



**HALIFAX REGIONAL COUNCIL  
COMMITTEE OF THE WHOLE  
SPECIAL MEETING  
MINUTES  
August 17, 2021**

PRESENT: Mayor Mike Savage  
Deputy Mayor Tim Outhit  
Councillors: Cathy Deagle Gammon  
David Hendsbee  
Becky Kent  
Trish Purdy  
Sam Austin  
Tony Mancini  
Waye Mason  
Lindell Smith  
Shawn Cleary  
Kathryn Morse  
Patty Cuttell  
Iona Stoddard  
Pam Lovelace  
Lisa Blackburn  
Paul Russell

STAFF: Jacques Dubé, Chief Administrative Officer  
John Traves, Municipal Solicitor  
Iain MacLean, Municipal Clerk  
Andrea Lovasi-Wood, Legislative Assistant

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

*The agenda, reports, supporting documents, information items circulated, and video (if available) are online at [halifax.ca](http://halifax.ca).*

*The meeting was called to order at 10:03 a.m., and recessed at 12:07 p.m.  
Council reconvened in at 2:01 p.m. Council adjourned at 2:53 p.m.*

**1. CALL TO ORDER**

The Mayor called the meeting to order at 10:03 a.m.

Community Announcements and Acknowledgments were given.

**2. APPROVAL OF THE MINUTES – July 20, 2021**

MOVED by Councillor Russell, seconded by Councillor Kent

**THAT the minutes of July 20, 2021 be approved as circulated.**

**MOTION PUT AND PASSED.**

**3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

MOVED by Councillor Mason, seconded by Councillor Deagle Gammon

**THAT the agenda be approved as presented.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**4. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE**

**5. Regional Centre Secondary Municipal Planning Strategy and Land Use By-law – Centre Plan Package B - Supplementary Report**

**i) Staff Report dated May 7, 2021**

**ii) Community Planning and Economic Development Standing Committee Report**

**iii) Halifax and West Community Council Report**

**iv) Harbour East – Marine Drive Community Council Report**

**v) Regional Centre Community Council Report**

**vi) Design Review Committee Report**

The following was before Budget Committee:

- A staff recommendation report dated May 7, 2021
- A staff supplementary recommendation report dated July 28, 2021
- A recommendation report from the Community Planning and Economic Development Standing Committee dated July 20, 2021
- A recommendation report from Halifax and West Community Council dated June 28, 2021
- A recommendation report from Harbour East and Marine Drive Community Council dated July 5, 2021
- A recommendation report from Regional Centre Community Council dated July 30, 2021
- A recommendation report from the Design Review Committee dated June 28, 2021
- A staff presentation dated August 18, 2021
- Correspondence from Charles Freeman, Christina Lovitt, Sam Dhillon, Jess Harper, Ron Peters, Allison Chandler and Brett Potter, Robert Horodyyski, Chris Markides, Stephen Adams, Robert LeBlanc, Elie Chater, Jenny Lugar, Phillippa Keri Ndukwe, Cesar Saleh, Kristin O'Toole, John Kennedy, Rimon Soliman, Michelle Yates, Ted Farquhar and Jonathan Lampier, Eugene Pieczonka, Shelley Dickey

MOVED by Councillor Mason, seconded by Councillor Smith

**THAT Committee of the Whole recommend that Regional Council:**

- 1. Direct the Chief Administrative Officer to amend the draft Regional Centre Secondary Municipal Planning Strategy (Plan), the Regional Centre Land Use By-law (LUB), and amendments to existing planning documents, as set out in the staff report dated May 7, 2021, by implementing the changes recommended by staff in:**
  - a. Attachment A of the staff report dated July 28, 2021: Staff Responses to Committee and Community Council Recommendations; and**
  - b. Attachment B of the staff report dated July 28, 2021: Changes to the Draft Plan and LUB Identified and Recommended by Staff;****and return to Regional Council with the revised Plan and LUB for first reading and to schedule a public hearing.**
  
