HRM Charter*, Part VIII, Planning & Development
- *HRM Charter*, Part IX, Subdivision
- Regional Municipal Planning Strategy (2014 Regional Plan), Chapter 6A: The Regional Centre.

### RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Adopt the *Regional Centre Secondary Municipal Planning Strategy*, and the *Regional Centre Land Use By-law* as contained in Attachments A and B of the Sept. 14, 2021 supplementary staff report, including repealing the *Regional Centre Secondary Municipal Planning Strategy (Package A)*, the *Regional Centre Land Use By-law (Package A)*, the *Secondary Municipal Planning Strategy for Downtown Dartmouth*, the *Land Use By-law for Downtown Dartmouth*, and the *Land Use By-law for Halifax Peninsula*, with the following amendments:

**RECOMMENDATION CONTINUES ON PAGE 2**

- a. section 422 of the Land Use By-law is replaced with the new wording contained in Attachment 1 of this report;
  - b. Map 1 and Map 4 are replaced with the revised versions of Map 1 and Map 4 of the *Regional Centre Secondary Municipal Planning Strategy* as attached to this report;
  - c. Schedules 2,15, 18, and 23 of the proposed *Regional Centre Land Use By-law* are replaced with the versions of the Schedules as attached to this report;
  - d. PID#40041097 is removed from all the applicable Maps and Schedules attached to *Regional Centre Secondary Municipal Planning Strategy* and *the Regional Centre Land Use By-law*; and
  - e. all applicable Maps and Schedules attached to the *Regional Centre Secondary Municipal Planning Strategy* and *the Regional Centre Land Use By-law* are amended to increase the maximum height from 20 m to 90 m on PIDs 00114348 & 00114496.
2. Adopt the proposed amendments to the *Dartmouth Municipal Planning Strategy*, the *Dartmouth Land Use By-law*, the *Downtown Halifax Secondary Municipal Planning Strategy*, the *Downtown Halifax Land Use By-law*, and the *Halifax Municipal Planning Strategy*, as contained in Attachments C to G of the Sept. 14, 2021 supplementary staff report, as amended.
  3. Adopt By-law U-111 as contained in Attachment I of the Sept. 14, 2021 supplementary staff report.
  4. Direct the Chief Administrative Officer to return to Council within 24 months after the effective date of Centre Plan Package B with information on the effectiveness of the expanded voluntary pre-application process as described in the Discussion section of the Sept.14, 2021 supplementary staff report.

## **BACKGROUND**

The proposed Regional Centre Secondary Municipal Planning Strategy (Plan) and the Land Use By-law (LUB) for Package A lands are the planning documents intended to regulate land use and development within the Regional Centre area of the Halifax Regional Municipality.

On October 5, 2021 Regional Council gave First Reading for the proposed Plan, Land Use By-law, and amendments to current planning documents, as presented in Attachments A – G of the Sept. 14, 2021 supplementary staff report, and directed a number of additional changes and corrections. The revised attachments of this report contain one text revision to the proposed Regional Centre Land Use By-law, and a number of revised Maps and Schedules to implement Council directed changes made on October 5, 2021 prior to First Reading.

In addition, two clerical mapping errors were identified by staff following First Reading.

## **DISCUSSION**

The Centre Plan planning documents and amendments to existing planning documents presented for public hearing are set out in Attachments A - G of the September 14, 2021 staff report, with revisions to Section 422 of the proposed LUB and applicable Maps and Schedules to implement Council direction passed on October 5, 2021. Following First Reading, staff became aware of two clerical errors related to the Centre Plan maps and schedules presented to Council on October 5. These corrections are not contained in the revised maps and schedules and require Council direction to formally carry out the non-substantial changes, as outlined in Table 1, below.

