

HALIFAX REGIONAL MUNICIPALITY

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HALIFAX REGIONAL COUNCIL  
COMMITTEE OF THE WHOLE MINUTES

December 3, 2013

PRESENT:

Mayor Mike Savage  
Deputy Mayor Darren Fisher  
Councillors: Barry Dalrymple  
David Hendsbee  
Bill Karsten  
Lorelei Nicoll  
Gloria McCluskey  
Waye Mason  
Jennifer Watts  
Linda Mosher  
Russell Walker  
Stephen Adams  
Reg Rankin  
Matt Whitman  
Brad Johns  
Steve Craig  
Tim Outhit

STAFF:

Mr. Richard Butts, Chief Administrative Officer  
Mr. John Traves, Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Mr. Quentin Hill, Legislative Assistant

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**1. CALL TO ORDER**

Mayor Savage called the meeting to order at 1:00 p.m.

**2. APPROVAL OF THE MINUTES – NONE**

**3. RP+5 DRAFT 3 – RECOMENDATIONS**

The following were before Council:

- Staff Recommendation Report dated November 25, 2013
- Community Design Advisory Committee Recommendation Report dated November 15, 2013
- Staff Recommendation Report to Community Design Advisory Committee dated September 18, 2013
- Regional Municipal Planning Strategy - Draft 3
- Staff presentation dated December 3, 2013
- Revised staff presentation slide 83
- Table of CDAC recommendations and Staff Responses
- Correspondence from John Cascadden; David Wimberly; and Our HRM Alliance Steering Committee.

Mayor Savage opened up the meeting by thanking staff and members of the Community Design Advisory Committee (CDAC) for they work they have done on the on the Regional Plan +5 review. He noted that over the last two years there have been 37 meetings and thousands of hours of work put into the draft. He reminded Council that any changes would be sent back to staff to incorporate it into the plan.

Ms. Dale Godsoe, Chair of CDAC, addressed Council. She thanked the Mayor and Council for the opportunity to address the recommendations provided by CDAC. She noted that the report reflects their collective assessment of the public feedback on the Regional Plan Review. Ms. Godsoe explained that the Committee conducted their review using the theme of the Plan that was set by Council in October 2011. She noted the CDAC review was focused on; Sustainable Solutions, Enhancing the Regional Centre, Improving Suburban and Rural Community Design, Ensuring Mobility including Transportation, Active Transportation and Land Use are mutually inclusive. On behalf of CDAC, she provided Council with the following questions/issues to consider:

1. Annual evaluations, so that implementation of the regional plan can be monitored, it will help set precise targets for some of the measures. Staff report agrees with an annual assessment.
2. Public consultation plays important role in policy making decisions. Need to have clear complete statement confirming the supply of land within the service boundary is enough to meet the development requirements for the next 30 to 35 years. Many of the recommendations in the CDAC report request more complete

and clear explanations as well, maps need to be more informative, clear and concise. The expectations of land use and development need to be presented clear enough so that the public and all stakeholders understand the policy implications and the linkage between mobility and land. There needs to be a framework developed, which leads to predictable, fair, cost effective and timely decision making.

3. CDAC were not tasked with identifying targets. Discussions on the Plan targets were continually brought up at meetings and through public input. The Committee raised concern about the proposed change in target dates from the original plan. Council needs to decide if they are the correct targets and how they will be achieved.
4. Mobility, Active Transportation, Transit and Land Use Integration. Public input indicated there was a great desire to see more sustainable transportation planning. One of major concerns was that it was hard to ensure that all mobility decisions and land use decisions are mutually supported. CDAC recommendation 18 requests a public consultation process in the Road Network Priority Plan.
5. Green belting and public open space priorities was one of the most discussed items at public consultations and public submissions. A majority of residents polled were supportive of the inclusion of green belting in the Regional Plan. Green belting needs to be further defined and its benefits explained.
6. Integration across all HRM plans. Even if the linkages are being made, they are not always being seen to be made. Staff agreed with CDAC that linkages to the plan that are useful will be included.

Ms. Godsoe thanked Council for taking the time to listen and consider the recommendations provided by the CDAC.

Mr. Austin French, Manager of Planning Services, also thanked CDAC for their work and input to the Regional Plan Review. He noted that staff had worked closely with CDAC in order to ensure that Regional Plan reflects community wishes and the best of planning practices. He hoped that any outstanding issues could be addressed during the Committee of the Whole.

Mr. French outlined that the staff presentation would be conducted in two parts; the first part would provide an overview of Draft 3 of the plan based on the public and CDAC input and the second would be staffs response to the CDAC report. Staff's recommendation to Council would be to accept staff's position on the recommendations and direct staff to prepare the final report and bring it back to Council to begin the public hearing process.

