

## Attachment H – Staff Response to Previous Council Directions

	Council Motion	Staff Response	Rationale
1	<p>October 10, 2015 motion of Halifax Regional Council, amended on January 12, 2021:</p> <p>Request a staff report regarding noise in downtown areas that shall include: a) Research on other municipalities approaches, including a jurisdictional scan and discussion with stakeholders such as the business commissions, Argyle Entertainment District, and the Restaurant Association of Nova Scotia and others; ... c) recommendations regarding the possible establishment of an entertainment district on Argyle Street for inclusion in the Prescribed Exemptions or Local Exemptions section of the Noise By-Law (N200).</p>	<p>Centre Plan Package B contains a policy to supporting the Municipality considering establishing one or more arts or entertainment districts to guide municipal investments, support vibrant arts and entertainment areas, and mitigate potential land use conflicts.</p> <p>A separate staff report will be presented to Council related to local exemptions under the Noise By-law (N-200).</p>	<p>Entertainment districts are areas with high concentrations of entertainment venues and spaces, including cultural organizations, restaurants, drinking establishments and public and private event spaces. These uses can help attract and retain diverse and younger demographics to the municipality and provide places for residents and visitors to engage in social activities.</p> <p>Establishing one more entertainment districts can help establish expectations for both businesses and residents, support economic development and reduce red tape associated with repetitive noise exemption requests to Council.</p>
2	<p>October 14, 2015 motion of Halifax and West Community Council:</p> <p>Request a staff report outlining potential amendments to Peninsula Land Use By-law RC-1 zone that will define grocery and pharmacy use, and limit hours of operation in the RC1 zone.</p>	<p>Local commercial uses in low density zones under the draft Centre Plan can only be considered through a development agreement process.</p>	<p><i>The HRM Charter</i> does not allow for hours of operation to regulated through a land-use by-law. The revised Plan introduces a new development agreement policy for new local commercial and institutional uses in the Established Residential zones, which will provide for the regulation of operating hours among other criteria.</p> <p>Existing commercial uses may continue to exist and be maintained as a non-conforming uses in established residential areas and their hours of operation cannot be changed through the Land Use By-law. Some of the previous RC-1 zones have been zoned as COR or HR-1 to recognize the existing commercial rights.</p>
3	<p>August 1, 2017 motion of Regional Council:</p> <p>1. Initiate a process to consider amendments to the Halifax Regional Municipal Planning Strategy and all applicable community municipal planning strategies and land-use by-laws to simplify, consolidate and remove barriers to the development of special care facilities, consistent with the proposed policy direction outlined within the discussion section of the staff report dated May 18, 2017;</p>	<p>The proposed approach outlined in the May 18, 2017 staff report was implemented in Centre Plan Package A and is applied to Centre Plan Package B areas for institutional and established residential zones. The proposed policies and regulations define care facilities and group homes as 'shared housing' and establish consistent requirements that allow shared housing in all zones that permit residential uses while ensuring the scale and design of buildings containing shared housing are consistent with the zone context. A separate report on Shared Housing will be coming to Council in 2021.</p>	<p>Shared housing can provide a wide range of housing options for individuals with housing needs or preferences that cannot be met by independent living. It can also help address housing affordability when individuals choose to share housing.</p> <p>The revised planning documents permit large shared housing in institutional and mixed-use zones, while small shared housing is permitted in established residential zones with a maximum number of bedrooms tailored to each zone. Zone specific built form regulations must be met by shared housing developments.</p>
