

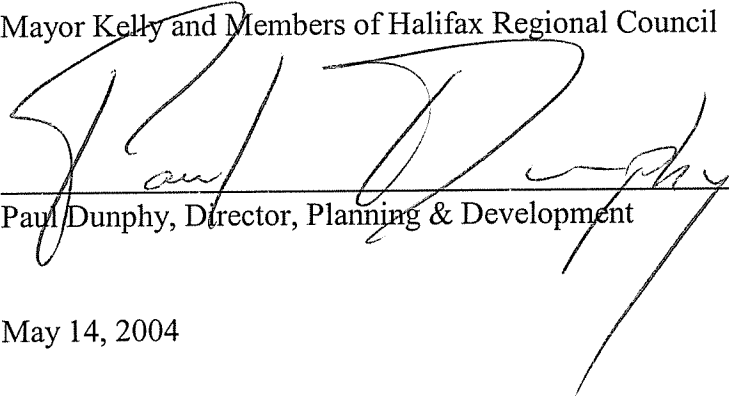


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Halifax Regional Council
May 18, 2004
Committee-of-the-Whole

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


Paul Dunphy, Director, Planning & Development

DATE: May 14, 2004

SUBJECT: **Halifax Waterfront Development Area Plan**

INFORMATION REPORT

ORIGIN

- Staff report to Council dated January 1999, initiating a review of the Municipal Planning Strategy policies for the Halifax Waterfront.
- Planning and Development's 2004/05 business plan identified the completion of the Halifax Waterfront Plan as a priority. This report reviews the status of the planning process to date and identifies the next steps in the process.

BACKGROUND

In January 1998, the Utility Review Board heard an appeal of Peninsula Community Council's decision to approve the Bishop's Landing project on the Halifax waterfront. The Community Council decision was upheld, however the Board also "suggested" that HRM undertake a review of its Halifax Waterfront Plan policies. It was the Board's opinion that the existing policies were unclear and open to too much interpretation. The Board's suggestion was not binding, however staff felt such a review was advisable.

Being a major waterfront property owner, the WDC was also interested in waterfront planning to:

- develop an overall strategy for the appropriate development of their lands; and
- to ensure that any planning for their properties was consistent with an overall plan for all property in the area.

During this period, HRM was experiencing significant budget cutbacks. Lacking sufficient resources to carry out the Halifax Waterfront Plan review, HRM entered into a partnership with the Waterfront Development Corporation (WDC) and signed a Memorandum of Understanding (MOU). The MOU described the scope of the project and the respective roles and responsibilities of each organization. The MOU indicated that:

- the WDC would administer funds for consulting services and provide general administrative support with assistance from HRM; and
- HRM committed professional and technical staff resources.

Chronology of Halifax Waterfront Plan Process

The following chronology focuses upon the Municipal Plan Review process for the Halifax Waterfront area. In addition, some independent initiatives undertaken by the WDC related to the management and development of their property are also mentioned.

Consultants were retained (EDM and Sasaki Associates Inc.) to provide research, urban design expertise and public consultation. A Stakeholder Committee was established, and extensive public consultation conducted, including workshops, interviews, focus group sessions, newsletters, and public meetings.

In December 2000, a draft report was presented to the Stakeholder Committee, followed by a public meeting in February 2001. Following the Committee's review the consultant's final report was completed in December 2001. During this period staff began drafting Municipal Planning Strategy (MPS) policies which would implement the vision.

October 2001 saw the launch of the Capital District Initiative. The Halifax Waterfront Plan area of course is located within the Capital District, therefore it was decided to place the Halifax Waterfront Plan Review process on hold until a visioning exercise for the Capital District was undertaken. The visioning exercise was completed by February 2002, the result being that the recommendations in the consultant's Waterfront Plan were determined to be consistent with the Capital District vision.

Between February 2002 and February 2003, the WDC and HRM undertook a series of discussions regarding several aspects of the how the plan recommendations would be implemented, primarily related to financial matters. Topics included financial issues surrounding dedication, maintenance and ownership of open space areas. While there has been agreement in-principle on these points, they will ultimately require Council approval as part of the review and adoption process for the Waterfront Plan.

In February 2003, the WDC raised an issue concerning the recommended height limits for buildings as proposed in the consultant's report. The WDC indicated they would prefer additional flexibility. Issues of building height are always controversial, especially in the downtown and waterfront areas. Staff is unwilling to agree to changes on this issue without additional analysis and public input.

In May 2003, the WDC issued a Request for Proposals to develop their property at the foot of Salter Street. The rationale provided was that it would be used as a "test case," to help determine the financial viability of development in light of the proposed design and development guidelines contained in the consultant's Waterfront Plan. The MOU contemplated the possibility that this might occur during the Plan Review process and specified "that both parties will ensure public consultation on any proposal and ensure that the proposal meets current MPS policy and incorporates work done on this (plan review) process."