Mr. French advised there were some strong messages provided from the public including:

- Meeting growth targets
- Green belting
- Increased protection of water course buffers
- Complete communities
- Plan performance indicators

Mr. French explained the scope of the review approved by Council was based on the following four major themes:

1. Sustainable Solutions
2. Enhanced Regional Centre
3. Improved Community Design
4. Mutually Supportive Land Use and Transit/Active Transportation

Mr. French then provided the staff response to the CDAC recommendations as outlined in the staff report dated November 24, 2013.

Mayor Savage thanked staff for the presentation and response to the CDAC recommendations.

**MOVED by Councillor Nicoll, seconded by Councillor McCluskey that Committee of the Whole:**

- 1. Accept the amendments recommended by staff in the discussion section of this report with such amendments as passed by Committee of the Whole at its meetings of December 3, 2013 and December 10, 2013.**
- 2. Direct staff to prepare a supplementary report and amendment package for referral to the Heritage Advisory Committee and the Design Review Committee; and**
- 3. Direct staff to bring the amendment package back to Regional Council for Notice of Motion to start the adoption process.**

Councillor Watts applauded the work on the plan and was pleased to see the new highlights in the Plan including food security. She requested that Council support CDAC recommendation 18, concerning the Road Networks Priority Plan. She stated that it is not helpful to look at the Road network priorities on a case by case basis and would be more helpful to look at the plan in its entirety. She added that staff had agreed to this type of review but only wanted to share information to residents on the plan.

Councillor Watts requested that when the Road Network priority plan comes forward a public consultation process needed to occur. She compared examples of having a

successful Active Transportation plan review and Metro Transit review and noted that public input identified transportation and mobility as priorities in the current Regional Plan Review.

**MOVED by Councillor Watts, seconded by Councillor Outhit that Committee of the Whole, support recommendation 18 of CDAC regarding the Road Network Priorities Plan “No projects shown on Table 4-1 shall be approved for construction until the Road Network Functional Plan that has included a public consultation process provides rationale for the projects as they relate to one another, to growth targets in the Plan, and to sustainable transportation initiatives and provides projected capital and operating costs for road construction projects.**

Councillor Outhit agreed with Councillor Watts’s comments but cautioned that there are a number of Provincial projects that are not within Regional Council control.

Councillor Johns commented that there had been a number of projects on the books for years. He added that some of the construction of roads needs to occur in order to handle the traffic capacity in various communities. He added that some residents are not in favor of building some of the projects already approved on the books. He raised concern that by continuing with Councillor Watts’s motion, residents would feel they could change the alignment or building of some of the approved roads.

Councillor Hendsbee questioned if staff would be removing all the completed road projects in the future road projects list. He wondered why there was no mention of the third harbour crossing. He added that Barrington Street proposal should be four or more lanes, in case a reversing lane could be integrated. Highway 107 to Cherry Brook extension should also be included.

Councillor Dalrymple also stated that he supported the motion as he felt each project depends on another. He added that he felt that there were a number of projects missing in the report. He stated that the Fall River Visioning Committee had a joint commissioned study with HRM and the Province that identified three major considerations that were not included in the current Plan. He felt it was important to have all of the plans included in any Road Networks Priority Review.

Councillor Mason felt there should be a single well consulted plan. There would need to be decisions made on what the priorities would be. He added that he wants to know what residents think of the plan and consultation would help Council consider prioritization of the Plan.

Councillor Walker stated that the list of roads in the Plan is not complete and questioned if there was benefit in having a Road Network Functional Plan consultation when the list is not complete.

Councillor Mosher stated there is no focus on public transportation such as commuter rail, and high speed ferries. She raised concern that the motion could possibly hold up projects that need to move forward.

Ms. Jane Fraser, Director Planning and Infrastructure, explained that consultation would be on the whole transportation network; explaining the reasons for the transportation projects and how changes would increase mobility. It is more than just moving vehicles through. She added that it is not a complete list, but the projects listed on page 62 of the draft were related to meeting the growth targets in the areas identified. She added that going out to the public would help staff identify what the community feels the needs are.

Mr. Dave McCusker, Manager of Strategic Infrastructure Planning, advised that removing or moving any projects would require guidance from Regional Council.

Councillor Whitman indicated support for the public consultation process. He added that HRM can do a great job in public consultation. However, he felt that residents were only going to go to public consultation meetings on areas that they are concerned about. He raised concern that he did not see Hammonds Plains listed in the report. He added that he did not see a large meeting on all the projects being beneficial to residents in his area.

Councillor Karsten asked when a draft road network functional plan could go to the public.

Mr. McCusker indicated that a report could be ready to go forward in a couple of months.

Councillor Nicoll stated that it is imperative to have a complete plan so that road projects could coincide with Provincial priorities. She added that this may help with funding and speed up the process and decrease costs for certain projects.

