

M E M O R A N D U M

TO: Community Design Advisory Committee (CDAC) Members

CC:

FROM: Richard Harvey, Acting Urban Design Project Manager

DATE: December 18, 2012

**SUBJECT: Regional Centre Plan Project Committee Agenda**

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Dale has asked for additional information to serve as a guide for Wednesday's CDAC meeting.

**RP+5**

Staff view that the focus of the CDAC meeting should be a continuation of the RP+5 discussions. Part of this includes a review of the agenda item, "Supplementary Information of Proposed Policy Direction and Consultation." At this stage, we are looking for an endorsement of the scope of the remainder of the project by the committee.

**Centre Plan**

As CDAC members are aware, the legislative amendments respecting site plan approval and density bonusing were introduced by the province in the fall session. However, the amendments were not passed and remain on the order paper for possible consideration in the spring. Staff are considering this in light of the Phase 1 Corridors initiative and the entire Centre Plan project. We anticipate discussing this further with the committee early in the New Year. The proposed amendments are attached.

**Other**

At the last CDAC meeting there was interest in finding out more information on the six sites that are identified as potential areas for new growth in the Urban Settlement chapter of the Regional Plan (pg. 37 - attached). Additional information about the servicing costs associated with new growth areas may be found within an October 29, 2010 staff report through the following link:

<http://www.halifax.ca/council/agendasc/documents/101116cow3-001.pdf>

# **BILL NO. 160**

**(as introduced)**



*4th Session, 61st General Assembly  
Nova Scotia  
61 Elizabeth II, 2012*

Government Bill

## **Halifax Regional Municipality Charter (amended)**

The Honourable John MacDonell  
Minister of Service Nova Scotia and Municipal Relations

[First Reading](#): December 5, 2012

[\(Explanatory Note\)](#)

Second Reading:

Third Reading:



### **Explanatory Note**

[This Bill](#) amends the Halifax Regional Municipality Charter to

## Proposed Site Plan Approval and Density Bonus Legislative Amendments

- (a) permit incentive or bonus zoning agreements in the central area of the Halifax Regional Municipality on both sides of Halifax Harbour;
- (b) authorize the Minister to make regulations respecting public consultation prior to site-plan approvals in the central area of the Municipality, including the existing HRM by Design Downtown Plan Area; and
- (c) authorize the Municipality to accept money in lieu of contributions for incentive or bonus zoning in the central area of the Municipality, including the existing HRM by Design Downtown Plan Area.



**An Act to Amend Chapter 39  
of the Acts of 2008,  
the Halifax Regional Municipality Charter**

Be it enacted by the Governor and Assembly as follows:

**1** Section 3 of Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, as enacted by Chapter 41 of the Acts of 2008, is amended by

(a) adding immediately after clause (aj) the following clause:

(aja) "HRM by Design Downtown Plan Area" means the area delineated in the map in Schedule B;

and

(b) adding immediately after clause (ba) the following clause::

(baa) "Regional Centre" means the area delineated in the map in Schedule C, excluding the HRM by Design Downtown Plan Area;

**2** Subsection 31A(1) of Chapter 39, as enacted by Chapter 41 of the Acts of 2008, is amended by adding "and the Regional Centre" immediately after "Area" in the second line.

**3** Clause 209(fa) of Chapter 39 is repealed.

**4** (1) Clause 235(5)(k) of Chapter 39, as amended by Chapter 41 of the Acts of 2008 and Chapter 16 of the Acts of 2009, is further amended by adding "and the Regional Centre" immediately after "Area".

(2) Section 235, as amended by Chapter 41 of the Acts of 2008, Chapter 16 of the Acts of 2009 and Chapter 16 of the Acts of 2010, is further amended by adding immediately after subsection (5) the following subsection:

(6) Where the land-use by-law provides for incentive or bonus zoning within the Regional Centre, the land-use by-law must require the inclusion of affordable housing in a development, as the contribution for any incentive or bonus zoning applicable to the development.

## Proposed Site Plan Approval and Density Bonus Legislative Amendments

5 (1) Subsection 245A(1) of Chapter 39, as enacted by Chapter 41 of the Acts of 2008 and amended by Chapter 16 of the Acts of 2009, is further amended by adding "and the Regional Centre" immediately after "Area" in the third line.

(2) Section 245A, as enacted by Chapter 41 of the Acts of 2008 and amended by Chapter 16 of the Acts of 2009, is further amended by adding immediately after subsection (3) the following subsection:

(4) Where the land-use by-law provides for incentive or bonus zoning within the Regional Centre, the land-use by-law must require the inclusion of affordable housing in a development, as the contribution for any incentive or bonus zoning provided for in a development agreement.

