

- d. The Cluster Housing (CH) Zone is applied to existing mobile home parks and other limited areas to provide opportunities to cluster a variety of low-density buildings on a single property on lands where the development of a new public street is not practical or needed to support pedestrian connectivity. The CH Zone permits the clustering of dwellings containing up to twenty-four units on a lot and up to four units per block. The zone may be applied to additional areas through a Land Use By-law amendment process. Existing mobile home parks are exempt from the maximum number of units permitted on a lot.

Local commercial and institutional uses within the Established Residential Designation can be considered by Community Council by development agreement. There are 5 Established Residential Precincts established to support regulations tailored to the local context of various areas.

- VII. The Future Growth Node Designation** is intended to identify large sites that can accommodate significant growth and that require the development of master neighbourhood plans to determine their future land use and densities. The Designation is applied to largely vacant and underutilized lands, including existing and former shopping centres. The Plan envisions each Node developing in a coordinated manner based on a master neighbourhood plan that considers its environmental, social, cultural, and economic context.

Master neighbourhood planning requirements are implemented by using Comprehensive Development District (CDD) policies and zones. To develop each Node, a master neighbourhood plan must be prepared and incorporated in this Plan through Site-Specific Comprehensive Development District (CDD) Development Agreement policies to guide the development of the area such as location and design of roads, parks, land uses, and densities. Based on these policies, development agreement applications may then be considered by Council to enable large-scale developments. Over the longer term, once all terms and conditions of the CDD Development Agreements are completed, Council may discharge the development agreement and make the necessary amendments to the Plan and LUB to apply appropriate designations, zoning, and built form controls.

There are 2 Comprehensive Development District zones established under this designation that permit new large-scale developments only by development agreement, while also allowing limited development opportunities without a development agreement, as follows:

- a. The Comprehensive Development District 2 (CDD-2) Zone is applied to most large-sized Nodes and, without a development agreement, permits as-of-right all commercial uses under the CEN-2 Zone, with limitations on the height, massing, and scale of new buildings and building additions; and
- b. The Comprehensive Development District 1 (CDD-1) Zone is applied to Nodes that are intended to accommodate a limited amount of residential development and, without a development agreement, permits as-of-right existing uses and all land uses permitted under the ER-1 Zone.

- VIII. The Institutional Employment Designation** is intended to support the use and expansion of the many thriving institutions located in the Regional Centre. The Designation is applied to large scale institutions, including the universities, colleges, hospitals, and the Department of National Defence lands, as well as smaller institutions that support complete communities, such as religious institutions, libraries, fire stations, police stations, recreational clubs and community facilities, schools, cultural facilities and similar uses. The Plan supports the orderly development and

expansion of major institutions, including working with other levels of government to support connections to public transit and active transportation and to help achieve the urban design goals of the Plan. There are 5 zones established under this designation:

- a. The Institutional (INS) Zone is applied to small-scale institutional uses, such as religious institutions, libraries and schools, to permit a range of institutional and community uses and manage the potential redevelopment of these sites to other types of uses.

To support the preservation and adaptive re-use of prominent institutional buildings, the Plan enables identified landmark buildings located in the INS Zone to be converted to residential, mixed-use, and commercial uses provided that the size and design of the buildings are substantially maintained;

- b. The University and College 2 (UC-2) Zone is applied to university and college campuses located in a dense urban setting, such as Dalhousie University's Carleton and Sexton campuses;
- c. The University and College 1 (UC-1) Zone is applied to university and college campuses located next to low density areas that are characterized by large patches or networks of open space;
- d. The Hospital (H) Zone is applied to existing public hospitals to recognize and support their unique land use and built form needs; and
- e. The Department of National Defence (DND) Zone is applied to existing military lands.

IX. The Industrial Employment Designation is intended to support the use and retention of lands for industrial development. The Designation is applied to existing industrial, mixed commercial and industrial, and harbour-related industrial areas. The designation seeks to preserve these areas and prevent the introduction of incompatible residential and commercial developments that may create land use conflicts and limit future industrial development opportunities. The unique functions of these employment lands are supported through flexible building design requirements. Given the proximity of current industrial uses to residential areas, only light industrial and harbour-related industrial will be supported under this designation. In the Mixed Industrial and Commercial Special Area (MIC) applied to the Halifax Seaport and the Centre for Ocean Ventures & Entrepreneurship (COVE), commercial uses are also permitted.

There are 3 zones established under this designation to support industrial uses:

- a. Light Industrial (LI) Zone is applied to lands that contain or can support light industrial uses and is applied to the Woodside Industrial Park and other industrial areas;
- b. Harbour-Related Industrial (HRI) Zone is applied to lands that contain or can support marine-related industrial uses on the Halifax Harbour; and
- c. Commercial Light Industrial (CLI) Zone is applied to lands that are accessible to transit services that contain or can support a mix of light industrial and complementary commercial uses and that provide a buffer between industrial and residential areas.

X. **The Water Access Designation** is intended to protect the unique character and environment of waterfront neighbourhoods by limiting the development of infilled water lots. The Designation is applied to water lots located in the Northwest Arm of Halifax Harbour, Lake Banook and Lake Mic Mac. Policies under this designation provide direction to control development on lands that abut water lots. Special Areas regulations in the Land Use By-law include reference lines approximately representing the existing shorelines for calculating minimum lot area and setbacks with an exemption for existing boat clubs. One zone is established under this designation:

- a. Water Access (WA) Zone is applied over all water lots located within the Water Access Designation and limits permitted uses to parks, water access structures, public infrastructure, and accessory uses.

