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### Downtown Development in HRM ... Before and After HRMbyDesign

Downtown development in HRM has been a hot topic over the past week and many opinions have been heard. HRM has been addressing this issue extensively in the development of HRMbyDesign, Halifax Regional Municipality's urban design strategy that currently focuses on the special challenges and opportunities that exist in downtown Halifax. This initiative will create clarity and predictability in the development approval process; improve heritage protection and heritage assistance; implement new design standards; invest in amenities, such as, public art and open spaces in the downtown; and bring more people to live and work in the downtown by directing a mix of residential and commercial development.

The HRMbyDesign project team has gone to great lengths to engage residents, community groups, businesses, students - everyone. For example, over the past twenty-eight months, the team has directly consulted with *several thousand* HRM residents through:

- 6 major public consultation forums/workshops for the community at large
- 7 public presentations and open houses
- 36 separate presentations and discussions with various community and stakeholder groups
- 39 meetings or interviews with various stakeholders, from residents to government leaders
- 2 major public reviews of plan documents
- **Several hundred** letters, e-mails, faxes and phone calls received and analyzed.
- 11 focussed workshops on specific issues affecting specific stakeholders

HRMbyDesign will change the way the development agreement process works by utilizing site plan approval as the tool for approving development in downtown Halifax. To clearly demonstrate the changes, the following information report compares the current development agreement process and the process that will be implemented with HRMbyDesign.

### **Current Development Approval Process in Downtown Halifax**

In the current development approval process used in downtown Halifax there are two tiers of application. In the first tier, development proposals below 25' or 40', depending on specific location, are approved "as-of-right," which means they are approved or rejected by staff. In the second tier, development proposals for buildings taller than those heights must proceed under a different approval process known as a Development Agreement. The Development Agreement process includes two opportunities for public input. The first is a mandatory Public Information Meeting (PIM) in which the *applicant* receives public comment, and the second is a Public Hearing in which *Regional Council* receives public comment.

At the Public Hearing, staff present their report and recommendations to Council and members of the public and the developer are given an opportunity to speak on the proposal. Council may ask for clarification of comments during this portion of the hearing; after all speakers have been heard. Following their questions, the public hearing is closed and Council begins their debate. Once the debate is finished, Council votes on the matter resulting in the approval or refusal of the proposal. **ONLY THOSE COUNCILLORS PRESENT FOR THE ENTIRE PUBLIC HEARING ARE ABLE TO VOTE ON THE MATTER.**

If Council approves the application, notice of approval is published in the local newspapers, advertising a 14 day appeal period to the Utilities and Review Board (UARB). If Council refuses the application, the developer may appeal this decision to the UARB. The UARB sets a date for a hearing and considers submissions from the affected parties and the public and renders a decision.

### **Under HRMbyDesign, the Development Approval Process will be Replaced with the Site Plan Approval Process**

A key component of HRMbyDesign's Downtown Halifax Urban Design Plan is the replacement of the development agreement process, with Site Plan Approval as the tool for approving development in Downtown Halifax. Site Plan Approval is a way of dealing with site related design issues through an administrative technical review which can be facilitated much faster than the six months or more that it takes for the current development agreement process.

It is important to understand that Site Plan Approval (SPA) has not been pulled from thin air. It is already enabled under the Municipal Government Act, has been in use in downtown Dartmouth since 2000, and is in use in various other locales around the province. However, HRMbyDesign proposes improvements to SPA to ensure that the public voice continues to be heard in the approval process. For example, SPA, as currently enabled under the Municipal Government Act, places the final decision making authority with an HRM staff member known as a Development Officer. HRMbyDesign will change this to include a citizen-based Design Review Committee in that authority. Currently, SPA does not include authority over the "external appearance of structures." That means that design review is not currently possible. Provincial legislation

amendments requested by HRMbyDesign will change SPA to ensure that proposed developments meet the requirements of the community-consulted Design Manual, as judged by the community-based Design Review Committee. HRMbyDesign will ensure that both Design Review Committee and Heritage Advisory Committee meetings are open to the public. Currently, the community notification for SPA is only those property owners within a 30 metre radius of the subject site. HRMbyDesign will make changes that allow Council to expand that radius, as much as it sees fit, to increase transparency in the process.

HRMbyDesign will have appeals to SPA decisions made to Council in the format of a public hearing (a simple process that is free of charge to appellants), rather than to the Utility and Review Board as under the current Development Agreement process (the complexity and cost of which limits the number of people that can reasonably appeal a decision).

HRMbyDesign is introducing a voluntary Public Information Meeting (PIM) into the SPA process that does not currently exist. The PIM will happen early enough in the process (during the pre-application phase) to ensure that community input can be reflected in the project.

HRMbyDesign introduces a program of 1-year and 5-year plan monitoring. This program ensures that the Plan is a living document that accomplishes what the community has asked of it. From time to time, adjustments may be required, and they will be overseen by a citizen-led Committee of Council, further ensuring a public voice in the process.

Enabling amendments to Provincial Legislation are required before HRM can proceed further with HRMbyDesign. The provincial government will debate these amendments during the fall 2008 sitting of the Legislature. If the requested amendments pass, HRMbyDesign will be presented to Council for approval in early 2009. Once approved, this strategy will enable HRM to continue to implement the vision for downtown expressed by the public at large and outlined in the Regional Plan.

HRM is working diligently with input from the public to ensure that the downtown is, indeed, open for business.

For more information on HRMbyDesign, you can visit [www.hrmbydesign.ca](http://www.hrmbydesign.ca) or call 490-8479.