

»» **Women's Advisory Committee**

Planning and GBA+ Analysis

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Regional Planning, HRM
April 4, 2024

HALIFAX

Agenda

Planning in HRM

- Planning Framework
- Legislative Authority
- Land Use Policies & Regulations

GBA+ Analysis

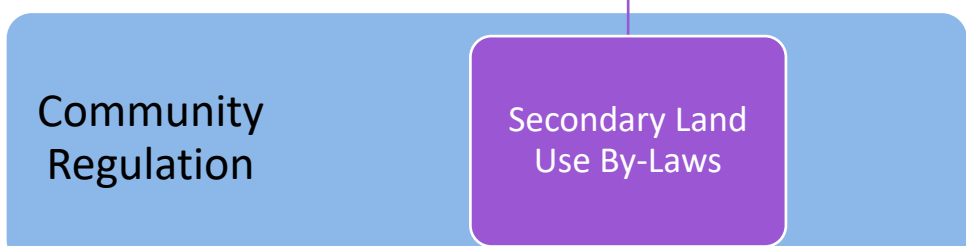
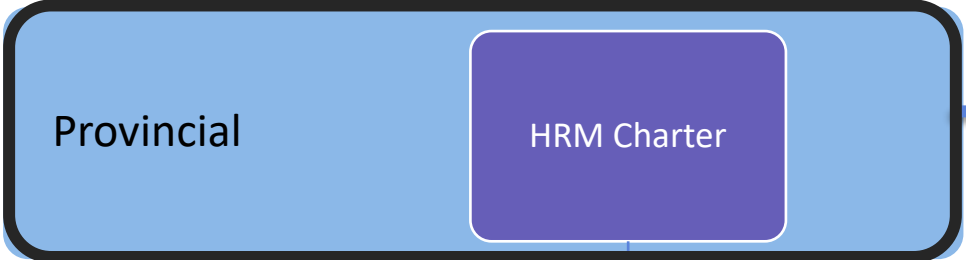
- What is GBA+ Analysis
- How HRM Planning uses GBA+

Partners

- Ongoing Collaboration



»» HRM's Planning Framework



Legislative Authority

Exclusive Powers of Provincial Legislatures

Subjects of exclusive Provincial Legislation

92 In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say,

1. Repealed.⁽⁴⁸⁾
2. Direct Taxation within the Province in order to the raising of a Revenue for Provincial Purposes.
3. The borrowing of Money on the sole Credit of the Province.
4. The Establishment and Tenure of Provincial Offices and the Appointment and Payment of Provincial Officers.
5. The Management and Sale of the Public Lands belonging to the Province and of the Timber and Wood thereon.
6. The Establishment, Maintenance, and Management of Public and Reformatory Prisons in and for the Province.
7. The Establishment, Maintenance, and Management of Hospitals, Asylums, Charities, and Eleemosynary Institutions in and for the Province, other than Marine Hospitals.
8. Municipal Institutions in the Province.
9. Shop, Saloon, Tavern, Auctioneer, and other Licences in order to the raising of a Revenue for Provincial, Local, or Municipal Purposes.
10. Local Works and Undertakings other than such as are of the following Classes:

- Municipalities are ‘creatures of the province’
- Halifax Regional Municipality exists because the Province created us
- *The Constitution Act of 1867* sets out the exclusive powers of each province
- Municipal responsibilities can be altered or abolished

The Charter

- The Halifax Regional Municipality Charter is the primary legislation under which the municipality operates.
- The Municipality is enabled to regulate land use through the Charter.



PART VIII

PLANNING AND DEVELOPMENT

Purpose of Part

208 The purpose of this Part is to

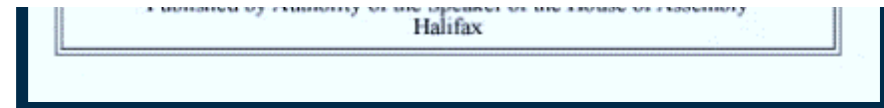
(a) enable His Majesty in right of the Province to identify and protect its interests in the use and development of land;

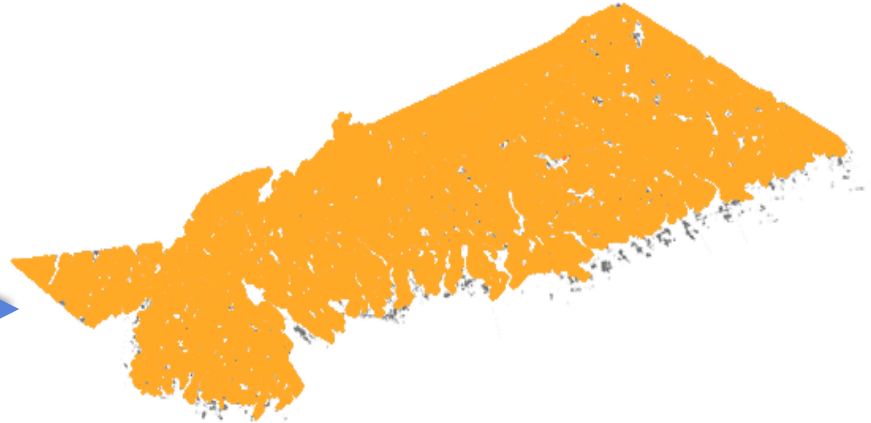
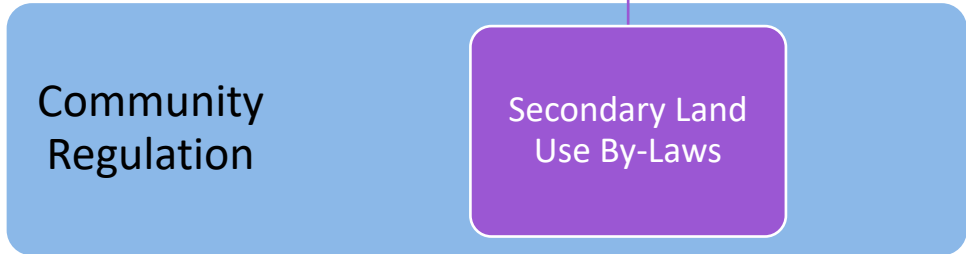
(b) enable the Municipality to assume the primary authority for planning within its jurisdiction, consistent with its urban or rural character, through the adoption of municipal planning strategies and land-use by-laws consistent with interests and regulations of the Province;

(ba) ensure that the Municipality develops and adopts one or more municipal planning strategies to govern planning throughout the Municipality and fulfill the minimum planning requirements;

(c) establish a consultative process to ensure the right of the public to have access to information and to participate in the formulation of planning strategies and by-laws, including the right to be notified and heard before decisions are made pursuant to this Part; and

(d) provide for the fair, reasonable and efficient administration of this Part. 2008, c. 39, s. 208; 2018, c. 39, s. 11.