Part 3 - Urban Design: builds on the Vision, Core Concepts, and Urban Design Goals and sets out policies to inform specific built form regulations and design requirements for shaping site and building design. It provides details on the design process including understanding the broader Regional Centre context, identifying the site's local context, and designing the structures on the site. This includes built form framework, public views, protection from wind and shadow, Pedestrian Oriented Commercial Streets, landscaping, site accessibility, parking and signs. It also enables the Regional Centre Urban Design Manual to be considered in certain discretionary applications.

Part 4 - Culture and Heritage Resources: sets out policies intended to balance the need to accommodate growth with the preservation of significant cultural and heritage assets. These include heritage buildings and properties and landscapes of cultural significance that reflect community character and cultural diversity. Cultural policies also promote living heritage, which includes the traditions, memories, experiences, objects and places recognized for creating a sense of community and belonging. This is essential to the Regional Centre's sense of place, identity, and future development. In addition to the Heritage Conservation Districts (HCDs) approved under Package A, three new HCDs are proposed under Package B: Young Avenue HCD, Oakland Road HCD, and Fort Massey HCD.

Part 5 - Housing: sets out overall land use policies aimed at increasing the variety and accessibility of housing choices throughout the Regional Centre. This includes increasing the supply of housing that is affordable to low and moderate-income households, requiring a minimum unit mix, increasing options for the location of secondary suites and backyard suites, and allowing for shared housing at a scale that is similar to the residential uses permitted in the zone. The Plan also supports streamlined development approval processes, a strong focus on affordable housing in incentive or bonus zoning requirements, internal conversions, and continued support for community and inter-governmental partnerships.

Part 6 - Economic Development: sets out policies related to fostering an economic climate that supports growth and development, maintaining and expanding key institutions, supporting enclaves of innovation, and removing land use barriers to entrepreneurial activities. The Plan also supports increasing opportunities for employment and housing and encouraging development and investments that helps to attract talent and supports complete communities aligned with the Halifax Growth Plan.

Part 7 - Mobility: sets out additional policies to support the development of the Regional Centre as a place where pedestrian movement, comfort and safety are a priority and where mobility and land use

decisions are integrated. To support the Integrated Mobility Plan (2017), the Plan aligns growth areas with the recommended Transit Priority Corridors and the All Ages and Abilities (AAA) Bicycle Network. Regulations enabling the development of these areas will ensure that sustainable mobility options are prioritized. Policies in this Plan also promote a connected grid of streets, sidewalks, bicycle routes, a number of Transportation Reserves, minimum setbacks, requirements for developments near railway operations, and updated parking and loading requirements.

Part 8 - Environment: sets out policies for implementing the environmental directions contained in the Regional Plan, as well as policies supportive of the urban forest, urban agriculture, and parks and open space planning consistent with the Halifax Green Network Plan, the Urban Forest Master Plan, and HalifACT. Climate change is recognized as an urgent, complex, and global crisis requiring urgent action, including changes to societal norms and systems, and the rapid transition to a low carbon future. While municipal policies and action on climate change are primarily set out in the Regional Plan and HalifACT, the Plan supports climate change mitigation and adaption measures that are specific to the Regional Centre.

Part 9 - Implementation: establishes that the Plan is the primary policy document used to guide decision-making for development within the Regional Centre and sets out specific implementation tools, general strategies, and approaches to be used by the Municipality, land owners, and community members to support the vision and corresponding concepts and goals.

The Plan is implemented through the administration of the Regional Centre LUB, the Regional Subdivision By-law, other municipal plans and by-laws, and through the Municipality's annual capital and operating budgets. The development approval processes, and planning tools used include development permits, site plan approval required to vary certain provisions of the Land Use By-law, limited opportunities for development agreements, incentive or bonus zoning, and master planning. This Part also provides direction for considerations of reviews and updates to this Plan, amendments to the Land Use By-law, municipal investments, and transitioning policies to support the effective implementation of this Plan.

Appendix 1 - Key Performance Indicators to guide the Plan's monitoring and review process.

Appendix 2 - Regional Centre Urban Design Manual to encourage good design and guide the review of certain development agreement proposals enabled by this Plan and considered in discretionary decision-making processes.

Regional Centre Land Use By-law (Attachment B)

The Regional Centre LUB (Attachment B), implements Plan policies by establishing a variety of land use, built form and design requirements. The LUB is organized into the following Parts and Appendices, with some regulations presented in the form of tables and many supported by illustrations.

Part I - Administration: sets out the boundary of the LUB, general administration, requirements for development permit and site plan approval applications, provisions for non-conforming structures and uses (uses of land and uses in a structure), variations, interpretation of the by-law, as well as a list of Schedules and Appendices.

Part II - Zones: sets out a list of Zones, Special Areas, Heritage Conservation Districts, land use permitted in each zone, general provisions for certain uses, and uses permitted in Pedestrian Oriented Commercial Streets (POCs).

