

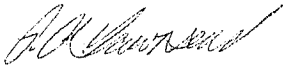


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4.1.9

Chebucto Community Council
January 9, 2012

TO: Chair and Members of Chebucto Community Council

SUBMITTED BY: 
Phillip Townsend, Director, Planning and Infrastructure

DATE: December 9, 2011

SUBJECT: 25 Alton Drive, Halifax – Future Land Use

INFORMATION REPORT

ORIGIN

On October 3, 2011, Chebucto Community Council passed the following motion:

MOVED by Councillor Mosher, seconded by Councillor Wile, that Chebucto Community Council request an Information Report from Planning staff describing the existing zoning and the by right potential as well as the process that would be followed should the property owner of 25 Alton Drive wish to rezone this parcel of land. MOTION PUT AND PASSED.

BACKGROUND

The subject property is located in the community of Armdale at the north east corner of Kelly St. and Alton Dr. The surrounding land uses are mainly low density residential. There is a 31 unit residential building on the opposite corner (26 Alton Dr.) and a 48 unit residential building on the opposite side of Kelly St. (36 Kelly St.) There is also a small neighbourhood park located on the opposite side of the property (see Map 1).

The subject property is 2.97 acres and is zoned P (Park and Institutional) in the Land Use By-Law for Halifax Mainland (LUB). The property is designated Institutional in the Mainland South Secondary Plan of the Municipal Planning Strategy for Halifax (MPS) (see Map 2) and is designated Urban Settlement in the Regional Plan.

The property has been used as a nursing home since 1965. The nursing home was acquired by GEM Health Care, the current owner, in 1984. Councillor Mosher indicated that this facility is no longer going to be used as a provincially licensed nursing home and the residents are moving to other facilities in the spring of 2012. Residents in the area are concerned about the future re-development potential of this parcel of land.

DISCUSSION

P (Park and Institutional) Zone

The P Zone permits open space uses such as public parks, recreational fields and cemeteries, and institutional uses such as community facilities, hospitals, schools, churches, libraries and day care facilities (see Attachment A). The existing nursing home is a permitted use under the P Zone.

Buildings within the P Zone are subject to the setback requirements similar to those of the R-1 (Single Family Dwelling) Zone. Buildings are to be 12 feet from all other buildings, 20 feet from all street lines, and 8 feet from all other property lines. It is important to note that there are no height or density limitations within the Land Use By-Law for the P Zone. All buildings would be subject to the requirements of the National Building Code and density would be subject to the servicing capacity of Halifax Water.

Institutional Designation

The policies within the institutional designation discuss the types of institutional uses to be considered in this designation (see Attachment B). Public, quasi-public and non-commercial private institutional uses are supported within this designation. Using the property for any other type of development would require an amendment to the Municipal Planning Strategy.

The Institutional designation further encourages the re-use of existing institutional areas and facilities, so before any other types of uses could be considered, it would first need to be determined that there is not another institutional use that would be appropriate for the site.

Amending the Municipal Planning Strategy

If an application was brought forth to amend the MPS to re-designate the property and permit another type of land use, staff would first evaluate the application based on existing policies in the MPS and Regional Plan and the appropriateness of the proposal. A report would be prepared for Regional Council outlining staff's recommendation as to whether the initiation of the MPS amendment process is warranted. Regional Council would need to approve initiation of the application before any community consultation or further review of the proposal could occur.

If initiation is approved, public consultation would be achieved through a Public Information Meeting and through sharing information on the Municipality's website. Staff would complete a detailed review of the application and provide recommendation again to Regional Council concerning the approval of the application. Before Regional Council can make their decision, recommendation would also be sought from the Chebucto Community Council and a public hearing would also need to be undertaken.

If approved by Regional Council, the amendments must also be approved by the Provincial Minister of Service Nova Scotia and Municipal Relations. Attachment C provides an outline of the process for an MPS Amendment and Rezoning. It is important to note that Regional Council's decisions to both initiate and approve the application are not appealable. To date, an application to re-develop the lands has not been submitted.

BUDGET IMPLICATIONS

There are no budget implications.

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

This is an Information Report. Community Engagement is not required.