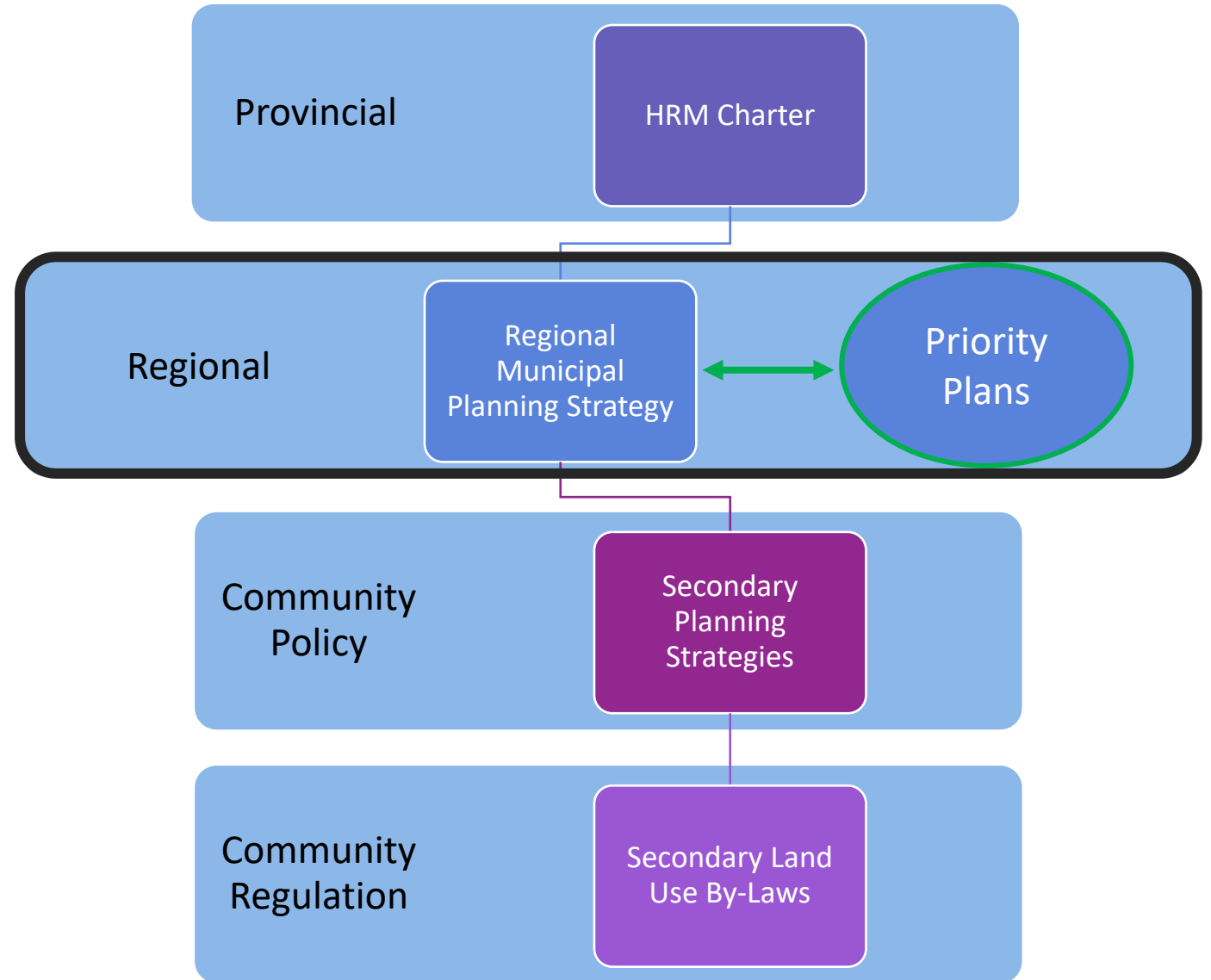
The Regional Plan

- Sets out a common vision, principles, and **long-range, region-wide planning policies** outlining where, when and how future growth and development should take place.
- The Regional Plan sets **Strategic Direction** by:
 - Establishing the Overall Policy Framework
 - Creating Regulations
 - Setting up Future Study and Research



Priority Plans

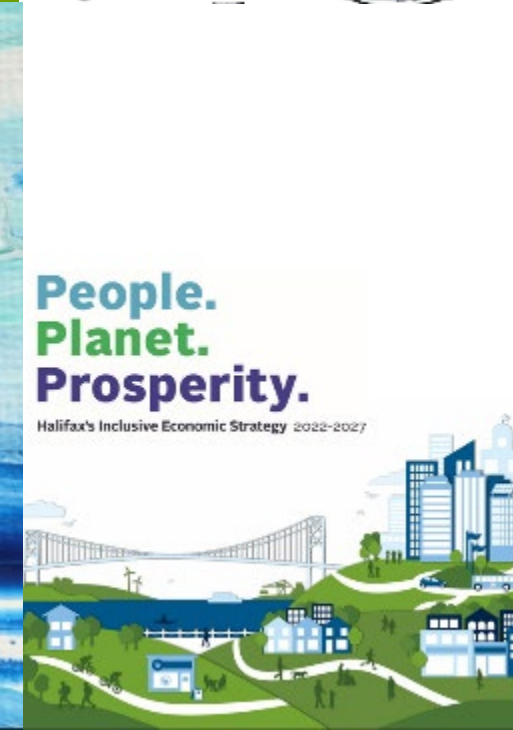
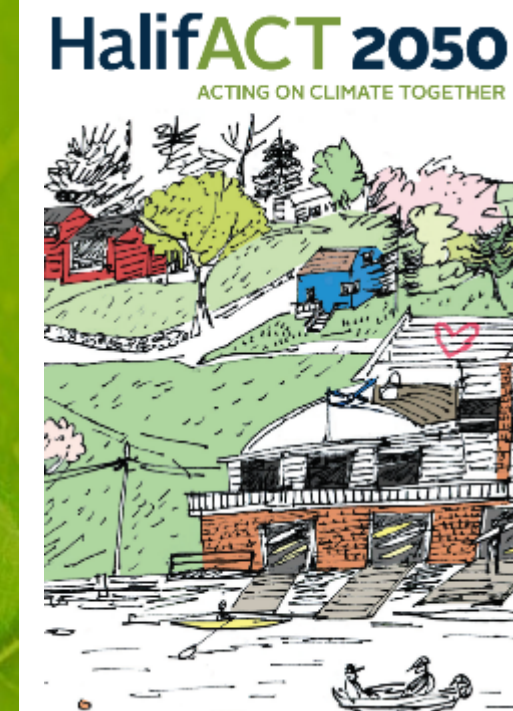
- Provide detailed guidance, policies and actions on specific issues that are important to HRM's growth.
- Set the long term direction for municipal decisions and investments, and may include regulations, programs, facilities or partnerships and associated budgetary requirements.