- 2. Direct the Chief Administrative Officer to:**
  - a. draft amendments to Administrative Order Number 48, the Community Council Administrative Order, to**
    - i. grant the Regional Centre Community Council the powers to hear site plan and variance appeals and to amend the Regional Centre Land Use By-law within the Regional Centre Plan boundary, except for Lakeshore Park Terrace and Wallace Heights which fall outside the Centre Plan Area as defined by the HRM Charter, and**
    - ii. that these areas of the Regional Centre Community Council be excluded from the jurisdiction of Halifax and West Community Council, and Harbour East and Marine Drive Community Council with respect to these powers; and**
  - b. return to Council for consideration of these amendments after provincial approval of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law;**
  
- 3. Direct the Chief Administrative Officer to:**
  - a. draft amendments to Administrative Order 2019-011-GOV, the Design Advisory Committee Administrative Order, to update the applicable area and references to the Land Use By-law concerning the types of site plan approval applications reviewed by the committee; and**
  - b. return to Council for consideration of these amendments after provincial approval of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law;**
  
- 4. Direct the Chief Administrative Officer to:**
  - a. draft amendments to Administrative Order 2020-007-ADM, the Incentive or Bonus Zoning Public Benefits Administrative Order, and Administrative Order 2020-008-ADM, Grants for Affordable Housing Administrative Order, to update the permitted use of money-in-lieu funds as outlined in the discussion section of the staff report dated July 28, 2021; and**
  - b. return to Council for consideration of these amendments upon provincial approval of the Regional Centre Plan Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law.**
  
- 5. Direct the Chief Administrative Officer to:**
  - a. prepare a report to initiate a process to amend the Regional Centre Secondary Planning Strategy to develop site specific Comprehensive Development District (CDD) policies and an associated development agreement to enable a neighbourhood scale affordable housing development on the Southdale Future Growth Node site; and**

- b. **return to Council for consideration of the initiation report after the notice is published in a newspaper informing the public that the municipal planning strategy and its implementation land-use by-law are in effect.**

Ben Sivak, Program Manager, Community Policy, gave a presentation on Centre Plan Package B and responded to questions of clarification from Committee of the Whole.

MOVED by Councillor Austin, seconded by Councillor Kent

**THAT Committee of the Whole direct the Chief Administrative Officer to provide Council with options for incorporating design review via a committee for as-of-right projects in the Centre Plan. Design review should occur early in the process, potentially at the pre-application stage, and be open to the public.**

**MOTION PUT AND PASSED.** (15 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Outhit, Councillors Deagle Gammon, Hendsbee, Kent, Purdy, Austin, Mancini, Mason, Smith, Cleary, Morse, Cuttell, Lovelace, Blackburn

Against: Councillor Russell

Not present: Councillor Stoddard

MOVED by Councillor Mancini, seconded by Councillor Kent

**THAT Committee of the Whole direct the Chief Administrative Officer to amend the proposed Regional Centre Secondary Municipal Planning Strategy and Land Use By-law to amend zoning on 12, 14, 18A and 18B Jackson Road, Dartmouth from ER-2 to HR-1, with a maximum height of 11 m.**

Ben Sivak, Program Manager, Community Policy, responded to questions of clarification from Committee of the Whole.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Stoddard

Ben Sivak, Program Manager, Community Policy, and Kasia Tota, Principal Planner, Community Policy, responded to questions of clarification from Committee of the Whole.

MOVED by Councillor Austin, seconded by Councillor Mancini

**THAT Committee of the Whole direct the Chief Administrative Officer to prepare a staff report on relaxing the shadow provisions in the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw related to Green Road Park and Mount Hermon cemetery in Dartmouth.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Stoddard

MOVED by Councillor Smith, seconded by Councillor Blackburn

**THAT Committee of the Whole direct the Chief Administrative Officer to amend the proposed Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw to**

**amend zoning on 3224 Kempt Road, Halifax (PID: 40808156) from Future Growth Node to Commercial, Light Industrial (CLI).**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Not present: Councillor Stoddard

Ben Sivak, Program Manager, Community Policy, responded to questions of clarification from Committee of the Whole.

