

Western Region Community Council
September 26, 2011

TO: Chair and Members of Western Region Community Council



SUBMITTED BY: _____
Austin French, Manager, Planning Services

DATE: September 8, 2011

SUBJECT: Case 16811: Timberlea/Lakeside/Beechville LUB Amendments –
Public Transit Facilities

ORIGIN

HRM-initiated application to enable public transit facilities in Timberlea/Lakeside/Beechville.

RECOMMENDATION

It is recommended that Western Region Community Council:

1. Give First Reading to the proposed amendments to the Land Use By-law for Timberlea / Lakeside / Beechville to enable public transit facilities, as contained in Attachment A of this report, and schedule a public hearing; and
2. Approve the proposed amendments to the Land Use By-law for Timberlea / Lakeside / Beechville to enable public transit facilities, as contained in Attachment A of this report.

BACKGROUND

Focusing on rural transit, the HRM Regional Transit Plan (Park and Ride, Express and Rural Transportation Services) was approved in principle by Regional Council on April 1, 2008. Based on that plan, MetroX was launched in August 2009 to provide express bus service from a Park and Ride lot located at Exit 5 of Highway 103 (Tantallon) direct to Scotia Square in downtown Halifax. The non-stop trip is designed for weekday commuters, with seven inbound trips in the morning, three midday round trips, and eight outbound trips in the afternoon. Metro Transit would like to expand MetroX along the Highway 103 corridor by adding another Park and Ride lot in the Timberlea, Lakeside, Beechville planning area. This would increase the number of MetroX trips per day and overall ridership in this area of the rural commutershed.

On May 3rd, 2011 Regional Council initiated Case 16811, which included amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for the Timberlea, Lakeside, Beechville planning area to permit a transit terminal for the Metro Express (MetroX) service of Metro Transit.

When Case 16811 was first brought to Regional Council, it was unclear if an amendment to the MPS would be required to permit a public transit terminal in the planning area. However, through further analysis of the policies of the MPS it has been determined that a transit terminal is a type of community facility and could be permitted through an amendment to the Land Use By-law as an additional permitted use within the P-2 (Community Facility) Zone.

Proposal

This application proposes to amend the LUB for Timberlea/Lakeside/Beechville to define a “Public Transit Terminal” and to include “Public Transit Terminal” in the list of institutional uses permitted in the P-2 (Community Facility) Zone.

Location

When this application was first brought to Regional Council, it had been anticipated that the location for a park and ride would be next to the Bay Road Baptist Church at Exit 4 of Highway 103. Although, this is still a potential site, the proposed amendments will apply to the entire plan area (see Map 1) and will not be associated with a specific site. Ultimately, Metro Transit will be responsible to ensure the future site is appropriately selected and designed to provide the park and ride service.

Enabling Policy

Policy UR-15 of the MPS for Timberlea/Lakeside/Beechville discusses the creation of a Community Facility Zone, which encourages uses that are complementary to the residential environment of the area.

Policy TR-16 of the MPS recognizes the reliance of the planning area on the urban core for employment and other services, and the related need for expanded public transit service for the local population.

Section 4.3.2.2 of the Regional Plan speaks to rural express bus service along HRM’s 100-series

highways as one of the transportation tools to be addressed by the Public Transit Functional Plan.

DISCUSSION

The majority of the Timberlea/Lakeside/Beechville planning area is residential and under the Urban Residential Designation. Policies within the Urban Residential Designation encourage community facility uses that complement the residential nature of the area and promote the social and physical integration of those who live in the community. Policy UR-15 of the MPS supports a Community Facility Zone which permits community oriented uses such as schools, churches, hospitals, government offices, fraternal and community centers, recreation uses and fire and police stations.