Table 1 – Recommended Non-Substantial Changes

Item	Proposed Change	Rationale
PID # 40041097, DHSPA Case# 23725.	Amend all applicable Maps and Schedules to remove PID#40041097 from the proposed Regional Centre Municipal Planning Strategy and Land Use By-law and maintain it in the Downtown Halifax Secondary Municipal Planning Strategy and Land Use By-law	<p>On August 17, 2021 Regional Council directed that properties associated with Downtown Halifax Site Plan Approval Application Case# 23725 be maintained with the DHSMPS &amp; LUB to support transitioning to the new Plan (Attachment B, Item #3). However, only PID 00003129 was removed from Centre Plan as the original request only referenced civic address of 1649 Bedford Row, Halifax.</p> <p>As Case # 23725 was listed in the staff report and notice of public hearing, removing PID 40041097 is considered not substantial and more accurately carries out Council’s previous direction</p>
PID #00114348 and 00114496 in the Downtown Dartmouth Zone	Amend Map 4 & Schedule 15 to adjust maximum height from 20 m to 90 m while maintaining the FAR of 4.5 for PIDs 00114348 & 00114496.	<p>In Package A the subject PIDs were originally part of the Dartmouth Cove Future Growth Node and zoned CDD-2, where an interim maximum height of 20 m was applied for the limited as-of-right development permitted prior to entering into a development agreement.</p> <p>Based on further analysis and consultation, as part of the proposed Package B published in May of 2020, these properties were removed from the Future Growth Node, re-zoned to the DD zone and assigned a max. FAR of 4.5. However, the max. height of 90 m was not applied as per Policy UD-5: <i>“The Land Use By-law shall establish a maximum height of 90 metres for the DD, CEN-2, and CEN-1 Zones, where the scale of new developments shall not exceed the maximum allowable FAR value and the maximum height”.</i></p> <p>The adjustment is therefore considered non-substantive in nature given the clear inconsistency with SMPS policy which assigns a maximum height of 90m for all lands zoned DD, including abutting properties. The original proposed maximum FAR is maintained.</p>

**FINANCIAL IMPLICATIONS**

There are no immediate financial implications resulting from the recommendations contained in this report. General administration of the proposed Regional Centre Plan and LUB can be carried out within existing resources and budget. Details relating to policy directions are included in the staff report, dated May 7, 2021.

## **RISK CONSIDERATION**

There are no significant risks associated with the recommendations in this report. Further information on risk is discussed in the staff report, dated May 7, 2021. The additional proposed changes more closely implement Council's previous direction.

## **COMMUNITY ENGAGEMENT**

An extensive public engagement program was undertaken in preparing the Regional Centre Plan (Package B). A detailed summary of engagement activities and feedback is included in the staff report, dated May 7, 2021.

## **ENVIRONMENTAL IMPLICATIONS**

Information on potential environmental implications are detailed in the staff report, dated May 7, 2021.

## **ALTERNATIVES**

Regional Council may:

1. Adopt the proposed Regional Centre Secondary Municipal Planning Strategy and Land Use By-law, as set out in Attachments A – G of the Sept. 14, 2021 staff report with the amendments contained in Attachment 1, and attached Maps and Schedules of this staff report, and any additional substantive changes may result in the requirement for a new public hearing.
2. Refuse to adopt the proposed Regional Centre Secondary Municipal Planning Strategy and Land Use By-law, as set out in Attachments A – G of the Sept. 14, 2021 staff report with the amendments contained in Attachment 1, and attached Maps and Schedules of this staff report. A decision of Council to approve or refuse the proposed planning documents is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

## **ATTACHMENTS**

Attachment 1 – Regional Centre Land Use By-law, Section 422

Map 1 – Urban Structure (REVISED)

Map 4 – Maximum Building Height Precincts (REVISED)

Schedule 2 – Zone Boundaries (REVISED)

Schedule 15 – Maximum Building Height Precincts (REVISED)

Schedule 18 – Minimum Front and Flanking Setbacks (REVISED)

Schedule 23 – Schmidville Heritage Buildings (REVISED)

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Kasia Tota, Principal Planner, Regional Planning, 902.292.3934

## Attachment 1

### Regional Centre Land Use By-law, Section 422 (REVISED)

422 In any CLI, LI, or HRI zone, except for a dealership use or where a driveway or walkway access is provided, a 3.0-metre wide strip of soft landscaping shall be required along any front or flanking lot line and shall contain:

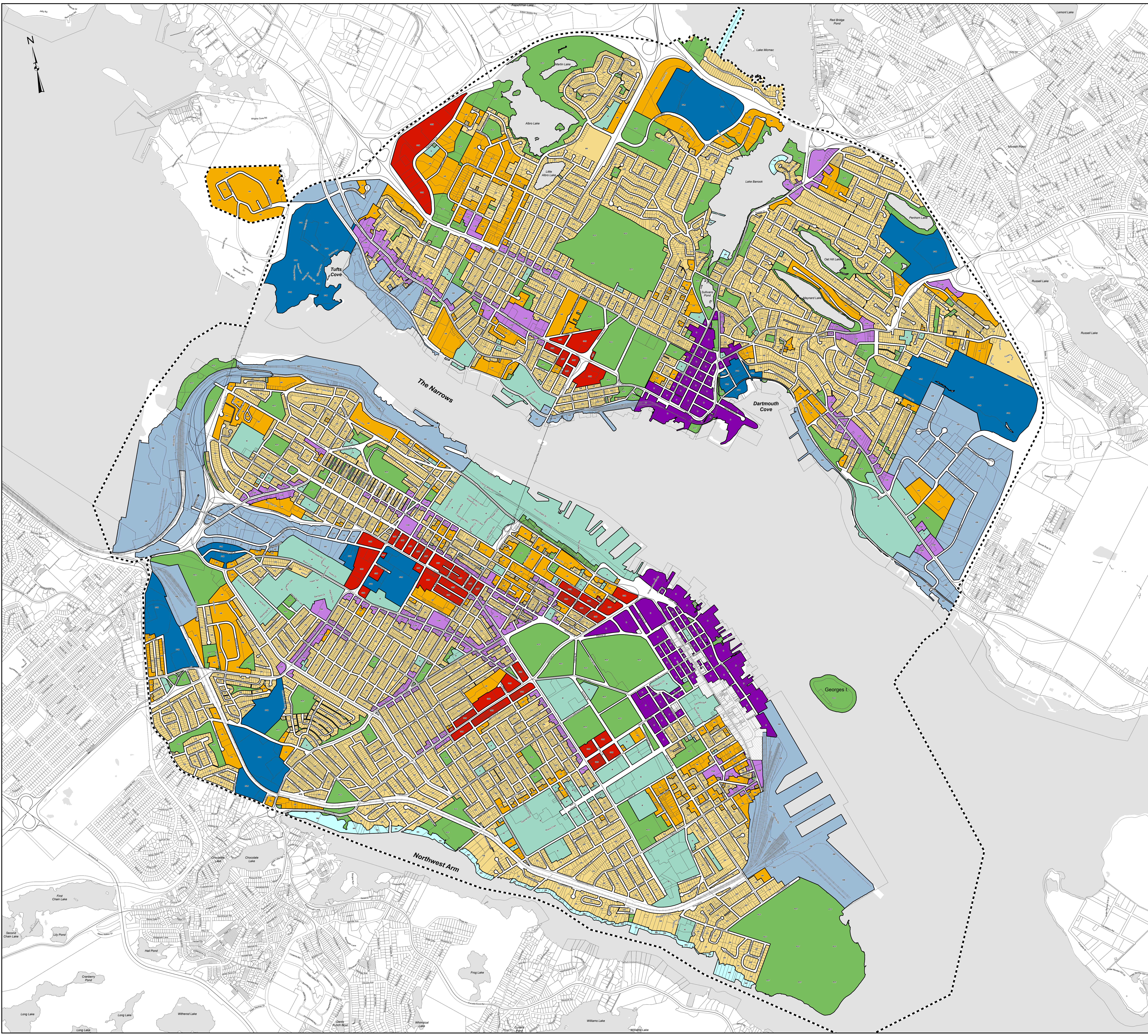
- (a) one shrub no less than 1.0-metre in height for every 2.0 linear metres of length; and
- (b) one tree that is not a shrub, with a minimum base caliper of 50 millimetres, for every 15.0 linear metres of length.

# HALIFAX

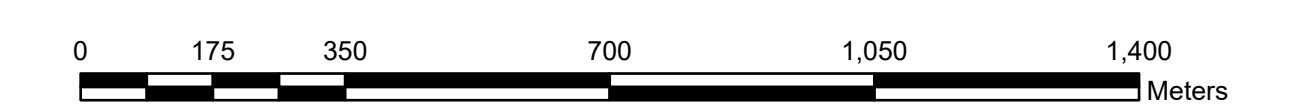
## Regional Centre Secondary Municipal Planning Strategy

