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## MEMORANDUM

To: Chair and Members of St. Margarets Bay Coastal Planning Advisory Committee

From: Miles Agar, Planner

Date: May 21, 2013

Subject: **Case 18380: Application by HRM to appropriately zone all private land currently zoned for public park purposes in Planning Districts 1&3**

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### Background:

6 privately owned properties, or portions thereof, in Planning Districts 1&3 are zoned for public park purposes. 3 of the 6 properties are located in the community of Queensland, which falls within the Committee's designated area. The attached maps show the zoning and land use designations for these 3 properties. Staff have reviewed the relevant policies of the Municipal Planning Strategy for Planning Districts 1&3 (MPS) and the Regional Municipality Planning Strategy (Regional Plan), and determined that the zoning of these properties, including the 3 properties in Queensland, is inconsistent with the MPS and the Regional Plan. The MPS and the Regional Plan call for these lands to be zoned Mixed Use 1 (MU-1). Relevant policies from the MPS and the Regional Plan are attached.

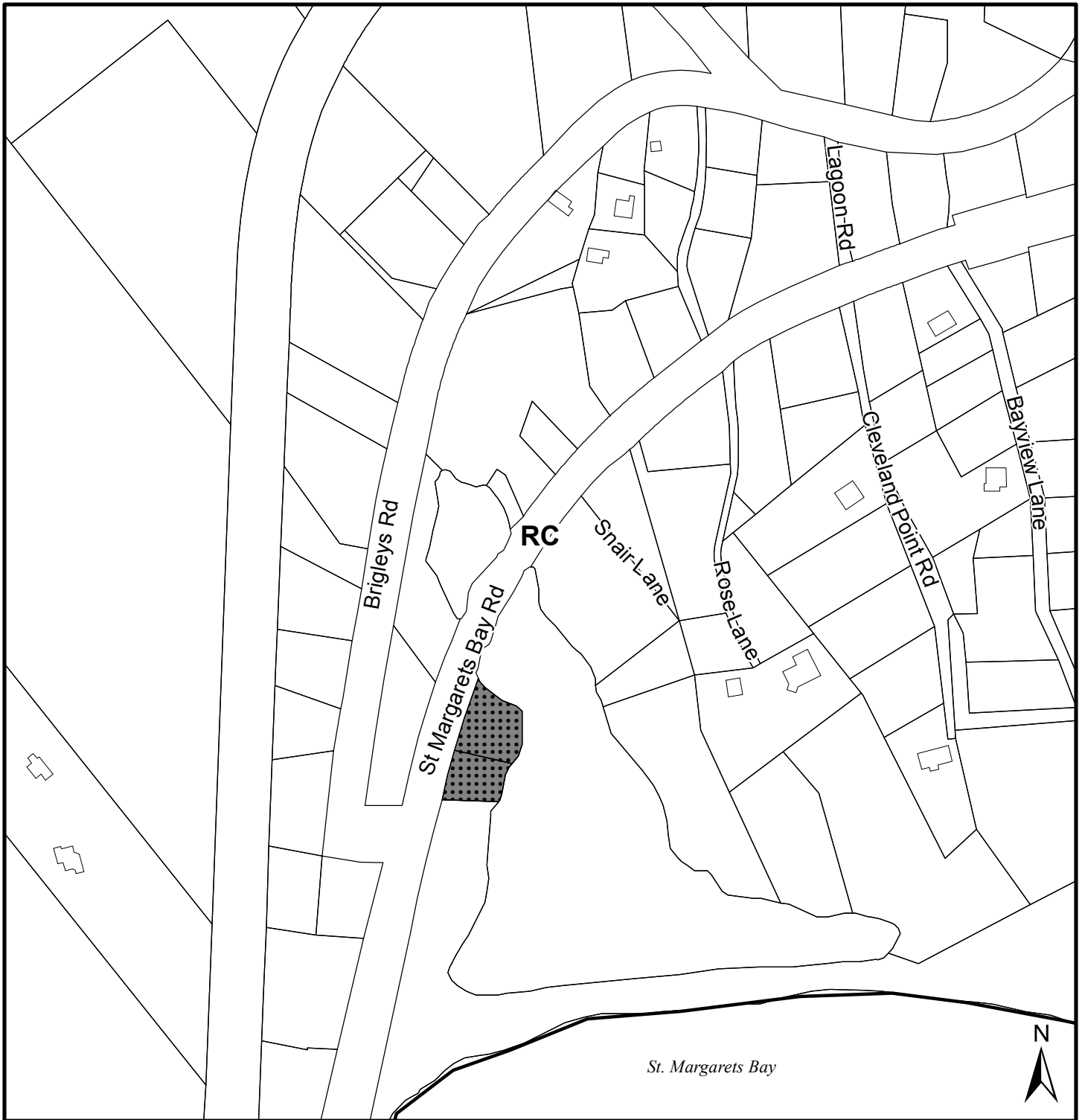
It is also important to note that the Halifax Regional Municipality Charter only allows Council to zone privately owned land for future public use (other than transportation reserves) if the Land Use By-law (LUB) provides an alternative zone. In this case, alternative zones have not been provided. Further, where alternative zoning is provided, a Municipality must acquire the land within 1 year or the alternative zone comes into effect (see Section 237 of the HRM Charter – attached).