The significance of transit is discussed in the MPS for Timberlea/Lakeside/Beechville and the importance of improving the services provided is emphasized. At the time the plan was written there was only one bus route that served the planning area. Since then another route has been created that follows an identical route though the service area. Both routes follow more traditional neighbourhood routes, where there are various stops on residential streets. However, over the years, transit has become more prevalent in the more rural areas of HRM. Through the adoption of the Regional Plan and the HRM Regional Transit Plan, there has been a greater emphasis for rural express buses, such as the MetroX, which include transport along the 100-series highways and strategically placed park and ride facilities that serve rural areas of HRM. When the LUB was last adopted for the planning area in 1992, although transit was encouraged, transit terminals, such as park and rides were not contemplated as a common need, especially in the more rural areas of HRM. Consequently, transit terminals were not adequately addressed in the LUB, even though they are consistent with the types of uses that are encouraged for the Community Facility Zone.

Implementation

The proposed amendments include adding a definition for Public Transit Terminal (see Attachment A) to the LUB. The definition will limit the use to public providers, mainly Metro Transit, although transit services provided by other levels of government would also be included. The definition also excludes bus depots or garages as these uses are quite different than a transit terminal and there are already provisions to permit bus depots in the C-2 (General Business) Zone, I-1 (Light Industry) Zone and the MR-1 (Mixed Resource) Zone.

It is important to note that by permitting Public Transit Terminals in the P-2 Zone this will permit the use in all other zones that permit institutional uses. These zones include the following:

- R-1 (Single Unit Dwelling) Zone
- R-2 (Two Unit Dwelling) Zone
- R-4 (Multi-Unit Dwelling) Zone
- C-2 (General Business) Zone
- R-1A (Auxiliary Dwelling Unit) Zone
- R-3 (Mobile Dwelling) Zone
- R-5 (Townhouse Dwelling) Zone
- C-3 (Service Business) Zone

Conclusion

A transit terminal provides an important service to residential environments by reducing traffic congestion and by providing further transportation options to residents. The P-2 (Community Facility) Zone of the LUB permits a variety of Institutional and Open Space uses that intend to serve those who live in the neighbourhood. Although a public transit terminal is not included in the list of uses, Policy UR-15, encourages similar types of uses and a transit terminal would be consistent with the intent of the MPS for the planning area.

BUDGET IMPLICATIONS

The costs to process this planning application can be accommodated within the operating budget for C310 Planning & Applications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a Public Information Meeting held on June 15, 2011. A public hearing has to be held by Council before they can consider approval of any amendments.

For the Public Information Meeting, notices were posted on the HRM website, in the newspaper and mailed to property owners within the notification area as shown on Map 2. The notification area was based on the proposed location for the transit terminal at Exit 4 of Highway 103. Attachment C contains a copy of the minutes from the meeting. Should Council decide to proceed with a Public Hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area will continue to be notified as shown on Map 2.

The proposed LUB amendments will potentially impact the following stakeholders: local residents and property owners, Metro Transit customers, institutional land uses.

ALTERNATIVES

1. Council may choose to approve the amendments to the Land Use By-law for Timberlea / Lakeside / Beechville contained in Attachment A. This is the recommended course of action, for reasons outlined in this report.

2. Council may choose not to approve the amendments to the Land Use By-law for Timberlea / Lakeside / Beechville contained in Attachment A. This alternative is not recommended, for the reasons outlined in this staff report.
3. Council may choose to approve certain amendments but not others contained in Attachment A or may request that additional amendments not identified in this report be made, in which case an additional staff report or public hearing may be required.

