



**COMMUNITY DESIGN ADVISORY COMMITTEE**  
**June 6, 2018**  
**MINUTES**

**PRESENT:** Fred Morley, Chair  
Eric Burchill  
Christopher Daly  
Jenna Khoury  
Reg Manzer  
Deputy Mayor Wayne Mason  
Councillor Sam Austin  
Councillor Shawn Cleary  
Councillor Lindell Smith  
Councillor Richard Zurawski

**REGRETS:** Gaynor Watson Creed, Vice Chair  
Rima Thomeh  
William Book  
Dale Godsoe

**STAFF:** Carl Purvis, Planning Applications Program Manager  
Jacob Ritchie, Urban Design Program Manager  
Sherryl Murphy, Legislative Assistant  
Simon Ross-Siegel, Legislative Support

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

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

*The meeting was called to order at 11:36 a.m., and the Committee adjourned at 1:25 p.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 11:36 a.m.

**2. APPROVAL OF MINUTES – April 13, 2018 and April 25, 2018**

MOVED by Councillor Shawn Cleary, seconded by Christopher Daly.

**THAT the minutes of April 13, 2018 and April 25, 2018 be approved as presented.**

**MOTION PUT AND PASSED.**

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

The agenda was accepted as distributed

**4. BUSINESS ARISING OUT OF THE MINUTES – NONE**

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

**6. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**7. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**7.1 Correspondence**

**7.1.1 Correspondence from Eric Roe**

Chair recognized correspondence from Eric Roe, Chair of Council, St. Andrew's United Church, received by the Municipal Clerk's office on June 4, 2018, and it was distributed to members. No action was taken at this time.

**8. REPORTS**

**8.1 STAFF**

**8.1.1 Review – Engagement Plan, Outcomes**

The following was before the Community Design Advisory Committee:

- A staff presentation on the Engagement Plan Outcomes

Jacob Ritchie, Urban Design Program Manager, addressed the Committee and provided an overview of the Centre Plan staff's community engagement efforts for "Package A" of the Centre Plan, the substance of which includes the Secondary Municipal Planning Strategy (SMPS) and the Land Use By-law (LUB). The engagement plan was originally based on eight pillars, these being the centreplan.ca website, email and telephone responses, roadshow presentations, sessions with industry and stakeholders, storefront sessions, stakeholder workshops, open house presentations, and additional meeting with community and stakeholder groups. Jacob Ritchie noted that the Committee requested staff not conduct industry stakeholder sessions in the summer of 2017, however all other pillars of the engagement plan were conducted with great success. Engagement tools such as the centreplan.ca and shapeyourcityhalifax.ca websites, the Hollis Street storefront and pop-up presentations were utilized effectively to communicate key aspects of Package A to the public and to receive valuable feedback. Jacob Ritchie expressed pride in staff's work and the outcome.

Some Committee members asked whether, in staff's opinion, the storefront was an effective community engagement tool. Staff expressed that the cost to operate the storefront was somewhere between \$7,000 and \$10,000., staff indicated that 399 persons visited the storefront to engage with the Centre Plan material and planning staff. Furthermore, the single location gave staff the ability to perform all engagement tasks at one location and to coordinate resources, which provided in-depth consultation. Staff and some other Committee members also expressed that the storefront enabled Centre Plan staff to avoid having to engage consultants which enabled cost savings and more direct engagement with Centre Plan staff. Overall, Committee and staff expressed the view that the storefront was a valuable engagement tool which may be used for future engagement projects.

In reply to Committee questions, Jacob Ritchie expressed that the main takeaway for staff was that community members deeply desire block-by-block consultation regarding any proposed LUB changes. Because the municipality has very little history of a Land Use By-law change, staff was required to conduct a great deal of education and informing on the basics of planning in the consultation phase to provide an overview of the purpose and intent of the Centre Plan and Package A.