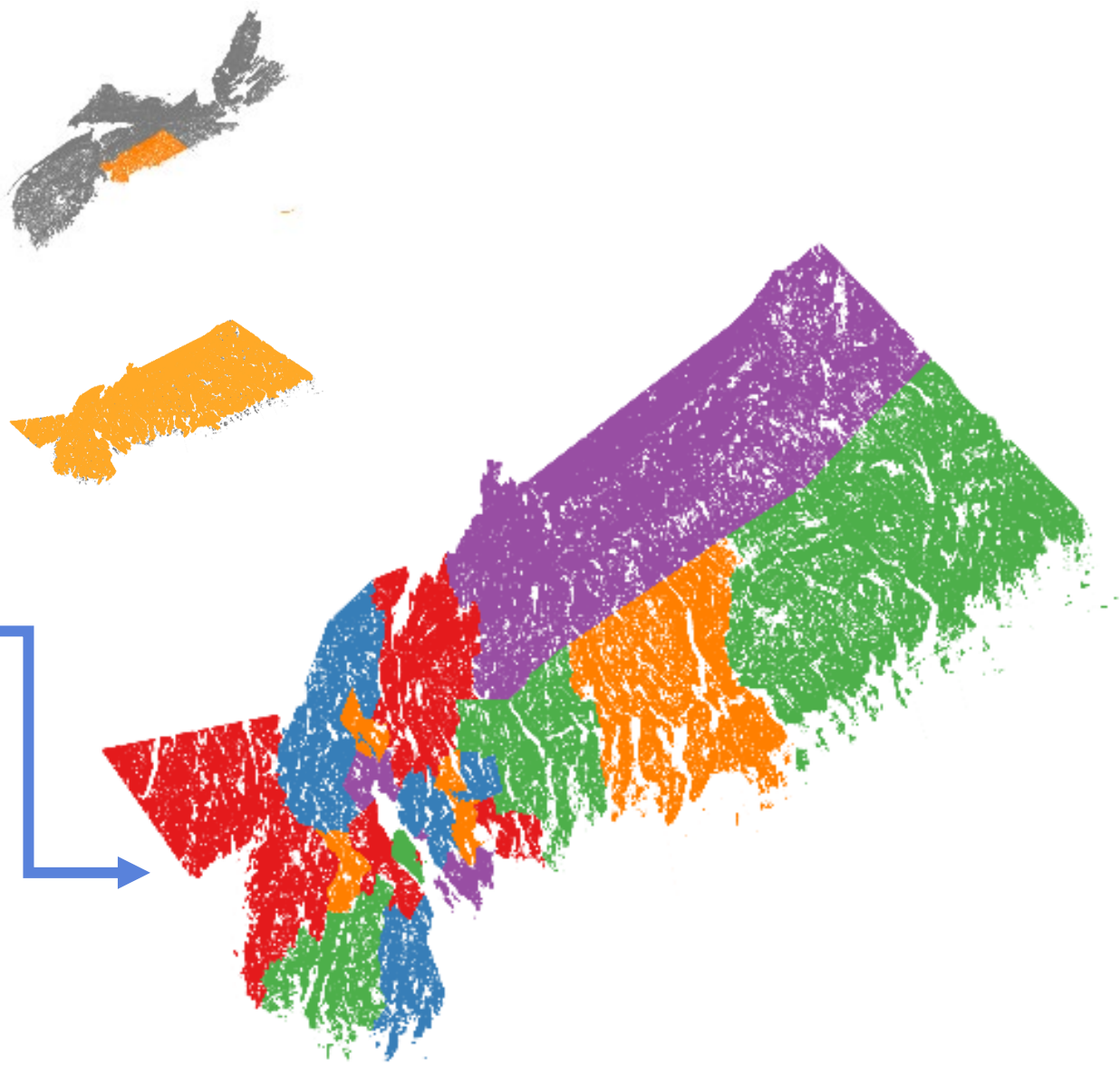
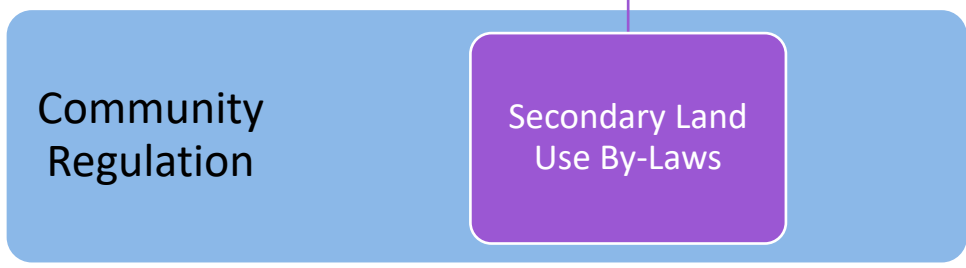


Priority Plans

The Priority Plans are:

- Integrated Mobility Plan
- Halifax Green Network Plan
- HalifACT: Acting on Climate Change Together
- People Prosperity Planet: Halifax's Inclusive Economic Strategy
- Sharing our Stories: HRM Culture and Heritage Priorities Plan