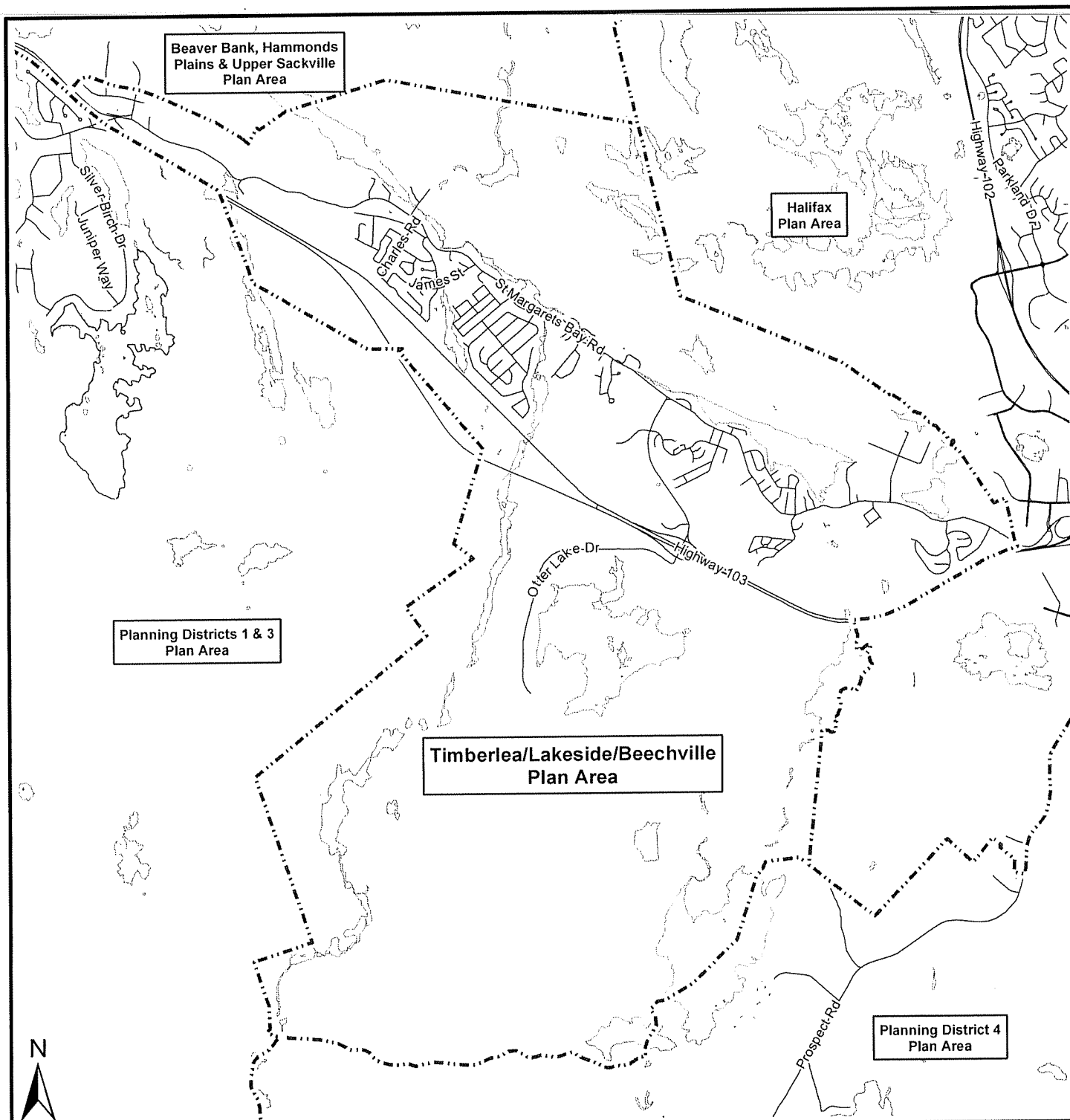
ATTACHMENTS

Map 1	Plan Area Boundary
Map 2	Notification Area
Attachment A	Proposed Amendments to the T/L/B Land Use By-law
Attachment B	Excerpts from the Regional Plan and the T/L/B MPS
Attachment C	Minutes – June 15, 2011 Public Information Meeting
Attachment D	Relevant Review of Existing Policies

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Mackenzie Stonehocker, Planner, 490-4793 / Jillian MacLellan, Planner, 490-4423

