



**REGIONAL CENTRE COMMUNITY COUNCIL
MINUTES
June 28, 2021**

PRESENT: Councillor Sam Austin, Chair
Councillor Waye Mason, Vice Chair
Councillor Lindell Smith
Councillor Shawn Cleary

REGRETS: Councillor Tony Mancini

STAFF: Meg MacDougall, Solicitor
Jill McGillicuddy, Legislative Assistant
Liam MacSween, 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.

The meeting was called to order at 6:02 p.m. Community Council moved into an In Camera (In Private) session at 7:23 p.m. and reconvened at 7:29 p.m. Community Council adjourned at 7:33 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:02 p.m.

2. APPROVAL OF MINUTES – February 24, 2021

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT the minutes of February 24, 2021 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

Deletions: None

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

MOVED by Councillor Smith, seconded by Councillor Mason

THAT Regional Centre Community Council suspend section 83 of Administrative Order One respecting speaking to Question to discuss Item 13.1.1.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS – NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

Correspondence was received and circulated for item 13.1.1. These correspondences were circulated to Community Council. For a detailed list of correspondence received refer to the specific agenda item.

11.2 Petitions – NONE

11.3 Presentation

11.3.1 Stephen Adams, Executive Director, Urban Development Institute of Nova Scotia

The following was before Community Council:

- A presentation dated June 28, 2021

Stephen Adams, Executive Director of the Urban Development Institute (UDI) of Nova Scotia. A copy of the presentation is on file. Highlights of the presentation included an overview of the Urban Development Institute, its mission statement, and its availability as a resource to members of Council.

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Draft Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Land Use By-law (RCLUB) Review

The following was before Community Council:

- A staff recommendation report dated May 7, 2021
- Correspondence from Connor Wallace; Albert LeGrow & David Englehut; Susan & Michael McCurdy; Gwen Wilson; Kim Day; Barry Copp

MOVED by Councillor Mason, seconded by Councillor Smith

THAT Regional Centre Community Council recommend that Halifax Regional Council:

1. Give First Reading and schedule a public hearing to consider the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as set out in Attachments A and B of the staff report dated May 7, 2021.

2. Adopt the Regional Centre Secondary Municipal Planning Strategy, and the Regional Centre Land Use By-law, as set out in Attachments A and B of this report, including repealing the Regional Centre Secondary Municipal Planning Strategy (Package A), the Regional Centre Land Use By-law (Package A), the Secondary Municipal Planning Strategy for Downtown Dartmouth, the Land Use By-law for Downtown Dartmouth, and the Land Use By-law for Halifax Peninsula.

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT the motion be amended to include new Section 3 (a), (b), and (c) which read as follows:

3. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:

- a) Create a policy in 4.2 Cultural Resources of the proposed MPS that will allow that Council may consider adopting a policy to enable development of Heritage Development Agreement policy to apply to built form provisions of the DH1 Downtown Zone, while respecting the rampart and view plane height restrictions;**
- b) Create a policy in Section 9.5 Discretionary Approvals of the MPS either in IM-7 or as its own policy where Council may by policy or resolution endorse a process for a shortened, rapid public engagement and review process for any DA that is entirely or substantially meeting an affordable housing need as recognized by CMHC or Housing NS, and subject**

to completion of affordable housing enforcement legislation and regulations by the Province of Nova Scotia as required; and

- c) Create a policy that Council may consider adopting policy to allow implementation of renewable energy technologies in buildings that are designed to meet or exceeded net zero energy ready standards, by incentivizing the use of the post bonus density values as found in the Centre Plan Section XII of the land use by law.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT the motion be amended to include new Section 4 (a), and (b) which read as follows:

4. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:

- a) Create two separate Cluster Housing zones, a CH-1 that would prohibit mobile homes; and a CH-2 that would allow mobile homes, and zone the Cluster Housing properties in the Regional Centre appropriately; and
- b) Ensure any access or driveways on the CH zoned properties are from a public road directly to the property.

MOTION TO AMEND PUT AND PASSED.

Responding to a question from Community Council, Ben Sivak, Program Manager, Community Policy clarified that under the HRM Charter, the only time a developer is required to do public consultation outside of the public hearing process is during a site plan approval.

MOVED by Councillor Smith, seconded by Councillor Mason

THAT the motion be amended to include new Section 5 (a), and (b) which read as follows:

5. Consider amendments to the proposed Land Use By-law and Secondary Municipal Planning Strategy as follows:

- a) Include a provision that allows for consideration of additional units through internal conversion in the ER3 zones;
- b) Review the Landmark Buildings Policy to exclude code compliance additions from the 10% that is currently allowed.

MOTION TO AMEND PUT AND PASSED.

Councillor Mason took over as Chair.

