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Harbour East Community Council  
May 11, 2009

**TO:** Chair and Members of Harbour East Community Council

A handwritten signature in black ink, appearing to read "Mike Labrecque", written over a horizontal line.

**SUBMITTED BY:** \_\_\_\_\_  
Mike Labrecque, Director, Transportation and Public Works

**DATE:** April 30, 2009

**SUBJECT:** Business Park Development Functional Plan (Part I) - Case 01222: Re-zoning - Dartmouth Crossing

## INFORMATION REPORT

### ORIGIN

Item 10.4 (3), April 2, 2009, Meeting of the Harbour East Community Council- Request for an information report from staff prior to the May 11, 2009, public hearing for the above referenced re-zoning application concerning how the re-zoning would affect the Business Parks Development Functional Plan for the Greater Burnside area.

## BACKGROUND

Under the Regional Plan, HRM established a Burnside Comprehensive Development District (BCDD) Zone within the Dartmouth Land Use By-Law. At Council's discretion, and subject to a re-zoning process, this zone may be applied to portions of the lands east and north of the Burnside and City of Lakes Business Parks. The BCDD Zone permits a mix of multiple unit dwellings, townhouses, commercial, office, institutional and recreation uses subject to provisions of a development agreement. It is important to note, while staff and Council are required to have regard for criteria of specific implementation policy when considering zoning amendments and development agreements, Subsection 5.3.2 of the Regional Plan also emphasizes the importance for staff and Council to have regard to the findings of the business park development plan in considering applications of mixed use development in this area, stating that *"it is important that the location of residential uses be carefully considered in the context of the overall business park development plan to reduce and mitigate potential land use conflicts related to noise, odour, safety, traffic and related issues."*

The Business Parks Development Functional Plan "Functional Plan" is a key implementation initiative of the Regional Plan. As directed under the Regional Plan, the Functional Plan investigated various topics important to the long term development and sustainability of the region's business parks. More specifically, the Regional Plan under Section 5.5.3 directed the Functional Plan to consider incorporating residential uses in *"appropriate locations"*.

Regional Plan policies do not obligate Council to approve a re-zoning to the BCDD Zone, but rather enable Council and staff to consider this as an option with discretion. It is notable that Regional Plan policy does not prescribe specific sites within the broad land area identified in policy as having potential to accommodate mixed use development. When the Regional plan was written and approved in 2006, HRM Staff and Council did not have the benefit of the findings of the Functional Plan as an important and comprehensive background study. The new information provided by the Functional plan was intended to provide guidance, serve as a basis from which to consider future amendments to land use policy and by-law and should set future priorities for business park development within HRM.

In September 2008, Regional Council approved Part I of the Functional Plan in principle and initiated the process of implementing the land use related findings by directing staff to undertake a planning process to amend land use policy and by-law as required.

The following discussion provides an overview of the findings of the Functional Plan, with specific regard given to Dartmouth Crossing Limited's re-zoning application and the opportunities and limitations of integrating residential development in and near business parks.

## DISCUSSION

The Functional Plan does not oppose residential development in the Greater Burnside area, rather it supports the stated intent of the Regional Plan to consider incorporating residential uses in *"appropriate locations"* to reduce and mitigate potential land use conflicts. Section 7.3 of the Functional Plan identifies that *"...residential development could be considered in a business park setting that does not abut with or replace traditional industrial land uses. It makes sense to allow residential housing in close proximity to business-type uses such as office and retail..."*

With regard to the Greater Burnside area, the Functional Plan identifies that integrating residential areas within Dartmouth Crossing's proposed Ridge Office Campus at the southwest portion of the Dartmouth Crossing would be consistent with the Regional Plan and Functional Plan. Such a proposal at this location would create a mix of residential, retail and office uses adjacent to the City of Lakes Business Park which is designated for office related development only. It is important to note, there are several areas within Dartmouth Crossing that would be considered appropriate locations to integrate residential development in a comprehensively planned mixed use community under the findings of the Functional Plan.

In specific regard to Case 01222 - Re-zoning Dartmouth Crossing, the Functional Plan finds that a mix of residential development at the proposed location would impact/conflict with the findings of the Functional Plan and future development of Burnside Park as follows:

- ▶ **The Functional Plan has identified a shortage of serviced industrial land in HRM and recommends that HRM should not promote residential development adjacent to industrial land uses nor should HRM support conversion of existing industrial zoning to residential and commercial zones thereby reducing an already strained industrial land reserve.**

The Functional Plan includes an analysis conducted to assess the suitability of lands in HRM for future business park uses. Areas with good suitability do not appear in great abundance, so the Functional Plan indicates some urgency about securing the potential for future business park uses in these areas. In general, the Functional Plan identifies the remaining Greater Burnside lands as having high suitability for business park use.

“Given the municipality's experience with the loss of light industrial land to commercial uses in Bedford Commons and Dartmouth Crossing, this plan recommends a tighter zoning regime for the entire region that would prevent industrial land from being eroded for commercial and office uses.” (Section 7.3, Functional Plan)

The terms “industrial park” and “business parks” are often used interchangeably and that actual industrial/commercial land uses can vary widely in application. A good understanding of the distinction in land uses needs to be made. Over the years, Burnside has been referred to as “Burnside Industrial Park” and is now more commonly referred to as “Burnside Business Park” which is more a product of common marketing and branding practices than a reflection of the variety of industrial and commercial land uses which have traditionally comprised the park. Dartmouth Crossing has also identified itself as a “business park”, but is clearly different from Burnside in its development form, target market and land uses. Dartmouth Crossing could interchangeably brand itself as a “retail park” or “retail power centre” based on its development of consumer related retail that dominate the development.