- Part III - Land Use:** sets out general land use requirements that may apply in different zones, followed by specific requirements that apply to residential uses, urban agricultural uses, environmental requirements related to coastal areas, watercourse buffers, wetlands and other special areas, heritage properties and developments in heritage contexts, and buildings in the Water Access Zone.
- Part IV - Lot Requirements:** sets out general lot requirements including compliance with the Regional Subdivision By-law, provisions for undersized lots, minimum lot area, frontage and dimensions for the various zones and Special Areas.
- Part V - Built Form Requirements:** sets out general built form provisions such as building typologies and specific built form requirements for each zone or group of similar zones. This includes aspects such as maximum height or maximum Floor Area Ratio (FAR), maximum streetwall heights, maximum lot coverage, minimum setbacks and other requirements related to the ground floor, grade-oriented premises, ground oriented dwelling units, accessory structures and more.
- Part VI - Built Form for Heritage Conservation Districts:** sets out built form requirements for approved heritage conservation districts. It also sets out that certain uses and materials are prohibited and provides specific built form regulations for the Schmidville HCD.
- Part VII - Design Requirements:** sets out general, as well specific land use by-law design requirements for the DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, CH, CLI, INS, UC, PCF, and RPK zones, while also identifying exemptions for these requirements for certain developments, minor renovations and additions. Applicable design requirements are shown by zone and organized in the following categories: Site Design, Building Design, Parking, Access and Utilities, and others related to lighting, parking spaces, and view terminus sites.
- Part VIII - Heritage Property Design Requirements:** sets out additional design criteria applicable to registered heritage properties and properties abutting registered heritage properties.
- Part IX - Variation Criteria:** sets out the circumstances and criteria where a variation to the standard LUB requirements may be considered through the site plan approval process, including a review by the Design Advisory Committee.
- Part X - View Planes, Halifax Citadel Ramparts Sight Lines, and Water View Corridors:** includes requirements to prevent developments from protruding into designated view planes, rampart sight lines and view corridors in the Regional Centre.
- Part XI - Wind Energy Facilities:** sets out requirements for the location of wind facilities including 2 overlay zones: Urban Wind (UW-1) Zone; and Restricted (R) Zone where wind facilities are not permitted.
- Part XII - Landscaping:** sets out both general and specific landscape requirements for mixed-use zones, low density residential zones, and other zones. It also includes screening requirements for certain land uses (e.g. parking lots, daycares) and provisions for landscaped buffers required as part of transition regulations.
- Part XIII - Parking and Off-Street Loading:** sets out regulations for the minimum or maximum number of spaces for vehicle parking, bicycle parking, accessory parking lots and off-street loading.
- Part XIV - Signs:** sets out both general and zone-specific sign requirements and sign requirements on registered heritage buildings.
- Part XV - Incentive or Bonus Zoning:** sets out requirements for the provision of incentive or bonus zoning, including general requirements and application, calculation of bonus zoning public benefit, bonus zoning rates and adjustments, provisions for Future Growth Nodes;

timeframes to provide public benefits, public benefit categories and requirements, and incentive or bonus zoning agreements.

Part XVI - Development Agreements: sets out where development not otherwise permitted in the LUB may be permitted by development agreement in accordance with specific Plan policies.

Part XVII - Definitions: includes definitions for administering the LUB, some of which include illustrations.

Part XVIII - Appendices: includes the following Appendices that support built form regulations:

- Appendix 1: Pedestrian Wind Impact Assessment Protocol and Performance Standards; and
- Appendix 2: Shadow Impact Assessment Protocol and Performance Standards.

Repeal and Amendments to Existing Planning Documents (Attachments C-G)

This report includes amendments to existing planning documents necessary to extract the areas to be regulated under the proposed Plan and LUB, as set out in Attachments C-G, and to repeal the planning documents that currently apply to the proposed Plan area in their entirety. This includes the repeal of the Regional Centre Plan and LUB for Package A. With respect to the Downtown Halifax Plan and Land Use By-law, the documents remain largely intact for the area covered by the Barrington Street HCD and the Old South Suburb HCD. Minor changes to the Downtown Halifax Design Manual (Attachment S-1 of the LUB), include:

- deleting all Precinct design criteria, except for the Barrington Street (Precinct 2) and Old South Suburb (Precinct 5);
- deleting the design criteria relating to the Downtown Halifax Waterfront and the Publicly-sponsored Convention Centre (Nova Centre); and
- deleting 2 variation categories, which are Precinct 1 Built Form Variance and Precinct 4 Built Form Variance.

Revisions to Centre Plan Planning Documents

This section summarizes key proposed changes to Centre Plan planning documents resulting from applicable Council directions, changes to policies approved and applicable to Package A areas, changes to proposed policies applicable to Package B lands, and site-specific requests. Detailed explanations are available in Attachments H-I and key changes are highlighted below.

Attachment H: Response to Previous Council Direction

Attachment H identifies a number of Council motions made between October 2015 and February 2021 regarding Package B and the staff responses concerning how the motions were considered in the proposed Centre Plan planning documents. While most motions are specifically directed to Package B, some motions pertain to region-wide planning issues that are also considered in Package B. The Council motions include site-specific considerations and broader policy considerations.