(5) Notwithstanding subsection (4), the land-use by-law may provide that the Council may accept money instead of a contribution under this Section.

(6) The Municipality shall use any money accepted under subsection (5) for the purpose for which the money was accepted instead of a contribution.

6 (1) Clause 246(1)(h) of Chapter 39, as enacted by Chapter 41 of the Acts of 2008 and amended by Chapter 16 of the Acts of 2009, is further amended by adding "and the Regional Centre" immediately after "Area" in the second line.

(2) Clause 246(3)(1) of Chapter 39, as amended by Chapter 41 of the Acts of 2008 and Chapter 16 of the Acts of 2009, is further amended by adding "and the Regional Centre" immediately after "Area".

7 (1) Subsection 246A(1) of Chapter 39, as enacted by Chapter 41 of the Acts of 2008 and amended by Chapter 16 of the Acts of 2009, is further amended by

(a) striking out "a design review committee" in the first and second lines and substituting "one or more design review committees"; and

(b) adding "and the Regional Centre" immediately after "Area" in the second line.

(2) Section 246A of Chapter 39, as enacted by Chapter 41 of the Acts of 2008 and amended by Chapter 16 of the Acts of 2009, is further amended by adding immediately after subsection (6) the following subsection:

(6A) The results of all public consultation pursuant to clause 246(1)(h) or regulations made pursuant to clause 383(1)(ab) must be submitted to and considered by the design review committee.

8 Subsection 247(7) of Chapter 39, as enacted by Chapter 41 of the Acts of 2008 and amended by Chapter 16 of the Acts of 2009, is further amended by adding "and the Regional Centre" immediately after "Area".

9 Clause 250(2)(d) of Chapter 39, as amended by Chapter 41 of the Acts of 2008 and Chapter 16 of the Acts of 2009, is further amended by adding "and the Regional Centre" immediately after "Area".

10 Subsection 383(1) of Chapter 39 is amended by adding immediately after clause (a) the following clauses:

## Proposed Site Plan Approval and Density Bonus Legislative Amendments

(aa) respecting the nature and extent of affordable housing to be required by subsections 235(6) and 245A(4);

(ab) with respect to the HRM by Design Downtown Plan Area or the Regional Centre, prescribing additional requirements for public consultation that must take place prior to an application for site-plan approval being submitted to the Municipality ;

11 Chapter 39 is further amended by adding immediately after Schedule B the following Schedule:

**SCHEDULE C**

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**CHAPTER 3: SETTLEMENT AND HOUSING****3.0 INTRODUCTION**

Growth must be well managed to avoid a risk to the natural environment, the character of our communities, and the quality of life in HRM. As growth spreads into the countryside, it demands extensive expenditures in new community infrastructure - schools, roads, wastewater and water distribution systems to support the new growth. The stability of surrounding rural areas is also threatened as a result of increased congestion and the loss of forestry and farm land. The livability of both city and countryside is greatly diminished when the lines between urban and rural communities are blurred.

The citizens of HRM have indicated through consultation that a balanced approach to growth across the Municipality is the desired approach. To achieve this, approximately 25% of growth will be targeted to occur on the Halifax Peninsula and in downtown Dartmouth, inside the Circumferential Highway (Regional Centre), approximately 50% will occur in the suburban areas, and the remaining 25% will occur within the rural areas. This is consistent with projected housing demand in HRM<sup>12</sup>.

The intention is not to discourage rural housing growth in favour of urban or suburban communities. Rather, the approach is to shape settlement in such a way that transit and other alternatives to commuting will become more viable. This offers not only lifestyle and environmental benefits, but also helps prepare for the possibility of rising oil prices. Similarly, it is important to encourage rural employment growth and ensure the long-term economic viability of remote rural areas to keep jobs close to residents.

Over the next 25 years, HRM will direct much of its investment to a series of centres as illustrated on the Settlement and Transportation Map (Map 1). These centres have been strategically located in HRM where services such as transit, wastewater and water distribution services can be economically provided to support development. The centres have sufficient land to accommodate anticipated growth, though some may grow more than others depending on market preferences. To maintain healthy and vibrant communities, investment will also continue in areas not designated for growth such as in existing neighbourhoods where infill development will respect the character of the area.

