



**COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT
STANDING COMMITTEE
MINUTES
May 16, 2019**

PRESENT: Councillor Sam Austin, Chair
Councillor Lindell Smith, Vice Chair
Councillor Steve Streach
Councillor Waye Mason
Councillor Steve Craig
Councillor Tim Outhit

STAFF: Denise Schofield, Director of Parks and Recreation
Donna Boutilier, Solicitor
Liam MacSween, 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 adjourned at 1:12 p.m.

1. CALL TO ORDER

Councillor Sam Austin, Chair called the meeting to order in Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax

2. APPROVAL OF MINUTES – April 18, 2019

MOVED by Councillor Outhit, seconded by Councillor Streach

THAT the minutes of April 18, 2019 be approved as circulated.

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

Additions:

15.1 Councillor Smith - Regulations for short-term rentals in residential areas

MOVED by Councillor Mason, seconded by Councillor Streach

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. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. NOTICES OF TABLED MATTERS – NONE

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

Liam MacSween, Legislative Assistant noted correspondence received for agenda item 12.1.2. This correspondence was distributed to the Community Planning and Economic Development Standing Committee.

10.2 Petitions – NONE

10.3 Presentation – NONE

11. INFORMATION ITEMS BROUGHT FORWARD – NONE

12. REPORTS

12.1 STAFF

12.1.1 Bus Stop Theatre Cooperative Funding Request

The following was before the Standing Committee:

- A staff recommendation report dated May 8, 2019

MOVED by Councillor Smith, seconded by Councillor Streach

THAT That Community Planning & Economic Development Standing Committee recommend that Halifax Regional Council:

- 1. Decline the request for provision of a one-time contribution of \$500,000 from the 2019/2020 operating budget to The Bus Stop Theatre Cooperative;**
- 2. Direct the Chief Administrative Officer to engage in discussions with the Bus Stop Theatre Company about a request for future funding as outlined in their business plan; and,**
- 3. Pending the outcome of the discussions, direct the Chief Administrative Officer to return to the Community Planning and Economic Development Standing Committee with any subsequent recommendation prior to the budget deliberations for the next 2-year budget cycle (2021/2022 and 2022/2023).**

MOTION PUT AND PASSED.

12.1.2 Regional Centre Secondary Municipal Planning Strategy and Land Use By-law (Package A)

The following was before the Standing Committee:

- A recommendation report from the Community Design Advisory Committee dated May 8, 2019
- A staff recommendation report dated April 2, 2019
- A staff presentation dated May 16, 2019
- A memorandum from the Heritage Advisory Committee dated May 6, 2019
- Correspondence from Pat Whitman and Chris Annand, Jennifer Angel, Shelley Dickey, Rebecca Jamieson & Christopher Beaumont, Kim Day, Liam O'Rourke, Tony Maskine

Fred Morley, Chair of the Community Design Advisory Committee provided an overview of the May 8, 2019 Community Design Advisory Committee report acknowledging the comprehensive work and time committed by volunteer members and staff in its evaluation and producing recommendations on Package A of the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law

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 Smith

THAT the Community Planning and Economic Development Standing Committee waive section 83 of Administrative Order One respecting speaking limits.

Two-third majority required

MOTION PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Smith

THAT the Community Planning and Economic Development Standing Committee 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 contained in Attachments A and B of the April 3, 2019 staff report.**

2. Give First Reading to consider the proposed amendments to the Regional Municipal Planning Strategy, the Regional Subdivision By-law, the Dartmouth Municipal Planning Strategy, the Dartmouth Land Use By-law, the Downtown Dartmouth Municipal Planning Strategy, the Downtown Dartmouth Land Use By-law, the Halifax Municipal Planning Strategy, the Halifax Peninsula Land Use By-law, and the Downtown Halifax Land Use By-law as contained in Attachments C to K of the April 3, 2019 staff report.
3. Schedule a public hearing to consider the planning documents, as contained in Attachments A and B, as well as the proposed amendments to existing planning documents, as contained in Attachments C to K of the April 3, 2019 staff report.
4. Adopt the proposed Regional Centre Secondary Municipal Planning Strategy, and the proposed Regional Centre Land Use By-law as contained in Attachments A and B of the April 3, 2019 staff report.
5. Adopt the proposed amendments to the Regional Municipal Planning Strategy, the Regional Subdivision By-law, the Dartmouth Municipal Planning Strategy, the Dartmouth Land Use By-law, the Downtown Dartmouth Secondary Municipal Planning Strategy, the Downtown Dartmouth Land Use By-law, the Halifax Municipal Planning Strategy, the Halifax Peninsula Land Use By-law, and the Downtown Halifax Land Use By-law as contained in Attachments C to K of the April 3, 2019 staff report.