### Input Sought from the Committee:

The purpose of this application is to correct an oversight by applying the correct zoning to these properties. The process required to apply the correct zoning is a 'planner matter' as outlined in the Committee's Terms of Reference, and as such, feedback is sought from the Committee relative to applying the MU-1 zone to the 3 properties in Queensland. The Committee's recommendations will be included in the staff report to North West Community Council.

### Attachments:


- Regional Plan and MPS Generalized Future Land Use Maps;
- Zoning Maps;
- Relevant MPS and Regional Plan Policies; and
- Relevant Section of the HRM Charter

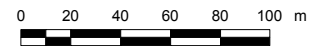


**Map 1A - Regional Generalized Future Land Use**

PIDs 40286767 and 40207128  
 Queensland



 Area proposed to be rezoned from P-3 (Provincial Park) to MU-1 (Mixed Use)



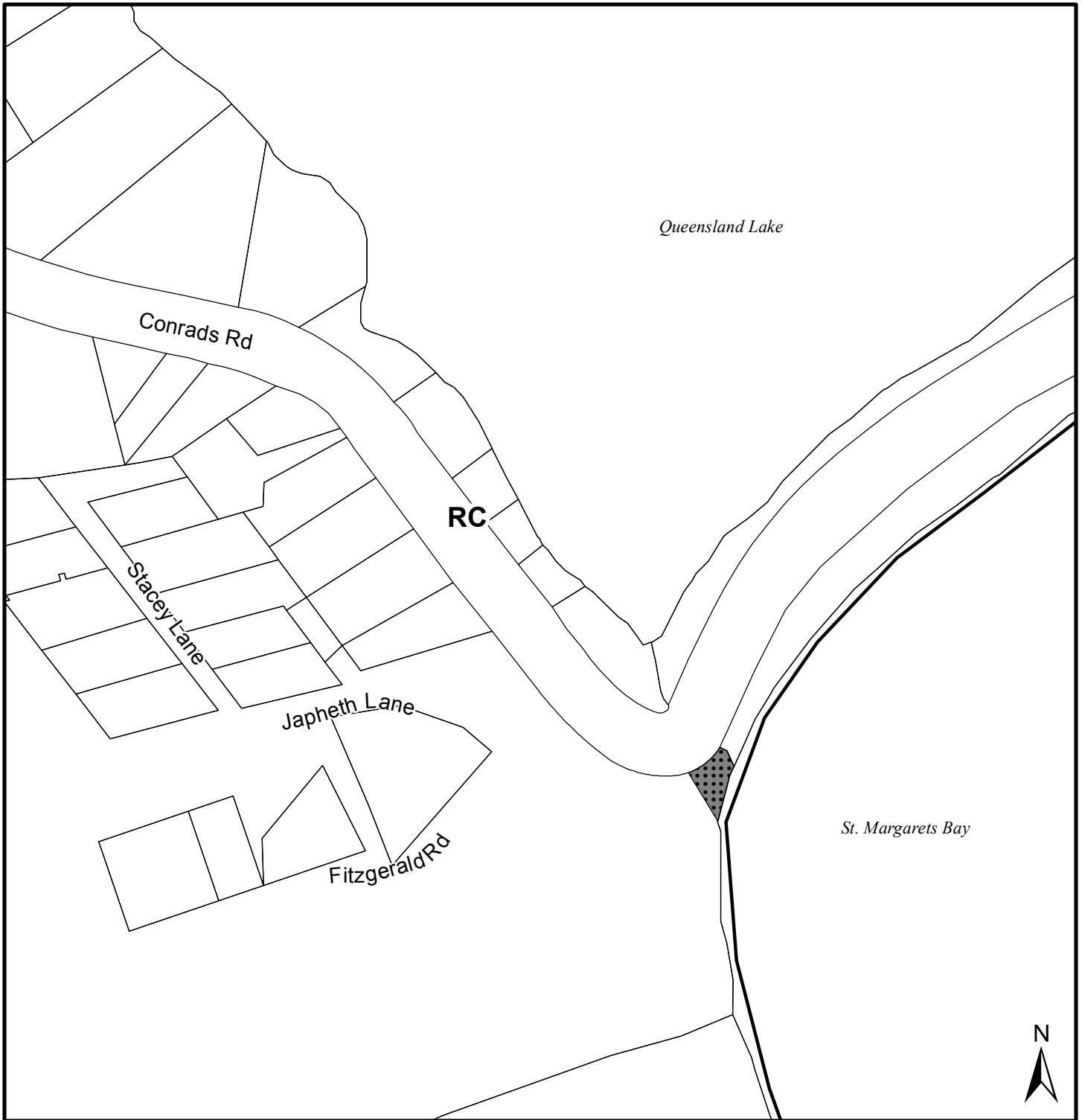
Planning District 1 & 3  
 (St Margarets Bay) Plan Area

**Designation**

RC Rural Commuter

This map is an unofficial reproduction of a portion of the Regional Generalized Future Land Use Map for the plan area indicated.


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



**Map 1B - Regional Generalized Future Land Use**

PID 40023855  
Queensland



 Area proposed to be rezoned from RPK (Regional Park) to MU-1 (Mixed Use)