Financial Approval by: James Cooke, CGA, Director of Finance/CFO



Map 1 - Plan Area Boundary

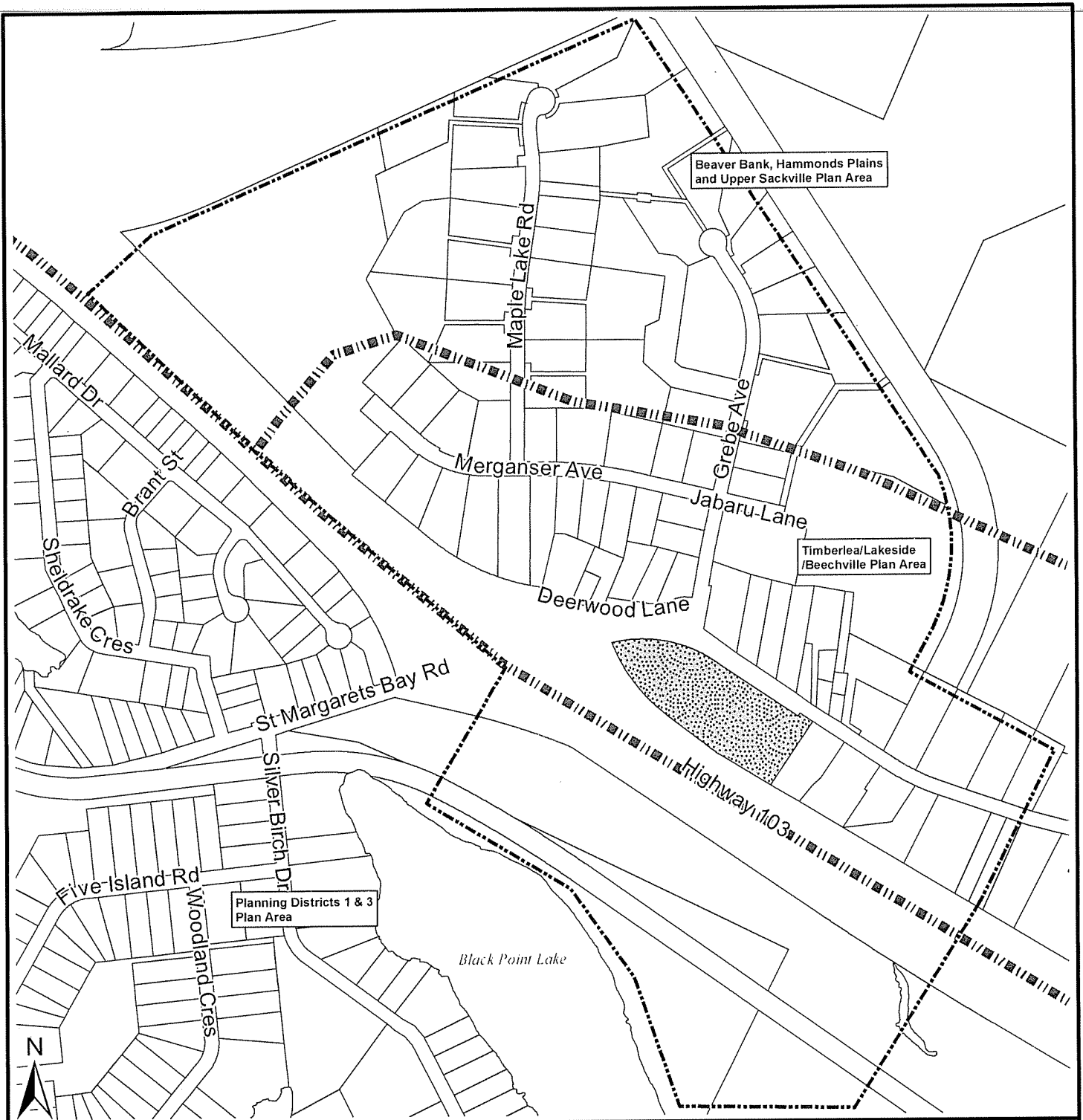
Timberlea/Lakeside/Beechville Plan Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 500 1,000 m



Timberlea/Lakeside/Beechville Plan Area

HRM does not guarantee the accuracy
of any representation on this plan.