Councillor Dalrymple added that he would like to see a comprehensive plan on what road projects HRM is going to do over the next 10 – 20 years, with a timeline on when projects would begin and be completed. He explained that if there was a comprehensive plan, it would enable Council to be able to respond to residents' requests on when projects would be moving forward or if they would never be moving forward.

#### **MOTION PUT AND PASSED.**

Council recessed at 3:00 p.m. and resumed at 3:15 p.m.

In response to questions from Councillors, Mayor Savage reminded Council that they would go through each recommendation provided by the CDAC and the staff response. At the end of discussion, Council would discuss the Plan in a generalized forum.

**MOVED by Councillor Watts, seconded by Councillor Mason to insert a statement in preamble of Section 1.1, page 6 Introduction to the Plan, “there is sufficient supply of land currently in the urban growth settlement and current service boundary (urban settlement designation on the generalized future land use map) to meet the development requirements of the region for the next 30-35 years.**

In response to questions from Council, Ms. Fraser explained that Councillor Watts is looking for a preamble in the document as opposed to a policy statement requested by CDAC. She added that staff was not recommending a policy statement because the land supply will shift over time; however, a statement in the preamble would be an acceptable alternative.

Councillor Watts added that it sets the context so that information is available and helpful to people who read the plan.

Councillor Adams indicated he was not comfortable with this section in the Regional Plan. He felt that by having an inventory of land, the value of the land would artificially go up in value because the Municipality is indicating it will be used sometime.

Councillor Hendsbee reiterated the need of having concise clear definitions on boundaries and requested that Council be provided maps that show the service boundary for water, sewer and transit. He noted that while services in the Western area of HRM might be consistent, the Eastern portion is quite different with areas that have water and sewer may not have transit.

Mr. French noted that there are maps available that include the information and could be brought forward.

In response to a question from Councillor Adams, Mr. French explained that the urban settlement designation was defined in the 2006 Regional Plan. The primary criteria for deciding where development would proceed came from a study which preceded the 2006 Regional Plan called the Greenfield Site and Servicing Analysis. All areas in the designation would have both sewer and water services.

Councillor Johns stated that there seems there are pockets in HRM that fall into ambiguity if they are rural or urban. He added it would be helpful to have a report to understand the implications of having the sewage boundary meet the water boundary.

Mr. French advised that staff could provide a report to Council and come forward as part of the package for the first reading of the Regional Plan.

A number of Councilor's expressed concern on how rural, urban and suburban designations are determined, noting that some of the rural areas pay the same tax but do not receive the same services as urban areas.



Mr. French clarified that the plan is not discussing the rural and urban tax rates, it is about development and planning policy. It is about defining the property rights within the Regional Plan.

**MOTION PUT AND PASSED.**

Council did not have any comments on CDAC recommendations 3 and 4.

On recommendation 5, Councillor Dalrymple requested clarification of whether the Regional Plan would override local community vision plans. Specifically, he questioned if the Fall River Visioning Plan conforms to the Regional Plan.

Mr. French explained that all community plans must conform to the Regional Plan. Council could choose when adopting a community plan to create a policy that is more stringent, and then the more stringent policy would prevail. Mr. French added that the Fall River Vision plan did conform to the Regional Plan.

Councillor Hendsbee raised concern that the transit service boundary as proposed in the Regional Plan draft could possibly jeopardize bus service in Cherry Brook and North Preston. He raised concern that Attachment E: Transit Zone map was not clear and needed correction and should be brought back to Council with more detail.

The Municipal Clerk clarified that Councillor Hendsbee's request was outside the scope of the discussions of the CDAC recommendations and should be brought up after the CDAC recommendations are dealt with.

On CDAC recommendation 6, Councillor Mason was concerned with the staff response to the CDAC recommendation noting at the end of the sentence of Policy G 15 lacked clarity on what was meant by "limited in scale".

**MOVED by Councillor Mason, seconded by Councillor Watts that staff come back with a proposed amendment that describes what "limited in scale" means in Policy G-15.**

Councillor Mason clarified that CDAC was provided with a series of maps on areas that abutted and intruded into the urban reserve and some of the parcels of land were huge and were not "limited in scale". He requested that staff provide some type of metrics around limited in scale to make sure that the policy is not used to regularly change the boundaries.

In response to questions from Council, Mr. French advised that Policy G-15 relates to the edge between the designations and allow Council the flexibility where a smaller scale development would be on the edge urban settlement designation. He added that also relates to cases where a water service boundary might be extended for hardship reasons. There are separate policies in the Plan to allow Council to consider extending water services boundaries due to extenuating circumstances.