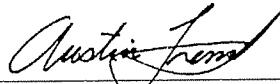
ATTACHMENTS

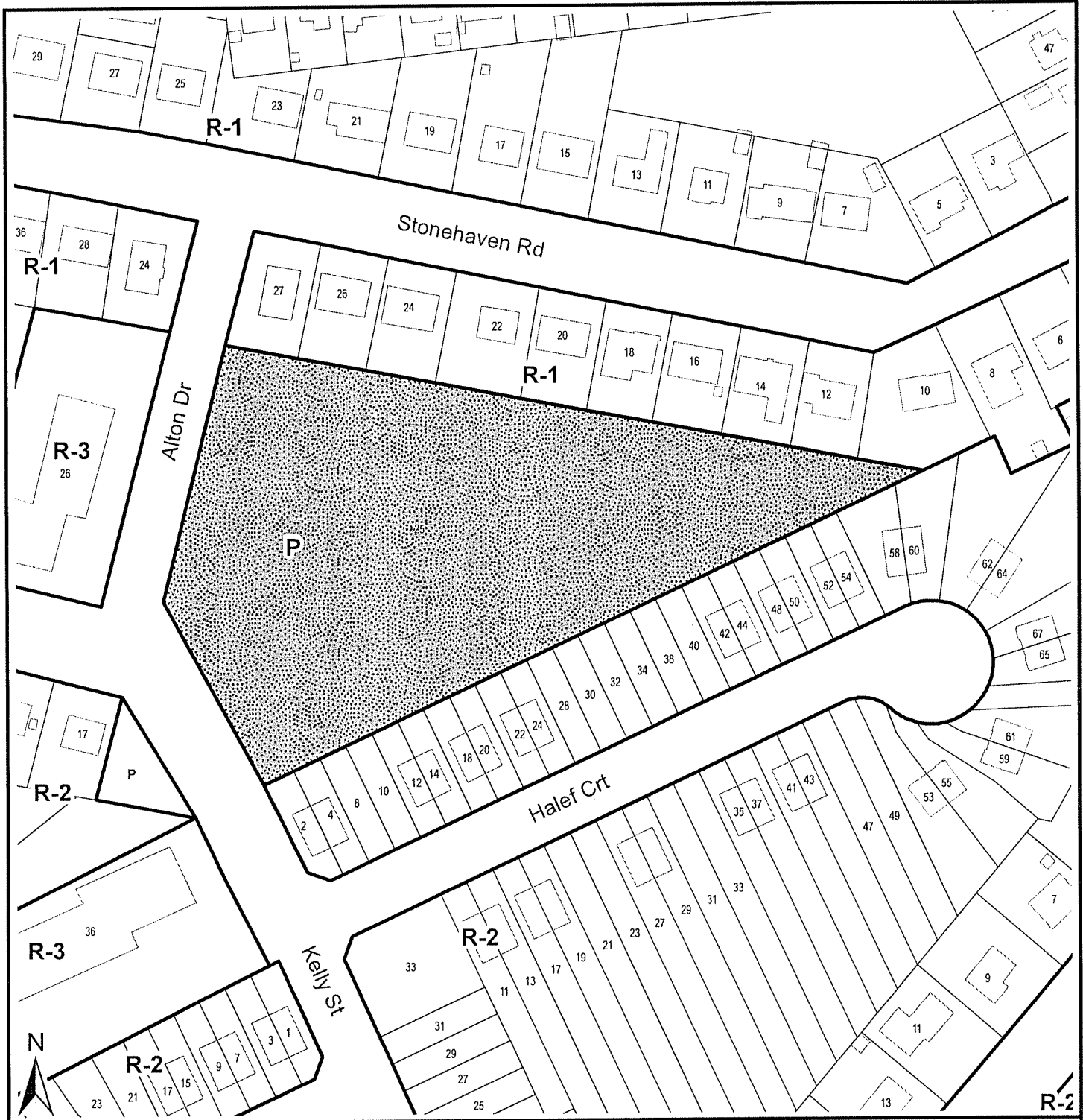
Map 1	Location and Zoning
Map 2	Generalized Future Land Use
Attachment A	P (Parks and Institutional) Zone from the Land Use Bylaw for Halifax Mainland
Attachment B	Section X Part 3 of the MPS for Halifax

Attachment C (Institutional Designation Policies of the Mainland South Secondary Plan)
Planning Application Approvals Process – Municipal Planning Strategy
Amendment and Rezoning

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: Jillian Maclellan, Planner I, 490-4423

Report Approved by: 
Austin French, Manager of Planning Services, 490-6717



Map 1 - Location and Zoning

25 Alton Drive
Halifax

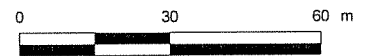
 Subject area

Zone

- R-2A General Residential Conversion
- R-3 Multiple Dwelling
- P Park and Institutional