Map 2 - Notification Area

3284 St Margarets Bay Road
Timberlea

-  Subject area
-  Area of notification

Timberlea/Lakeside/Beechville Plan Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 50 100 150 m

HRM does not guarantee the accuracy
of any representation on this plan

Attachment A:
Proposed Amendments to the Timberlea / Lakeside / Beechville Land Use By-law

BE IT ENACTED by the Western Region Community Council of the Halifax Regional Municipality that the Land Use By-law for Timberlea / Lakeside / Beechville, as amended, is hereby further amended as follows:

1. By adding the following new definition in Part 2: Definitions, between the existing definitions for “public park” and “recreation use” as follows:

2.51A PUBLIC TRANSIT TERMINAL means a designated area, with or without a building, where public transport vehicles load or unload passengers and may include parking lots for the personal vehicles for the transit users, but does not include a bus depot or bus garage.

2. By adding the words “public transit terminals” to the list of “Institutional Uses” permitted in the P-2 Zone in Part 19: P-2 (Community Facility) Zone:

I HEREBY CERTIFY that the amendments to the Land Use By-law for Timberlea / Lakeside / Beechville, as set out above, were passed by a majority vote of the Western Region Community Council of the Halifax Regional Municipality at a meeting held on the ____ day of _____, 2011.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2011.

Municipal Clerk

Attachment B:
Excerpts from the Regional Plan and the TLB Municipal Planning Strategy

Regional Plan

4.3.2.2 Bus Rapid Transit (MetroLink)

Bus Rapid Transit (MetroLink) and Rural Express Bus services provide fast, efficient and convenient transportation with limited stops, and can be a viable alternative to the single occupant vehicle. Infrastructure to support MetroLink includes transit priority signals and queue jump lanes which will allow buses to be brought to the head of the queue to expedite travel through key intersections.

Rural Express Bus service will follow the 100 series highways and serve strategically located park and ride facilities in the rural commutershed. This service will be integrated with the conventional transit services.

TLB Municipal Planning Strategy

Transit

Timberlea / Lakeside / Beechville is a suburban area which relies heavily on the cities of Halifax and Dartmouth for employment, shopping and other goods and services. With an expanding population base, the need for improved public transit becomes more apparent and necessary. At present, the Metropolitan Authority operates one bus route in the Plan Area which serves most areas along Highway No. 3.

In 1988, the Metropolitan Authority conducted a review of its Transit Routes. From the review, the Metropolitan Authority indicated that Transit service to Timberlea / Lakeside / Beechville should improve service to the area by reducing the use of loop routes, schedule changes and to use a connector road or a bus gate to link two existing subdivisions in the Greenwood area.

TR-15 It shall be the intention of Council to encourage the Metropolitan Authority to implement all of the transit improvements proposed in the "Metro Transit - Route Review Report (1988)".

TR-16 It shall be the intention of Council to support and encourage the continued provision of public transit services for Timberlea / Lakeside / Beechville.

Urban Residential Designation

UR-2 Within the Urban Residential Designation, it shall be the intention of Council to establish a single unit dwelling zone which permits single unit dwellings, community facility and open space uses, and provides for business uses and limited day care facilities located in a residence, provided that the scale of the

business and its external appearance are compatible with the residential environment. In addition, the zone shall control parking and the number and size of signs, and shall prohibit open storage and outdoor display.

UR-15

Notwithstanding Policy UR-2, within the Urban Residential Designation, it shall be the intention of Council to establish a community facility zone which permits a variety of community facility related uses such as schools, churches, hospitals, government offices, fraternal and community centres, recreation uses, and fire and police stations. In considering amendments to the land use by-law to a community facility zone, Council shall have regard to the provisions of Policy IM-12.