In May 2004, the WDC announced that Centennial Hotels Ltd. was the successful proponent for the development of the Salter Street property. The WDC and Centennial Properties are in the final stages of their property negotiations. HRM staff have not conducted a detailed review of the proposal to determine whether it meets either the existing MPS policy for the area or the proposed plan.

- Centennial Properties will be obliged to apply for a development agreement which will be considered by the Peninsula Community Council. The development agreement must be reviewed pursuant to HRM's existing MPS policies for the waterfront, not the draft plan/policies. An application has not yet been submitted.
- While Peninsula Community Council will participate in the consultation and review process of the new Waterfront Plan, it is Regional Council's responsibility to lead the process and make a decision on any MPS amendments.

In February 2004, the WDC initiated a feasibility study for the Queens Landing site (Maritime Museum). It is too early to say what the outcome of this study will be and whether it will result in a development agreement application.

DISCUSSION

Halifax Waterfront Open Space and Development Plan

The Halifax Waterfront Open Space and Development Plan, prepared by EDM and Sasaki Associates presents a vision for the Halifax waterfront area east of Hollis Street and between Terminal Road to the south and the Karleson Wharf to the north. The Plan takes into consideration the waterfront's proximity and relationship to the central business district and other projects around the harbour. The consultant's recommendations are based upon seven principles. These are:

- Maintain continuous public waterfront access;
- Increase connections between the waterfront and other parts of HRM;
- Improve public street corridor views and connections;
- Improve open spaces;
- Encourage mixed waterfront land uses;
- Respect the character of the city; and
- Development should be fiscally responsible.

More specifically, the consultant's plan addresses the proposed urban form for the area - building placements, orientation, mass, public spaces, land use, transportation and parking. Architectural and site development guidelines, development economics and implementation strategy are also addressed. In general the Plan seeks to provide a high quality pedestrian environment which is also fiscally responsible, such that the debt incurred by the WDC for land acquisition and public improvements is repaid to the greatest extent possible.

Proposed Next Steps

The Halifax Waterfront Plan Review process, for the reasons described in this report, has experienced a significant delay in its completion. It is now appropriate to recommence the Plan Review process. **The following course of action will be undertaken unless otherwise directed by Regional Council.** In general the process will be conducted in two parts:

- The first stage consists of confirming a vision and plan for the Halifax waterfront; and
- The second stage consists of implementing the vision/plan through policy and bylaw amendments to the Halifax Municipal Planning Strategy and Land Use Bylaw.

The following specific steps will be undertaken:

- Retain consultants to conduct an update of the 2001 consultant's report and undertake a renewed public consultation process.
- Reconstitute the Stakeholder Committee. The Committee, together with staff and the consultant, will help design and lead the public consultation program.
- Based on public feedback, consider revisions to the Concept Plan for the waterfront.
- Present the revised Concept Plan to Regional Council for approval-in principle.
- Based on Council's direction, proceed to draft MPS policies and Bylaw regulations that implement the Concept Plan.
- Hold additional public consultation in advance of proceeding to Regional Council for a public hearing.

It is anticipated that steps 1 through 4 will take approximately six to eight months to complete. Close communication with the Regional Planning Project will be maintained during this process to ensure the Halifax Waterfront Plan is consistent with the direction of the Regional Planning process.

It should also be noted that HRM will be solely responsible for leading the consultation process from this point forward rather than in partnership with the WDC. While the WDC is a public body and a major property owner in the area, there are also many other privately and public owned lands within the study area. The WDC will be consulted along with these and other stakeholders who have an interest in planning the waterfront. The WDC however will not play a role as a partner in leading the process. Staff will be accountable to and take direction from Regional Council and any committees established for the duration of this process. There are several reasons for this approach:

- The WDC is proceeding with development proposals for their property simultaneous with the Plan Review process. In light of this, it is felt that public confidence in the process is best served by the Municipality leading the process.
- The Municipality is ultimately accountable for both the public participation process and any amendments to the Municipal Planning Strategy and Land Use Bylaw. Maintaining exclusive responsibility for these activities avoids public confusion regarding the respective roles and responsibilities of HRM and the WDC.
- The budgetary constraints which necessitated financial assistance from the WDC no longer exist. Sufficient resources have been approved in HRM's 2004/05 budget to undertake this work.

BUDGET IMPLICATIONS

Funds for retaining consultants are included in the approved 2004/05 Operating Budget. The appropriate procurement process will be followed.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Revenue budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating Reserves, as well as any relevant legislation.

ALTERNATIVES

None at this time.

ATTACHMENTS

None

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or fax 490-4208.

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