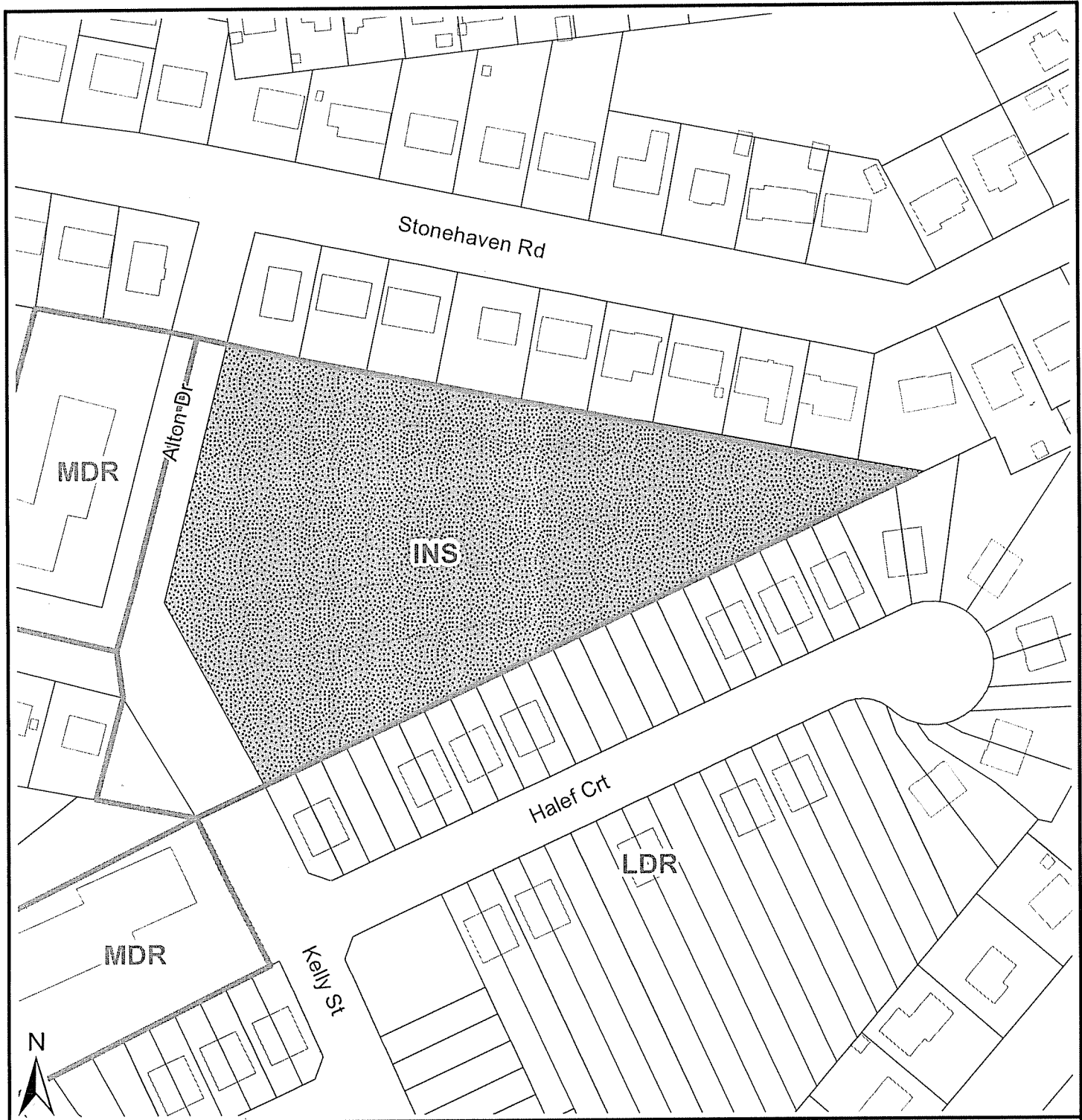
Halifax Mainland
Land Use By-Law Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES




This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

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



Map 2 - Generalized Future Land Use

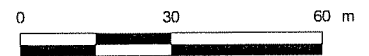
25 Alton Drive
Halifax

 Subject area

Halifax Plan Area
Mainland South Secondary Plan Area

Designation

- LDR Low Density Residential
- MDR Medium Density Residential
- INS Institutional



