

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 15.1.2
Halifax Regional Council
September 13, 2022

TO: Mayor Savage and Members of Regional Council

SUBMITTED BY:

Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: August 30, 2022

SUBJECT: Public Participation Program for Supporting Amendments to Planning Documents

ORIGIN

On August 8, 2022, Regional Council passed the following motion:

THAT Halifax Regional Council direct the Chief Administrative Officer to return to Council with a draft public participation program for Council's consideration respecting potential amendments to the Municipality's existing planning documents to reflect the new Administrative Order.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), sections 219 and 219A, as follows:

- 219**
- (1) The Council shall adopt, by policy, a public participation program concerning the preparation of planning documents.
 - (2) The Council may adopt different public participation programs for different types of planning documents.
 - (3) The content of a public participation program is at the discretion of the Council, but it must identify opportunities and establish ways and means of seeking the opinions of the public concerning the proposed planning documents.
- 219A**
- (1) The Council shall adopt, by policy, an engagement program for engaging with abutting municipalities when the Council is adopting or amending a municipal planning strategy.
 - (2) Subject to the regulations, the content of an engagement program is at the discretion of the Council.
 - (3) The Minister may make regulations respecting the content of an engagement program.
 - (4) The exercise by the Minister of the authority contained in sub-section (3) is regulations within the meaning of the Regulations Act.

RECOMMENDATION

It is recommended that Halifax Regional Council direct the Chief Administrative Officer to follow the public participation program as set out in the Discussion section of this report, for the consideration of amendments to the applicable existing planning documents to make them consistent with the draft Public Participation Administrative Order.

BACKGROUND

On August 9, 2022, staff brought forward a report for the Planning and Development Public Engagement Guidebook (Guidebook) which was adopted by Council. The Guidebook was developed following Regional Council's direction in 2016 to update HRM's engagement processes to establish a more up to date and consistent approach to designing engagement practices. The purpose of the Guidebook is to support staff to pro-actively address public engagement with influence, impact, inclusion, and accessibility as primary and core considerations. To accompany the Guidebook, staff have been directed to develop an administrative order to establish minimum standards for public participation.

A review of HRM's existing planning documents indicates that there are inconsistencies in how public consultation is approached in different Plan Areas.¹ In some instances, these inconsistencies are remnants of pre-amalgamation planning frameworks. For example, the former Town of Bedford Plan Area requires public information meetings for all "rezoning and development applications" regardless of scope or scale, which is a requirement that is unique to this Plan Area. As part of developing a new Administrative Order, existing planning documents (Municipal Planning Strategies and Land Use By-laws) will be reviewed to ensure that all consultation and engagement standards are consistent with the direction provided by Regional Council in the new Administrative Order.

In February of 1997, Regional Council approved a public participation resolution, which provides broad discretion on the consultation process required for MPS amendments that are regional in nature and requires that staff recommend an appropriate public participation program. Accordingly, this report will address the recommended public participation program for amendments to the Municipality's existing planning documents which will reflect and accompany the proposed Administrative Order on Public Participation.

DISCUSSION

Public Participation Program

Staff recommend that Regional Council obtain stakeholder and public feedback through sharing of information on HRM's website for a two-week period (from September 16 to September 30). This would allow residents the opportunity to provide feedback and review the proposed amendments to the planning documents to be consistent with other region wide public engagement. In addition to the proposed public participation, the *HRM Charter* requires a public hearing be held before Regional Council can consider approval of any amendments.

FINANCIAL IMPLICATIONS

The HRM costs associated with the planning document amendment process can be accommodated within the approved 2022/23 operating budget using existing resources.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. Municipal planning strategy amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board.

¹ [Proposed Amendments to Administrative Order 2020-009-ADM, Respecting COVID-19 – Planning and Development Public Engagement - Sep 1/20 Regional Council | Halifax.ca](#)

COMMUNITY ENGAGEMENT

Please see the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

1. Regional Council may direct the CAO to select an alternative public participation program for the amendments to the applicable secondary municipal planning strategies, including the land-use by-laws. Doing this may require a supplementary report.

ATTACHMENTS

None.

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.

Report Prepared by: Shilo Gempton, Planner III, Regional Policy
Kate Greene, Regional Policy Manager, 902-225-6217