In response to questions from the Committee, Luc Oullette, Planner III provided additional clarification on the requirements for certified firms to provide wind studies for development applications.

In response to a question from the Committee, Lucic advised that staff will be bringing forward an Administrative Order on Affordable Housing.

In response to a follow up question, Tota advised that great deal of the Keesmaat report has been incorporated into the proposed Regional Centre Municipal Planning Strategy and Land Use By-law (Package A).

The following additional amendment was proposed:

MOVED by Councillor Mason, seconded by Councillor Smith

THAT the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council direct the Chief Administrative Officer to amend the draft Regional Centre Plan documents, as appropriate, to:

1. enable an option for comprehensive site planning through the development agreement process for sites 1 hectare or larger existing at adoption of the Plan, excepting those fully or partially within the 35' Lake Banook height limit area, the intent of which is to allow Council consideration of projects that may be otherwise limited by the prescriptive built-form and variation provisions of the draft Land Use By-law but which achieve a high quality of design for their context. In establishing such policy, such agreements would substantially comply with built-form provisions and design requirement and allow no variance to maximum permitted floor area ratio, as applicable;
2. include additional variations to the prescriptive built-form requirements of the draft Land Use By-law to accommodate site specific considerations that would result in a high quality of design;
3. include a Design Manual, which supports but does not contradict the quantified requirements of the draft Land Use By-law and which shall be referenced as the basis for evaluation of variations from By-laws and for development agreements for 1 hectare or larger lots and future growth nodes;
4. establish a new Regional Centre Community Council to review, address, and deal with matters relating to appeals of site plans and variances for lands within Package A of the Regional Centre; and
5. after adoption of the Regional Centre Plan:

- a. ensure the preliminary plan for an approach to make affordable housing investments from the proposed reserve fund returns to Council within six months of adoption of Package A;
- b. require that the 2020/21 and subsequent budget and business plans for all business units, as appropriate, show linkage to the Centre Plan; and
- c. within six months of adoption of Package B, provide an updated timeline for beginning the process of reviewing and replacing the MPSs and LUBs for the remaining areas within the Urban Settlement designation of the Regional MPS.

MOTION TO AMEND PUT AND PASSED.

The following amendment was proposed:

MOVED by Councillor Smith, seconded by Councillor Mason

THAT the Community Planning and Economic Development Standing Committee recommends that Halifax Regional Council pass a resolution directing the Chief Administrative Officer to, effective immediately, not accept requests for site-specific amendments to municipal planning strategies in Package B areas while the planning process to adopt Package B is underway.

MOTION TO AMEND PUT AND PASSED.

The following amendment was proposed:

MOVED by Councillor Mason, seconded by Councillor Smith

THAT the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council:

1. Amend the draft Land Use By-law to allow 10 chickens per lot and grandfather existing legal coops and runs and;
2. Allow one rooster per lot.

The Standing Committee requested that the vote on the motion be split as follows:

MOVED by Councillor Mason, seconded by Councillor Smith

THAT the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council amend the draft Land Use By-law to allow 10 chickens per lot and grandfather existing legal coops and runs.

MOTION TO AMEND PUT AND PASSED.

MOVED by Councillor Mason, seconded by Councillor Smith

THAT the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council allow one rooster per lot

MOTION TO AMEND PUT AND DEFEATED.

The following amendment was proposed:

MOVED by Councillor Mason, seconded by Councillor Smith

THAT the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council set the allowable height in the HR1 zone fronting on Wellington Street,

Tower Terrace and Tower Road where presently proposed for 17m to the previously proposed 14m.

MOTION TO AMEND PUT AND PASSED.

Councillor Smith took over as Chair of the Community Planning and Economic Development Standing Committee.

The following amendment was proposed:

MOVED by Councillor Austin, seconded by Councillor Outhit

THAT the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council amend the CEN-1 and Corridor Zones be amended to allow for grocery stores and flower shops.

MOTION TO AMEND PUT AND PASSED.

