



COMMUNITY DESIGN ADVISORY COMMITTEE
July 25, 2018
MINUTES

PRESENT: Fred Morley, Chair
William Book
Eric Burchill
Christopher Daly
Rima Thomeh
Deputy Mayor Wayne Mason
Councillor Sam Austin
Councillor Shawn Cleary

REGRETS: Gaynor Watson-Creed, Vice Chair
Reg Manzer
Dale Godsoe
Jenna Khoury
Councillor Lindell Smith
Councillor Richard Zurawski

STAFF: Jacob Ritchie, Urban Design Program Manager
Kasia Tota, Principal Planner, Regional Planning
Simon Ross-Siegel, Legislative Assistant

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.

The meeting was called to order at 11:39 a.m., and the Committee adjourned at 1:31 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 11:39 a.m.

2. APPROVAL OF MINUTES – June 13, 2018 and June 27, 2018

MOVED by William Book, seconded by Councillor Shawn Cleary,

THAT the minutes of June 13, 2018 be approved as presented.

MOTION PUT AND PASSED.

MOVED by Councillor Shawn Cleary, seconded by Christopher Daly,

THAT the minutes of June 27, 2018 be approved as presented.

MOTION PUT AND PASSED.

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

The Chair proposed, with agreement from Committee members, to move item 6.1 of the agenda to the end of the meeting.

MOVED by Councillor Shawn Cleary, seconded by William Book,

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

6. CONSIDERATION OF DEFERRED BUSINESS

6.1 Consideration of Motion supporting the Centre Plan draft while noting areas of concern

The Committee discussed the motion previously read at the previous June 27, 2018 meeting of the Community Design Advisory Committee. Members discussed the drafted items and approved changes and amendments to the wording of the proposed motion.

Several members noted that, regarding the Committee's sharing industry concerns regarding the currently drafted density bonusing framework, staff had previously suggested providing analysis as to how the current framework would affect representative buildings had they been built under the Centre Plan draft. Members discussed this and agreed that the wording "representative buildings" captured the Committee's intent. The Committee requested the removal of references to the Keesmaat report on the basis that there was a concern that this could incorrectly suggest that the Committee values the report over others, or that the report itself is narrowly focused on the issues raised in the debated motion. The Committee requested the inclusion of the wording to include support for coordinating with the province to support education and employment centres. The Committee requested the inclusion of the wording to indicate support for integration of services and strategies to address affordable housing. The Committee

was comfortable with the use of the term key component to clarify that it will be important going forward to work with multiple options and to develop each fully.

MOVED by Deputy Mayor Wayne Mason, seconded by Councillor Shawn Cleary,

The Community Design Advisory Committee recommend that the Community Planning and Economic Development Standing Committee support the direction of the Centre Plan draft with the following areas of concern being noted:

- 1. Development industry concerns regarding modeling should be answered where possible with modelling released for public review, including examples of how the density bonusing framework would affect several representative buildings;**
- 2. Concerns about the need to strengthen protection and form of neighbourhood character and heritage protection;**
- 3. Concerns regarding integration with parks planning, other municipal frameworks and priority plans, especially the Integrated Mobility Plan, Economic Plan, accessibility framework;**
- 4. Centre Plan should outline a need to work to coordinate with the province on siting and delivery of health and education services and retention of employment centres;**
- 5. Connection between the Centre Plan and the Regional Plans long term planning and growth vision is especially important and should be strengthened;**
- 6. Stronger heritage supports, resources, and incentives are already under consideration by Council and should continue to be pursued in conjunction with adoption of the Centre Plan,**
- 7. The committee values a strong affordable housing plan and feels an affordable housing reserve fund could be a key component; and**
- 8. The Centre Plan should indicate a need for public sector investment in Centres and Corridors where required to meet the goal of complete communities.**

MOTION PUT AND PASSED.

6.2 Review of Circulated Committee Member Feedback

The Committee did not address this item, and it will be addressed at the next meeting of the Committee.

6.3 Review of the Keesmaat Report

Due to the weightiness of the Keesmaat Report and the relevant topics discussed therein, the Chair proposed to discuss this item with staff and any members of the Committee who wish to attend, and then to report back to the committee at the next available meeting for further discussion before the whole Committee.

Members confirmed that the Committee still intends to send its recommendations to CPED today to ensure those recommendations the Committee can make at this time advance to the Committee in a timely manner.

