



**HALIFAX REGIONAL COUNCIL
COMMITTEE OF THE WHOLE MINUTES
June 18, 2019**

PRESENT: Mayor Mike Savage
Deputy Mayor Tony Mancini
Councillors: Steve Streach
David Hendsbee
Lorelei Nicoll
Sam Austin
Waye Mason
Lindell Smith
Shawn Cleary
Russell Walker
Stephen Adams
Richard Zurawski
Matt Whitman
Lisa Blackburn
Tim Outhit

REGRETS: Councillor Bill Karsten

STAFF: Denise Schofield, Acting Chief Administrative Officer
Martin Ward, Acting Municipal Solicitor
Sherryl Murphy, Deputy Municipal Clerk
Liam MacSween, Legislative Assistant
David Perusse, Legislative Assistant

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

The agenda, reports, supporting documents, information items circulated, and video (if available) are online at halifax.ca.

The meeting was called to order at 10:00 a.m., and recessed at 1:30 p.m. Council reconvened at 7:32 p.m. Council adjourned at 8:35 p.m.

1. CALL TO ORDER

Mayor Savage called the meeting to order at 10:00 a.m. in Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF THE MINUTES – NONE

3. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

4. Regional Centre Secondary Municipal Planning Strategy and Land Use Bylaw (Package

A) – Supplementary Staff Report

i) Staff Report dated April 3, 2019

ii) Community Planning and Economic Development Standing Committee

iii) Environment and Sustainability Standing Committee

iv) Executive Standing Committee

v) Halifax and West Community Council

vi) Harbour East Marine Drive Community Council

vii) Heritage Advisory Committee

viii) Design Review Committee

The following was before Committee of the Whole:

- A supplementary staff recommendation report dated June 11, 2019
- A staff presentation dated June 18, 2019
- A staff recommendation report dated April 3, 2019
- A recommendation report from the Community Planning and Economic Development Standing Committee dated May 17, 2019 with attached Community Design Advisory Committee report dated May 8, 2019
- A recommendation report from the Environment and Sustainability Standing Committee dated June 7, 2019 with attached memorandum from the Regional Watersheds Advisory Board dated May 10, 2019.
- A recommendation report from the Executive Standing Committee dated June 7, 2019 with attached Advisory Committee for Accessibility in HRM report dated June 4, 2019
- A recommendation report from Halifax and West Community Council dated May 14, 2019 with attached memorandum from the Peninsula Planning Advisory Committee dated May 7, 2019
- A recommendation report from Harbour East-Marine Drive Community Council dated May 7, 2019
- A recommendation report from the Heritage Advisory Committee dated May 1, 2019
- A recommendation report from the Design Advisory Committee dated May 10, 2019
- Correspondence from Jan Miller, Madeline Waddington and Aimee Gasparetto, Ross A. Cantwell, Blaise Morrison, Jessica Jackman, Marcia DeSantis and Holly Gillis; Josh Szulewicz, Connor Wallace and Greg Zwicker, Christopher R. Alexander, Jeff Weatherhead, Larry Clark, Ian Watson, Jessica Harper and Margot Young, Jessika Brosseau, Alexandra McCurdy, Matthew Neville and Peter Bigelow, and Connor Wallace and Greg Zwicker

Kelly Denty, Director of Planning and Development, Eric Lucic, Manager of Regional Planning and Kasia Tota, Principal Planner provided a presentation on the Regional Centre Secondary Municipal Planning Strategy and Land Use Bylaw (Package A).

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Committee of the Whole recommend that Halifax Regional Council:

- 1. Accept the staff recommendations contained in:**
 - a. Attachment A of the supplementary staff report dated June 11, 2019: Changes to draft Regional Centre Secondary Municipal Planning Strategy (MPS) and Land Use By-law (LUB) recommended by staff;**
 - b. Attachment B of the supplementary staff report dated June 11, 2019: Changes to draft Regional Centre Secondary Municipal Planning Strategy (MPS) and Land Use By-law (LUB) not recommended by staff;**
- 2. Direct the Chief Administrative Officer to prepare a supplementary report and bring the amended Regional Centre Secondary Municipal Planning Strategy, the Regional Centre Land Use By-law, and amendments to the planning documents, as contained in Attachments A-K of the staff report dated April 3, 2019 back to Regional Council for first reading and to schedule a public hearing;**
- 3. Direct the Chief Administrative Officer to develop and return to Council with proposed amendments to Administrative Order Number 48 to remove the lands within Package A from the jurisdictional authority of the Halifax Peninsula Planning Advisory Committee, the Harbour East – Marine Drive Community Council, and the Halifax and West Community Council, and provide Regional Council full jurisdictional control over those lands following the adoption of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law;**
- 4. Direct the Chief Administrative Officer to develop a new Administrative Order establishing a new Design Review Advisory Committee for the Regional Centre Package A lands, and return to the Council for consideration;**
- 5. Rescind the Regional Council December 13, 2016 motion, Item 9.2.2, Parts 1 and 2, with respect to developing an incentive or bonus zoning program for affordable housing benefits and negotiating with Housing Nova Scotia a Memorandum of Understanding, as outlined in staff report dated September 6, 2016;**
- 6. Direct the Chief Administrative Officer to develop a business case for a Regional Centre Incentive or Bonus Zoning Reserve, and an Administrative Order to direct future spending from the reserve within the Regional Centre and return to Council for consideration; and**
- 7. Direct the Chief Administrative Officer to prepare amendments to the various committee Terms of Reference as appropriate, to establish the Community Design Advisory Committee, the Community Planning and Economic Development Standing Committee, the Heritage Advisory Committee, the Halifax and West Community Council, and the Harbour East – Marine Drive Community Council as the only advisory bodies to the planning process for the Regional Centre Plan Package B area, and return to the Council or the necessary body for consideration.**

The following amendment was proposed:

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Committee of the Whole direct the Chief Administrative Officer to:

- Remove a portion of PID 00053751 (Gorsebrook Lands) designated as Higher Order Residential and zoned as HR-1 from all maps and schedules of the proposed Regional Centre Package A SMPS and LUB**

- Amend the Halifax MPS and Halifax Peninsula LUB to re-designate a portion of PID 00053751 (Gorsebrook Lands) from High Density Residential (HDR) to Institutional, and re-zone the lands from General Residential Conversion (R-2A) to Park and Institutional (P)
- Amend Halifax MPS to change the Height Precinct from a maximum 35 feet to 66 feet
- Amend Map ZM-17 of the Halifax Peninsula LUB to change the maximum height from 35 feet to 66 feet; and

Direct the Chief Administrative Officer to include the following properties for consideration for possible inclusion in the Higher Order Residential (HR) zone during the Package B consultation and adoption process: 5500, 5492 Inglis Street, 968, 964, 958 South Bland Street.

An additional amendment to include 1018, 1142 and 1144 South Park Street for consideration in the Higher Order Residential (HR) zone during the Package B consultation and adoption process was proposed and deemed as friendly by the mover.

The amendment now reads:

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Committee of the Whole direct the Chief Administrative Officer to:

- Remove a portion of PID 00053751 (Gorsebrook Lands) designated as Higher Order Residential and zoned as HR-1 from all maps and schedules of the proposed Regional Centre Package A SMPS and LUB
- Amend the Halifax MPS and Halifax Peninsula LUB to re-designate a portion of PID 00053751 (Gorsebrook Lands) from High Density Residential (HDR) to Institutional, and re-zone the lands from General Residential Conversion (R-2A) to Park and Institutional (P)
- Amend Halifax MPS to change the Height Precinct from a maximum 35 feet to 66 feet
- Amend Map ZM-17 of the Halifax Peninsula LUB to change the maximum height from 35 feet to 66 feet; and

Direct the Chief Administrative Officer to include the following properties for consideration for possible inclusion in the Higher Order Residential (HR) zone during the Package B consultation and adoption process: 1018, 1142 and 1144 South Park Street, 5500, 5492 Inglis Street, 968, 964, 958 South Bland Street.

MOTION TO AMEND PUT AND PASSED.

In response to questions, Denty advised that staff will coordinate with provincial counterparts on required amendments to the Building Code as the Regional Centre Secondary Municipal Planning Strategy and Land Use Bylaw progresses through the approval process.

MOVED by Councillor Cleary, seconded by Councillor Whitman

THAT Committee of the Whole amend recommendation 1 sub b, of Attachment B of the supplementary staff report dated June 11, 2019, to increase the allowable height from 14 meters to 20 meters for the Quinpool Road Corridor between Beech and Elm Streets.