4	<p>July 19, 2019 motion of Regional Council:</p> <p>1. Initiate a process to consider amendments to the Regional Municipal Planning Strategy and all applicable Secondary Municipal Planning Strategies and Land Use By-laws as necessary to permit the keeping and raising of all egg-laying fowl consistent with the proposed policy direction outlined within the Discussion section of the staff report dated June 12, 2019; and</p> <p>2. Follow the public participation program as set out in the Community Engagement section of the staff report dated June 12, 2019.</p>	<p>Centre Plan Package A enabled the raising of egg-laying chickens in Package A zones as part of urban agriculture provisions.</p> <p>Centre Plan Package B proposes to enable in every zone, the keeping of up to egg-laying chickens as an accessory use. Up to 10 egg laying chickens are permitted on a lot. A separate report on Egg Laying Hens will be coming to Council in 2021</p>	<p>The revised planning documents support the direction of the Halifax Green Network Plan to encourage small scale agriculture on private properties, the Just FOOD Action Plan, Centre Plan policies and proposed region-wide amendments currently underway.</p>
5	<p>September 18, 2019 motion of Regional Council:</p> <p>Request that staff explore changing the designation for PID:00148643 (St. Patrick's Alexandra) from HR-1 to HR-2 during the completion of Package B.</p>	<p>To support greater predictability, a new site specific development agreement policy is to allow for a mixed-use development, consisting of residential, commercial, and community facility uses that is limited to a maximum of 23 metres in height on up to a maximum of 25% of the site.</p> <p>Key considerations include outdoor amenity space, preservation of the façade of the Andrew Cobb building, and bonus zoning can only be directed to affordable housing and/or heritage preservation on site. Commemoration of the history of the former school and its importance to the Mi'kmaq First Nations, African Nova Scotian,</p>	<p>Following additional <a href="#">community engagement</a> and contextual study staff have determined that the site is capable of supporting mid-rise development, similar to what was proposed through Package A, while allowing up to 25% of the site to achieve a height of 23 metres. The site is an opportunity to locate new housing and amenities near a "Centre" area but is also situated away from the high-density growth directed to Gottingen street. The large site can accommodate significant density in the mid-rise form. The proposed site specific DA policy replaces that large lot DA policy</p>

		and North End communities must also be considered.	that would otherwise apply and provides more specific direction on the comprehensive development of the large and prominent site.
6	September 18, 2019 motion of Regional Council:  Direct the Chief Administrative Officer to include for consideration in the Centre Plan area during the Package B consultation and adoption process, the removal of 31 Queen Street Dartmouth, PID 00083949 from the potential Downtown Dartmouth Heritage District and reconsideration of the property's 2.5 FAR.	The site is proposed to be removed from the HCD with a FAR of 6.25 assigned.	This property does not contribute to the proposed heritage conservation district. The revised FAR mirrors current density on the site and would allow a renovation of the building with a possible minor addition. The proposed Regional Centre Plan LUB contains requirements for development abutting heritage properties and heritage districts, therefore any development or renovation on the site would have to comply with those requirements.
7	September 18, 2019 motion of Regional Council:  Consider additional relaxation of height on sites with significant grade, such as 5213, 5215, 5225 Green Street.	The revised draft LUB enables the maximum and minimum streetwall height to be reduced to 3.5 m where the slope of the streetline is 8% or greater.  In addition, max. height for the entire building is based on the average finished grade of the site.	The revised planning documents incorporated built form requirements for sloping conditions, based on feedback from the developers and designers. These are designed to alleviate difficulty experienced on sloping sites. An increase in height does not necessarily address the challenges posed by significant grade changes, notably the stepping of floor plates. The existing height framework is compatible with the surrounding context and heights proposed for abutting blocks.
8	September 18, 2019 motion of Regional Council:  Consider the inclusion of Lot 15 Robie PID00641035 in the Corridor Zone	The Corridor (COR) zone is proposed for this site with no height change.	This irregularly located parcel be zoned COR to match the surrounding parcels, and the immediately adjacent parcel fronting on Robie Street. That parcel and the subject parcel are effectively functioning as one parcel and they match the lot depth of adjacent COR zoned parcels.