7. CORRESPONDENCE, PETITIONS & DELEGATIONS – NONE

7.1 Correspondence

7.1.1 Correspondence from Peter Ewert regarding the Centre Plan

The Chair recognized correspondence from Peter Ewert, a resident of Halifax, received by the Municipal Clerk's office on July 25, 2018, and it was distributed to members. No action was taken.

8. REPORTS

8.1 STAFF

8.1.1 Center Plan Package A

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, resumed presentation regarding comments and input received on “Package A” of the Centre Plan, the substance of which includes the Secondary Municipal Planning Strategy (SMPS) and the Land Use By-law (LUB). Continuing the Committee’s deep review of “Package A” of the Centre Plan begun and continued throughout the June 6 and June 18 meetings of the Committee in 2018,

(8) *Development Review Process*

Jacob Ritchie reviewed summarized comments and responses relating to the theme of the development review process for development applications.

Some comments stated that the length of time to obtain a design approval should relate to the size of the project, with smaller projects requiring less scrutiny and fewer stages. Staff replied that it may be possible to provide certain exemptions from site plan approval for small developments. Staff agreed that while some public feedback was necessary in most developments, full public hearings may not be appropriate in many instances. Staff noted that the need for public hearings are the most likely to add to the approval timeline for a project and therefore should be reserved for circumstances where they are truly merited. Some commenters were concerned that too much detail is being required at the pre-application stage. Staff replied that pre-application information is most helpful early in the process and should be provided while design changes are still possible and feasible. Staff is also considering changes to the Design Agreement policy to allow changes to be considered. Some comments stated that the role of the Design Review Committee requires an overhaul. Staff agreed that this was a consideration in drafting Package A. Halifax is currently the only municipality in Canada with a civilian led body performing design review. Some comments stated that while considering one hectare lots through a design agreement is supported, it is unclear if design agreements will allow flexibility on quantitative aspects of the LUB. Staff agreed that while it previously put forth a policy that design agreements would follow the quantitative aspects of LUB, in speaking to commenters staff now understands it will have to adjust policies to enable a little flexibility as LUB issues arise recognizing that not all of them will always be solved by way of a design agreement. On this issue, staff proposed to the Committee that it would appreciate guidance and thought regarding what would and would not constitute an instance activating the one-hectare rule. Staff asked if this should include sites that are one hectare at the time of adoption of the Centre Plan, or sites staff finds are contiguous sites that are owned by the same company, or possibly contiguous sites which would allow another party to purchase adjoining property to a large contiguous property and add it to a design agreement.

On the question of whether other parties should be able to add property to a site to reach the one-hectare rule, some members stated they believed the answer should be no. Otherwise, this would raise additional questions about how far and contiguous the adjoining property would have to be. Some members raised the example of Ben’s Bakery as an example of a project where if additional adjoining properties currently used as residential lands were able to join the application, this would change the fundamental character of the development in a way which would require significant local consultation. While Council should be able to enable adjoining properties to join a design agreement in special circumstances where doing otherwise would be inefficient or unfairly punitive to an owner, it should not be permitted as of right. Other members stated that it was difficult to find ways to equitably apply this policy based on the varied neighbourhoods and land-ownership histories in some areas, particularly in Dartmouth. Several large lands have small adjoining properties reaching deep into them, whereas other areas have many small vacant lots that could easily combine to form a one-hectare lot. Staff suggested one possible tool it could

provide in addressing this question was to provide a map which could highlight properties which could limit how this policy was applied, rather than granting it as a right in all cases. Staff also added that in researching this question staff searched PID numbers rather than collections of PIDs organized by owner. Because developers often develop lands owned by several companies with similar shareholders, it is often difficult to determine how disparate PIDs are owned by common entities.

Some members inquired what the level of public input was being contemplated in the current draft of the plan for four to six story buildings and the value of this input particularly late in the site line approval process where significant design work has already been performed. Staff clarified that all development allowances described in the Centre Plan are permitted as of right except for those enabled by development agreements. Staff is discussing the level of consultation described in the design review process, where there are public discussions, but the public has no formal chance to provide input. The concern is that the requirement to hold the design review discussion in public in all cases, the logistical needs to schedule meetings and notify the public add to the design costs and timelines. Staff is interested in better direction as to what may be instances where this is valuable and necessary and where it is not. However, nothing in this format prevents developers from voluntarily seeking public input prior to site line approval where they may find it is valuable to creating better designs.

