

TO: Mayor and Members of Halifax Regional Council

SUBMITTED BY:

Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: June 11, 2019

SUBJECT: **Case 21956: Amendment to the Regional Municipal Planning Strategy related to the Halifax Green Network Plan**

ORIGIN

- On August 14, 2018, Regional Council passed the following motions:

“THAT Halifax Regional Council:

...

4. Initiate the process to consider amendments to the Regional Municipal Planning Strategy (RMPS) to support the Halifax Green Network Plan (HGPN) by referencing the HGPN within the conservation design development agreement policy criteria concerning the connectivity of open space;

5. Adopt, by policy, the Public Participation Program outlined in the Community Engagement section of this dated June 12, 2018; and

...”

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning and Development

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Give First Reading to consider the proposed amendment to the Regional Municipal Planning Strategy, as set out in Attachment A, to add a reference to the Halifax Green Network Plan within the conservation design development agreement policy criteria, and schedule a public hearing; and

Recommendation continued on next page

2. Approve the proposed amendment to the Regional Municipal Planning Strategy, as set out in Attachment A, to add a reference to the Halifax Green Network Plan within the conservation design development agreement policy criteria.

BACKGROUND

The Halifax Green Network Plan (HGNP) defines an interconnected open space system for the entire municipality, highlights ecosystem functions and benefits, and outlines strategies to manage open space. Specifically, the HGNP provides land management and community design direction to:

- maintain ecologically and culturally important land and aquatic systems;
- promote the sustainable use of natural resources and economically important open spaces; and
- identify, define and plan land suited for parks and corridors.

On August 14, 2018, Halifax Regional Council approved the HGNP and provided direction to use the HGNP as framework for amending the existing Regional Plan and Secondary Planning Strategies. For more information, please see the HGNP webpage at the following link.

<https://www.halifax.ca/about-halifax/regional-community-planning/community-plans/halifax-green-network-plan>

As set out in the HGNP, the majority of recommended planning policy/regulatory changes will be implemented through the next Regional Plan review and Plan and By-law Simplification Program. However, in order to address potential short-term conflicts, Council also initiated an immediate process to consider narrowly focused amendments to the Regional Municipal Planning Strategy (RMPS) to update the conservation design development agreement policy criteria concerning open space connectivity. This report focuses on this short-term RMPS amendment.

COMMUNITY ENGAGEMENT

The Halifax Green Network Plan was informed by three phases of extensive engagement with residents from urban, suburban and rural communities, provincial government departments and stakeholder groups. Those consultations provided valuable insight to inform the vision, principles, objectives, and actions within the HGNP.

Given the extensive public consultations already carried out through the HGNP project itself and the limited scope of the present report, as part of its motion of August 14, 2018, Regional Council directed staff to obtain stakeholder and public feedback through the Municipal website. This is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Program approved by Council on February 25, 1997. The proposal will potentially affect landowners and developers in rural areas.

In addition to this public participation, the *HRM Charter* requires a public hearing to be held before Regional Council can consider approval of the proposed RMPS amendment.

DISCUSSION

The conservation design approach is a creative form of subdivision designed to conserve open space and significant environmental features, such as wetlands, while clustering development in suitable areas. The existing conservation design development policies in the Regional Plan effectively conserve open space within proposed developments and support many of the HGNP objectives.

However, there is little policy direction to consider broader regional landscape patterns and connectivity. This may inadvertently allow development within important wildlife corridors. Specifically, Regional Plan Policy S-17 states:

S-17: For any conservation design development application made pursuant to policies S-14, S-15 or S-16, HRM shall consider the following criteria:...
(k) connectivity is maintained with any open space on adjacent parcels and trails and natural networks, as generally shown on Map 3;...

While the above policy criterion is helpful, it is limited due to its specific reference to Map 3 of the Regional Plan. Map 3 does not map the important and essential wildlife corridors shown in the HGNP.

Consequently, to avoid potential conflicts in the near term, staff recommend a narrowly focused amendment to the Regional Plan's conservation design development agreement policies to specifically reference the Important and Essential Corridors shown on Map 5, Green Network Ecology Map, contained in the HGNP. This will provide a clearer, more up-to-date basis for municipal staff and developers to consider such corridors as part of the conservation design development agreement process. The reference to Map 3 of the RMPS is removed, as the corridors shown in the HGNP are a refinement of the natural networks shown on Map 3 of the RMPS.

While staff continue to process conservation design development agreement applications that are grandfathered under the 2006 Regional Plan policies, there are currently no active applications under the existing 2014 Regional Plan policies. Should the proposed amendments be approved, any new conservation design development agreement applications will be subject to the updated conservation design policy criteria.

The proposed RMPS amendment is provided in Attachment A. As set out in the HGNP, broader Regional Plan policy changes will be implemented through the next Regional Plan review and the Plan and By-law Simplification Program.

FINANCIAL IMPLICATIONS

The HRM costs associated with the processing of this amendment can be accommodated within the approved 2019-2020 operating budget with existing staff resources.

RISK CONSIDERATION

There are no significant risks associated with the recommendation contained within this report. This proposal involves a RMPS amendment. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board.

ENVIRONMENTAL IMPLICATIONS

The HGNP directly addresses environmental objectives in the Regional Plan and outlines many strategic actions for addressing multiple environmental issues. These include water resource management, landscape fragmentation, climate change adaptation and mitigation, stormwater management, flood mitigation, food security, and habitat protection.

The HGNP reflects analysis and insights gained since the 2014 Regional Plan was adopted and is, therefore, more likely to result in conservation design developments that are compatible with known wildlife corridors.

ALTERNATIVES

Halifax Regional Council may choose to:

1. Modify the proposed amendment to the RMPS as set out in Attachment A of this report. If this alternative is chosen, specific direction regarding the requested modifications would be required. Substantive amendments may require a supplementary staff report. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendment to the RMPS. Should this alternative be selected, changes to the conservation design development agreement policies would still be considered as part of the next review of the RMPS, as set out in the HGNP. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Attachment A: Proposed Regional Municipal Planning Strategy Amendment

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Marcus Garnet, Planner III, 902.490.4481

Attachment A

Proposed Amendment to the Regional Municipal Planning Strategy

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Regional Municipal Planning Strategy for Halifax Regional Municipality, is hereby amended as follows:

1. Amend Policy S-17(k) of Section 3.4.1., Conservation Design Developments, by deleting the text shown in strike out and adding the text shown in bold as follows:

(k) connectivity **of natural networks, including trails**, is maintained with any open space on adjacent parcels ~~and trails and natural networks~~, as generally shown on Map 3 **illustrated by the Important and Essential Corridors shown on Map 5, Green Network Ecology Map, contained in the Halifax Green Network Plan, as amended from time to time;**

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on XXXXX XX, 20XX.

Kevin Arjoon
Municipal Clerk