The centres fall under a series of general land use designations as shown on the Generalized Future Land Use Map (Map 2). These designations form the legal framework for achieving the growth management strategy of this Plan. The land use designations are:

1. Urban Settlement Designation;
2. Urban Reserve Designation;
3. Rural Commuter Designation;

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<sup>12</sup> Clayton Research et al. 2004.

4. Rural Resource Designation; and
5. Agricultural Designation.

Sections 3.1, 3.2 and 3.3 of this Chapter provide descriptions of the various designations and their associated policies under this Plan.

### **3.1 URBAN SETTLEMENT DESIGNATION**

The primary intention of the Urban Settlement Designation is to define those areas where urban forms of development will occur throughout the next 25 years. The designation encompasses both developed and undeveloped lands and includes the following six sites as potential areas for new urban growth subject to the completion of secondary planning processes for each area:

1. Bedford South;
2. Morris-Russell Lake;
3. Bedford West;
4. Port Wallis;
5. Sandy Lake; and
6. Highway 102 west corridor adjacent to Blue Mountain - Birch Cove Lakes Park.

This Plan supports the growth of a series of mixed-use transit-oriented centres in strategic locations throughout the designation. The centre types are: the Regional Centre, Urban District Centres, Suburban District Centres, Urban Local Centres and Suburban Local Centres as shown on the Settlement and Transportation Map (Map 1). These centres include lands suitable for significant residential growth, and are already, or will become, focal points for varying levels of service, amenity and employment for the surrounding communities. The vision for these centres is that they will be well designed, safe and comfortable communities which build on their historical foundations. A high quality public realm featuring public squares and parks, community gardens, public art, and a comfortable and safe environment for pedestrians and cyclists will be components for achieving the design concept for these centres.

- S-1 HRM shall establish the Urban Settlement Designation, shown on the Generalized Future Land Use Map (Map 2), as the area where central wastewater and water distribution services are intended to be provided to facilitate an urban form of development over the next 25 years. Any development boundary established under the existing secondary planning strategies shall be replaced by the Urban Settlement Designation. The designation is intended to provide for a diverse, vibrant and liveable urban environment which provides for the development of a series of mixed-use transit-oriented Centres within the general locations as shown on the Settlement and Transportation Map (Map 1). The five types of centres within the designation are the Regional, Urban District, Suburban District, Urban Local and Suburban Local centres.

- S-2 When considering amendments to the Urban Settlement Designation Boundary, HRM shall consider:
- (a) amendments to the boundaries to include additional areas to implement the results of reviews of regional population and housing forecasts;
  - (b) amendments to the boundaries of designations if the targets for growth under this Plan are not being met; and
  - (c) amendments to include adjacent lands if the lands are within a growth centre.
- S-3 Further to the principles of this Plan stated in section 1.4, HRM shall consider requests to allow for the initiation of a secondary planning process to consider development of the six sites for new growth provided that any such proposal serves to:
- (a) protect the fiscal health of HRM and its capacity to meet additional financial commitments; and
  - (b) address any deficiencies in municipal service systems which would be needed to service the proposed area and the estimated cost of upgrades needed to provide a satisfactory service level.

### **3.2 URBAN RESERVE DESIGNATION**

The primary intent of the Urban Reserve Designation is to ensure there is a continuous supply of land that can be serviced with central (municipal wastewater and water distribution) services beyond the 25 year time horizon of this Plan. The Urban Settlement Designation identifies those lands which HRM intends to service within the next 25 years. The Urban Reserve Designation focuses on those lands abutting the Urban Settlement Designation which could be serviced beyond the next 25 years to ensure the Municipality has a long-term supply of serviceable lands. Providing services to these lands may be considered within the 25 year time frame of this Plan subject to Policy IM-18. The following seven areas of land have been designated as Urban Reserve:

1. interior lands bounded by Highway 7, Ross Road, Highway 207 and Broom Road (Cole Harbour/Westphal);
  2. land surrounding Anderson Lake area (Dartmouth/Bedford);
  3. Governor Lake North (Timberlea);
  4. Ragged Lake (Halifax);
  5. Kidston Lake lands (Spryfield/Herring Cove);
  6. Purcell's Cove area back lands; and
  7. private lands in the Blue Mountain - Birch Cove Lakes Regional Park area.
- S-4 HRM shall establish the Urban Reserve Designation for those lands situated outside the Urban Settlement Designation where central services (municipal wastewater and water distribution) may eventually be provided, as shown on the Generalized Future Land Use Map (Map 2). The primary intent of this designation shall be to retain sufficient lands which shall provide an adequate supply of serviceable land beyond the time horizon of this Plan.