Regarding the appropriate level of public input or consultation regarding development approval, some members stated that consultation should only be necessary in instances where a development requires a Design Agreement to proceed. Some members stated they were unsure what should be the necessary size or scope of a development which should trigger a requirement to inform people regarding the development and construction measures. Staff suggested that it could provide an analysis of the building and lot sizes for members should they wish to request particulars regarding controversial development or those for which they have particular experience. This may assist Committee members in assisting staff determine what is or is not good policy regarding when to recognize a responsibility to inform the public of a development's details.

Regarding site line approval appeals, a member asked how in the absence of a regional centre community council staff proposed to hear appeals. The member believed that it would defeat a purpose of the Centre Plan to create finality and certainty if these were heard by the council as a whole. The member inquired if there was anything that would prevent the municipality from forming a separate Centre Plan appeal committee to hear site approval appeals, and to ensure that appeals are heard by council members in the centre districts. Staff replied that staff has currently explored a few options with the assistance of the municipality's legal staff. One option which does not require the creation of a new committee proposes holding joint hearings of the public community councils on either side of the regional centre. However, a drawback to this proposal is that it would include members representing districts outside of the regional centre power in the decision making. Alternatively, matters could be referred to the Appeals Standing Committee, although this would incur similar challenges. Staff stated that a new committee could be created to hear site line appeals, however the HRM Charter requires that it would have to be a community council. Of these three options, staff has performed more analysis on the first option. Several members and staff discussed whether it was possible to have community councils with overlapping functions. If possible, some members expressed their interest in the third option. Staff proposed to take this suggestion and obtain a recommendation from legal staff.

Some members inquired how the thirty-meter notification radius compares to the current appeals notification rules. Staff replied that since 2009, there has been a very broad and inclusive radius which effectively covers every other property located in the downtown zone. Staff is currently looking to restrict that radius to a more meaningful limit.

Staff indicated its intention to return to the Committee with a "Gantt chart" comparing timelines and scheduled activities in the proposed Centre Plan draft and the those that currently exist as part of the next Centre Plan draft.

In reply to further questions from members regarding the challenges to identifying properties with simple GIS searches, staff restated that it is very challenging to identify all parcels with a common owner when

they are held by multiple corporate structures. Staff currently hopes that as the Centre Plan is approved, developers will come identify parcels for which they have controlling interests. On the other hand, staff added that there was a concern that adding properties to the online map will identify them as opportunity sites for development. Staff supports the use of policies to restrict when opportunity sites can be added to the map.

(9) Implementation

Jacob Ritchie reviewed summarized comments and responses relating to the theme of the implementation of the Centre Plan.

Some comments stated that plan review should be regular and required. Some comments stated that the plan should require infrastructure plans to align with Centre Plan areas. Some comments requested that staff improve cross-references to other active complete municipal plans (Priority Plans). Some comments requested staff create a street classification system to the Centre Plan. Staff replied that other plans are likely better at doing this, but staff does agree they can better cross-reference other plan systems directly in the text of the Centre Plan. Staff was initially hesitant to do so out of concern such references may date the plan. Street classification is not supported in the SMPS, but the connection to the IMP will support the goal of complete streets in the municipality. There are currently some conflicts with how Transportation & Public Works performs street designations. However, current priority plans are relatively comprehensive and reference each other's goals well. This was not always the case. Some comments stated that transit hubs should be at the heart of all future growth node planning. Some comments requested the plan reference provincial incentives for supporting improved stormwater performance on sites, and to provide for lake water quality monitoring. Staff replied that lake monitoring will be supported in the revised policy.

Regarding the downtown review period staff clarified that the minimum requirement is ten years, however it could perform a minor review every year with a major review every fifth year if it desired. However, staff questioned the need to implement formal yearly reviews since all planning documents engage in housekeeping amendments to catch small but necessary items. Staff suggested this was a more appropriate method to evaluate short-term plan issues. Some members suggested they supported an annual review to CPED in order to ensure goals identified in the priority plans are aligned and are being achieved concurrently.