### MAP 1 URBAN STRUCTURE DESIGNATIONS

- CEN** Centre Designation
- COR** Corridor Designation
- D** Downtown Designation
- ER** Established Residential Designation
- FGN** Future Growth Node Designation
- HR** Higher-Order Residential Designation
- IDE** Industrial Employment Designation
- IE** Institutional Employment Designation
- PCF** Park and Community Facility Designation
- WA** Water Access Designation
- Regional Centre Secondary Municipal Planning Strategy Boundary
- Refer to the Downtown Halifax Secondary Municipal Planning Strategy



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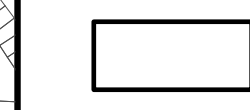




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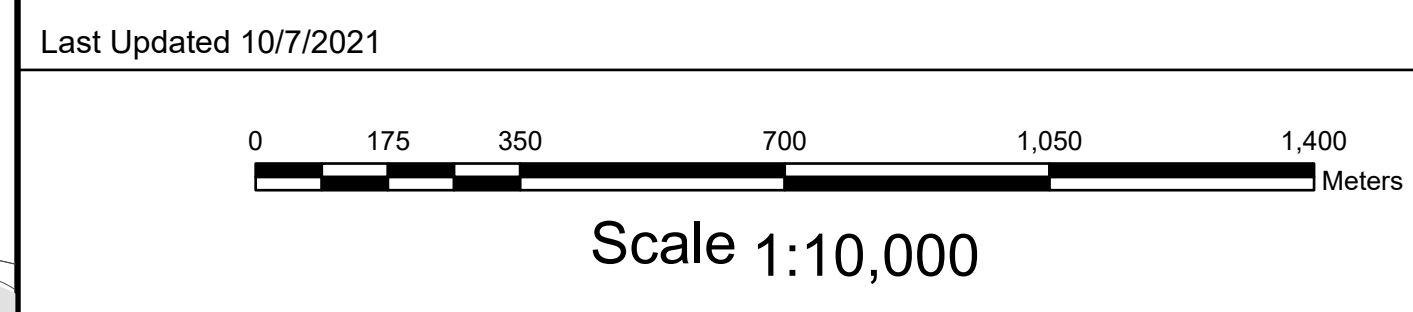
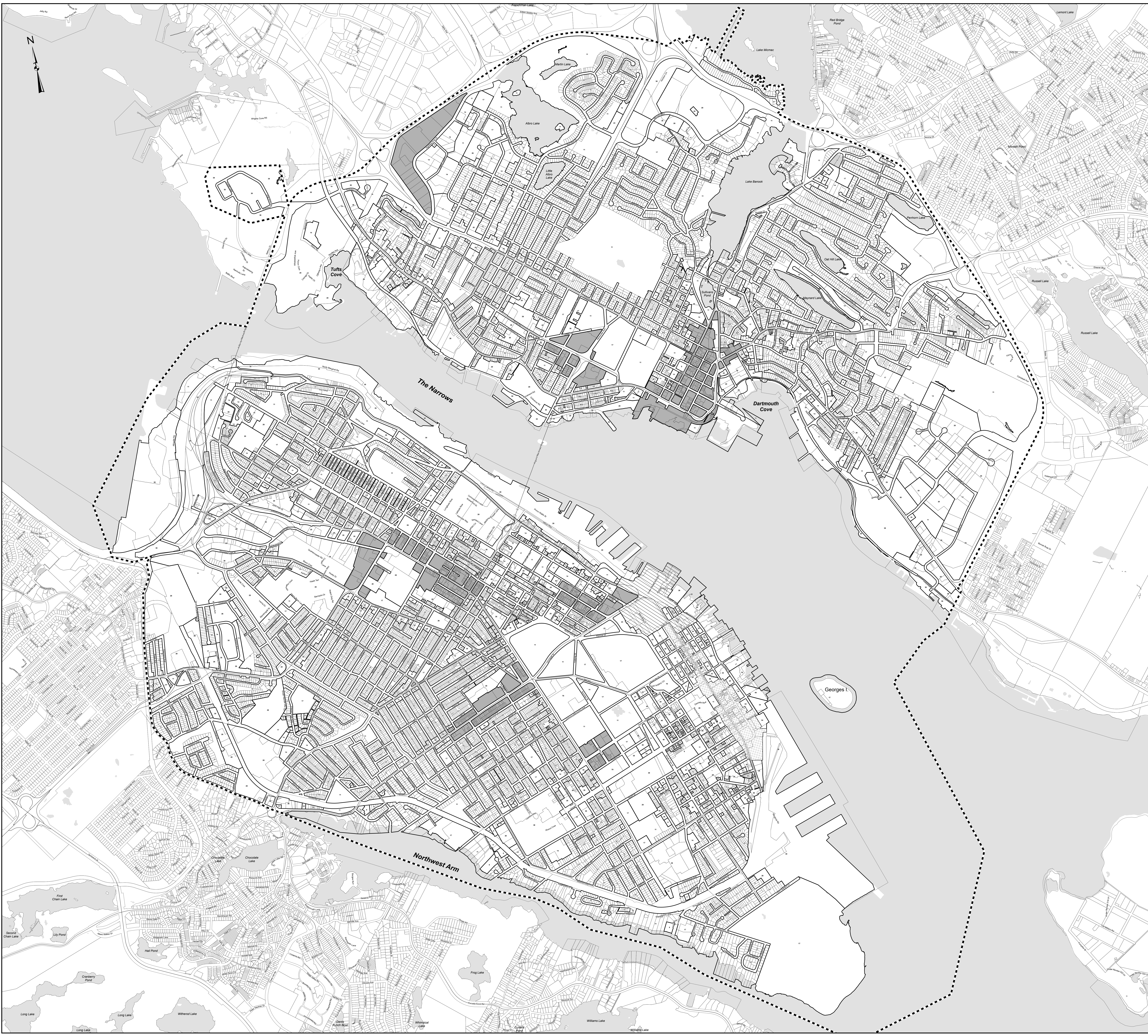
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## Regional Centre Secondary Municipal Planning Strategy