MOTION TO AMEND PUT AND PASSED.

The following amendment was proposed:

MOVED by Councillor Austin, seconded by Councillor Mason

THAT Committee of the Whole approve an amendment to clarify that the Regional Centre Community Council has jurisdiction to review, address and deal with matters relating to appeals of site plans and variances and land use by-law amendments over those lands following the adoption of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law.

MOTION TO AMEND PUT AND PASSED.

In response to a question from Committee of the Whole, Tota provided clarification with respect to the grandfathering of applications currently being processed as the approval process continues.

With respect to the potential impacts on rural and suburban areas of the municipality, Tota advised that the plan accommodates a thirty percent growth target. Tota further advised that the plan will assist in shortening review processes which will benefit other areas of the municipality.

In response to a follow up question, Tota advised that matters related to water access and water lot infilling will be addressed by staff in package B of the Regional Centre Secondary Municipal Planning Strategy and Land Use Bylaw.

Committee of the Whole considered the following amendments:

MOVED by Deputy Mayor Mancini, seconded by Councillor Nicoll

THAT Committee of the Whole amend the zoning of the Ocean Breeze Development Site to HR-2 with 38 Metre heights (12 storeys) to accommodate more density at this 57-acre site.

MOTION TO AMEND PUT AND PASSED.

MOVED by Deputy Mayor Mancini, seconded by Councillor Austin

THAT Committee of the Whole approve an amendment to remove 4 and 8 Fernhill Drive along with 386 Windmill Road from consideration in Package A and move to Package B.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Austin, seconded by Councillor Nicoll

THAT Committee of the Whole remove 5 Glenwood Avenue from Package A to be considered as Established Residential in Package B.

In response to a follow up question, Luc Ouellet, Planner III provided clarification on the proposed set-backs and transition lines for 5 Glenwood Avenue contemplated in Package A advising that it provides an adequate transition to established residential.

MOTION TO AMEND PUT AND PASSED.

Committee of the Whole recessed at 1:32 p.m. Committee of the Whole reconvened at 7:32 p.m. Mayor Savage, Councillors Craig, Streach, and Outhit.

Debate continued on the Regional Centre Secondary Municipal Planning Strategy and Land Use Bylaw Package (A) with the following amendment being proposed:

MOVED by Councillor Cleary, seconded by Councillor Walker

THAT the Committee of the Whole approve an amendment to increase the maximum height on Oxford between Liverpool and Cork from 14 meters to 20 meters.

Councillor Cleary spoke to the amendment, noting it would make the height limits more consistent with the surrounding area. They noted that the streets are used intensively for commercial uses, and there are already appropriate setback and stepback requirements to deal with issues of transition.

Responding to questions from members of the Committee, Tota noted that the blocks south of Liverpool are residential, which is the rationale for having a lower height limit.

MOTION TO AMEND PUT AND PASSED.

Committee of the Whole considered the following amendments:

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT the Committee of the Whole approve an amendment to request that staff analyze and provide a recommendation at First Reading regarding the inclusion of 6023 Bliss Street in the Corridor designation.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Austin, seconded by Councillor Cleary

THAT the Committee of the Whole approve an amendment to delete the reference to the Lake Banook height from Recommendation 1, Attachment A.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Austin, seconded by Councillor Whitman

THAT the Committee of the Whole approve an amendment to reduce the height on 1 Oak Street from 26 meters to 20 meters.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Austin, seconded by Councillor Mason

THAT the Committee of the Whole approve an amendment to include a request for supplemental information on non-conforming conversion when this matter is returned to Council for First Reading.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Austin

THAT the Committee of the Whole approve an amendment to request that staff examine the HR zone to consider and make recommendations at First Reading for a minimum setback or front yard that matches the average setback for adjacent properties on the block or neighbourhood where ever the proposed Maximum Streetline Setback does not apply and consider a relaxation of the rules related to streetwall heights in those areas.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT the Committee of the Whole approve an amendment to set the maximum number of hens in the urban area at 10 with no set back required.

Councillor Mason requested that the vote on the amendment be split so that the number of chickens, and the setback are voted on separately.

