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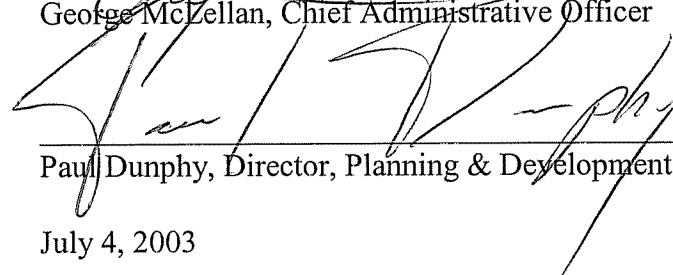


PO Box 1749
Halifax, Nova Scotia
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Regional Council
July 15, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
George McLellan, Chief Administrative Officer


Paul Dunphy, Director, Planning & Development Services

DATE: July 4, 2003

SUBJECT: Case 00603: Amendments to the Sackville Drive Secondary Planning Strategy (MPS) and Land Use ByLaw (LUB).

ORIGIN:

1. Initiated by HRM Planning and Development Services.

RECOMMENDATION:

It is recommended that Regional Council:

- (a) Approve initiation of the process to amend the Sackville Drive Secondary Planning Strategy and Land Use ByLaw to address several inconsistencies, omissions and housekeeping matters; and
- (b) Request staff to follow the Public Participation Program as approved by Council in February 1997.

BACKGROUND:

In May of 2002, Regional Council approved the adoption of the Sackville Drive Secondary Planning Strategy (SPS) and Land Use Bylaw (LUB). The impetus of this plan was a strong community (business and residents) desire for a well-functioning and visually attractive main street - neither of which Sackville Drive exemplified. The SPS and LUB are viewed as the primary tools for addressing these functional and visual problems.

DISCUSSION:

When the Sackville Drive SPS and LUB was adopted in May 2002, staff indicated a review may be necessary within approximately a year to address any inconsistencies, omissions or housekeeping matters within the SPS and LUB. Inconsistencies and omissions are common with the adoption of any new Plan and Bylaw.

Since the Plan's implementation, over a year ago, staff has processed numerous planning inquiries and development permits. Permits such as the redevelopment of Sobeys and Kibbles and Clips, as well as the new Canadian Tire, Empire Cinema 7, and Wendy's within the Downsview Complex area. Consequently, during the reviews staff discovered several inconsistencies and omissions in SPS policy as well as the Land Use Bylaw.

The proposed revisions to the Sackville Drive SPS include:

- (a) editing Policy DB-3 and Policy I-4 (a) (i) to exempt service stations from the development agreement requirement within the Downsview - Beaver Bank Designation as indicated in policy preamble and the Land Use Bylaw;
- (b) exempting additions, of a specified size, to existing buildings from the development agreement requirement within the Acadia Village Centre (VC) zone;
- (c) defining "redevelopment" in Policy AV-3; and
- (d) correcting several housekeeping matters such as policy labelling and numbering and policy cross references.

The majority of the inconsistencies, omissions and housekeeping matters discovered by staff are revisions to the Land Use ByLaw. Amendments to the Land Use ByLaw are the jurisdiction of the North West Community Council and these matter will be forwarded to the Community Council at the appropriate time.

Summary

Staff is seeking the approval from Regional Council to initiate the Plan amendment process to amend the Sackville Drive Secondary Planning Strategy and Land Use Bylaw to address the inconsistencies,

omissions and housekeeping matters which are identified above. It is the recommendation of staff that Council implement the Public Participation process for plan amendments to ensure these outstanding issues are addressed to clarify permit requirements and the intent of plan policy.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN:

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

ALTERNATIVES:

The following alternatives are presented to Regional Council for consideration:

1. Council may choose to initiate the MPS amendment process. This is the staff recommendation.
2. Council may choose not to initiate the MPS amendment process. Council is under no obligation to initiate a process to amend an MPS or to adopt requested amendments.

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210 or 490-4208 (fax).

Report Prepared by: Thea Langille-Hanna, Planner II (869-4262)