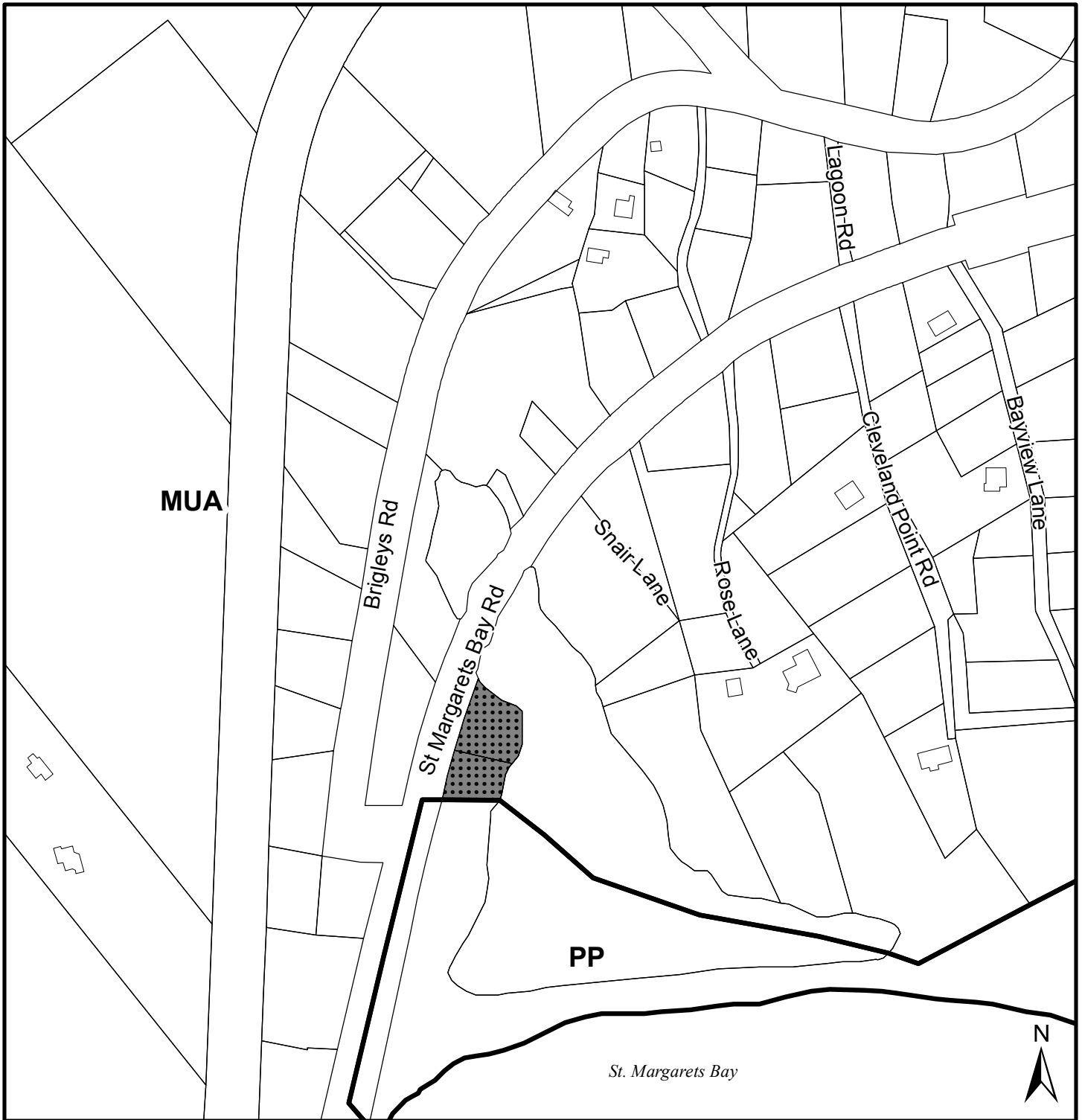
Planning District 1 & 3  
(St Margarets Bay) Plan Area

**Designation**

RC Rural Commuter

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**Map 2A - Generalized Future Land Use**

PIDs 40286767 and 40207128  
 Queensland



 Area proposed to be rezoned from P-3 (Provincial Park) to MU-1 (Mixed Use)