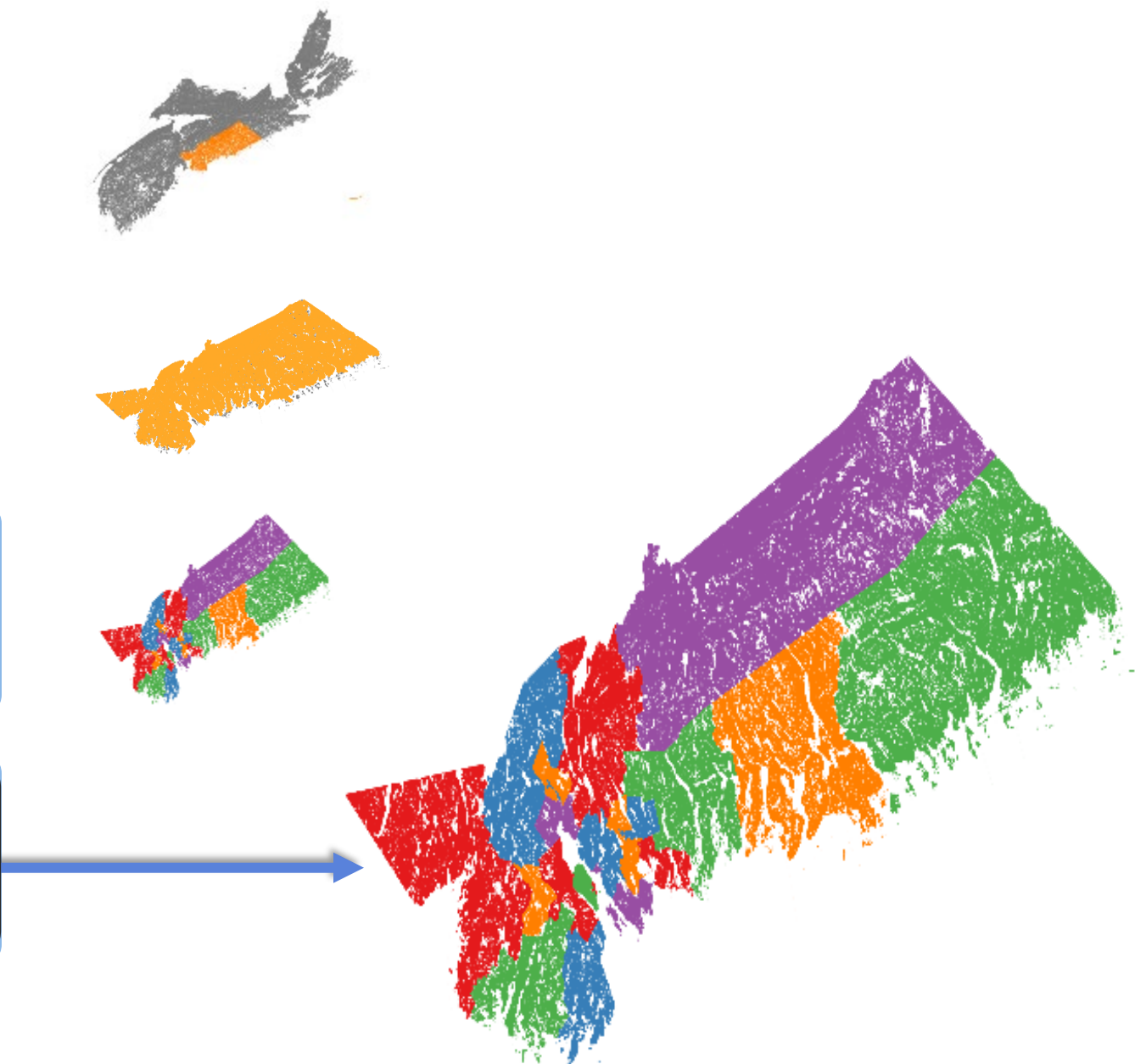
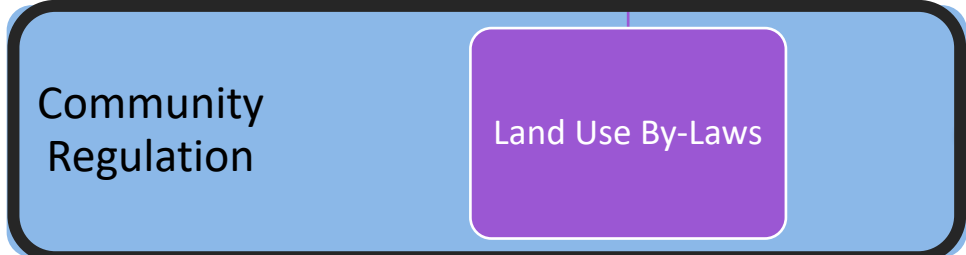




Secondary Municipal Planning Strategy (SMPS)



- Provides statements of policy for communities in the municipality
- While the policies in an SMPS do not commit a council to undertaking any specific project, a municipality **cannot** act contrary to an SMPS
 - E.g. Cannot allow a type of development that the SMPS says is prohibited
- The SMPS sets out policies, but the Charter says these must be converted into **regulations** in a land use by-law so the policies can be carried out



Land Use By-Laws

- Provide detailed land use regulations and divide the municipality into zones.
- Zones enable or prohibit specific **uses**

Content of land-use by-law

235 (1) A land-use by-law must include maps that divide the planning area into zones.

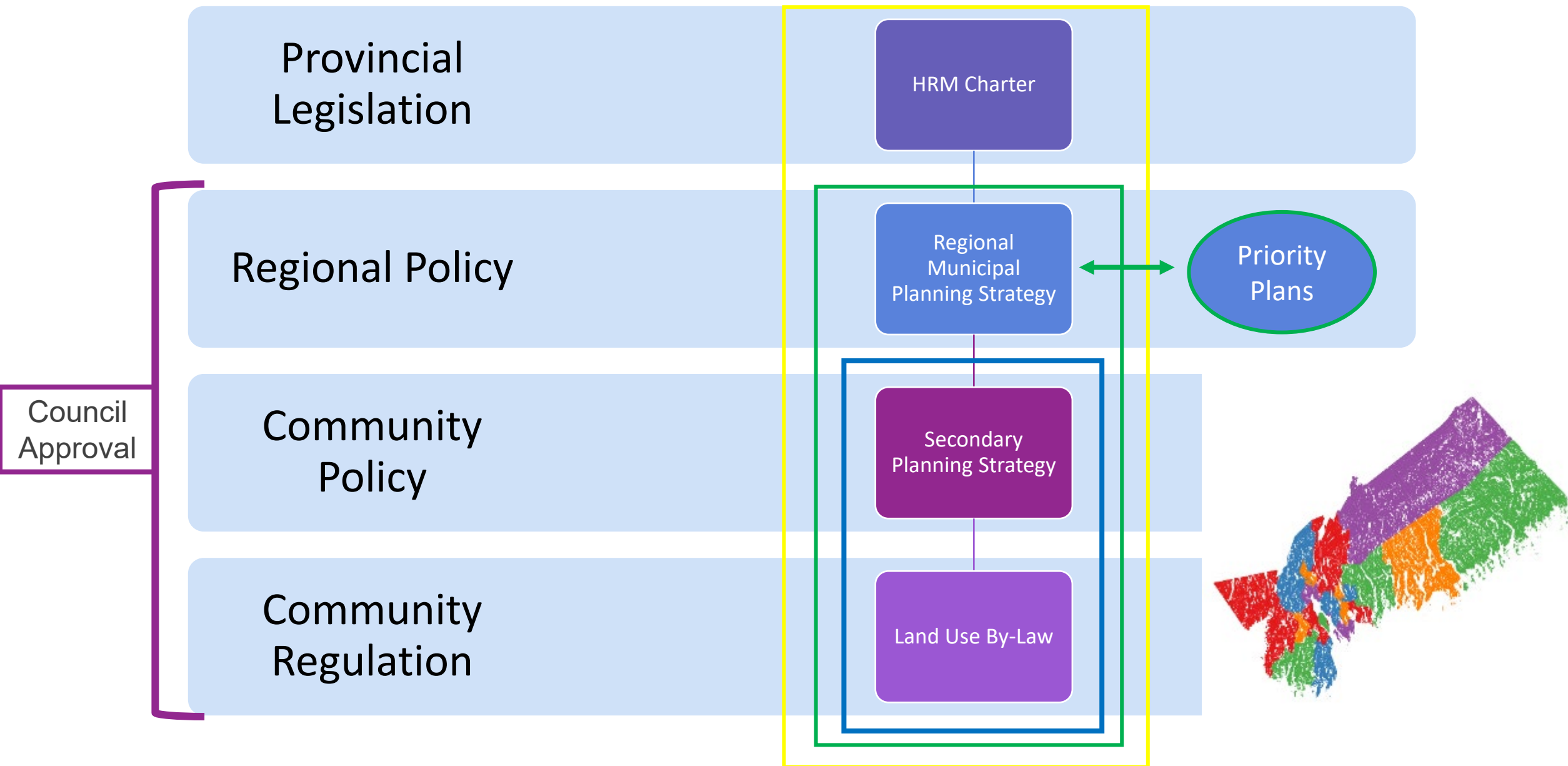
(2) A land-use by-law must

(a) list permitted or prohibited uses for each zone; and

(b) include provisions that are authorized pursuant to this Act and that are needed to implement the municipal planning strategy.