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Attachment A
P (Parks and Institutional) Zone from the Land Use Bylaw for Halifax Mainland

P ZONE
PARK AND INSTITUTIONAL ZONE

- 51(1) The following uses shall be permitted in any P Zone:
- (a) a public park;
 - (b) a recreation field, sports club, and community facilities;
 - (c) a cemetery;
 - (d) a hospital, public school, university, monastery, church, library, court of law, or other institution of a similar type, either public or private;
 - (e) an institution used for the advancement of public school education services;
 - (f) uses accessory to any of the uses in (a), (b), (c), (d) and (e);
 - (g) **day care facility (RC Mar 3/09; E - Mar 21/09) .**
- 51(2) No person shall in any P Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).
- 51(3) No person shall in any P Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

SIGNS

- 52 No person shall in a P Zone erect, place or display any billboard or sign except:
- (a) One fascia sign per building elevation facing a street;
 - (b) One fascia sign for the building elevation containing the main entrance where such entrance does not face a street;
 - (c) One free standing sign not to exceed 12 feet in height and 40 square feet in area (per side) per vehicular entrance and pedestrian entrance where such entrance is not part of a vehicular entrance, provided, however, that where the property contains more than one principal park and institutional use such sign shall not exceed 18 feet in height and an additional 10 square feet of area may be added to a maximum of 80 square feet (per side) for each additional park and institutional use;
 - (d) The signs permitted by (a), (b), and (c) may be illuminated;
 - (e) The signs permitted by (a), (b), and (c) shall be limited to indicating the name of the building or site and civic address of the property on which it is located, the logo, slogan or motto of the occupant of such building or site; and
 - (f) The signs permitted by (a), (b) and (c) may also contain a changeable message area which shall be limited to indicating the name, date and time of an event taking place on the site.

REQUIREMENTS

- 53 Buildings erected, altered or used for P uses in a P Zone shall comply with the following requirements:

- (a) Every building shall be at least 12 feet from any other building and at least 8 feet from the rear and both side lines of the lot on which it is situated and at least 20 feet from any street line in front of such building;
- (b) Notwithstanding the provisions of clause (a), a carport or a detached or attached non-commercial garage shall be located not less than 4 feet from the rear and both side lines of the lot on which it is situated, and shall be located 8 feet from any other building;
- (c) Where a building is situated on a corner lot, it shall be at least 20 feet from each street line abutting such lot.

DRIVEWAY ACCESS

53A(1) In the "**Bedford Highway Area**" one vehicle access point shall be permitted to the Highway from each lot with 100 feet of frontage or less and two vehicle access points shall be permitted for each lot with frontage greater than 100 feet.

53A(2) For the purposes of Subsection (1), the vehicle access point shall not exceed 35 feet in width and shall be defined by curbing, planting or a similar device that will not obstruct the view of traffic.

Attachment B
Section X Part 3 of the MPS for Halifax
(Institutional Designation Policies of the Mainland South Secondary Plan)

3. INSTITUTIONAL

Objective Public and private institutional uses to serve the Mainland South area and the City.

- 3.1 Institutional development may comprise public, quasi-public and non-commercial private institutional uses devoted to the provision of social, cultural, health, educational and recreational services.
- 3.1.1 Institutional uses may be considered throughout Mainland South, through rezoning. In considering such rezoning, the City shall have regard for compatibility with neighbouring residential uses in terms of scale, size, intensity of use, traffic generation, and noise.
- 3.2 The City shall encourage existing institutional uses to remain in their present locations, and shall encourage the re-use of such institutional areas and

Municipal Planning Strategy Amendment and Rezoning

- Complete application received
- Preliminary review of proposal
- Initiation report (includes recommendation on whether to consider amendments)
- **Decision by Regional Council to initiate MPS amendment / rezoning process**
- Public information meeting
- Detailed review of proposal
- Staff report (includes recommendation on MPS amendment and rezoning)
- Recommendation from Community Council
- First reading at Regional Council
- Public hearing at Regional Council for both MPS amendment and rezoning
- **Decision by Regional Council on MPS amendment / rezoning – no appeal process**
- Ministerial approval – Service Nova Scotia and Municipal Affairs
- Notice of approval of MPS amendment and rezoning published
- Subdivision or building permit applications when changes are in effect

*Estimated time to final decision:
10 months*

*Estimated time is based on a typical case;
however, delays may occur at any step*