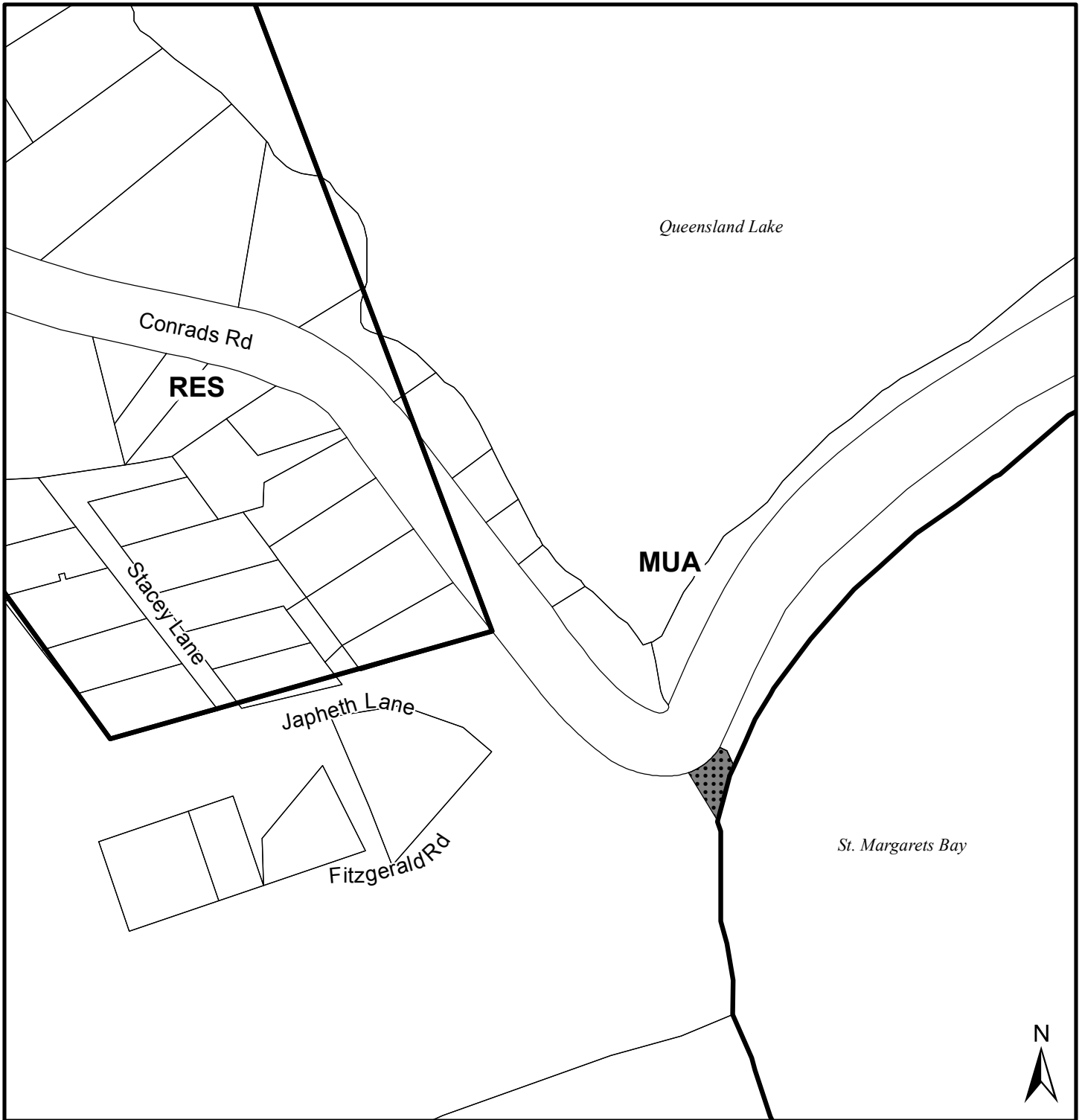
Planning District 1 & 3  
 (St Margarets Bay) Plan Area

**Designation**

MUA Mixed Use A  
 PP Provincial Park

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**Map 2B - Generalized Future Land Use**

PID 40023855  
Queensland



 Area proposed to be rezoned from RPK (Regional Park) to MU-1 (Mixed Use)