Attachment I: Summary of revisions to Package A (approved in September 2019)

Centre Plan Package A Plan and LUB were approved by Council in September 2019 and are currently controlling the type and scale of development for Package A areas of the Regional Centre. Given that Council has only recently made key decisions for Package A areas, the proposed Package B planning documents generally carry forward the approved Package A policies and regulations concerning key items, such as density, building heights, land uses and built form. However, the proposed Package B documents do include a number of refinements to Package A items in response to public and stakeholder feedback,

further research, and the Municipality's experience administering the new policies and regulations. While more detail is contained in Attachment I, the key changes include:

- **Site Plan Approval Process:** In response to challenges experienced with implementing the current site plan approval process, the prescriptive Package A site plan building design requirements are converted to standard LUB requirements, which will reduce application processing times and the complexity of the appeal process. The site plan approval tool is proposed to be primarily used to consider requests for variations to identified LUB requirements. The public notification and engagement requirements for site plan approval are also simplified.
- **Site Plan Variations:** Some prescriptive variations are converted to LUB regulations and new site plan variations added to increase building design flexibility in areas where public and DAC feedback can meaningfully influence design choices.
- **Built Form Requirements:** Minor changes to built form requirements are proposed, such as further flexibility for sloping conditions, and clarification of the minor design items that can exceed maximum streetwall heights.
- **Building Design Requirements:** Minor changes to the wording of certain design requirements were implemented to clarify intent or to add additional methods for meeting design controls (e.g. the use of green walls in streetwall articulation). Only key heritage design requirements are maintained for developments in heritage contexts to avoid conflict with the *Heritage Property Act*.
- **Additional Package A Zone Lands:** Package B adds a limited number of areas to the designations and zones included in Package A based on additional analysis or site-specific requests supported by staff. A small number of building height changes are also supported by staff.
- **Underground Parking within the front and flankage setback:** Package B removes the Transit Corridor Special Area that prohibits underground parking to be located within the required minimum front and flanking setbacks along certain streets. Instead, Package B proposes that underground parking not be allowed in any minimum front and flanking setbacks to support landscaping.
- **Robie Street Transportation Reserve:** A transportation reserve is applied along portions of Robie Street to support the Integrated Mobility Plan (IMP) and the implementation of the proposed Bus Rapid Transit (BRT) strategy. The location of the proposed Transportation Reserve is indicated on Map 23 and is subject to further Council direction based on a separate Council report and may be further refined prior to first reading of Regional Council.
- **Saint Patrick's Alexandra Site:** Site-specific development agreement policies are proposed to replace the large lot development agreement policy that would otherwise apply to this large site. The proposed development agreement option recognizes the historic significance of the former school site in the Mi'kmaq First Nations, African Nova Scotian, and Halifax's North End communities. While the underlying HR-1 zoning continues to apply with a maximum building height of 14 metres, Council may consider a development agreement to permit additional development, up to 23 metres in building height for 25% of the site, subject to a number of detailed policy criteria.
- **Spring Garden Road and Robie Street Lands:** In July of 2019, Regional Council approved site-specific development agreement policies within the Halifax SMPS for lands located at the corner of Spring Garden Road and Robie Street to support the preservation of municipally registered heritage properties as part of high-density mixed-use developments. The intent of these site-specific development agreement policies is carried forward to address issues with the prescriptive nature of the previously approved policies revealed through the development agreement application process.

- **Implementation Policies:** Key changes to implementation policies include additional guidance to discretionary Council approvals, including when rezonings outside of a zone designation can be considered; adjustments to the use of the site plan approval tool, as outlined above; minor adjustments to the Incentive or Bonus Zoning policies and related LUB provisions to provide greater clarity and flexibility for the use of money-in-lieu funds; further relaxation of non-conforming use and structure provisions for residential uses located in Established Residential Zones; and increased transition timeframes for development agreement applications.

Attachment J: Summary of revisions to Package B (Feb. 2020 Draft)

As indicated in the Community Engagement section of this report, the public comment and consultation period on Centre Plan Package B extended from February 2020 until December 2020. Despite the challenges of the COVID-19 Pandemic, significant input was received from residents, stakeholders, property owners, industry, other levels of government and CDAC. The planning documents were also extensively reviewed by various HRM Business Units and some changes were implemented based on additional research and analysis. While more detail is contained in Attachment J, the key changes are described below:

- **Parks and Community Facilities:** clarifying the direction approved in Package A to develop a Regional Centre Parks and Open Space Plan to guide future park network plans and investments; simplifying built form and building design controls in the PCF and RPK zones to recognize the unique needs of institutional structures; and including park and community facility uses in a proposed site plan variation option to allow a number of building form and design requirement to be varied if needed to support unique operational needs or innovative building designs.
- **Downtown:** splitting the Downtown (D) Zone into the Downtown Dartmouth (DD) Zone and the Downtown Halifax (DH) Zone to simplify the planning framework, while allowing for the differentiation in land use and built forms in the two downtowns; and allowing for a number of flexibilities in the Dartmouth Waterfront (DW) and Halifax Waterfront (HW) Special Areas;
- **Established Residential:** based on extensive feedback and further staff analysis significant changes were implemented with regards to the placement of ER zones, provisions for zones and Special Areas, the introduction of the Cluster Housing (CH) Zone, simple design requirement for townhouse developments in the ER-3 zone, and provisions for discretionary approvals, and non-conforming residential uses. Development agreement policies for the Young Avenue Special Area are replaced with limited as-of-right provisions for existing vacant lands.
- **Institutional Employment:** The University and College (UC) Zone is split into University and College-2 (UC-2) Zone and University and College-1 (UC-1) Zone to recognize the urban and campus settings of various educational properties. Built form regulations are simplified and institutional uses may use proposed site plan variation criteria to accommodate unique uses and designs.
- **Industrial Employment:** the Commercial (COM) Zone is re-named Commercial Light Industrial (CLI) Zone, and a Mixed Industrial Commercial (MIC) Special Area is applied within the Harbour Related Industrial (HRI) Zone to the Halifax Seaport to also include Centre for Ocean Ventures & Entrepreneurship (COVE) in Dartmouth to compliment industrial processes.
- **Heritage:** Based on community feedback and staff analysis as well as recent Council direction to consider additional heritage conservation districts in Peninsula South, the following 3 new HCDs are being proposed in the Established Residential Designation: Oakland Road HCD, Fort Massey HCD, and Young Avenue HCD.

- **Economic Development:** The Halifax Grain Elevator is the only grain elevator on the Eastern Seaboard and is considered essential economic infrastructure. The area around the grain elevator is a desirable mixed-use community with residential development potential. As a precautionary measure, it is proposed that further residential development in the surrounding area will only be considered by development agreement that considers the results of future risk assessment studies. The Municipality is currently in dialogue with the Halifax Port Authority to carry out a joint study that assesses public safety risks and potential mitigation measures.
- **Transition to the Plan:** Given the impact of the COVID-19 Pandemic, the revised policies provide for an additional 12-month transition period (36 months in total) for existing development agreement applications in Package A areas from the date of first notice for Package A, which was August 12, 2019. Complete development agreement applications outside of the former Package A lands filed on or before the date of first notice for Centre Plan Package B will also have 36 months to proceed to a public hearing under the policies in effect when the application was made. Further, draft Package B contained a proposed transition policy for complete site plan approval applications in the former Package A lands and Downtown Halifax for a period of 24 months. However, it has since been determined that site plan approval applications cannot be transitioned in a similar manner as development agreement applications. Additional information is provided below under the “Site Plan Approval Applications” section of this report.

Attachment K: Site-Specific Requests Supported by Staff

As indicated in the Community Engagement section of the report, site-specific requests from property owners were received by staff as part of the planning process and were included in [Appendix D3](#) of the Package B [What We Heard Report \(February 2021\)](#).

Given Council’s recent approval of Package A, significant changes to Package A zones, building heights, and density requirements are generally minimized. However, the revised planning documents add a limited number of areas to the designations and zones from Package A. Site-specific requests were also received concerning Package B zones and development rights. All site-specific requests were reviewed based on the overall Urban Structure and the Plan’s approved and proposed policies. Additional staff analysis resulted in changes to zone placement in Package B zones, which supported many of the site-specific requests. Attachment K provides a summary of site-specific requests, which were either entirely or partially supported by staff and a summary of staff rationale for making the adjustments. The key considerations in reviewing the site-specific requests include:

- opportunities to correct errors or inconsistencies with policy;
- responding to site-specific requests where the change was considered minor and had either no or limited impact on neighbouring properties, in particular on established residential neighbourhoods or proposed Heritage Conservation Districts (HCDs);
- reducing non-conformities for properties that may have already been included in Package A (e.g. some HR lots were moved to COR to recognize extensive commercial uses);
- reducing non-conformities with current land uses and zoning when supported by Centre Plan policy;
- supporting local context; and
- creating greater alignment with approved Centre Plan or Regional Plan policies, or recent Council decision and associated public feedback.

Attachment L: Site Specific Requests Not Supported by Staff

Attachment L provides a summary of site-specific requests that were not supported by staff and not incorporated in the revised planning documents, including the rationale based on the key considerations identified above.

Site Plan Approval Applications (Package A and Downtown Halifax)

Package B incorporates Package A areas and the majority of Downtown Halifax, excluding the Barrington Street and Old South Suburbs HCDs, into a single Plan and Land Use By-law. The February 2020 draft of Package B indicated that completed site plan approval applications in these areas would be able to continue to be considered under the regulations in place at the time the applications were made.

However, upon further review, staff have determined that this approach is not supported by provincial legislation. Instead, like as-of-right development, site plan approval applications must complete all review steps and obtain permits to be able to proceed under previous Package A and Downtown Halifax regulations. This is expected to have limited impacts on Package A areas, as Package B built form and design requirements are anticipated to be the same or less prescriptive. However, there may be impacts to building designs in the Downtown Halifax Plan area given potential changes to site plan variation and bonus zoning requirements.

Staff are currently working with applicants in the effected portion of the Downtown Halifax Plan area to assess impacts on building designs and project timelines. While several applications should be able to proceed under the existing Downtown Halifax Plan, there are a number of site plan approval pre-applications in progress that likely will not be able to obtain permits by the time first notice for the Package B public hearing is published. Staff will outline potential impacts to active site plan approval applications through the supplementary report to Committee of the Whole, and depending on impacts, may recommend alternative policy approaches to help transition these applications.