### **8.1.2 Review – Comments and input received on the Centre Plan**

The following was before the Community Design Advisory Committee:

- A staff review and consolidated table of public comments on planning documents with five attachments
- A staff presentation on Review and Feedback to “Package A” of the Centre Plan

Jacob Ritchie, Urban Design Program Manager, addressed the Committee. Regarding the document and presentation before Committee, Jacob Ritchie provided an overview of how staff collected and organized input and responses. Responses were collected at the data entry phase and were subsequently sorted by major topic (e.g. “GFAR”) and collated. Where responses addressed several different topics, efforts were made to simplify elements of the initial response. Efforts were made to condense responses and remove duplicate comments while retaining substantive details. Responses were then finalized and reviewed by planning staff for comment and suggested actions.

Staff identified ten major themes for discussion, these being:

1. Vision and Core Concepts;
2. Local Context;
3. Strategic Growth;
4. Built Form – Buildings;
5. Built Form – Site Design;
6. Density Bonusing;
7. Land Use;
8. Development Review Process;
9. Implementation; and
10. Other Issues

Staff removed comments with references to site-specific issues except as the comments provided general information to a major theme. These site-specific comments were retained and stored in a secondary table. Staff indicated they did not intend to go through this secondary table with the Committee at this meeting, but staff may return with these comments after staff has had an opportunity to conduct further review. Staff clarified for the Committee that where in the document staff response says “more discussion needed”, this does not mean more public consultation is needed, but rather than the planning department would like to receive further comments from the Committee before developing its own response to the item. Committee proposed to address themes 1 to 5 today and reserve a discussion of the remaining items for the June 13, 2018 special meeting of the Committee. Committee proposed to dedicate twenty minutes to each theme and to evaluate progress as Committee proceeds.

(1) *Vision & Core Concepts*

Jacob Ritchie reviewed summarized comments and responses relating to the theme of vision and core concepts. Several commenters had requested further clear vision statements and policy rationales as inclusions in the plan. Staff will endeavor to add more detail into the LUB and the SMPS to help ensure people do not come back to staff with questions as to the purpose of the policies. Several commenters had requested Centre Plan staff to extend the planning timeframe and plan for multiple growth scenarios. In reply, staff expressed its opinion that doing so would add to the scope and timeframe of the project. The growth targets were drawn from the 2013 quantification study and some new data. Staff stated that while it is possible to talk about what may happen if there is a slower or faster growth scenario, there is no alternative scenario plan for faster growth because the plan is intended to apply in either case. Therefore, staff plans to revisit growth scenarios but not to change them. Staff expressed that extending the timeframe of the Centre Plan beyond 2031 is inappropriate to the scope of the plan since this timeframe may foresee growth in areas such as Cole Harbour, Sackville, Spryfield, Bedford, and other communities outside of the Regional Centre. Several commenters had requested staff better define existing unique area designations and to create a better justification for zone boundaries. Also, several commenters had requested staff explicitly reference other plans intended to work in conjunction with the LUB and the SMPS, such as the Integrated Mobility Plan (IMP).

Several Committee members debated the advantages and drawbacks of the Centre Plan referring to items expressed in regional policies. References in the Centre Plan relating to the watershed or to active transportation may unintentionally conflict and ultimately diminish the scope policies intended to apply in all regions of the municipality. For example, while the LUB may guide the development of street features which would determine how street crossings were implemented in a region, ultimately the IMP should govern the process for the creation or modification of any municipal street crossings. Furthermore, an express reason that the SMPS and the LUB contains sparse references to other regions is the municipality intends to draft a new regional plan in the future which will more comprehensively address these regions with further references to the Halifax Green Network Plan (HGPN) and the active transportation plan. Other members expressed that while homogenous municipal policies are valuable, there may be some benefit in some regional policies to address community-specific needs and to allow for greater flexibility.

Members stated that at least in some respects the Centre Plan should be able to inform activities in other regions. The depth of expertise drawn upon to develop the Centre Plan ought not be constrained from being applied to other regions. Furthermore, constraining all possible applications of the Centre Plan to other regions may have the unintended consequence of enabling easier growth outside of the Regional Centre, which could defeat the goal of the plan. Regarding walkability goals, some members expressed comfort in the manner the Centre Plan addressed the policy goal of walkable neighbourhoods and the congruence of this work with the IMP and regional active transportation policies. Other members expressed that walkability is a region wide policy. In particular, walkshed maps are quite detailed instruments intended to interpret data from multiple regions, and their composition requires detailed discussions which are not appropriate for this exercise and should be outside of the scope of the Centre Plan.