(3) A land-use by-law may regulate or prohibit development, but development may not be totally prohibited, unless prohibition is permitted pursuant to this Part.





Provincial
Legislation

HRM Charter

Regional Policy

Regional
Municipal
Planning Strategy

Priority
Plans

Council
Approval

Community
Policy

Secondary
Planning Strategy

Community
Regulation

Land Use By-Law



»» Development Pathways

Development Options

- 1. As-Of-Right Development**
- 2. Enabled Planning Application**
- 3. Municipal Planning Strategy Amendment**

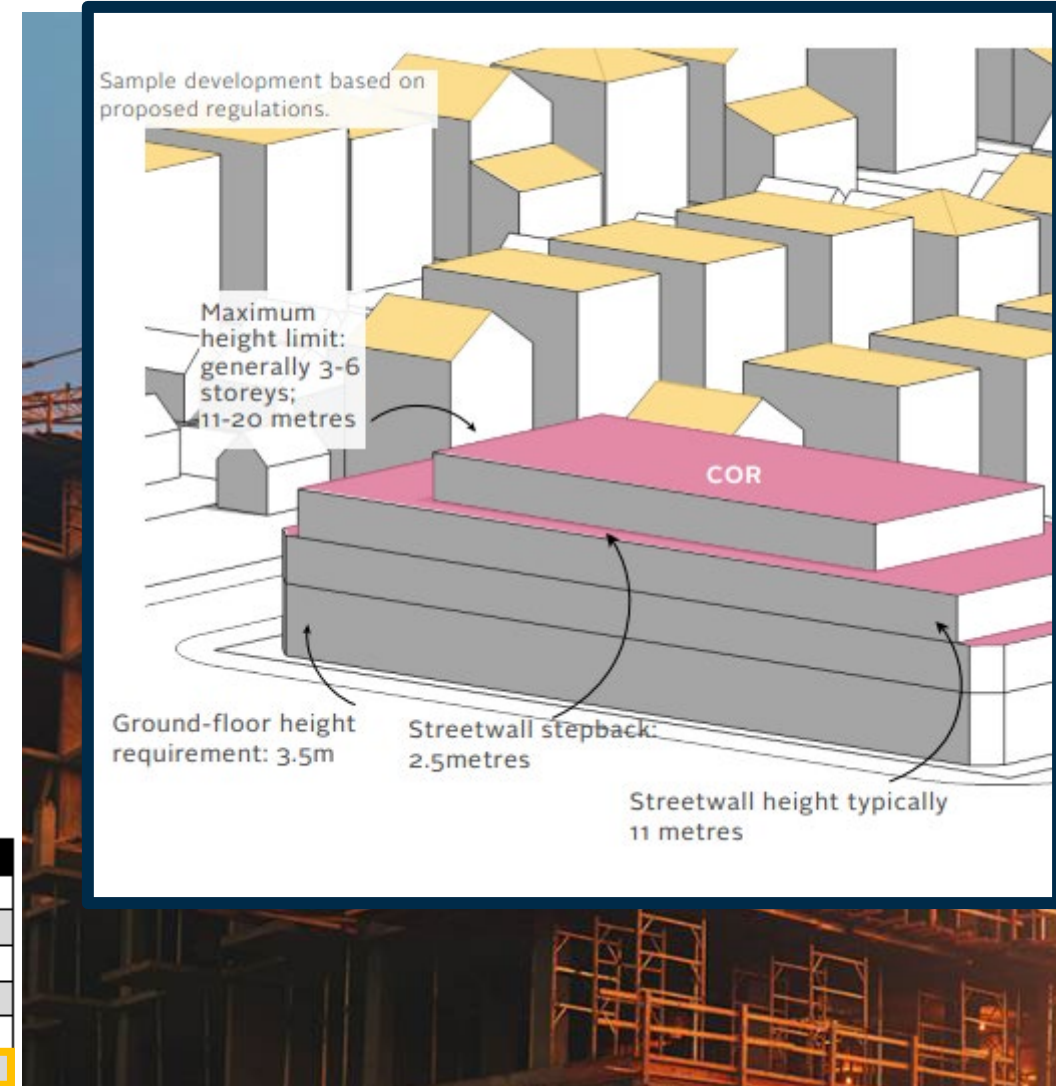


As-Of-Right Development

- Meets the regulations in the existing land use by-law
- As part of approving the by-law, Council heard from staff and the public and agreed on the regulations for what is permitted in each zone
- No additional public engagement or Council hearings are needed for these developments
- Developments still must meet all by-law requirements (e.g. height, architecture, parking, landscaping, etc.)

Table 1A: Permitted uses by zone (DD, DH, CEN-2, CEN-1, COR, HR-2, and HR-1)

RESIDENTIAL	DD	DH	CEN-2	CEN-1	COR	HR-2	HR-1
Single-unit dwelling use	●	●	●	●	●	Ⓣ	Ⓣ
Semi-detached dwelling use	●	●	●	●	●		Ⓣ
Townhouse dwelling use	●	●	●	●	●	Ⓣ	Ⓣ
Two-unit dwelling use	●	●	●	●	●	Ⓣ	Ⓣ
Three-unit dwelling use	●	●	●	●	●	Ⓣ	Ⓣ
Multi-unit dwelling use	●	●	●	●	●	Ⓣ	Ⓣ
Secondary suite use	●	●	●	●	●	Ⓣ	Ⓣ
Backyard suite use	●	●	●	●	●	Ⓣ	Ⓣ



As-Of-Right Development

- Second example of zoning for as-of-right development
- General categories > specific
- Overly prescriptive zones can result in vacant buildings
- Cannot require private property owners to open specific businesses or uses → can only create the **opportunity** for those uses through permissive zoning

PART 16: C-2 (GENERAL BUSINESS) ZONE

16.1 C-2 USES PERMITTED

No development permit shall be issued in any C-2 (General Business) Zone except for the following:

Retail stores
Food stores
Service and personal service shops
Offices
Commercial schools
Banks and financial institutions
Full Service and Take-out Restaurant
Funeral establishments
Theatres and cinemas, except drive-in theatres
Parking lots
Welding, plumbing and heating, electrical and other special trade contracting services and shops
Bakeries
Single and two unit dwellings
Institutional Uses

Enabled Planning Applications

Community Regulation

Land Use By-laws

Change the zone

Change other part of by-law

Development Agreement

- Applications for Rezoning, Land Use By-law Amendments, or Development Agreements that **don't** require a change to a Secondary Municipal Planning Strategy policy
- Decisions from Community Councils need to be '**reasonably consistent**' with the policy intent of the secondary municipal planning strategy

Development on a Registered Heritage Property

485 (1) Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property that is not contained within a heritage conservation district, in accordance with Policy CHR-7 of the *Regional Centre Secondary Municipal Planning Strategy*.