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT the Committee of the Whole approve an amendment to set the maximum number of hens in the urban area at 10.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Cleary, seconded by Councillor Mason

THAT the Committee of the Whole approve an amendment to eliminate the setback requirement for chicken coops.

MOTION TO AMEND PUT AND PASSED.

The motion before the Committee was as follows:

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Committee of the Whole recommend that Halifax Regional Council:

1. Accept the staff recommendations contained in:

- a. **Attachment A of the supplementary staff report dated June 11, 2019: Changes to draft Regional Centre Secondary Municipal Planning Strategy (MPS) and Land Use By-law (LUB) recommended by staff;**
- b. **Attachment B of the supplementary staff report dated June 11, 2019: Changes to draft Regional Centre Secondary Municipal Planning Strategy (MPS) and Land Use By-law (LUB) not recommended by staff;**

2. Direct the Chief Administrative Officer to prepare a supplementary report and bring the amended Regional Centre Secondary Municipal Planning Strategy, the Regional Centre Land Use By-law, and amendments to the planning documents, as contained in Attachments A-K of the staff report dated April 3, 2019 back to Regional Council for first reading and to schedule a public hearing;

3. Direct the Chief Administrative Officer to:

- **Remove a portion of PID 00053751 (Gorsebrook Lands) designated as Higher Order Residential and zoned as HR-1 from all maps and schedules of the proposed Regional Centre Package A SMPS and LUB**
- **Amend the Halifax MPS and Halifax Peninsula LUB to re-designate a portion of PID 00053751 (Gorsebrook Lands) from High Density Residential (HDR) to Institutional, and re-zone the lands from General Residential Conversion (R-2A) to Park and Institutional (P)**
- **Amend Halifax MPS to change the Height Precinct from a maximum 35 feet to 66 feet**
- **Amend Map ZM-17 of the Halifax Peninsula LUB to change the maximum height from 35 feet to 66 feet**

4. Direct the Chief Administrative Officer to include the following properties for consideration for possible inclusion in the Higher Order Residential (HR) zone during the Package B consultation and adoption process: 1018, 1142 and 1144 South Park Street, 5500, 5492 Inglis Street, 968, 964, 958 South Bland Street
5. Amend, Item 1 sub b, of the Attachment B that Halifax Regional Council increase the height from 14 meters to 20 meters for the Quinpool Road Corridor between Beech and Elm.
6. Change the zoning of the Ocean Breeze Development Site to HR-2 with 38 Metre heights (12 storeys) to accommodate more density at this 57-acre site.
7. Remove, along with 386 Windmill Road and 4 Fernhill Drive, 8 Fernhill Drive from Package A.
8. Remove 5 Glenwood Avenue from Package A and that it be considered in Package B.
9. Increase the maximum height on Oxford between Liverpool and Cork from 14 meters to 20 meters.
10. Analyze and provide a recommendation at First Reading regarding the inclusion of 6023 Bliss Street in the Corridor designation.
11. Delete the reference to the Lake Banook height from Recommendation 1, Attachment A.
12. Reduce the height on 1 Oak Street from 26 meters to 20 meters
13. Include supplemental information on non-conforming conversion when this matter is returned to Council for First Reading.
14. Request staff examine the HR zone to consider and make recommendations at first reading for a minimum setback or front yard that matches the average setback for adjacent properties on the block or neighbourhood where ever the proposed Maximum Streetline Setback does not apply, and consider relaxation of rules related to streetwall heights in those areas.
15. The maximum number of hens in the urban area be 10 with no setback required.

Pending the outcome of the public hearing it is further recommended that Committee of the Whole recommend that Halifax Regional Council:

16. Direct the Chief Administrative Officer to develop and return to Council with proposed amendments to Administrative Order Number 48 to remove the lands within Package A from the jurisdictional authority of the Halifax Peninsula Planning Advisory Committee, the Harbour East – Marine Drive Community Council, and the Halifax and West Community Council, to provide for the creation of a new Regional Centre Community Council to review, address and deal with matters relating to appeals of site plans and variances and land use by-law amendments over those lands following the adoption of the Regional Centre Plan Secondary Municipal Planning Strategy and Land Use By-law.
17. Direct the Chief Administrative Officer to develop a new Administrative Order establishing a Design Advisory Committee for the Regional Centre Package A lands, and return to the Council for consideration;
18. Rescind the Regional Council December 13, 2016 motion, Item 9.2.2, Parts 1 and 2, with respect to developing an incentive or bonus zoning program for affordable housing benefits and negotiating with Housing Nova Scotia a Memorandum of Understanding, as outlined in staff report dated September 6, 2016;