Regarding designations and character studies, members expressed concern as to how far Committee and staff wishes to push for the recognition of the unique character of any given area. While some areas have very unique established characters for which applying similar rules may not be appropriate, others are relatively less developed and are more like a blank slate. Another member expressed that it was important to distinguish aspirational from current character. Some areas have a great deal of vinyl-sided construction which is not character defining. In thinking about these areas, it would be important and more valuable to consider what the character of the street may be twenty years from today. Some Committee members expressed that in reply to certain comments regarding unique area studies, it may be valuable for staff to more explicitly state the purpose of the Centre Plan is not to displace and end protection for single family neighborhoods. Staff agreed and stated that one of the purposes of CDAC's review is to ensure that where staff believes policy changes are unnecessary to the draft, CDAC will ensure that these comments are addressed by the Committee and staff..

Regarding policy for development in and around Lake Banook, members discussed the history of decision making and future decision making. It was a member's understanding that the original temporary height restriction was imposed as a reaction to multi-story apartment development with the intention to protect the canoe course as well as preserve a community vision of the area. The member expressed being comfortable considering some variation from this policy but expressed that the local community is mainly interested in midrise buildings as the maximum permissible development.

Staff reaffirmed that the goal of the Centre Plan is to ensure development in the Regional Centre to accommodate forty percent of the region's growth. Some members expressed support for incentives for development in the Regional Centre, but also expressed hope that future discussions may consider the adoption of punishments for development outside of the Regional Centre to equalize development costs and help ensure growth occurs in the Regional Centre.

Regarding core concepts to the Centre Plan, a member expressed that there was a perception that the public was deeply concerned about height restrictions, and though this concern was anecdotally supported, the suggestion this was a major concern was not supported by any research available to the member.

(2) *Local Context*

Jacob Ritchie reviewed summarized comments and responses relating to the theme of local context. Several commenters had requested creating more local neighbourhood studies and that these be prioritized with capital plans for projects to address public infrastructure needs and ensure walkability. Several commenters had requested more textured policies, regulations and design guidelines within the designations. Staff advised they would likely consider doing work in this area. The implementation of the Centre Plan would reduce the number of designated areas from over eighty to twenty-one. More refinement may be necessary so as not to lose uniqueness of certain areas. Several commenters had requested all Heritage Conservation Districts (HDCs) be implemented as part of the plan. Staff recognized that HDCs are the municipality's strongest protection tool but it would not be feasible under the Heritage Act to convert all HDCs at once. Staff expressed that the Designated Areas (DA) policy is a more flexible tool and can be used in conjunction with other tools to conserve heritage properties in the Regional Centre. Several commenters had requested both increased and decreased height allowances for heritage properties. Proponents of decreased height allowances suggest these are necessary to protect the unique character of the properties. Proponents of increased allowances suggest further allowances will enable developers to invest more returns into preserving the properties in question. Several commenters had requested both increases and decreases in requirements for pedestrian oriented commercial street units. Proponents for decreases expressed concern that too many pedestrian oriented commercial ground stores may be difficult to rent with the growth of online and other services replacing ordinary retail. Staff replied that while this concern was somewhat speculative at this stage, staff agreed that some of these may later have to be converted to institutional and small-scale manufacturing space.

Some members commented much of the intentionality and direction previously in the old Land-Use By-laws and capital plans has been removed from the Centre Plan, and while this is admirable, members expressed that, some aspirational goals should remain in the plan. This was not to say, for example, that there should be descriptions of dedicated funding toward a certain number of schools in the Centre Plan. However, some aspirational goals for areas like Wyse Rd which is expected to soon go through extensive redevelopment could provide needed direction. It is possible that some federal funds will help achieve this by initiating community consultations.

Staff was asked for more detail regarding planning staff's proposal to create more textured policies, regulations and design guidelines within the designations. Staff replied that this proposal is suggested in response to a request from some commenters to use further character studies in conjunction with capital plans to ensure more walkable neighbourhoods. Staff noted that the problem is that it is hard to put a capital plan into the LUB and it is not likely to happen. Each of the departments has a capital plan, and staff has begun to consult with other departments about their expected capital funds. Character area

plans were initially capitalized because they are specifically referenced in the Centre Plan. However, character area studies require a lot of time, work, and capital. Therefore, staff is exploring other options which may achieve similar results. For example, a staff member is currently looking at ways to write more precinct descriptions for future use, or design descriptions. These require less work than a full character area plan, but are helpful. This option is also available under current draft of the Centre Plan.