Governance Under the Centre Plan

This section explains the recommended governance and administrative changes to implement the proposed planning documents.

Community Councils

Since the creation of Halifax Regional Municipality in 1996, Regional Council has enabled the creation of Community Councils. The number of Community Councils and the geographical areas they cover have changed over time. Following the adoption of the Regional Centre Plan (Package A) planning documents, Regional Council approved amendments to Administrative Order No. 48 to create a Regional Centre Community Council to advise Council on change to planning documents, make decisions on land use by-law amendments as well as site plan and variance appeals within the Regional Centre Plan Area (Package A). As such, the following Community Councils currently provide local governance within the Regional Centre:

- Halifax and West Community Council (HWCC);
- Harbour East- Marine Drive Community Council (HEMDCC); and
- Regional Centre Community Council (RCCC).

Regional Council has delegated the authority to Community Councils to:

- hear variance appeals and site-plan appeals (RCCC except Downtown Halifax where Regional Council maintains this role);

- approve development by agreement if the applicable municipal planning strategy provides policy guidance for it (HWCC and HEMDCC); and
- amend a land use by-law if the amendment carries out the intent of the municipal planning strategy (RCCC in Package A area, HWCC and HEMDCC outside of Package A).

Centre Plan Package A introduced site plan approval as the dominant approval process for lands within that Plan area. Package B proposes to further simplify approval processes by broadly enabling development permit approval, with site plan approval reserved for variations to certain Land Use By-law requirements.

Governance and implementation of the Regional Centre Plan requires specific changes to the jurisdictional authority of the HWCC and HEMDCC by amending Administrative Order No. 48, *Respecting the Creation of Community Council Administrative Order*. The recommendation contained in this staff report proposes to extend the limited jurisdiction of the Regional Centre Community Council to the entire Regional Centre plan area and amend the jurisdiction of existing HWCC and HEMDCC Community Councils to reflect this change.

Based on Regional Council's earlier direction, the HWCC and HEMDCC will continue to have jurisdiction over development agreement applications within the Regional Centre Plan (Package A) area, and this jurisdiction will include Package B lands. All Community Councils will provide recommendations to Regional Council on any site-specific plan amendments requests within their jurisdiction and Regional Council will continue to make decisions relating to those requests. Regional Council will continue to make decisions to site plan appeals in the remaining Downtown Halifax Plan area, which include existing Barrington and Old South Suburb HCDs.

Advisory Committees

Under Administrative Order No. 48, Council delegated the ability to establish Planning Advisory Committees (PAC) to Community Councils. This includes the HEMDCC, HWCC, and RCCC. In the Regional Centre area, there is only one such committee, the Halifax Peninsula Planning Advisory Committee (HPPAC) that reports to HWCC on general planning matters and amendments to planning documents for the area. It is important to note that with the recommended amendments to the Halifax SMPS, the repeal of the Halifax Peninsula LUB and the full adoption of the Regional Centre Plan, discretionary approvals are expected to be limited, which will likely result in fewer HPPAC agenda items. Staff advise that this may result in the need for the HWCC to consider the role of the HPPAC in the future.

Following the adoption of Package A, Council established the Design Advisory Committee (DAC) to advise the Development Officer on variations and design requirements for Level II and III Site Plan Approval applications within Package A areas. With the proposed changes to the site plan approval process outlined in this staff report, staff advise that the scope of the committee's role will be limited to variation requests. Therefore, staff recommend that Council update the DAC Terms of Reference (Administrative Order 2019-011-GOV) to reflect the revised approach to the use of the site plan approval tool applicable to both Package A and B areas. In addition, staff advise that Council may wish to revisit the role and composition of DAC in the future, given that fewer site plan variation applications are expected.

Bonus Zoning

Following the approval of Regional Centre (Package A) planning documents, Council approved Administrative Order 2020-007-ADM, *Respecting Incentive or Bonus Zoning Public Benefit* and Administrative Order 2020-008-ADM, *Respecting Grants for Affordable Housing*. It is recommended that

these administrative orders be updated following the adoption of Regional Centre Plan and LUB to include additional public benefits and increased flexibility for how money-in-lieu funds may be spent. These additional public benefits include:

- enabling money-in-lieu for affordable housing to be used to support building condition assessments and the acquisition of buildings, units or property;
- the conservation of a building within a heritage conservation district on the development site;
- enabling money-in-lieu for heritage conservation to be used for the conservation of a building within a heritage conservation district, instead of only registered heritage properties; and
- enabling money-in-lieu for parks to be used for the acquisition of municipal parks, instead of only on parkland improvements.

Potential Technical Updates Before First Reading

While the proposed Regional Centre Plan and LUB are complete, staff may recommend minor technical updates before Regional Council considers first reading. These technical updates may include:

- updating SMPS Map 23 and LUB Schedule 6, Robie Street Transportation Reserve, following the anticipated Council direction concerning the Bus Rapid Transit (BRT) network;
- updating LUB Schedule 26, Halifax Citadel Rampart Sight Lines, to include the coordinates for the Cavalier buildings based on updated survey work;
- updating policies and regulations where needed to align with region wide policy projects that may be considered by Council during the Package B committee review process, such as the egg-laying fowl report and the review of secondary suite and backyard suite access requirements; and
- addressing any remaining typos, grammatical errors, minor mapping errors, and cross-referencing issues that may be discovered through on-going committee and staff reviews.