Municipal Planning Strategy Amendment

- When the desired use or development on a piece of land is not permitted within the existing Council-approved plans for the area:
 - Regional Municipal Planning Strategy (the Regional Plan)
 - Secondary Municipal Planning Strategy
- Request to change the policy for an area
- Significant undertaking that should only be considered within the **broader planning context** or if there is reason to believe the **circumstances have changed** since the policy was last adopted



Development Summary

1. As-Of-Right Development

Meets the detailed zoning requirements in the land-use bylaw

2. Enabled Planning Application

Does not meet the land use by-law, but has options under the secondary municipal planning strategy

3. Municipal Planning Strategy Amendment

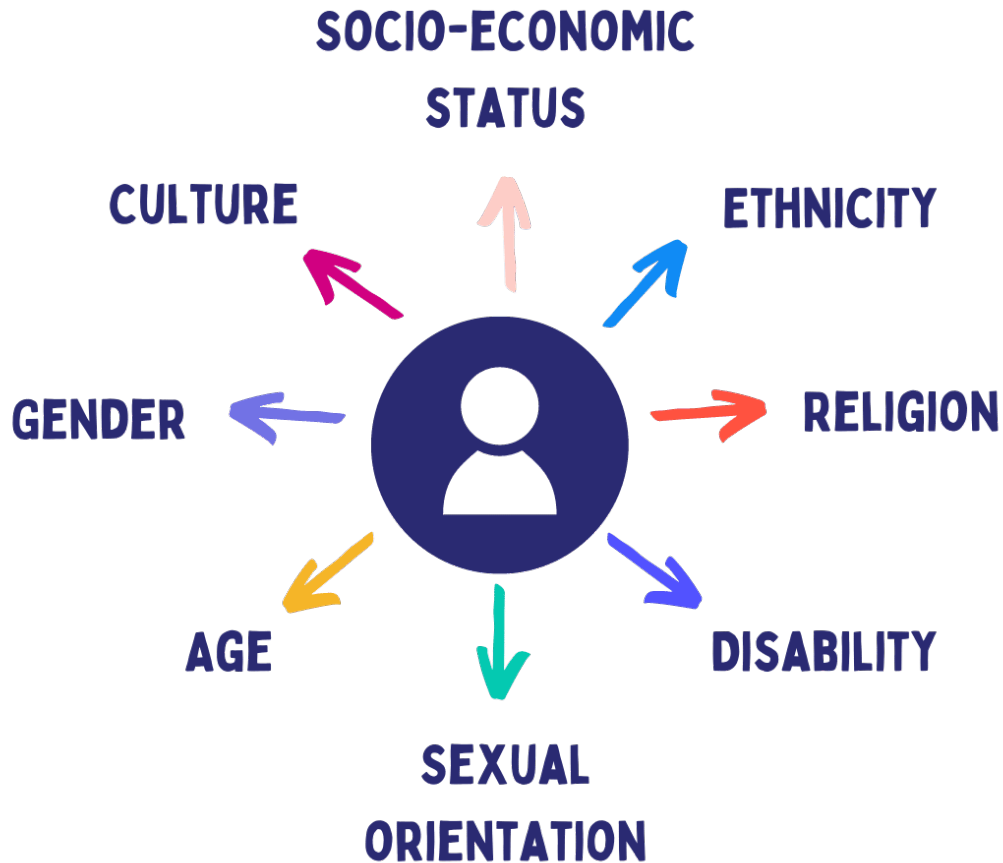
Does not meet land use by-law or the planning strategy → needs a policy change



»» **GBA+ Analysis**

HALIFAX

Definition



Gender Based Analysis Plus (GBA+) is an intersectional and evidence-based process used to assess how diverse groups of women, men, and non-binary people may experience policies, programs, and initiatives.

-Gender Based Analysis+ Toolkit, Office of Diversity and Inclusion (2021)