**MAP 4  
MAXIMUM BUILDING HEIGHT PRECINCTS**

-  Maximum Height Precinct (metres)
-  Maximum Height Precinct of 90 metres, subject to Map 3 – Maximum Floor Area Ratios
-  Rampart Maximum Height
-  Regional Centre Secondary Municipal Planning Strategy Boundary
-  Refer to Downtown Halifax Secondary Municipal Planning Strategy



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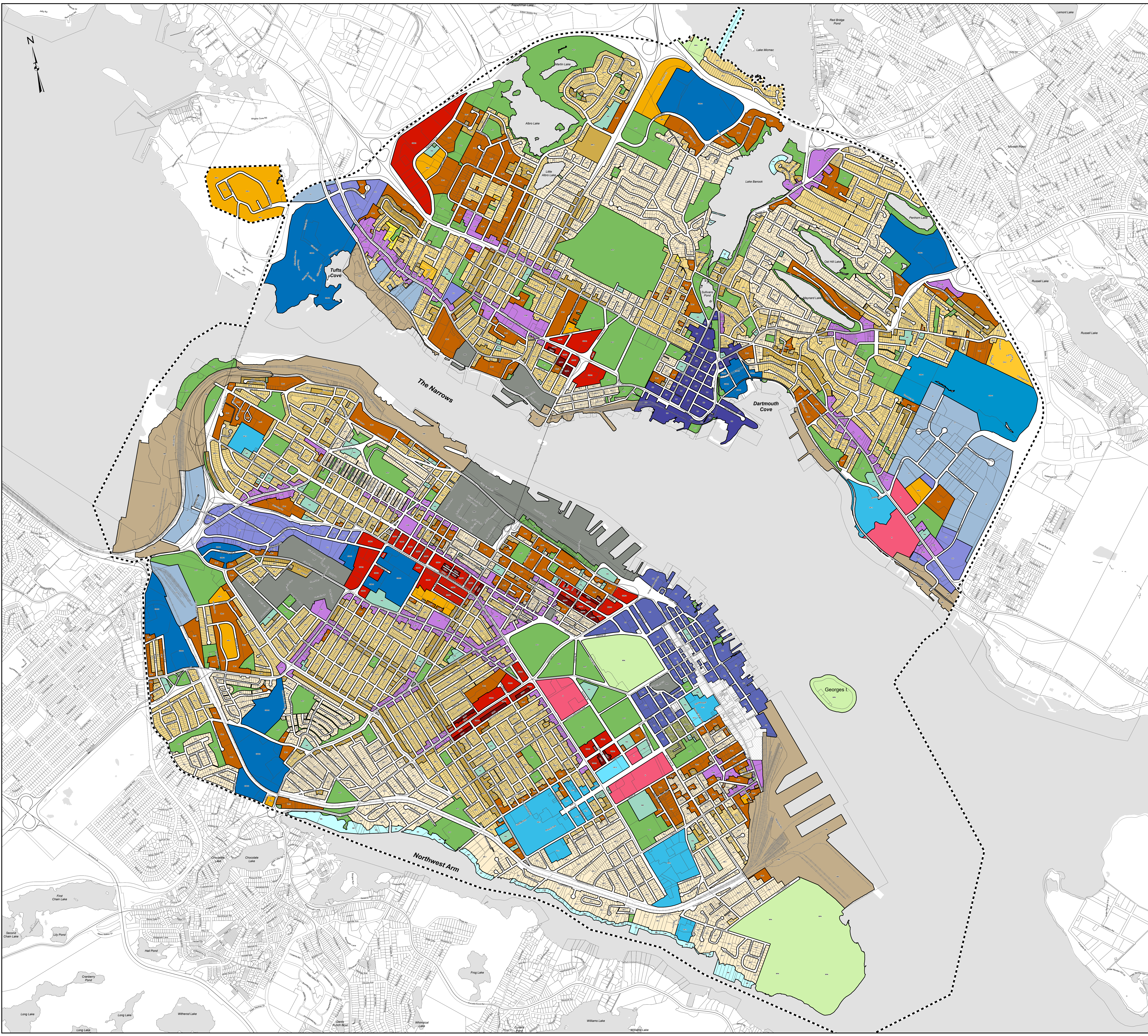
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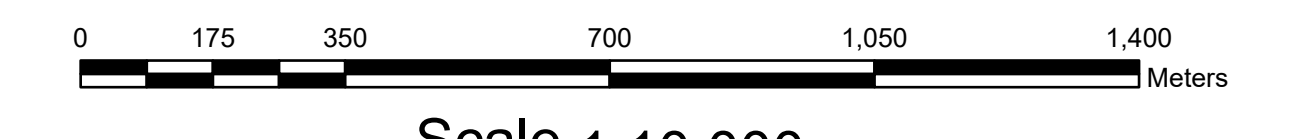
## Regional Centre Land Use By-Law