Next Steps

Following the approval of Centre Plan Package B, planning project work in the Regional Centre will include the incorporation of all Downtown Halifax Conservation Districts into one HCD under the Centre Plan land use and built form framework. The work program will also include the development of additional HCDs based on identified Council priorities. Further project work will also include additional consultation on the Cogswell Lands District once the street network and subdivision process are complete.

While 4 Future Growth Nodes (FGNs) include site-specific comprehensive development district policies, several other FGNs require the development of site-specific policies to enable development through the development agreement process. This work is expected to proceed as independent SMPS amendment projects for each FGN over the coming years. However, prior to Regional Council's consideration of Package B, staff may provide recommendations concerning the Southdale FGN based on active discussions about affordable housing involving the Municipality, province and project proponents. Further information about this FGN may be provided through the supplementary report to Committee of the Whole.

The next phase of the Secondary Plan and By-law Simplification program is expected to focus on suburban communities.

Conclusion

The Regional Centre Plan and LUB represent the first phase of the Plan and By-law Simplification program. It is guided by the *HRM Charter*, Provincial Statements of Interest, the Regional Plan and Priority Plans, and shaped by extensive background studies and public feedback. The Core Concepts of the Plan, as outlined in this report, are aligned with current Council Priorities, the Regional Plan, and are implemented

through detailed policies and regulations to guide growth and development in the Regional Centre and achieve up to 40% of regional population growth over the next 15 years.

The adoption of the Plan is accompanied by the repeal or amendments to the five sets of planning documents that currently govern land use in the Centre Plan area, including Centre Plan Package A. Part of the Downtown Halifax Plan and LUB will however be maintained over the area covered by the existing Barrington Street HCD and Old South Suburb HCD. The Plan includes a number of Key Performance Indicators and is intended to be updated every 10 years or as directed by Council and policies related to implementation and key investments that Council can consider to support the Plan.

FINANCIAL IMPLICATIONS

There are no immediate budget implications resulting from the report recommendations. General administration of the proposed Regional Centre Plan and LUB can be carried out within existing resources and budget. The streamlined development application processes are expected to result in internal efficiencies once transition to the new Plan is completed. Policy directions that can enhance the implementation of the Plan and may result in additional costs or revenues are outlined below:

- The sustained achievement of 40% of regional population growth within the Regional Centre as supported by this Plan is expected to result in certain servicing cost benefits for the Municipality (Stantec, 2013). The proposed planning documents introduce a more predictable planning framework and new efficiencies in the development approval processes extended over a wider area. This includes a more streamlined development approvals process and reduced opportunities for site-specific development agreements.
- The Plan provides policy direction for the extension of the Incentive or Bonus Zoning Program to more areas of the Regional Centre, including Downtown Halifax, which if approved by Council, will result in additional public benefits to be provided on development sites. Except for investments in regional parks, any money-in-lieu collected by the Municipality will be required to be spent on Public Benefits in the Regional Centre. This report recommends that staff return to Council with minor updates to the Administrative Orders that govern how the funds can be spent.
- The estimated potential revenues resulting from the bonus zoning program are difficult to project at this time, as they will depend on the inventory of approved developments, Council's direction on active development agreement and plan amendment applications, and the overall market conditions. The 2015 Density Bonusing Study estimated the average annual value of density bonus amenities could be approximately \$1.1 million per year for the first seven years (until the inventory of approved units is built out). This estimate could double for each year after that, totalling about \$14.3 million over the ten-year projection period. The increased population growth and development activity witnessed in the Regional Centre over the past three years could result in more development needed to reflect demand and thereby higher revenues for the program.
- As of April 2021, the Bonus Zoning Reserve had a balance of \$2.3M, which represents development permits issued since November 2019 when Centre Plan Package A came into effect as well as funds contributed through the Willow Tree project (Case 22029: Development Agreement for 6009 and 6017 Quinpool Road).

- Programs and projects that are needed to support anticipated growth, such as streetscaping projects and the heritage conservation district work program, may include additional costs to the Municipality. The financial implications of these projects and programs will be identified through the business planning process, or project specific staff reports. The Plan does not alter the financial impact to HRM from the Municipal Priorities Plans.
- The Plan also enables a tool under the *HRM Charter*, which allows Council to consider the establishment of one or more Commercial Development Districts within the Regional Centre Plan area. This would allow Council to phase-in or average commercial assessment increases. Under a separate and distinct proposal, Regional Council has initiated a process to consider amendments to the current Regional Municipal Planning Strategy to enable Commercial Development Districts throughout HRM, providing the area is serviced by wastewater facilities and a water system. It is anticipated that, conditional on such amendments, Commercial Assessment Averaging will commence in 2022/23.

Section 232(2) of the *HRM Charter* states that the adoption of a municipal planning strategy does not commit the Council to undertake any of the projects suggested in it. Also, such amendments and adoption processes are at the discretion of Regional Council and are not subject to appeal to the Nova Scotia Utility and Review Board.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this report. The risks considered are rated low. To reach this conclusion, consideration was given to the current number, age, and lack of consistency between the existing planning documents, which this Plan will partially replace, the number of planning applications in the Regional Centre, and the high degree of public and stakeholder consultation, as well as internal review undertaken to develop the proposed planning documents. Many of the proposed policies and regulations are based on the approved Package A documents and they also carry forward relevant policies from other planning documents. While the adoption of a new Plan may create some initial administrative challenges, this can be mitigated by preparing and disseminating communication and training materials for staff, industry stakeholders, and the public. Council always has the option to amend planning documents.