Attachment C:
Minutes – June 15, 2011 Public Information Meeting

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE # 16811

Wednesday, June 15, 2011, 7:00 pm

Lakeside Community Centre, 1492 St. Margarets Bay Road, Lakeside

IN ATTENDANCE: Mackenzie Stonehocker, Planner, HRM Planning Services
Jillian MacLellan, Planner, HRM Planning Services
Hilary Campbell, Planning Technician, HRM Planning Services
Sharlene Seaman, Planning Controller, HRM Planning Services
Councillor Reg Rankin

ALSO IN
ATTENDANCE: Dave Reage, Metro Transit
Maribeth Wilson, Metro Transit

PUBLIC IN
ATTENDANCE: Approximately 8

The meeting commenced at approximately 7:00 pm.

1. Opening remarks / Introductions / Purpose of meeting – Mackenzie Stonehocker

Mackenzie Stonehocker introduced herself, Planning staff, Metro Transit staff and the district councillor. She welcomed everyone to the meeting and explained that the public information meeting was an opportunity to get feedback from the public concerning requirements for Metro Transit facilities.

She advised that the purpose of the meeting was to explain the process involved in amending a Municipal Planning Strategy and a Land Use By-law and for Metro Transit to explain their plans for the area. As Planning staff, she was there looking for feedback on what land use controls should be in place for Metro Transit facilities, throughout the Timberlea / Lakeside / Beechville area, such as setbacks, landscaping, shared parking and so on.

She noted that Regional Council asked the Planning department to look into amending the Timberlea / Lakeside / Beechville Municipal Planning Strategy since right now it only supports transit in a general way. The plan dates back to before amalgamation, so it doesn't address the current scale of Metro Transit. The Land Use By-law doesn't specifically address transit. There is only one zone where you could have a bus depot or a parking lot, but that is a general commercial zone that wouldn't be appropriate to apply in most parts of Timberlea / Lakeside / Beechville.

She noted that the planning documents are outdated in this respect. On May 3, 2011, Regional Council initiated a plan amendment process, which led to this public information meeting. Through the plan amendment process, HRM staff is to consult with the public to come up with requirements for transit facilities.

She believes that while some transit facilities, like bus garages, should definitely be in industrial parks, other transit facilities, such as park and rides, need to be closer to the people that they serve. The end result of this planning process would likely be a set of amendments that would allow for certain transit facilities throughout Timberlea / Lakeside / Beechville.

2. Overview of planning process / Presentation of Proposal – Mackenzie Stonehocker

She showed that subject property and explained that the specific project driving this planning application is a proposed park and ride lot at Exit 4, which would expand the MetroX service along the Highway 103 corridor. MetroX is Metro Transit's rural commuter service. It currently goes from Exit 5 in Tantallon, straight downtown to Scotia Square during the week. The plan is to subdivide the subject property into two. The existing church will be on one half and the park and ride will be on the other half.

She showed the proposed site plan. The footprint of the existing church was shown in red, and the existing driveway was shown on the right side of the plan. That driveway will be used by people coming to either the church or the park and ride lot. A new bus loop would be added opposite of Grebe Avenue, which is where the MetroX buses would come and go. There are a couple of wetlands on the site, which were outlined in green, which is why the bus loop and parking lot were oriented that way.

Ms. Stonehocker advised of the steps for a plan amendment. The first steps are initiation by Regional Council, which happened in May, and then a public information meeting, to answer questions and get comments and feedback from the public. After the public information meeting, staff will use that feedback from the public, and comments from other HRM departments, to draft amendments. Along with the minutes from the meeting, staff will send a staff report to Council with proposed amendments, and they will schedule a public hearing. The public hearing is another opportunity for the public to speak, or written submissions can be sent to the Municipal Clerk's office in advance of the hearing. After the public hearing, Council will make their decision, based on both staff's recommendation and the public hearing.

