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MEMORANDUM

TO: Chair and Members of the Design Review Committee
 CC: Bob Bjerke, Chief Planner
 Jacob Ritchie, Urban Design Manager
 FROM: Luc Ouellet, Senior Planner
 DATE: September 3, 2015
 SUBJECT: **Downtown Halifax Five-Year Review**

Chair and Members of the Design Review Committee,

BACKGROUND

Planning and Development staff is currently working on a five-year review of the Downtown Halifax Secondary Municipal Planning Strategy (Plan) and the Downtown Halifax Land Use By-law (Land Use By-law).¹ The objectives of the review are to identify and respond to any trends and opportunities within the Plan Area, as well as address any errors, omissions and shortcomings with the planning documents. While there have been three annual reviews of the planning documents undertaken since the Plan and Land Use By-law came into effect on October 24, 2009, a five-year review is mandated within the Plan under Policy 88.

Policy 88 Further to Policy 86, it shall be the intention of HRM to conduct a five-year review to consider amendments:

- (a) that could be considered in the annual review as well as those outside the scope of the annual review;*
- (b) that relate to substantive changes to this plan and corresponding development regulations; and*
- (c) that relate to the monitoring of growth targets and Plan Monitoring Performance Measures as set out in Appendix B of this Plan.*

The five-year review was initiated by Regional Council on April 29, 2014. From the outset, it was not envisioned as a wholesale revisit of the Plan, but rather a concentration on improving its administration

¹ Staff gave presentations to the Design Review Committee on the major directions of the Review on September 11, 2014 and June 11, 2015. At the time, the Committee provided some early feedback to staff.

and addressing matters such as the approval of smaller projects so that they are not subject to an onerous approval process.

PROJECTS CURRENTLY OUT OF SCOPE

It is important to note that, as staff proceeds with work on the five-year review, there are currently three related planning projects underway within or on the periphery of Downtown Halifax. These projects are:

- (a) the Old South Suburb Heritage Conservation District Project (Barrington Street South Precinct);
- (b) the Schmidville Heritage Conservation District Project²; and
- (c) detailed planning and engineering work related to the potential dismantling of the Cogswell Interchange and the eventual redevelopment of the lands over which the interchange currently sits on.

It is anticipated that all three projects listed above will eventually lead to further amendments to the Plan and Land Use By-law. However, at this time, all of the aforementioned projects are too early in their own respective planning process to properly inform amendments to the Plan and the Land Use By-law. These projects, and the impact that they may have on the Plan and Land Use By-law, will be considered at a later stage under separate review processes.

INTERNAL CONSULTATION AND EARLY DRAFTING EFFORT

During the past 18 months, staff has been busy consulting with internal HRM resources (Planning & Development, Transportation & Public Works, Halifax Transit and Legal Services) to identify issues with the current planning documents and devise potential solutions. This exercise was mainly conducted prior to stakeholder and public engagement, as it was anticipated that a number of technical issues would be identified early on which would require a significant amount of staff resources to resolve. In addition, staff also expected to identify a number of issues that would require outside expertise to help with their resolution. This was the case with the density bonusing system, which is currently being studied by a consortium of consultants lead locally by TEAL Architects.

As issues were identified and workable solutions developed, staff proceeded with drafting the text amendments. As the number of amendments grew, it became clear that it would be easier to repeal the planning documents and adopt new revised and re-formatted documents as part of the five-year review. It also became clear early on that most of the issues and proposed changes rest with the Land Use By-law (including the Design Manual), as opposed to the Plan. Therefore, staff has focussed its early drafting effort on the Land Use By-law.³ The early drafting effort should help in reducing the lag time between the end of the public engagement process and when a recommendation report can be forwarded to Regional Council.

² The Schmidville neighbourhood is located just outside the boundary of Downtown Halifax.

³ It is expected that little change will occur to the Plan, except for changes required to support changes to the Land Use By-law and the Design Manual.

STAKEHOLDER AND PUBLIC ENGAGEMENT

In February 2015, staff began consulting externally with stakeholder groups. Up to this date, eight of ten identified stakeholder groups have been engaged (Downtown Halifax Business Commission, Spring Garden Area Business Association, Dalhousie University Facilities Management, Waterfront Development Corporation Limited, Heritage Trust of Nova Scotia, Halifax Food Policy Alliance, Fusion Halifax – Urban Development Team, and Ecology Action Centre). The two remaining stakeholder groups, members of the Development Community and Design Professionals, will be directly engaged in October. The general public will be engaged at an open house meeting scheduled for Wednesday, September 23rd at the Maritime Museum of the Atlantic, as well as online on our Shape Your City portal.

DRAFT DOWNTOWN HALIFAX LAND USE BY-LAW

Attached to this memo is a draft of the text changes to the Land Use By-law that staff is proposing should be considered as part of the Downtown Halifax Five-Year Review Project. These changes, which are shown throughout the document in red font (text proposed to be inserted) and red strikethrough (text proposed to be removed), address long standing issues with the Land Use By-law and provide additional clarity and predictability in the development approval process, which were both foundational goals of the 2009 Plan. In addition to the proposed text amendments, staff has also taken the opportunity to re-organize the Land Use By-law to make it more user-friendly. These changes will be presented to stakeholders and members of the general public at the meeting scheduled for September 23rd and online later in September and October. It is important to note, however, that this submission only includes proposed text changes. Staff will bring forward proposed map changes, as well as proposed changes to the DHSMPS and the Design Manual, at a later date.

WHAT TO EXPECT ON SEPTEMBER 10TH

On Thursday, September 10, staff will provide an update to the Committee on the status of the 5-Year Review Project, as well as provide a presentation on the attached document to the Committee. While staff will arrive ready to discuss any of the proposed changes to the Land Use By-law with members of the Committee on September 10th, it is expected that most of this discussion will happen at the October 8th meeting of the Committee, following the public open house in September.