

HALIFAX REGIONAL COUNCIL

HALIFAX REGIONAL COUNCIL
SPECIAL SESSION
MINUTES
JANUARY 22, 2004

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Steve Streach
Councillors: David Hendsbee
Ron Cooper
Harry McInroy
Brian Warshick
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert Harvey
Len Goucher
Reg Rankin
Gary Meade

ABSENT:

Councillors: Krista Snow (leave of absence)
Condo Sarto (regrets)
Steve Adams

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Acting Municipal Clerk
Ms. Julia Horncastle, Legislative Assistant

TABLE OF CONTENTS

1. CALL TO ORDER 03

2. PROVINCIAL STATEMENT OF INTEREST REGARDING
INFRASTRUCTURE 03

3. ADJOURNMENT 05

1. CALL TO ORDER

The meeting was called to order at 1:30 p.m.

2. PROVINCIAL STATEMENT OF INTEREST REGARDING INFRASTRUCTURE

- A copy of the staff presentation was circulated to Council.

Ms. Carol Macomber, Regional Planning Project Manager, with the aid of a Powerpoint presentation, outlined the presentation advising:

- HRM is at Step 3 of the Regional Planning Process which puts at risk Council's ability to effectively carry out regional planning and maintain public credibility and the public's perception of the regional planning process and the legitimacy of the plan,
- There are 25,000 acres of vacant land owned by companies with development interests,
- The only option to manage the risks would be to put in place a Ministerial Order in support of the statement of interest regarding infrastructure,
- The proposed interim plan area is everything outside of the service boundary in the rural commuter shed and would not affect the Eastern area of the Municipality,
- It would restrict the issuance of development permits to one per area of land on an existing street or road for a maximum of 90 days. During that 90 day period HRM would have to initiate a plan amendment process to put HRM internal growth controls in place,
- This is an interim measure to allow the Regional Plan to proceed with an open debate and discussion about the long term growth pattern HRM wants. It is not intended to be permanent but rather a tool to allow the long range plan to proceed and for the public and Council to make the decisions.

MOVED by Councillor Fougere, seconded by Councillor Sloane, that Halifax Regional Council Request that:

The Minister of Service Nova Scotia and Municipal Affairs issue a Ministerial Order under the Municipal Government Act, to establish an interim planning area for land within that part of HRM indicated in the Map attached in this resolution for a period of ninety days. This time period is necessary to allow HRM to amend its planning documents to address the pace of unserved development within the areas indicated on Map 1 during the preparation of the municipality's Regional Plan. During the currency of the Ministerial Order, within the interim planning area. only one development permit allowing any new development containing a residential use shall be issued for each area of land in existence on the date of the Ministerial Order.

Where such development is located on an area of land created after the date of the Ministerial Order, the new area of land shall have frontage on an existing approved private or public street. An area of land is exempt from this Order if prior to the date of the Order:

- **a development agreement has been approved by Council;**
- **a completed application for Final Approval of subdivision has been received;**
- **a subdivision agreement has been executed with respect to the construction and acceptance of any service system; or**
- **tentative approval has been granted for subdivisions that involve private roads that are under construction as of the date of the Order.**

And it is further recommended that Council initiate an amendment to all relevant Municipal Planning Strategies and Bylaws in HRM to carry out the intent of the staff report of January 21, 2004, to place interim growth controls in the areas identified in the staff report.

Councillor Blumenthal stated there needs to be a slow down on development in the outer areas of the Municipality until such time as there are roads and other means of transportation to address the traffic problems.

In response to Deputy Mayor Streach, Ms. Macomber advised the intent of the motion was to provide HRM with a window to do a very logical and rational Regional Plan that reflects the wishes of citizens and council.

In response to Councillor Goucher, Ms. Macomber advised that part of the Regional Plan is linking with the affordable housing study. Staff will be looking very closely at how housing supply is linked to affordability and what growth controls and development boundaries can do to affordability. One of the main outcomes is to ensure that there is always adequate supply of a range of housing on the market that it does not affect price. She advised the Ministerial Order is not going to affect supply so affordability won't be an issue in that regard.

Councillor Uteck noted that this proposal will not fix the water quality and infrastructure problems.

In response to Councillor McNroy, Mr. McLellan advised the 90 days is buying time in order for HRM to go to the public as well as forcing HRM to deal with developers as industry people. There will be a decision point as to the final shape of what the planning amendments will be. This is the interim regime which enables HRM to put together planning amendments for Council to consider for the longer term.

In response to Councillor Warshick, Ms. Macomber advised the intent of the process would be to extend what is in place for the 90 days for the 18 months following the 90 days.

In response to Councillor Warshick regarding private road approvals, Mr. Anstey, Municipal Solicitor, advised most private roads are on provincial highways in the former county areas so it would be up to the province to determine whether or not they have access. Under the Act the Minister could only control development permits, he could not control the granting of subdivisions or the construction of roads. One of the changes that the interim control would bring in during the 90 days would be that HRM would try and develop controls that would deal directly with subdivisions as opposed to just development permits. The in between controls will deal directly with subdivisions and roads. After the 18 month period HRM will have the final product in place.

Councillor Rankin requested it be noted for the record that it is with great reluctance that he is supporting the recommendation.

Deputy Mayor Streach requested a recorded vote.

MOTION PUT AND PASSED.

Those voting **in favour** of the motion were Mayor Kelly, Deputy Mayor Streach and Councillors Cooper, McInroy, Warshick, Hetherington, Cunningham, Sloane, Uteck, Fougere, Walker, Hum, Johns, Harvey, Goucher, Rankin and Meade.

Councillor Hendsbee voted **against** the motion.

Councillors Snow, Sarto, Smith, Blumenthal, Mosher and Adams were absent for the vote.

3. ADJOURNMENT

The meeting was adjourned at 3:25 p.m.

Jan Gibson
Acting Municipal Clerk