### SCHEDULE 2 ZONE BOUNDARIES

- DD Downtown Dartmouth
- DH Downtown Halifax
- CEN-2 Centre 2
- CEN-1 Centre 1
- COR Corridor
- HR-2 Higher-Order Residential 2
- HR-1 Higher-Order Residential 1
- CLI Commercial Light Industrial
- ER-3 Established Residential 3
- ER-2 Established Residential 2
- ER-1 Established Residential 1
- CH-1 Cluster Housing 2
- CH-2 Cluster Housing 1
- LI Light Industrial
- HRI Harbour-Related Industrial
- INS Institutional
- UC-2 University and College 2
- UC-1 University and College 1
- DND Department of National Defense
- HCD-SV Heritage Conservation District - Schmidville Zone
- H Hospital
- PCF Parks and Community Facilities
- RPK Regional Park
- WA Water Access
- CDD-2 Comprehensive Development District 2
- CDD-1 Comprehensive Development District 1
- Transportation Reserve  
Refer to Schedules 4, 5 & 6
- Regional Centre Land Use By-law Boundary
- Refer to Downtown Halifax Land Use By-Law



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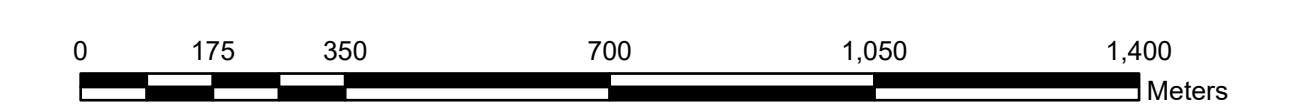
## Regional Centre Land Use By-Law

### SCHEDULE 18 MINIMUM FRONT AND FLANKING SETBACKS

- #— Minimum Front & Flanking Setback (metres)
- ⋯ Regional Centre Land Use By-law Boundary
- ⋯ Refer to Downtown Halifax Land Use By-Law



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
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**Schedule 23: Schmitville  
Heritage Buildings**

-  Schmitville Heritage Building
-  Converted Multiple Dwelling Houses Permitted
-  Commercial Use Properties

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Land Use By-Law

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