Some members asked if staff could also clarify its position and thought regarding requests for more texture on heights and massing in local contexts. Staff replied that it would have more comments on this in the discussion on built form. Staff plans to perform an extensive study of local character for the Halifax peninsula. Staff suggested that the more time and energy is spent studying an area, the more likely it is that the community will request protections for existing buildings or land uses. Staff desires to have these discussions now, particularly as these relate to development on the corridors. Some commenters have suggested that height be removed as a metric and a restriction and GFAR be used as a stand-alone metric. However, staff pointed out that removing height as a metric would also remove height as a definition of local character. Some members expressed that using height, GFAR and built form together is too many metrics. By way of example, a member expressed that the development proposed for the former Bens Bakery site, though taller than what would be permitted in the zone, is built at a grade and in configuration with design in such a manner as to provide an excellent pedestrian connection and enabled effective densification in the Regional Centre. Concerning the removal of height altogether, one member expressed confidence in the opinion of residents who suggest height and GFAR can be effectively used together as metrics for development, however this will require flexible approaches to each when considering new development. Another member expressed that for the peninsula, where there are very diverse lot sizes, mixed metrics with flexible approaches to height with stronger emphasis on the design of the lower street-level floors and podiums are likely to be the most effective manner to ensure quality in design serves the public benefit. Some members expressed that while there may be a strong desire among some parties to abandon height as a metric, it is the metric most likely to be used by ordinary members of the community and constituents because it is highly visible. Regardless of how well people are educated as to alternative metrics, height will likely continue to be part of future planning discussions, either directly or indirectly.

Regarding HCDs and Heritage conservation generally, some members expressed that HDCs were increasingly being turned to as a means of achieving outcomes not possible under the LUB. Generally downsizing HCDs would likely effectively preserve areas and encourage their revitalization. However, areas which are not genuine HCDs should not get heritage protection. Members were also uncomfortable with the thought of separate LUBs for each planning area. Rather, members generally preferred character guides and precinct descriptions to assist developers and planners. In concurrence, some members added that if properties are truly heritage properties, the proper method to obtain this designation would be to apply for designation through the Heritage Act. The municipality can provide grants and incentives, but otherwise cannot force preservation obligations on owners. In this regard, the municipality should consider measures to obtain capital for heritage preservation for the foreseeable future. Likewise, members expressed that the DA policies can be an incentive to owners to register their heritage properties. Other members expressed concern with suggestions to use downzoning and other planning tools to achieve heritage conservation outcomes. In heritage preservation discussions, some members took the position that "façade planning" efforts which preserve the look of a building without considering its functionality should be avoided, since this may prevent essential development. Some members suggested that the Committee and staff should ensure in discussing heritage conservation measures to communicate the limited nature of individual measures under the Centre Plan. It will be important to manage public expectations regarding heritage conservation given that it is a challenge requiring the coordination of multiple levels of government.

Regarding concerns about an overabundance of ground floor pedestrian commercial space, some members expressed that even with the recent growth of online retail, this space was still critical to maintaining walkability and building public space. While the use of this space may change in the future, members advised changing permitted uses, possibly to residential, later when vacancy rates can be proven. Other members expressed that this policy could raise challenges for developers. Vacant commercial units will raise development costs, and unused office space in the downtown Halifax Regional

Centre is already a challenge for developers. These challenges may be offset with rental increases which would impact affordability goals. Members suggested sunset clauses as a possible solution to this problem. Staff replied planning staff has considered this and could do so further, but suggested that planning staff prefer to use other measures such as more flexible land use policies first. If developers build large and voluminous commercial space appropriate for retail uses, this space becomes wasteful to convert to residential uses and the developer bears the loss.

