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MEMORANDUM

TO: Chair and Members of CDAC
CC: Municipal Clerk; Kelly Denty, Director of Planning & Development
FROM: Eric Lucic, Manager of Regional Planning, Planning & Development
DATE: Nov. 20, 2019
SUBJECT: **Centre Plan Package B Community Engagement Plan and Timelines;
Harbour Water Lot Policy Clarification**

Dear Chair and Member of CDAC,

On November 1, 2019 the Nova Scotia Director of Planning provided approval for Centre Plan Package A. Staff are currently finalizing all documents for the Notice of Approval, and working on next steps for Package B. This memorandum provides a summary of information which will be presented for CDAC's consideration at the November 27, 2019 meeting relative to Package B Community Engagement Plan, and CDAC motion made in November 28, 2018 relative to Harbour water lot infilling.

1. Package B Community Engagement Plan

At the October 23, 2019 CDAC meeting staff presented an overall approach to community engagement for Package B for early feedback from CDAC. The input received was incorporated in the Community Engagement Plan (Plan), which continues to implement the overall goals and principles of the Centre Plan Community Engagement Strategy approved by Regional Council in January of 2015.

It is important to note that while the focus of the Plan is on Package B lands, a limited number of Package A issues will also be considered as directed by Council. The outcome of the process will be a complete Regional Centre Secondary Municipal Planning Strategy and Land Use By-law, and amendments or repeal of existing planning documents necessary to implement the Plan. The attached Community Engagement Plan includes:

Planning & Development

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- overview of the Centre Plan process, including consultation completed as part of the 2017 Centre Plan framework (purple document), and consultation on Package A planning documents;
- project governance and adoption process for Package B¹, as well as scope, stakeholders and engagement tools and techniques; and
- proposed project engagement timelines.

Community engagement on the Cogswell lands will take place separately in 2020 as per the Cogswell [Community Engagement Next Steps & Timeline](#) document.

2. Timelines and Key Milestones

The Engagement Plan for Package B is based on the goal of holding public hearing on the entire Centre Plan in the fall of 2020. Based on this timeline and subject to the outcome of public and stakeholder engagement, the following milestones are proposed:

Milestone	Timelines
Pre-consultation, drafting and internal review	September 2019 – Feb. 14, 2020
Package B Consultation Draft presented to CDAC & other Committees of Council	Feb. 26, 2019 (agenda release on Feb. 21, 2019)
Community Engagement	Feb. 26 – April 24, 2020
What We Heard Report presentation to CDAC	May 27, 2020
Final proposed Regional Centre Plan and LUB with amendments presented to CDAC and other Committees of Council	June 24, 2020 – August 2020
Public Hearing Projected	September 15, 2019

More detailed dates will be available in the New Year and CDAC members will be invited to participate in community and stakeholder outreach.

¹¹ Subject to Council approval of amended Committee Terms of Reference and AOs.

3. Harbour Water Lot Infilling

On November 27, 2019, CDAC made the following motion:

MOVED by Councillor Austin, seconded by Reg Manzer

THAT the Community Design Advisory Committee recommend staff consider limiting harbour infill uses to industrial and open space uses only by adopting a water access designation and zoning.

Staff would like to take the opportunity to discuss and clarify both the policy intent and options available to address this motion.

Option 1: The Land Use By-law already addresses this matter – take no further action (this is the staff recommendation)

The Regional Centre Land Use By-law contains a section for the interpretation of zones, special areas, heritage conservation districts, and precinct boundaries. In direct response to water lot infilling, there is a clause as follows:

Where a portion of a watercourse is filled in beyond the boundary of a zone, special area, height precinct, or FAR precinct boundary, or where a building is constructed over water beyond the limits of such a boundary, the in-filled land or any portion of a building constructed over water shall be included in the same zone, special area, height precinct, or FAR as the on-shore portion of the same lot;

This interpretation clause would mean that the in-filled portion of a water lot would automatically take on the zone of the abutting lands. Therefore, if the abutting lands are zoned Harbour-Related Industry (HRI), then the in-filled portion of the water lot would be zoned the same. Under the current planning documents there is a lack of consistency in zoning or not zoning the water lots. Under the Centre Plan, unfilled water lots can remain un-zoned and if filled, they will take on the abutting zone.

Option 2: Implement a Water Access Zone (this is not being recommended by staff)

A Water Access (WA) Zone could be pre-emptively applied to the water lots of the Halifax Central Harbour to control the uses on any future infilled water lots for the purposes of harbour-related uses and open spaces. The main issue would be that only the permitted uses within the WA Zone would apply broadly across any water lots within the Halifax Central Harbour.

A consequence of this would be that water lots under the control of Develop Nova Scotia could no longer be developed for residential-commercial mixed use projects. Furthermore, there would be a risk that water lots zoned WA next to existing residential could now be used for Harbour-Related Industry uses creating compatibility issues. If the WA Zone is only applied to select lots,

e.g. those where the abutting lands are already zoned Harbour-Related Industry, then the intervention is for naught since the end results would be the same as Option 1.

Option 3: Introduce policies and regulations to prevent water lot infilling altogether (this is not being recommended by staff)

The Municipality has no jurisdiction over water lot infilling. For the purpose of the Halifax Harbour, the jurisdiction over water lot infilling rests with the Federal Government through the Halifax Port Authority and Transport Canada (Navigable Waters).

Staff are looking forward to discussion this policy issue with members of CDAC.

Att. A: Community Engagement Plan for Package B