The following amendment was proposed:

MOVED by Councillor Austin, seconded by Councillor Mason

THAT the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council remove 386 Windmill Road and 4 Fernhill Drive, Dartmouth from package A and consider the zoning of these lots as part of Package B.

MOTION TO AMEND PUT AND PASSED.

The following amendment was proposed:

MOVED by Councillor Austin, seconded by Councillor Outhit

THAT the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council request a supplementary staff report concerning the issues raised by Develop Nova Scotia regarding Dartmouth Cove as outlined in the correspondence submitted to the Community Planning and Economic Development Standing Committee dated May 15, 2019

MOTION TO AMEND PUT AND PASSED.

The following amendment was proposed:

MOVED by Councillor Austin, seconded by Councillor Mason

THAT the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council allow for the use of design standards from the National Association of City Transportation Officials as an alternative to HRM's Municipal Design Standards where applicable

MOTION TO AMEND PUT AND PASSED.

The motion before Council now reads:

MOVED by Councillor Mason, seconded by Councillor Smith

THAT the Community Planning and Economic Development Standing Committee recommends 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 contained in Attachments A and B of the April 3, 2019 staff report.
2. Give First Reading to consider the proposed amendments to the Regional Municipal Planning Strategy, the Regional Subdivision By-law, the Dartmouth Municipal Planning Strategy, the Dartmouth Land Use By-law, the Downtown Dartmouth Municipal Planning Strategy, the Downtown Dartmouth Land Use By-law, the Halifax Municipal Planning Strategy, the Halifax Peninsula Land Use By-law, and the Downtown Halifax Land Use By-law as contained in Attachments C to K of the April 3, 2019 staff report.
3. Schedule a public hearing to consider the planning documents, as contained in Attachments A and B, as well as the proposed amendments to existing planning documents, as contained in Attachments C to K of the April 3, 2019 staff report.
4. Adopt the proposed Regional Centre Secondary Municipal Planning Strategy, and the proposed Regional Centre Land Use By-law as contained in Attachments A and B of the April 3, 2019 staff report.
5. Adopt the proposed amendments to the Regional Municipal Planning Strategy, the Regional Subdivision By-law, the Dartmouth Municipal Planning Strategy, the Dartmouth Land Use By-law, the Downtown Dartmouth Secondary Municipal Planning Strategy, the Downtown Dartmouth Land Use By-law, the Halifax Municipal Planning Strategy, the Halifax Peninsula Land Use By-law, and the Downtown Halifax Land Use By-law as contained in Attachments C to K of the April 3, 2019 staff report.
6. Direct the Chief Administrative Officer to amend the draft Regional Centre Secondary Municipal Planning Strategy and Land Use Bylaw documents as appropriate to:
 1. Enable an option for comprehensive site planning through the development agreement process for sites one (1) hectare or larger existing at adoption of the Plan, excepting those fully or partially within the 35' Lake Banook height limit area, the intent of which is to allow Council consideration of projects that may be otherwise limited by the prescriptive built-form and variation provisions of the draft Land Use By-law but which achieve a high quality of design for their context. In establishing such policy, such agreements would substantially comply with built-form provisions and design requirement and allow no variance to maximum permitted floor area ratio, as applicable;
 2. Include additional variations to the prescriptive built-form requirements of the draft Land Use By-law to accommodate site specific considerations that would result in a high quality of design;
 3. Include a Design Manual, which supports but does not contradict the quantified requirements of the draft Land Use By-law and which shall be referenced as the basis for evaluation of variations from By-laws and for development agreements for one (1) hectare or larger lots and future growth nodes;
 4. Establish a new Regional Centre Community Council to review, address, and deal with matters relating to appeals of site plans and variances for lands within Package A of the Regional Centre;
 5. After adoption of the Regional Centre Plan:
 - a. ensure the preliminary plan for an approach to make affordable housing investments from the proposed reserve fund returns to Council within six months of adoption of Package A;
 - b. require that the 2020/21 and subsequent budget and business plans for all business units, as appropriate, show linkage to the Centre Plan; and
 - c. within six months of adoption of Package B, provide an updated timeline for beginning the process of reviewing and replacing the Municipal Planning Strategy's and Land Use By-laws for the remaining areas within the Urban Settlement designation of the Regional Municipal Planning Strategy.
 - d. Allow for the use of design standards from the National Association of City Transportation Officials as an alternative to HRM's Municipal Design Standards where applicable;