The city owned industrial land strategies of various regions across Canada recognize not only the potential incompatibilities of residential uses adjacent to industrial but also the incompatible nature of lighter commercial/retail, office uses next to heavier commercial and industrial uses.

As at the date of this report, the supply of future industrial lands within Burnside is as follows:

* areas are estimated net acreage with future streets and major wetlands deducted			
<b>BURNSIDE PARK</b>	<i>Industrial</i>	<i>Lands Below</i>	<b>TOTAL</b>
<i>Current HRM Owned Land not under deposit</i>	<i>(Acres)</i>	<i>Powerline (ac)</i>	
Phase 12 - Burnside (Current Phase of Development)	167.47	131.55	299.02
Phase 13 - Burnside (Future Phase of Development)	n/a	n/a	270.30

- ▶ **The Functional Plan has identified that re-zoning could create potential land use conflicts between both existing industrial businesses in Burnside.**

A unique and beneficial characteristic of Burnside, that has been a part of its success, is that park operations and opportunities for growth have not been restricted by pressures related to residential development. Development of residential uses within the Greater Burnside would require comprehensive planning to avoid land use conflicts with existing and future industrial and commercial uses.

The Regional Plan states that limitations should be placed upon the extent of residential development to “ensure it does not become the predominant land use in this area” (RMPS Section 5.3.2). The Regional Plan sets out that residential density for townhouses and multi-unit dwellings should not exceed 89 and 124 units per hectare respectively. The potential resulting residential population of this 31.5 hectare property would be considered substantial.

In response to minimizing land use conflicts even amongst various industrial and commercial uses, the Functional Plan has identified an eastern portion of future Phase 13 Burnside as General Industrial area intended for traditional industrial type uses not typically considered compatible with lighter industrial and commercial uses.

An additional consideration of locating of such residential uses directly adjacent to major transportation routes into and out of Burnside Park would have high potential for conflict with residential. The proposed lands for re-zoning are bounded to the north and east by Highway 118 and is in close proximity to Akerley Blvd/Hwy107 which is the major interprovincial trucking route into and out of Burnside.

- ▶ **The Re-zoning of the lands to BCDD can potentially have an adverse impact on the industrial/commercial transportation network serving Greater Burnside.**

The inclusion of residential development and lighter commercial/retail uses in the subject lands would most certainly preclude the connection of direct transportation networks from Burnside. The effect will be that all of Phase 12 Burnside will have only one main thoroughfare outlet onto Wright Avenue at Wilkinson Avenue. The major intersection of Findlay Ave. and Wright Ave. would likely service the Dartmouth Crossing Lands only in order to keep the heavier industrial/commercial transportation from crossing through residential development.

HRM should ensure a detailed traffic study is undertaken on the potential impacts to the transportation network of Greater Burnside. This situation could be potentially alleviated by connecting the Findlay Ave intersection directly through to Burnside thereby providing a natural separation in residential and industrial traffic.

## **Conclusion**

The Regional Plan included an in-depth public consultation process and opportunities for feedback prior to its adoption by Regional Council. The Plan recognizes the importance of the business parks to the regional economy and emphasizes the need to mitigate the risks posed by potential land use conflicts.

The findings and recommendations of the Business Parks Functional Plan are consistent with the Regional Municipal Planning Strategy and the Economic Strategy for HRM. Opportunities exist for mixed use residential development within Greater Burnside so long as it is comprehensively planned and appropriately located.

Should the subject lands be re-zoned to BCDD, Council should give appropriate regard to the potential risks associated with introducing a large mixed use community in proximity to an established industrial area by ensuring:

- the residential component of the development is adequately separated and buffered from the adjacent industrial lands and major commercial transportation routes to ensure there is no adverse impact on the continued development of Burnside Park;
- the total residential development potential within the Burnside Potential Mixed Use Area (RMPS Map 12) is monitored and constitutes a minor portion of the Greater Burnside Area.; and
- the safety and efficiency of all transportation systems including the potential for any adverse impact upon the existing and continued industrial development of Burnside Business Park.

## **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, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ATTACHMENTS**

None

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

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John MacPherson, Real Estate Officer, Real Estate & Facility Services, TPW 490-1582

### Council Report Sign-Off Sheet

**Subject:** Business Park Dev. Function Plan Part 1 Case 01222 Re-zoning Dartmouth Crossing

Meeting Date: \_\_\_ May 11 HECC     Regular Council     In Camera     Information Report X  
 Community Council     Board/Committee

Prepared by: Mike Wile, Real Estate & facility Services, TPW \_\_\_ Date: April 30, 2009  
 Name and Business Unit

√	Stakeholder - Internal	Reviewed By	Date/Time	Time Spent on Report	Initial/Signature
	Not Required (unique to originating BU)				
	BPIM				
√	CD				
√	FINANCE - FinTrack - Accounts - Financial Consultants - Procurement - Manager				
	FIRE				
	HR				
	IAM				
	LEGAL - By-Laws - Admin Orders - Other				
	POLICE				
	TPW				
	LIBRARY				
	HRWC				
	COUNCILLOR(s)				
	<b>Stakeholder - External</b>				

Revised: October 13, 2007