Councillor Hendsbee requested staff clarification of what is meant by “under extraordinary circumstances.” He requested further clarification of why rural commuter shed is not included in Policy G -15.

Mr. French noted that Policy G 15 relates to where you have two designations abutting each other.

Councillor Rankin felt that Council should retain the ability to make changes when there are issues around quantity and quality of water. He cautioned that further defining the scale limitations could inhibit decisions later where circumstances on land are currently unknown.

Councillor Adams raised concern regarding Clause G 15, noting it needed more discussion and clarity. He noted there is a presupposition in the Plan that Council would approve all future developments based on the 30 to 35 year land supply.

**MOTION PUT AND PASSED.**

**MOVED by Councillor Hendsbee, seconded by Councillor Whitman that “rural commuter shed” be specifically included in Policy G-15 (d).**

Ms. Fraser advised that the opening policy statement for Policy G-15 refers to map 2 and that includes the rural commuter shed.

**MOTION PUT AND PASSED.**

The Committee continued with discussion on CDAC recommendation 8.

Councillor Hendsbee requested clarification on rural growth centres in his district and if the only growth centre was in Porter’s Lake.

Mr. French stated that under the proposed changes a maximum of 100 dwellings per application could be developed in the areas identified by Councillor Hendsbee. He added that there are 3000 lots that would be grandfathered prior to the Regional Plan and would not be changed in this revision of the plan.

Councillor Dalrymple advised that he did not see in a map for Fall River in the rural road center maps in the Regional Plan,. He added that he would like to see the Fall River Community map be included in the series of 13 local Growth Area Maps contained in the Regional Plan.

**Council agreed to request staff to include the Fall River Community Plan maps with in the Local Growth Area Maps in the Regional Plan.**

Concern was raised that Hubbard's and Porter's Lake rural growth center designation in the series 13 maps are unclear as to the boundaries.

The Committee continued with CDAC recommendation 9.

Councillor Outhit explained that while he supports the minimum standard for buffers, he advised that there appears to be loop holes, such as un-serviced land. He wondered what options were available to Council to address the loop hole.

Ms. Fraser advised that the buffer still remains so clear cutting is prohibited within 20 meters to the water course.

Mr. French added that forestry operations have to abide by the provincial regulation of a 20 meter buffer zone.

Mr. John Traves, Municipal Solicitor, explained that it is not clear that there is a loop hole, but added that HRM is in discussions with the Province regarding the regulations.

Councillor Mosher advised that in May 2012 there was a staff report before Council that indicated that staff would reassess riparian buffers requirements for residential development within the Harbour designation zone (including the North West Arm area) and that the review would be included in the RP+5 review. She added that she did not want to see any clear cutting along the North West Arm shore lines and would like to have the regulated buffer zone included in the Regional Plan review.

Mr. French agreed that there is nothing in the Regional Plan that would propose to change the water course buffer in the North West Arm.

**MOVED by Councillor Mosher, seconded by Councillor Watts that Halifax Regional Council:**

- 1. Request that staff provide a report in regard to extending the riparian buffer to 30 meters; and**
- 2. Provide a staff report in regard to policy in the Regional Plan to implement the riparian buffer for any residential development within the harbor designation.**

**MOTION PUT AND PASSED.**

The Committee discussed CDAC recommendation 10.

In response to questions from Council, Mr. French clarified that staff are looking at the Burnside Business Park expansion area and are proposing it only be used for light industrial type uses and logistical purposes. He clarified that it would not be any residential or commercial uses in the Burnside area and that the businesses that are already in Burnside Business Park would not become non-conforming.

The Committee continued with CDAC recommendation 11.

Councillor Mosher requested that Council be provided with a list projects that have been approved; the allowed density based on number of units of the projects; and what projects are being built as of right. She also requested that there be a land policy that when the Municipality sells land for development purposes that there is a time line for development to proceed on the property. She expressed frustration that if the land is sold and not developed, the Municipality loses out on property tax.

Councillors asked if there were incentives being provided for retail business to locate downtown in the Center Plan. Council agreed that there is a need to encourage retail business to the downtown core as well.

Mr. French specified that the focus is on attracting residential growth to the downtown core. He added that it would not prohibit Council from providing additional incentives to bring business to the downtown.

The Committee did not offer comment on CDAC recommendations 12 and 13. The Committee continued with CDAC recommendation 14.

**MOVED by Councillor Nicoll, seconded by Councillor Watts that the guiding principles of 6.2.2 should apply to all of the Regional Plan areas.**

**MOTION PUT AND PASSED.**

***Council agreed to adjourn Committee of the Whole at 5:15 pm on December 3, 2013 and resume Committee of the Whole on December 10, 2013.***

#### **4. ADJOURNMENT**

The meeting was adjourned at 5:15 p.m.

Cathy J. Mellett  
Municipal Clerk