19. Direct the Chief Administrative Officer to develop a business case for a Regional Centre Incentive or Bonus Zoning Reserve, and an Administrative Order to direct future spending from the reserve within the Regional Centre and return to Council for consideration; and

20. Direct the Chief Administrative Officer to prepare amendments to the various committee Terms of Reference as appropriate, to establish the Community Design Advisory Committee, the Community Planning and Economic Development Standing Committee, the Heritage Advisory Committee, the Halifax and West Community Council, and the Harbour East – Marine Drive Community Council as the only advisory bodies to the planning process for the Regional Centre Plan Package B area, and return to the Council or the necessary body for consideration.

MOTION PUT AND PASSED AS AMENDED.

5. Case 19281 - Amendments to Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law for 2032-2050 Robie Street, Halifax

The following was before Committee of the Whole:

- A staff recommendation report dated June 4, 2019
- Correspondence from Christina Lovitt.

MOVED by Councillor Smith, seconded by Councillor Whitman

THAT Committee of the Whole recommend that Halifax Regional Council direct the Chief Administrative Officer to:

- 1. Take no further action on Case 19281 for a site-specific amendment to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law for 2032-2050 Robie Street, Halifax; and**
- 2. Direct that the future development of the site be regulated through the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law “Package A” adoption process.**

Councillor Smith noted that they wished to bring forward the alternative as set out in the staff report, and asked Council to defeat the motion on the floor.

Responding to questions from members of the Committee, Carl Purvis, Major Projects Planner, noted that Case 19281 was not brought forward as part of Package A, as it was initiated by the last Regional Council in 2014, while the other items were initiated by the current Council. Purvis additionally noted that the alternative motion would be to allow policies that would permit the development as outlined in the attachments to the staff report, rather than the rules of the Centre Plan.

MOTION PUT AND DEFEATED.

MOVED by Councillor Smith, seconded by Councillor Mason

THAT the Committee of the Whole recommend that Halifax Regional Council direct the Chief Administrative Officer to prepare amendments to the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law “Package A” documents to permit the applicant’s proposal as set out in Attachment A and bring the amendments back to Regional Council for first reading and to set a public hearing date.

MOTION PUT AND PASSED.

6. Site-specific Secondary Municipal Planning Strategy amendment requests within the Regional Centre Boundary

The following was before Committee of the Whole:

- A staff recommendation report dated June 4, 2019
- Correspondence from Christina Lovitt, Jessica Harper and Margot Young, and Michael Napier

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Committee of the Whole recommend that Halifax Regional Council direct the Chief Administrative Officer to:

- 1. Continue to process the requests for site-specific secondary municipal planning strategy amendments as directed on August 1, 2017 and January 16, 2018 and as set out in Attachment A of the staff report dated June 4, 2019;**
- 2. Take no further action on the requests for site-specific secondary municipal planning strategy amendments as outlined in Attachment B of the staff report dated June 4, 2019 and consider any policies for these sites through the Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use By-law “Package A” adoption process; and**
- 3. Take no further action on the requests for site-specific secondary municipal planning strategy amendments for the sites outlined in Attachment C of the staff report dated June 4, 2019 and consider any policies for these sites through the Regional Centre Secondary Municipal Planning Strategy and Regional Centre Land Use By-law “Package B” adoption process.**

Responding to questions from members of the Committee, Katherine Greene, Policy and Strategic Initiatives Program Manager, and Miles Agar, Principle Planner, noted that the list outlined in Attachment C of the staff report, being “Application to be discontinued as site-specific and considered under Centre Plan Package B,” are applications that will be enabled by the Centre Plan.

Responding to questions regarding the United Memorial Church on the corner of Kaye and Young Streets, they noted that staff attempted to bring the property forward to Regional Council for heritage registration, but Council choose not to move forward with the registration.

MOTION PUT AND PASSED.

Adjourned at 8:35 p.m.

Kevin Arjoon
Municipal Clerk