ENVIRONMENTAL IMPLICATIONS

This Plan includes policies related to interconnected green spaces, minimizing environmental impacts of developments such as tree cover and stormwater run-off. In addition to implementing policies of the Regional Plan and related Priority Plans, the proposed LUB implement policies of the Regional Plan and Regional Centre Plan related to strategic growth, efficient use of land, food and energy security, parks and open spaces, low-impact development practices, watercourse setbacks, climate change and storm surge protection. The intent is to use existing infrastructure and invest in alternative transportation options to make walking, cycling, and transit appealing alternatives for commuting through promoting a compact, and intensified downtown that aims to foster a healthy pedestrian environment. Package B includes planning policies and regulations for parks and community facilities, lands around the Halifax Harbour and watercourses, and proposes coastal elevation requirements for residential, commercial and institutional uses.

ALTERNATIVES

Community Design Advisory Committee

The Community Design Advisory Committee may recommend that the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council:

1. adopt the proposed documents (Attachments A to G), subject to the recommended changes; or
2. refuse to adopt the proposed documents (Attachments A to G).

Heritage Advisory Committee

The Heritage Advisory Committee may recommend that the Community Planning and Economic Development Committee recommend that Halifax Regional Council:

1. adopt the proposed documents (Attachments A and B), subject to any recommended changes; or
2. refuse to adopt the proposed documents (Attachments A and B).

Design Review Committee

The Design Review Committee may recommend that Halifax Regional Council:

1. adopt the attached documents (Attachments E & F) subject to any recommended changes; or
2. refuse to adopt the proposed documents (Attachment E & F).

Community Planning and Economic Development Standing Committee

The Community Planning and Economic Development Standing Committee may recommend that Halifax Regional Council:

1. adopt the proposed documents (Attachments A to G), subject to any recommended changes; or
2. refuse to adopt the proposed documents (Attachments A to G).

Halifax and West Community Council

The Halifax and West Community Council may recommend that Halifax Regional Council:

1. adopt the attached documents (Attachments A and B, and G), subject to any recommended changes; or
2. refuse to adopt the proposed documents (Attachments A, B, and G).

Harbour East – Marine Drive Community Council

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

1. adopt the proposed documents (Attachments A, B, C and D), subject to any recommended changes; or
2. refuse to adopt the proposed documents (Attachments A, B, C and D).

Regional Centre Community Council

The Regional Centre Community Council may recommend that Halifax Regional Council:

1. adopt the proposed documents (Attachments A and B), subject to any recommended changes; or
2. refuse to adopt the proposed documents (Attachments A and B).

Regional Council

Regional Council may choose to:

1. Direct changes to the attached documents (Attachments A to G), and request the changes be made prior to the consideration of First Reading;

2. Refuse to adopt the proposed documents (Attachments A to G).
3. Amend the direction to the Chief Administrative Officer to draft amendments to Administrative Order Number 48, the *Community Council Administrative Order*, to grant the Regional Centre Community Council the powers to approve development agreements and amendments to them, with corresponding amendments removing that authority, within the Regional Centre, from the Halifax & West Community Council and the Harbour East Marine Drive Community Council.
4. Refuse to direct the Chief Administrative Officer to draft amendments to Administrative Order Number 48, the *Community Council Administrative Order*, granting the Regional Centre Community Council the powers to hear site plan and variance appeals, and amend the land use by-law, within Package B lands.
5. Refuse to direct the Chief Administrative Officer to draft amendments to Administrative Order 2019-011-GOV, *Design Advisory Committee*, to update the applicable area and references to the Land Use-Bylaw concerning the types of site plan approval applications reviewed by the committee.
6. Refuse to direct the Chief Administrative Officer to draft amendments to Administrative Order 2020-007-ADMADM, the *Incentive or Bonus Zoning Public Benefits Administrative Order*, and Administrative Order 2020-008-ADM, the *Grants for Affordable Housing Administrative Order*, to update the permitted use of money-in-lieu funds.

ATTACHMENTS

- Attachment A: Proposed Regional Centre Secondary Municipal Planning Strategy
- Attachment B: Proposed Regional Centre Land Use By-law
- Attachment C: Proposed Amendments to the Secondary Municipal Planning Strategy for Dartmouth
- Attachment D: Proposed Amendments to the Land Use By-law for Dartmouth
- Attachment E: Proposed Amendments to the Secondary Municipal Planning Strategy for Downtown Halifax
- Attachment F: Proposed Amendments to the Land Use By-law for Downtown Halifax
- Attachment G: Proposed Amendments to the Municipal Planning Strategy for Halifax
- Attachment H: Response to Previous Council Direction
- Attachment I: Summary of revisions to Package A (approved in Sept. 2019)
- Attachment J: Summary of revisions to Package B (Feb. 2020 Draft)
- Attachment K: Site Specific Requests Supported by Staff
- Attachment L: Site Specific Requests Not Supported by Staff

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.

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