MOVED by Councillor Cleary, seconded by Councillor Russell

**THAT Committee of the Whole direct the Chief Administrative Officer to amend the proposed Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw and related documents to amend zoning of PID's 40267536 and 41345489 from cluster housing (CH) to ER-1.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Ben Sivak, Program Manager, Community Policy, responded to questions of clarification from Committee of the Whole.

MOVED by Councillor Mason, seconded by Councillor Cleary

**THAT Committee of the Whole direct the Chief Administrative Officer to amend the proposed Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw to revise the definition of adult entertainment to exclude the prohibition of retail sales of any kind.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Austin, seconded by Councillor Cleary

**THAT Committee of the Whole direct the Chief Administrative Officer to amend the Mic Mac future growth node in the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw to allow for an office addition at Mic Mac Mall.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Smith, seconded by Councillor Blackburn

**THAT Committee of the Whole direct the Chief Administrative Officer to amend the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw to amend zoning of 5875-79 Kane Street, Halifax from ER-2 to ER-3.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Mason, seconded by Councillor Cleary

**THAT Committee of the Whole direct the Chief Administrative Officer to review the request that the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw be amended to read "Excluding driving aisles internal to a building, any required off-street loading space shall be located: (a) internal to a building; (b) in a parking structure; or (c) in any area of a lot where an accessory parking lot is permitted" in sections 452, 453, and 454 and provide a recommendation report to Regional Council.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Cleary, seconded by Councillor Blackburn

**THAT Committee of the Whole direct the Chief Administrative Officer to amend the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw to consider:**

- 1. removing roof edge setback requirements for stairwells and elevator shafts;**
- 2. remove sideyard setback and building separation requirements for HR properties abutting DD, DH, CEN-1, and CEN-2 zones, and include HR properties abutting areas governed by the Downtown Halifax Plan outside of the Regional Centre Plan area;**
- 3. include reduced landscaped buffering requirements for off-street loading for HR-1 and HR-2 zoned properties.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillor Smith, seconded by Councillor Austin

**THAT Committee of the Whole direct the Chief Administrative Officer to provide Council with further options to consider additional flexibility including provisions for exits, and corner sites in the Landmark Buildings Policy.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

The motion before Council now read:

MOVED by Councillor Mason, seconded by Councillor Smith

**THAT Committee of the Whole recommend that Regional Council:**

- 1. Direct the Chief Administrative Officer to amend the draft Regional Centre Secondary Municipal Planning Strategy (Plan), the Regional Centre Land Use By-law (LUB), and amendments to existing planning documents, as set out in the staff report dated May 7, 2021, by implementing the changes recommended by staff in:**
  - a. Attachment A of the staff report dated July 28, 2021: Staff Responses to Committee and Community Council Recommendations; and**
  - b. Attachment B of the staff report dated July 28, 2021: Changes to the Draft Plan and LUB Identified and Recommended by Staff;****and return to Regional Council with the revised Plan and LUB for first reading and to schedule a public hearing.**
- 2. Direct the Chief Administrative Officer to:**
  - a. Amend the proposed Regional Centre Secondary Municipal Planning Strategy and Land Use By-law to amend zoning on 12, 14, 18A and 18B Jackson Road, Dartmouth from ER-2 to HR-1, with a maximum height of 11 m.**
  - b. Amend the proposed Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw to amend zoning on 3224 Kempt Road, Halifax (PID: 40808156) from Future Growth Node to Commercial, Light Industrial (CLI).**
  - c. Amend the proposed Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw and related documents to amend zoning of PID's 40267536 and 41345489 from cluster housing (CH) to ER-1.**