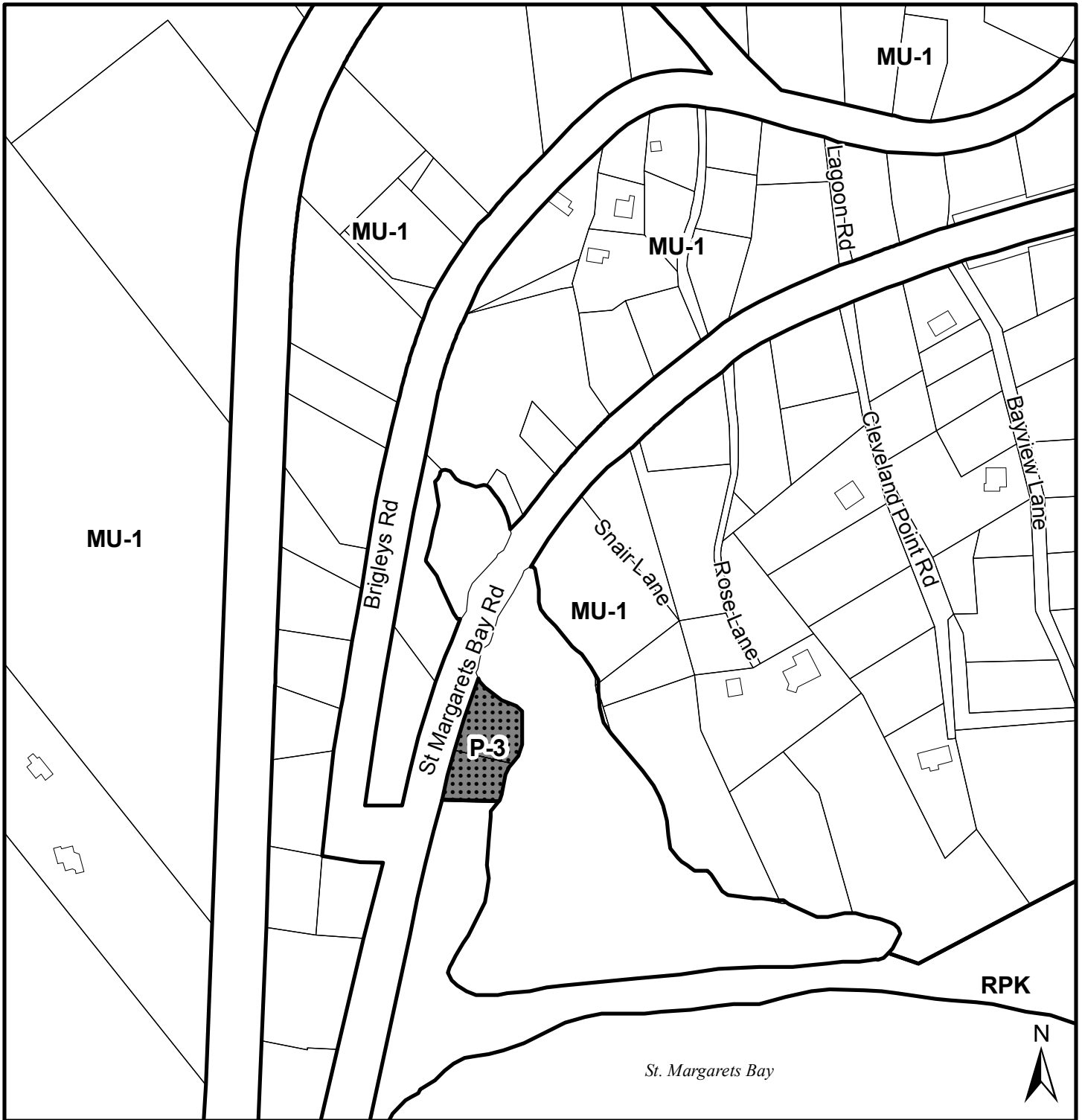
Planning District 1 & 3  
(St Margarets Bay) Plan Area

**Designation**

RES Residential  
MUA Mixed Use A

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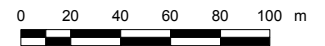


**Map 3A - Zoning**

PIDs 40286767 and 40207128  
Queensland



 Area proposed to be rezoned from P-3 (Provincial Park) to MU-1 (Mixed Use)