7. Pass a resolution directing the Chief Administrative Officer to, effective immediately, not accept requests for site-specific amendments to Municipal Planning Strategies in Package B areas while the planning process to adopt Package B is underway;
8. Amend the draft Land Use By-law to allow ten (10) chickens per lot and grandfather existing legal coops and runs;
9. Set the allowable height in the HR1 zone fronting on Wellington Street, Tower Terrace and Tower Road where presently proposed for 17m to the previously proposed 14m;
10. Amend the CEN-1 and Corridor Zones to allow for Grocery Stores and Garden Centres;
11. Remove 386 Windmill Road and 4 Fernhill Drive, Dartmouth from package A and consider the zoning of these lots as part of Package B; and
12. Request a supplementary staff report concerning the issues raised by Develop Nova Scotia regarding Dartmouth Cove as outlined in the correspondence submitted to the Community Planning and Economic Development Standing Committee dated May 15, 2019.

Councillor Austin reassumed the position of Chair of the Community Planning and Economic Development Standing Committee.

AMENDED MOTION PUT AND PASSED.

12.2 COMMUNITY DESIGN ADVISORY COMMITTEE – NONE

12.3 MEMBERS OF STANDING COMMITTEE – NONE

12.4 HERITAGE ADVISORY COMMITTEE – NONE

13. MOTIONS

13.1 Councillor Smith

MOVED by Councillor Smith, seconded by Councillor Mason

THAT the Community Planning and Economic Development Standing Committee request that the Chief Administrative Officer provide a staff report concerning the implications of prioritizing future heritage conservations districts following the substantial completion of the new heritage district for Historic Properties. Specifically, the committee proposes that new districts be considered first for Downtown Dartmouth, and then for Halifax's Old North End including the area referred to as Creighton's Fields.

MOTION PUT AND PASSED.

13.2 Councillor Smith

MOVED by Councillor Smith, seconded by Councillor Craig

THAT the Community Planning and Economic Development Standing Committee request a staff report to consider a pilot initiative to register prominent properties associated with African Nova Scotian heritage within the Regional Centre, by identifying potential properties and forming a working group comprised of members from the African Nova Scotian, heritage research, and historic research communities and; depending on the outcome of the initiative, consider expanding the initiative for all of Halifax Regional Municipality.

MOTION PUT AND PASSED.

14. IN CAMERA (IN PRIVATE) – NONE

15. ADDED ITEMS

15.1 Councillor Smith - Regulations for short-term rentals in residential areas

The following was before the Standing Committee:

- A Councillor request for consideration form from Councillor Smith

MOVED by Councillor Smith, seconded by Councillor Mason

THAT Community Planning and Economic Development committee request a staff report to consider the creation of by-laws designed to regulate, and address concerns related to Short term rentals in residential areas by:

- 1. Doing a jurisdictional scan to understand how other municipalities have regulated the short term rental industry, including exploring models such as the tiered Fees/Registration and "Density" limits models in U.S jurisdictions**
- 2. Creating a resident survey to understand the impacts of short-term rentals**
- 3. Engaging the short-term rental industry to understand any impacts regulations may have on them, and work with the Province of Nova Scotia to discuss the Assessment Act and impacts this will have on short term rentals.**

MOTION PUT AND PASSED.

16. NOTICES OF MOTION – NONE

17. PUBLIC PARTICIPATION

Sebastian Lebell, of the Bus Stop Theatre, provided commentary with respect to the Bus Stop Theatre's Cooperative Funding Request. Lebell advised that the timeline is challenging given the impending sale of the property and more time is needed to save the theatre. Lebell noted encouragement that staff had recommend that Council reconsider the funding request in next years budget deliberations but advised that it may be too late at that point. Lebell suggested that a conditional funding agreement would have been more beneficial and may have allowed for an extension of time in negotiations with the property owner. Lebell concluded by suggesting that Council will reassess its decision and grant a conditional funding agreement to buy more time for the Bus Stop Theatre to implement its business plan.

Sobaz Benjamin, of Gottingen Street echoed the comments of the previous speaker advising that the Bus Stop Theatre is a unique community space that should be supported.

18. DATE OF NEXT MEETING – June 20, 2019

19. ADJOURNMENT

The meeting adjourned at 1:12 p.m.

Liam MacSween
Legislative Assistant