- d. Amend the proposed Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw to revise the definition of adult entertainment to exclude the prohibition of retail sales of any kind.
  - e. Amend the Mic Mac future growth node in the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw to allow for an office addition at Mic Mac Mall.
  - f. Amend the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw to amend zoning of 5875-79 Kane Street, Halifax from ER-2 to ER-3.
  - g. Amend the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw to consider:
    - i. removing roof edge setback requirements for stairwells and elevator shafts;
    - ii. remove sideyard setback and building separation requirements for HR properties abutting DD, DH, CEN-1, and CEN-2 zones, and include HR properties abutting areas governed by the Downtown Halifax Plan outside of the Regional Centre Plan area;
    - iii. include reduced landscaped buffering requirements for off-street loading for HR-1 and HR-2 zoned properties.
3. Direct the Chief Administrative Officer to:
- a. draft amendments to Administrative Order Number 48, the Community Council Administrative Order, to
    - i. grant the Regional Centre Community Council the powers to hear site plan and variance appeals and to amend the Regional Centre Land Use By-law within the Regional Centre Plan boundary, except for Lakeshore Park Terrace and Wallace Heights which fall outside the Centre Plan Area as defined by the HRM Charter, and
    - ii. that these areas of the Regional Centre Community Council be excluded from the jurisdiction of Halifax and West Community Council, and Harbour East and Marine Drive Community Council with respect to these powers; and
  - b. return to Council for consideration of these amendments after provincial approval of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law;
4. Direct the Chief Administrative Officer to:
- a. draft amendments to Administrative Order 2019-011-GOV, the Design Advisory Committee Administrative Order, to update the applicable area and references to the Land Use By-law concerning the types of site plan approval applications reviewed by the committee; and
  - b. return to Council for consideration of these amendments after provincial approval of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law;
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- a. draft amendments to Administrative Order 2020-007-ADM, the Incentive or Bonus Zoning Public Benefits Administrative Order, and Administrative Order 2020-008-ADM, Grants for Affordable Housing Administrative Order, to update the permitted use of money-in-lieu funds as outlined in the discussion section of the staff report dated July 28, 2021; and
  - b. return to Council for consideration of these amendments upon provincial approval of the Regional Centre Plan Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law.

6. **Direct the Chief Administrative Officer to:**
  - a. **prepare a report to initiate a process to amend the Regional Centre Secondary Planning Strategy to develop site specific Comprehensive Development District (CDD) policies and an associated development agreement to enable a neighbourhood scale affordable housing development on the Southdale Future Growth Node site; and**
  - b. **return to Council for consideration of the initiation report after the notice is published in a newspaper informing the public that the municipal planning strategy and its implementation land-use by-law are in effect.**
  
7. **Direct the Chief Administrative Officer to provide Council with options for incorporating design review via a committee for as-of-right projects in the Centre Plan. Design review should occur early in the process, potentially at the pre-application stage, and be open to the public.**
  
8. **Direct the Chief Administrative Officer to prepare a staff report on relaxing the shadow provisions in the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use bylaw related to Green Road Park and Mount Hermon cemetery in Dartmouth.**
  
9. **Direct the Chief Administrative Officer to review the request that the draft Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use Bylaw be amended to read “Excluding driving aisles internal to a building, any required off-street loading space shall be located: (a) internal to a building; (b) in a parking structure; or (c) in any area of a lot where an accessory parking lot is permitted” in sections 452, 453, and 454 and provide a recommendation report to Regional Council.**
  
10. **Direct the Chief Administrative Officer to provide Council with further options to consider additional flexibility including provisions for exits, and corner sites in the Landmark Buildings Policy.**

**MOTION AS AMENDED PUT AND PASSED UNANIMOUSLY.**

## **6. ADJOURNMENT**

The meeting was adjourned at 2:53 p.m.

Iain MacLean  
Municipal Clerk