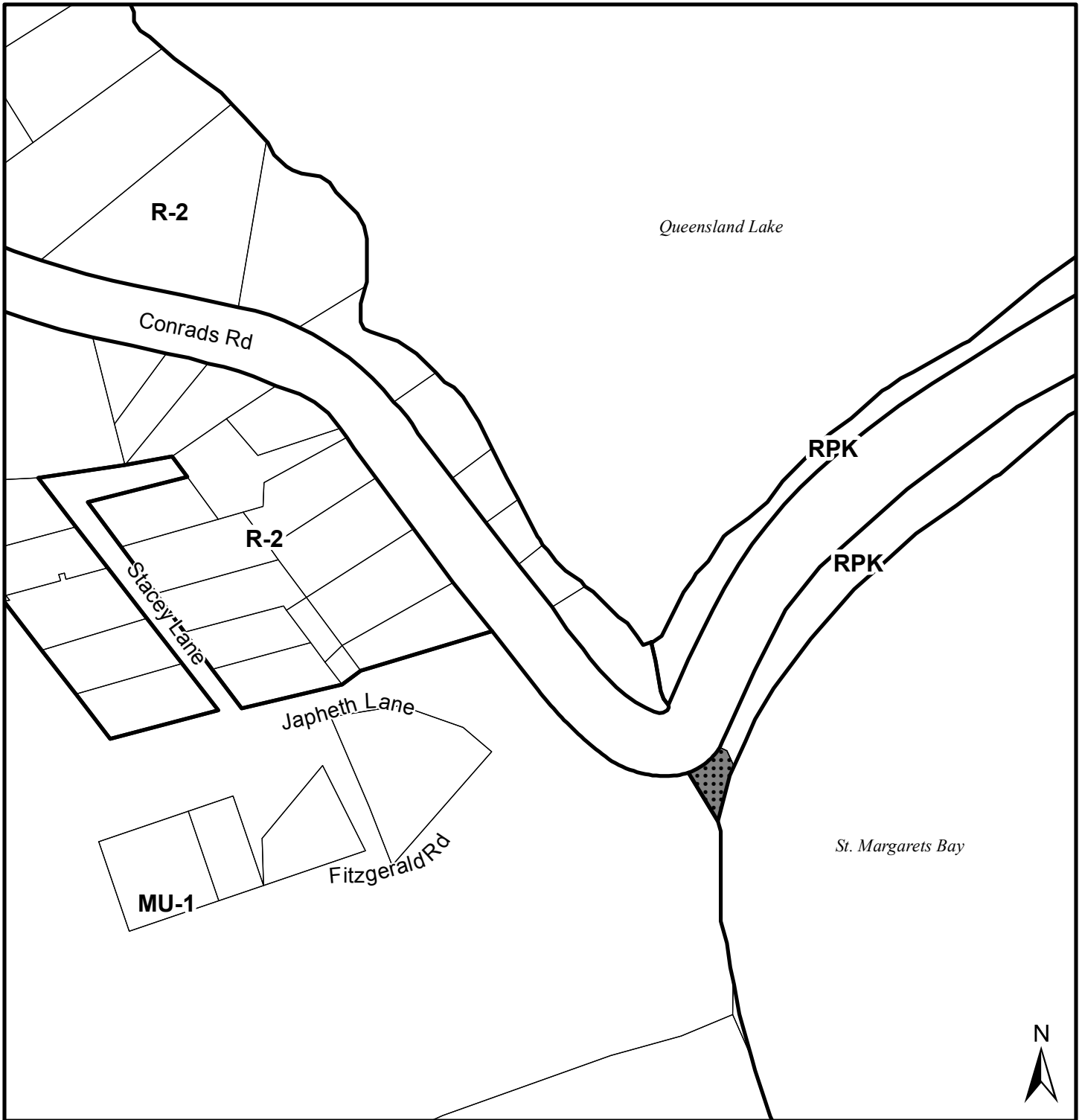
Planning District 1 & 3  
(St Margarets Bay) Plan Area

**Zone**

- MU-1 Mixed Use
- P-3 Provincial Park
- RPK Regional Park


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

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**Map 3B - Zoning**

PID 40023855  
Queensland

 Area proposed to be rezoned from RPK (Regional Park) to MU-1 (Mixed Use)

Planning District 1 & 3  
(St Margarets Bay) Plan Area

**Zone**

- R-2 Two Unit Dwelling
- MU-1 Mixed Use
- RPK Regional Park



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