Some members asked staff what sort of metrics they expect to collect and use during plan review. Staff directed members to the draft SMPS Appendix 2 "Plan Monitoring and Reporting" (page 136), where several metrics columns are provided to collect measurable indicators over a five-year period. These mainly aim to measure success in shifting new growth to the regional centre, though they are also intended to measure success in building more complete communities. Staff stated that they are currently trying to mine the municipality's own data rather than waiting for Statistics Canada to provide data for the plan's evaluation. Staff added that they will very soon be publishing a new permanent licencing system which will enable staff to track and pull data much more conveniently. Though using the new system will require training in the short term, it will deliver huge improvements in the quality of reports.

Staff and Committee members discussed the use and incorporation of new sources of data beyond current and future permit data. Some members noted that as more services become automated, this may enable staff to download more data from these services. Staff agreed that there are increasingly other sources of data beyond municipal permit data, and it may be useful to gain access to these in the future. However, it will take time to learn how to use this data. Currently, staff has the functional corporate network from the municipal data project, where it purchases administrative data en masse, and staff uses it as it wishes. Currently, staff's use is manual rather than automatic, but the data is still helpful. Staff aims to learn how to expand upon its use of this service. Some members asked about smart city data such as sensors for pedestrians. Staff replied that the current version of the Centre Plan does not plan around the anticipated use of these technologies at this time, though planning staff will continue to watch other municipalities as they begin to explore these technologies. Some members suggested the plan incorporate a promise to explore and adopt new forms of data and metric use going forward.

Regarding measures and targets, some members asked if staff has considered making a framework map so people can see when staff anticipates various types of data will be collected and become available.

Staff replied that this was a level of detail that the SMPS does not have at this time, and staff's resources are currently directed to developing and implementing the draft Centre Plan. However, in the future, more resources may be available to explore smart tech and to provide more information regarding future types and uses of data. Presently, in the short term, the best metric will likely come from the development community and industry stakeholders who will be eager to point out problems which require very direct solutions.

Regarding the integration of various priority plans, some members stated that in their view the recent plans have made significant efforts to support one another though complimentary objectives. However, there was some concern there may be collisions regarding some objectives. A member raised the issue of the Gottingen Street transit priority plan as an instance where the objective of pedestrian access and walkable neighbourhoods could be said to be at odds with the goal of creating transit priority corridors. Other members suggested this example was not a real conflict since the transit priority corridors are designed to increase walkability in corridors by incentivising automobile traffic and creating safer pedestrian streets through bump-outs. Alternatively, staff suggested another instance may be a possible conflict between density and transit priority in the corridors. However, the likelihood of conflict here too is heavily dependent on the means of achieving the objectives, and the right strategies might mitigate or remove conflict. Some members agreed, adding that if we want to correctly identify areas of potential conflict, staff and members would have to ensure they engage deeply with the proposed strategies discussed in the plans to ensure the analysis is not superficial.

(10) Other Issues

Jacob Ritchie reviewed summarized comments and responses relating to the theme of other issues raised in staff's review of public feedback received pursuant to the Centre Plan.

Some commenters had concerns that consultation was not specific enough for local areas. Some comments stated that site plan approval consultation may need adjustment to have value, and questioned the value of mandated consultation where matters are not up for public input or debate. Some comments stated standards for secondary suites in Package B need adjustments to ensure they meet intent of allowing invisible density. Staff replied that there was some merit to expanding the size limit secondary suites since if staff wants to increase density in these areas, rather than allowing garages to be repurposed into living suites, the Centre Plan should allow the construction of new buildings. However, staff asked the committee how large might be too large.

Some members stated, regarding secondary suites, that there was likely a sweet spot. A limit of 600-700 square feet is probably too small. Alternatively, allowing extra unit divisions in some of the larger Victorians might enable density in R1 zones where it's not feasible to build secondary suites. Other members suggested that R-1 zones in peninsula are in fact much denser than residents are willing to admit. However, some secondary suites are so large that they are basically subdivisions, and beyond the comfort of some Committee members. Staff added that in order to achieve the targeted goal of a 16% increase in centrally located density through secondary suites, one in ten homes would have to get a secondary suite. Staff noted that this was quite a challenging expectation, although staff noted that it was also highly speculative.

9. DATE OF NEXT MEETING – August 22, 2018

10. ADJOURNMENT

The meeting adjourned at 1:31 p.m.

Simon Ross-Siegel
Legislative Assistant