9	September 18, 2019 motion of Regional Council :  Consider methods to delaying payment of the affordable housing component of density bonusing to later in the construction process, allowing posting of bonds, or rebating affordable housing component at time of permitting if an affordable housing agreement is in place.	No change is recommended.	Staff explored various options and determined that the bonus zoning payment can only be enforced when paid at the time of permitting. An <i>HRM Charter</i> amendment would be needed to enable the Municipality to accept security for the payment or make the amount owed a first lien and collectable by HRM as if it were taxes owed.
10	September 18, 2019 motion of Regional Council:  Amendments to the MPS and LUB to exempt large shared housing uses existing at adoption from bedroom requirements required in section 57 of the LUB.	No change is recommended.	Bedroom counts are an effective tool for controlling density in established residential areas. Legally existing shared housing units can continue to exist as legal non-conforming uses. They can also be expanded, renovated and rebuilt if damaged by fire or otherwise to a similar form. The by-law also exempts conversion of large shared housing uses into residential uses from unit mix requirements.
11	March 3, 2020, motion of Regional Centre Community Council  That staff consider allowing accessory surface parking in flanking yards in the Corridor Zone.	Staff have revised the draft LUB to only limit accessory parking lots in the front yard and the first 33% of the lot depth butting a front yard in the COR zone, unless located in an internal courtyard.	Due to the shallow lot depth of most COR lots and corner lots, this change will support effective redevelopment of sites intended for densification. Given the focus of Centre Plan on pedestrian first streets, similar changes in the D and CEN zones are not recommended.
12	September 1, 2020 motion of Regional Council  That Halifax Regional Council refer the motion to the Community Design Advisory Committee for consideration as part of the Downtown Halifax Plan review and report back to Regional Council via the Community Planning and Economic Development Standing Committee.  Referenced Design Review Committee Recommendation: that Regional Council initiate the process to consider amendments to the Downtown Halifax Land Use By-law to allow for balconies in excess of 50% of the building face.	No change is recommended to requirements that enable balconies on up to 50% of a building face to encroach into required setbacks and stepbacks. More than 50% of the building face may be covered in balconies if setback and stepback requirements are met. This approach is applied to all other applicable Regional Centre Zones.	In a November 25, 2020 memo to CDAC staff indicated that the 50% encroachment provision is intended to support the development of balconies while controlling the overall building mass and scale. Allowing the balconies to encroach into setbacks and stepbacks on more than 50% of the building face would undermine the purpose of the setback and stepback requirements.
13	September 22, 2020 motion of Regional Council:  That Halifax Regional Council direct the Chief Administrative Officer to:	The CH (Cluster Housing) Zone is proposed to be added under the Established Residential Designation and applied to exiting mobile home parks and a small number of irregular lots with limited frontage. It is proposed to permit up to 24 units on a lot and up to four dwellings per cluster housing block.	The CH zone replaces the previously proposed "LLC" – Land Lease Community Zone and permits multiple dwellings on a lot, subject to certain requirements. This zone would permit traditional forms of manufactured housing (sometimes called "Mobile Homes") or other forms of small,

	1. Consider developing planning policies to enable clustered tiny home developments through the By-law Simplification program, Regional Plan Review and Land Leased Community By-law review;		individual units on the same lot. In the future this zone may be applied through a rezoning application within the Established Residential or High-Order Residential designations.
14	<p>February 23, 2021 motion of Regional Council:</p> <p>That Halifax Regional Council direct the Chief Administrative Officer to identify additional heritage conservation district study areas within the South End Secondary Plan Area, as per Option 3 of the December 22, 2020 staff report, for potential inclusion in the Regional Centre Secondary Municipal Planning Strategy.</p>	<p>Three additional proposed Heritage Conservation Districts (HCDs) are included in the proposed Regional Centre SMPS as follows:</p> <ul style="list-style-type: none"> <li>• Oakland Road</li> <li>• Fort Massey</li> <li>• Young Avenue</li> </ul>	<p>Staff reviewed the age, integrity and historical significance of all South End Halifax residential neighbourhoods. The three proposed HCDs were identified and mapped based on this analysis and the potential to further research and preserve these heritage resources through a future HCD planning process.</p>