MOVED by Councillor Austin, seconded by Councillor Cleary

THAT the motion be amended to include new Section 6 (a), (b), (c), (d), (e), (f), (g) which read as follows:

6. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:

- a) Remove references to wider setbacks on Canal Street and the St. James Church view plane from the Dartmouth Cove Future Growth Node;
- b) Include the PID 40612376, PID 40612996, and PID 40612384 in the Dartmouth Cove Future Growth Node and increase FAR value for all properties in the Dartmouth Cove Future Growth Node on the harbour side of the tracks to potentially support mixed-use development, including residential;
- c) Increase the height of PID 41496415 from 20 metres to 23 metres;
- d) Increase the height of 5 Newcastle to 14 metres;
- e) Include 151 Joffre Street as a landmark building;
- f) Remove Lions Beach from the Boat Club Special area and add PID 00636290, and PID 00094334 to the Boat Club Special Area; and
- g) Apply Downtown zoning to the portion of PID 40739831 that is south of the southern lot line of #20 ½ Pleasant Street.

MOTION TO AMEND PUT AND PASSED.

Councillor Austin reassumed the position of Chair.

The motion before Community Council now reads:

MOVED by Councillor Mason, seconded by Councillor Smith

THAT Regional Centre Community Council recommend that Halifax Regional Council:

1. Give First Reading and schedule a public hearing to consider the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as set out in Attachments A and B of the staff report dated May 7, 2021.

2. Adopt the Regional Centre Secondary Municipal Planning Strategy, and the Regional Centre Land Use By-law, as set out in Attachments A and B of this report, including repealing the Regional Centre Secondary Municipal Planning Strategy (Package A), the Regional Centre Land Use By-law (Package A), the Secondary Municipal Planning Strategy for Downtown Dartmouth, the Land Use By-law for Downtown Dartmouth, and the Land Use By-law for Halifax Peninsula;

3. Consider amendments the proposed Land Use By-law and Secondary Municipal Planning Strategy as follows:

- a) Create a policy in 4.2 Cultural Resources of the proposed MPS that will allow that Council may consider adopting a policy to enable development of Heritage Development Agreement policy to apply to built form provisions of the DH1 Downtown Zone, while respecting the rampart and view plane height restrictions;
- b) Create a policy in Section 9.5 Discretionary Approvals of the MPS either in IM-7 or as its own policy where Council may by policy or resolution endorse a process for a shortened, rapid public engagement and review process for any DA that is entirely or substantially meeting an affordable housing need as recognized by CMHC or Housing NS, and subject to completion of affordable housing enforcement legislation and regulations by the Province of Nova Scotia as required; and

- c) Create a policy that Council may consider adopting policy to allow implementation of renewable energy technologies in buildings that are designed to meet or exceeded net zero energy ready standards, by incentivizing the use of the post bonus density values as found in the Centre Plan Section XII of the land use by law.

4. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:

- a) Create two separate Cluster Housing zones, a CH-1 that would prohibit mobile homes; and a CH-2 that would allow mobile homes, and zone the Cluster Housing properties in the Regional Centre appropriately; and
- b) Ensure any access or driveways on the CH zoned properties are from a public road directly to the property.

5. Consider amendments to the proposed Land Use By-law and Secondary Municipal Planning Strategy as follows:

- a) Include a provision that allows for consideration of additional units through internal conversion in the ER3 zones; and
- b) Review the Landmark Buildings Policy to exclude code compliance additions from the 10% that is currently allowed.

6. Consider amendments to the proposed Land Use Bylaw and Secondary Municipal Planning Strategy as follows:

- a) Remove references to wider setbacks on Canal Street and the St. James Church view plane from the Dartmouth Cove Future Growth Node;
- b) Include the PID 40612376, PID 40612996, and PID 40612384 in the Dartmouth Cove Future Growth Node and increase FAR value for all properties in the Dartmouth Cove Future Growth Node on the harbour side of the tracks to potentially support mixed-use development, including residential;
- c) Increase the height of PID 41496415 from 20 metres to 23 metres;
- d) Increase the height of 5 Newcastle to 14 metres;
- e) Include 151 Joffre Street as a landmark building;
- f) Remove Lions Beach from the Boat Club Special area and add PID 00636290, and PID 00094334 to the Boat Club Special Area; and
- g) Apply Downtown zoning to the portion of PID 40739831 that is south of the southern lot line of #20 ½ Pleasant Street.

MOTION AS AMENDED PUT AND PASSED.

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE)

15.1 In Camera (In Private) Minutes – January 27, 2021

This matter was dealt with In Camera (In Private) and ratified in public as follows:

MOVED by Councillor Smith, seconded by Councillor Mason

THAT the In Camera (In Private) minutes of January 27, 2021 be approved as circulated.

MOTION PUT AND PASSED.

15.2 PERSONNEL MATTER - Private and Confidential Report

The following was before the Committee:

- A private and confidential staff report dated June 23, 2021

This matter was dealt with In Camera (In Private) and ratified in public as follows:

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT Regional Centre Community Council:

1. Adopt the recommendations as outlined in the private and confidential staff report dated June 23, 2021; and

2. Direct that the private and confidential staff report dated June 23, 2021 be maintained private and confidential

MOTION PUT AND PASSED.

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

There were no registered speakers present.

19. DATE OF NEXT MEETING –July 27, 2021 (if required)

20. ADJOURNMENT

The meeting was adjourned at 7:32 p.m.

Liam MacSween
Legislative Support