(3) *Strategic Growth*

Jacob Ritchie reviewed summarized comments and responses relating to the theme of strategic growth. Several commenters had requested further detail regarding the rationale for various area designations under the current draft of the Centre Plan. Staff noted in response that corridor designations about low density residential areas which raises possibilities for conflict regarding height and built form. However, the intention behind the designation of the corridors is to increase density in the regional core. Some comments suggested centres and corridors are not understood as being sufficiently unique and distinguishable. Staff intends to provide further details to better distinguish these designations, particularly as they relate to land use and walkability. Some commenters expressed that better design is expensive and it is reasonable for developers to request more height and density allowances to fund these expenses. Other commenters suggested that the process and requirements may be too onerous and will push development to the suburbs defeating the purpose of the Centre Plan. In this regard, some comments highlighted concerns that certain areas under the current draft will be downzoned, further hampering development in critical growth areas. Staff expressed that the fundamental intent of the centre and corridor designations is to add density to the urban core. Policy rationales will be added to the SMPS to further express this. Staff noted that site line approval is a useful tool to address concerns relating to height and built form, but if every development faces review this will ultimately defeat the objective of the Centre Plan to provide clarity and certainty to design approval. As of right development is a value worth protecting, especially where GFARs are below 2.0. Several commenters expressed concern regarding the applicability of the Centre Plan if growth targets ultimately prove to be inaccurate. Staff replied that the growth targets are based on reasonable expectations from Statistics Canada regarding future growth in the region. Furthermore, if growth proves to be exponential and greatly exceeds staff's growth scenarios, staff may have to review and amend the Centre Plan accordingly. However, staff does not intend to draft alternative growth scenarios now.

Staff advised that thanks in part to industry workshops with developers and Canada Mortgage and Housing Corporation, they have a better understanding of this problem now, and what costs are reasonable to expect in pro-forma building. The density bonusing program may be a ground for adjustments. Furthermore, staff understands that uncertainties in interest rates are real and pose a challenge going forward.

Some members suggested that some of the changes in the Centre Plan as it relates to the downtown areas will likely not be fully comprehensible until the design standards for the suburbs are fully developed. It will take some time to articulate what the real changes are and adjust to the new regulations. Regarding the grandfathering of development permits, a member expressed that it would be valuable for Regional Council in particular to have a hard timeline. This would mean that as more time passes, those who do intend to redevelop will apply to do so whereas others are more speculative developments will be increasingly easier to identify. Owners who are uncertain when their grandfathered rights may end may feel uncertainty regarding development decisions, and a hard timeline may also help owners engage in constructive decision making.

Regarding conflict relating to the centre and corridor designations abutting residential properties, some members expressed they did have concerns about some of these. Some members expressed that a compromise of consolidated or vacant lots may help ease their concerns in some instances. However, members expressed that in other instances members expressed strong support for development proposals.

Members inquired about certain areas which are not currently prioritized for future growth such as Kempt Road and Massachusetts Road, and asked about the value and cost of urban reserves planned for future growth. Staff replied it had initially considered this idea, but ultimately was persuaded against it. These particular roads currently lack major services such as storm water systems and complete sidewalks, and the costs to install them requires further certainty regarding their development potential. While it is tempting to consider when this may occur, a key metric includes the development of other higher-priority areas in the Centre Plan. This makes it more valuable to staff to focus their resources on planning for development these areas first.

Some members inquired about the potential inequitable costs to developers seeking to build in Dartmouth as opposed to on the peninsula where rents and land values may be higher. Staff agreed and suggested that Dartmouth will likely require more support and investment to bridge this gap, particularly as it relates to costs for schools, transit facilities and other services. However, staff noted the interest in redevelopment in Dartmouth confirmed in recent development proposals such as the Bell Aliant building, Kings Warf, Lotus Point, and others are positive signs.

The Chair thanked both staff and members for their comments and suggested that at the special meeting to be held on Wednesday, June 13, 2018 the Committee continue with its review of the themes, to which they agreed. The Chair invited members to provide any further comment to send it to him for consideration at a later meeting.

#### **9. DATE OF NEXT MEETING**

**The next meeting of the Community Design Advisory Committee will be held on June 13, 2018, beginning at 11:30 a.m. in Halifax Hall, City Hall. The July meeting of the Committee will be held on Wednesday, July 25, 2018.**

#### **10. ADJOURNMENT**

The meeting adjourned at 1:25 p.m.

Simon Ross-Siegel  
Legislative Assistant