She gave the ground rules, provided her contact information and opened the floor for questions and comments.

3. Questions / Comments

Keith Ayling, The Masthead News, asked if the public hearing would be held at Western Region Community Council.

Ms. Stonehocker stated that it would depend on what amendments would be need. A plan amendment and a Land Use By-law amendment would be done at Regional Council. If is just a Land Use By-law amendment, it would go just to Western Region Community Council.

Councillor Rankin stated that there appears to be a budget available for the park and ride. He asked Mr. Reage if the target was for 2012.

Dave Reage stated that the target is for November of 2011.

Councillor Rankin stated that he realized that the process takes time and noted that there was no intention for the piece of land to be not considered for transit.

Ms. Stonehocker stated that when the Land Use By-law was put in place, there was no contemplation of transit. The Timberlea / Lakeside / Beechville plan basically states that the area is beside a city that employs a lot of people and people would take the bus from their homes to the downtown. She noted that there are other departments, such as Metro Transit, Planning, Real Estate and Council that are involved in the process. There are a number of steps involved in the process.

Rob Doucette, Maple Lake Road, asked if the current transit system that exists within Timberlea/ Lakeside / Beechville would make its way to the church as well.

Mr. Reage stated that there is no plan currently to do that. Those buses will continue to run to the current termination point. It is a less densely populated area for running a bus down the street every hour. A park and ride is more feasible for people to come to the bus as opposed to the bus coming to them.

Mr. Doucette asked if there would any stops on the way.

Mr. Reage stated that it would a direct route to Scotia Square.

Mr. Doucette believes it might be more feasible if there was another stop, perhaps around Park Lane.

Mr. Reage stated that it becomes a slippery slope because if they add a stop, and then another, it would not be an express service. There is a study ongoing with Transportation and part of the study is looking at transferring at certain points on the Peninsula.

Mr. Doucette stated that is sounds like a very good project.

Wesley Strome, Merganser Avenue, stated that he is in favour of the project and feels that it is a long time coming. He doesn't live in the city and states it is about 4 kilometers to the nearest bus route. He asked if it would just be the buses turning into that bus loop.

Ms. Stonehocker stated that, at this point, it would only be buses.

Mr. Strome is concerned about the sight lines. If buses are turning out into oncoming traffic, there might be a concern for safety. He doesn't want to see all the trees removed but he would like to confirm that there is a safety issue.

Ms. Stonehocker stated that there was a traffic impact study done and some of the trees will be cleared so the buses have clear sight lines, in order to meet the Department of Transportation's requirements.

Mr. Strome asked if there were any plans for the church to have other development.

Ms. Stonehocker stated that the plan is for HRM to purchase one half of the lot and the church to own the other half. The church would be staying and the parking lot would be shared. Commuters can use the parking lot during the week and on the weekend, the church patrons would use it.

Councillor Rankin asked if the zone on the property would remain the same.

Ms. Stonehocker stated that the property is currently zoned R-1, which is a single family dwelling zone. This applies to many lots in the area. In that zone, there can be an institutional use or a home. If the church wanted to sell the land to a family to place a home on the lot, that would still be okay.

Councillor Rankin asked if the shuttle bus is shorter than a regular bus. If so, he feels that it could move out into the road faster than a longer bus. It would be running at peak times and would not interfere with activity during the day.

Mr. Reage stated that there would not be much impact in the level of traffic. The traffic study found that the park and ride would not have a significant impact on operations in the area but in fact, diverted some of the traffic because less people would be driving at peak times.

Mr. Strome stated that they might need buses to be more frequent or to have larger buses due to the fact that the park and ride has 48 parking spaces and they may not be enough. He referred to the Tantallon park and ride being more crowded than anticipated.

Mr. Reage feels that there will be plenty of capacity as there will be approximately 10 trips per day. The times chosen are appropriate to the working person.