GBA+ Analysis and Planning

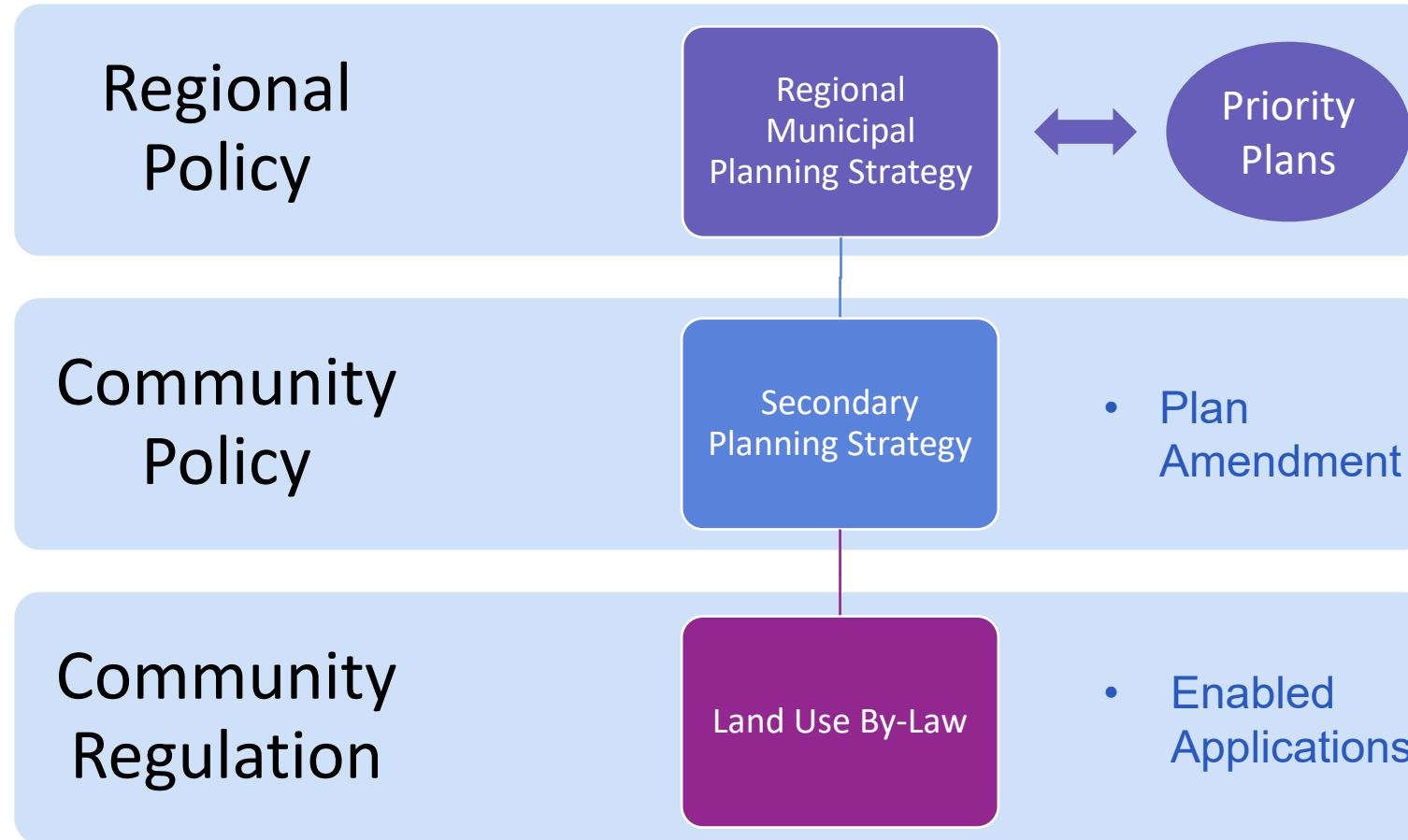
1. Public Engagement

2. Supportive Policy

3. Collaboration with Partners

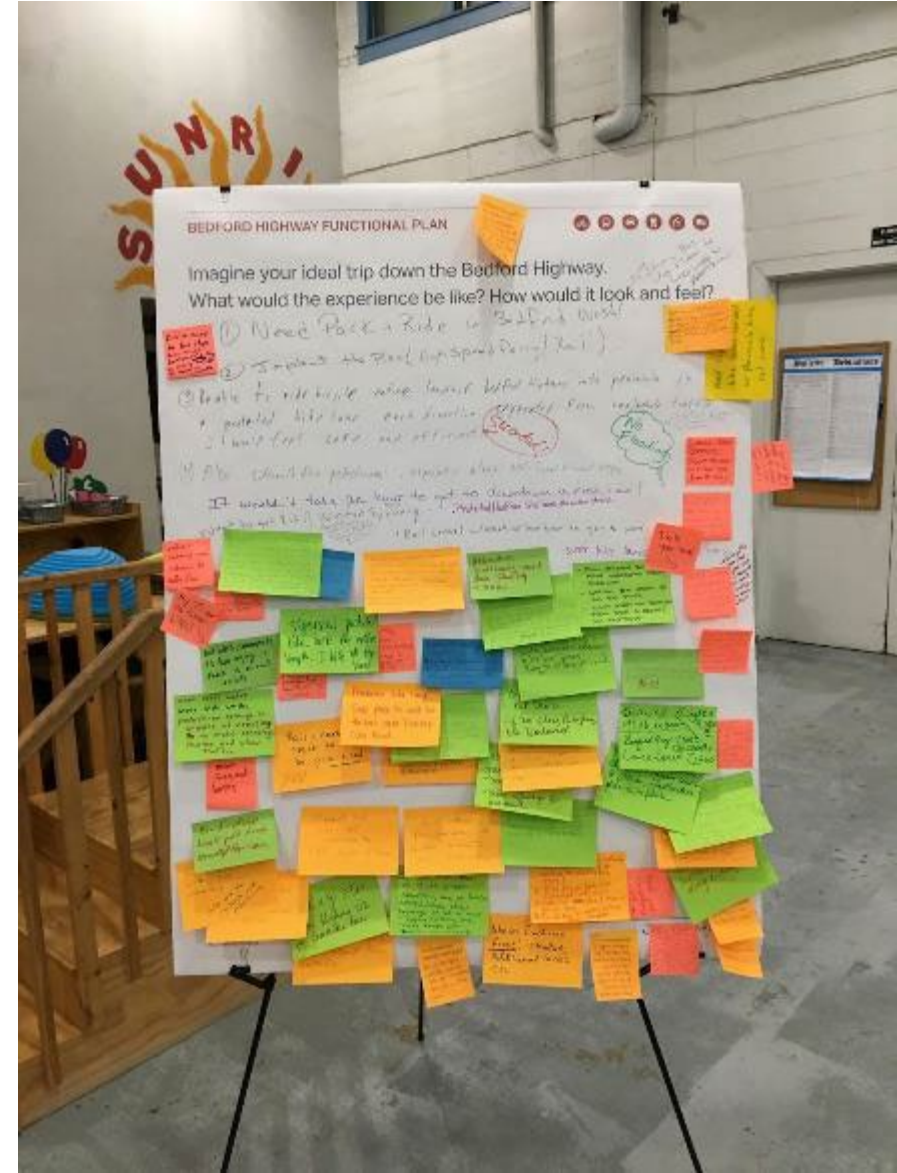


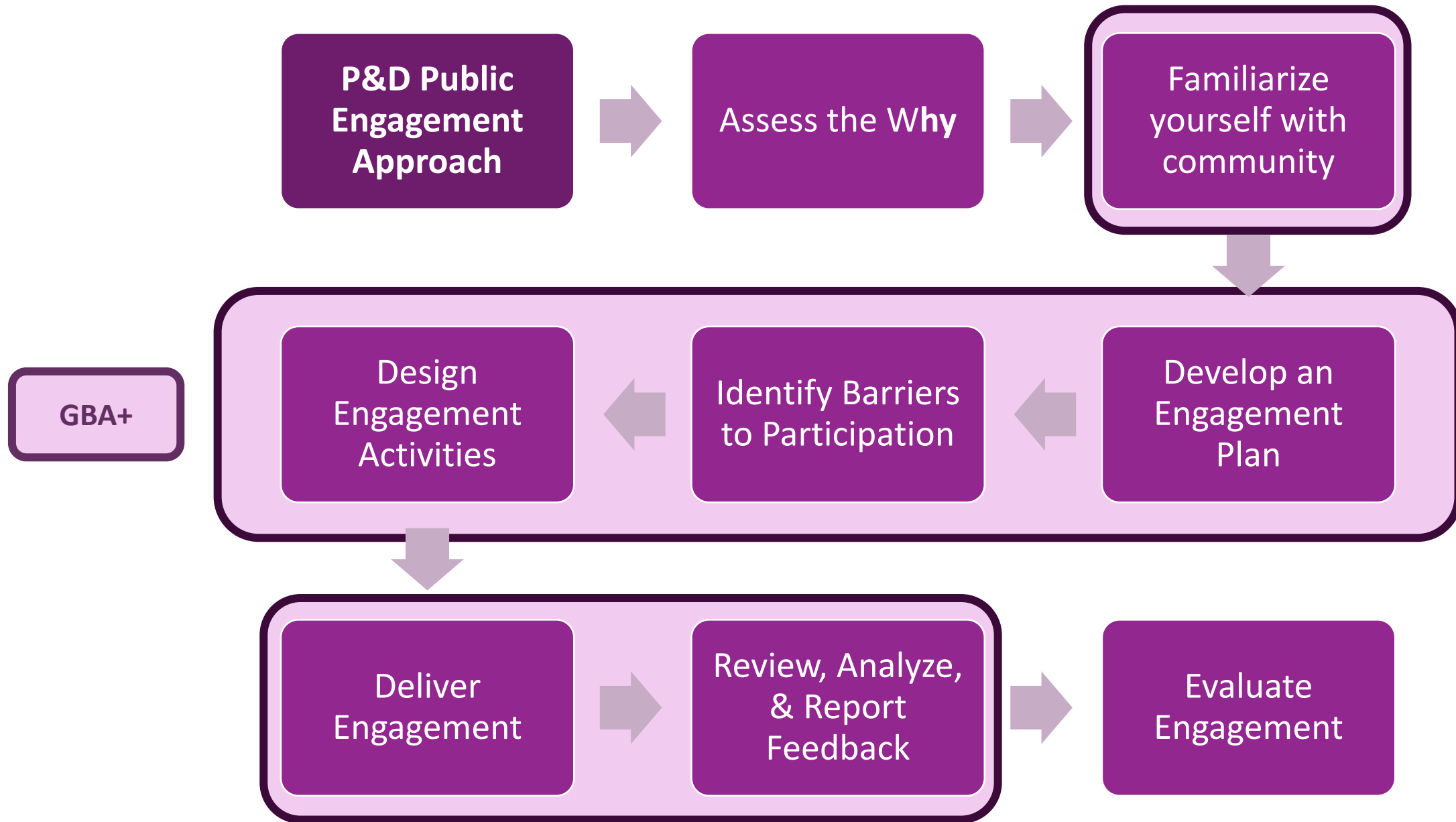
Engagement is part of every plan



GBA+ Lens: Public Engagement

- **P&D Public Engagement Guidebook** - helps staff to determine the appropriate level of public participation for engagement and identify resources that provide community context such as:
 - Existing plans
 - Stakeholders and community organizations
 - Women's Safety Assessments
 - Socioeconomic characteristics of the area
 - Languages spoken
 - Access to technology
 - Level of understanding of the issues being engaged on
- **Ask:** Who is at the table? Who is missing?





GBA+ Lens: Public Engagement

Guiding Questions

- What approaches and outreach will help to ensure all those who need to be engaged can fully participate?
- Do we have personal relationships and trust with the people or groups being engaged? How do we build that trust?
- How can we create opportunities for the people least likely to be heard to participate?



- Indigenous communities
- People of African descent
- Persons with disabilities
- Women
- Racialized groups
- 2SLGBTQ+ and gender diverse communities
- Temporary residents; immigrants and refugees
- Persons with low income
- Youth & Seniors
- Victims of violence
- Persons who are homeless or under-housed
- Residents vulnerable to environmental hazards & development induced displacement

GBA+ Lens: Public Engagement

'Traditional' Approaches

- Mailouts
- Newspaper Ads
- Site Signage
- Open House
- Public Information Meeting
- Public Hearing



GBA+ Informed Approaches

- Site visits
- Workshops
- Open houses
- Pop-up engagement
- Group and stakeholder meetings

Digital Tools

- Project Websites
- Emails (e-bulletins, neighbourhood listservs)
- Social Media
- Website materials (documents, videos, interactive mapping)
- Online tools (message boards, email, phone line)

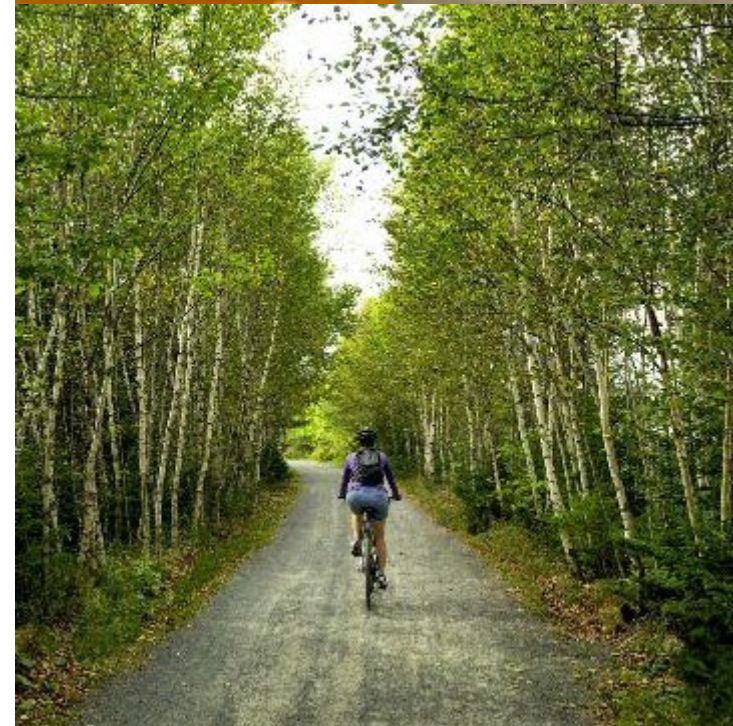
GBA+ Lens: Supportive Policy

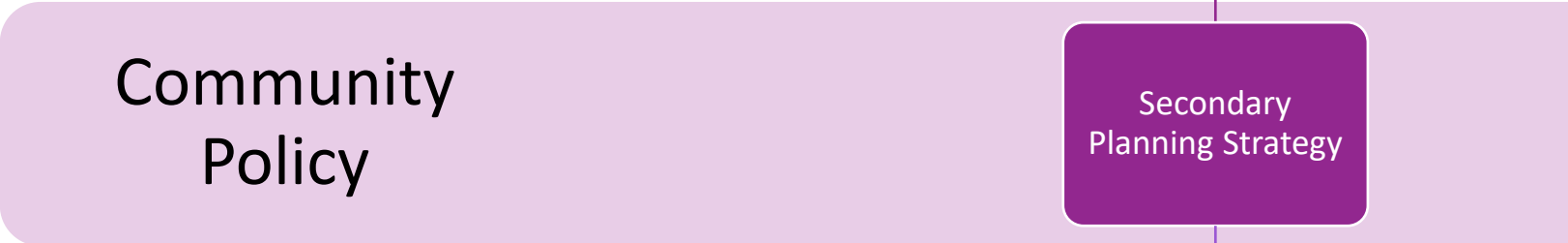


- Public engagement helps staff to identify opportunities to improve policies and regulations as plans are reviewed
- Many of HRM's secondary plans need to be updated – this is an ongoing process
- We can eliminate policy and regulatory barriers so certain uses are permitted in more areas
- Examples:
 - Backyard hens permitted almost everywhere in HRM
 - Secondary suites and backyard suites permitted in most residential zones across HRM

GBA+ Lens: Collaboration

- Collaborating with a diverse range of partners is central to our work
- **Organizations & Government** – Parks and Recreation, Community Safety, Halifax Transit, Diversity and Inclusion, Halifax Regional Centre for Education, Council Committees, NS Health, and others
- **Community** – Service Providers, Non-Profits, Developers, Advocacy Groups, Individuals, Neighbourhood groups, Business Associations, Volunteer groups, Heritage Associations, and others





GBA+



»» **Thank You**



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