Mr. Strome stated that he would have to go down to Scotia Square and backtrack if he needed to go somewhere other than downtown. He appreciates the idea of the express bus but it would be no value to him.

Greg Decoste, St. Margarets Bay Road, noted that the speed limit is currently 80 kilometers per hour, which might be too fast for a bus turning out into traffic. He currently has issues with people parking in front of his house and is concerned that this will be increased. He has watched the traffic and believes that parking will be an issue. He asked if they will be putting up signs or putting up cameras for safety. He feels that there are some inappropriate behaviours happening

near the proposed site and would like it monitored. He feels that the park and ride in Tantallon is overcrowded and doesn't want to see that happen again.

Keith Ayling asked if the church owns all of the land.

Ms. Stonehocker stated that they do. The planning process is necessary prior to HRM's Real Estate purchasing the land.

Mr. Decoste asked when the minutes would be available.

Ms. Stonehocker stated that when the minutes are completed, they will be available on the website or they will go straight into the staff report, if it is ready. The staff report should be ready a month prior to the public hearing. The notification has to be done at least two weeks in advance.

Councillor Rankin noted that there should be no assumptions as to what the outcome will be from the public hearing. Written submissions are a good way of expressing support or concern.

Ms. Stonehocker stated that the public can email or submit a letter to the Municipal Clerk's office as those submissions are circulated to all of the Councillors.

Councillor Rankin stated that the Councillors would like to affirm that is it not just him or herself speaking but they are representing the public opinion.

Rob Doucette stated that he is not a member of the church but he believes that the purchase of the existing church lands, that they don't need, would be quite beneficial as he believes the church is not doing well financially.

Keith Ayling asked what the budget or cost is for the project.

Councillor Rankin stated that he believed it to be about \$650,000. A minority part of that budget is the purchase of the property. The bulk will be going towards improvements to accommodate the park and ride.

Mr. Ayling asked if the site plan was available on the website.

Ms. Stonehocker stated that it was.

Councillor Rankin stated that the cost would be an upfront cost. It would not be recurring.

Ms. Stonehocker asked for any other questions. She gave her contact information and thanked everyone for coming.

4. Adjournment

The meeting adjourned at approximately 7:30 pm.

Attachment D:
Review of Relevant Policies from the Timberlea, Lakeside, Beechville MPS

Policy Criteria	Staff Comment
<p>URBAN RESIDENTIAL DESIGNATION</p> <p>UR-2 Within the Urban Residential Designation, it shall be the intention of Council to establish a single unit dwelling zone which permits single unit dwellings, community facility and open space uses, and provides for business uses and limited day care facilities located in a residence, provided that the scale of the business and its external appearance are compatible with the residential environment. In addition, the zone shall control parking and the number and size of signs, and shall prohibit open storage and outdoor display.</p>	<p>This Policy encourages Community Facility Uses to be permitted in the single unit dwelling zone.</p>
<p>UR-15 Notwithstanding Policy UR-2, within the Urban Residential Designation, it shall be the intention of Council to establish a community facility zone which permits a variety of community facility related uses such as schools, churches, hospitals, government offices, fraternal and community centres, recreation uses, and fire and police stations. In considering amendments to the land use by-law to a community facility zone, Council shall have regard to the provisions of Policy IM-12.</p>	<p>This policy establishes the Community Facility Zone and encourages uses that provide services for the residents of the planning area such as schools, churches and fire or police stations. A public transit terminal is consistent with the types of uses encouraged through this zone as it is an expansion of a mainly municipal service that provides residents further options for transportation.</p>
<p>TRANSPORTATION AND UTILITIES</p> <p>TR-16 It shall be the intention of Council to support and encourage the continued provision of public transit services for Timberlea / Lakeside / Beechville.</p>	<p>Including public transit terminals in the Community Facility Zone of the LUB will allow metro transit to provide further services as transit services evolve</p>