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PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
Tuesday, April 13, 2004

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Linda Mosher, Chair, Chebucto Community Council

DATE: April 5, 2004

SUBJECT: **Case 00562: MPS and LUB Amendment - Evergreen Place, Halifax**

ORIGIN

Chebucto Community Council meeting of April 5, 2004.

RECOMMENDATION

It is recommended that Regional Council:

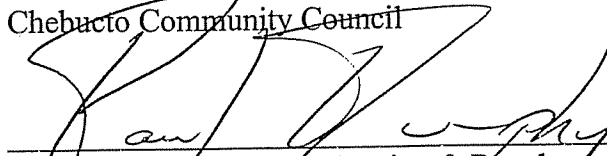
1. Give First Reading to consider amendments to the Municipal Planning Strategy and Land Use By-Law for Halifax and schedule a public hearing;
2. Adopt the amendments to the Municipal Planning Strategy and Land Use By-Law for Halifax as shown in Attachment I of this report.

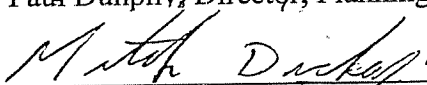
ATTACHMENT:

Staff report dated February 26, 2004.

Chebucto Community Council
April 5, 2004

TO: Chebucto Community Council

SUBMITTED BY: 
Paul Dunphy, Director, Planning & Development Services


Mitch Dickey, Planner, Real Property Planning

DATE: February 26, 2004

SUBJECT: **Case 00562: MPS and LUB Amendment - Evergreen Place, Halifax**

ORIGIN

This originates from direction given by Regional Council on November 4, 2003 to commence the process to undertake amendments to the planning documents relative to this property.

RECOMMENDATION

It is recommended that Chebucto Community Council recommend that Halifax Regional Council:

1. Give First Reading to consider amendments to the Municipal Planning Strategy and Land Use By-law for Halifax and schedule a public hearing;
2. Adopt the amendments to the Municipal Planning Strategy and Land Use By-law for Halifax as shown in Attachment 1 of this report.

The proposed lot requires a subdivision of a parcel from the existing HRM industrial lot. Staff suggest that rather than leaving the Industrial designation and zoning in place, the remainder of this parcel should itself be designated and zoned as Western Common.

At the public meeting there was the concern that HRM might continue to sell off portions of the Common on a piecemeal basis. It is anticipated that there are no other parcels of similar characteristics which would be suitable for sale. The redesignation and rezoning of the subject lot, while bringing the remaining industrial parcel within the Western Common, will reduce the net loss. This will also allow the establishment of a much more clear boundary for the Western Common.

Conclusion:

The redesignation for industrial use, of a small part of the Western Common sandwiched between two industrial areas, is logical from a land use perspective. The net loss to the Western Common, when bringing the remainder parcel of land within the Western Common, is negligible and will result in a more clear demarcation between industrial and open space uses in this area of Evergreen Place. Staff therefore recommend approval of the amendments to the MPS and LUB for Halifax, as shown in Attachment 1.

BUDGET IMPLICATIONS

There are no budget implications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN:

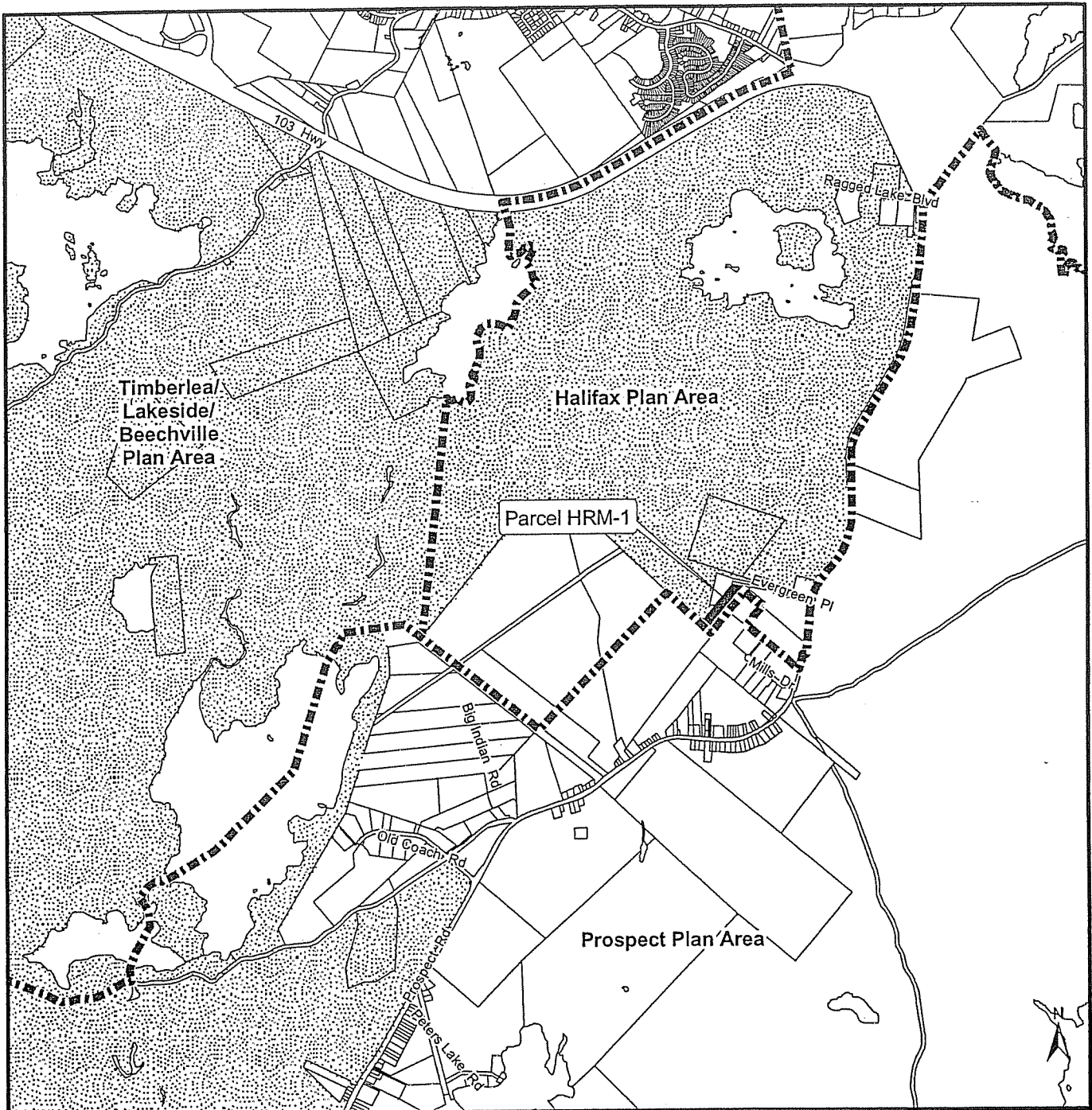
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

1. Approve the requested amendment. This is recommended for reasons described above.
2. Refuse the requested amendment. This is not recommended for the reasons outlined above.




ATTACHMENTS

- Map 1: Context
Map 2: Location and Zoning
Attachment 1: Recommended Amendments to the MPS and LUB for Halifax
Attachment 2: Minutes of Public Information Meeting, February 2, 2004

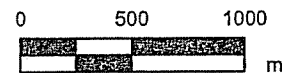


Map 1 - Context

Mills Drive
Halifax

-  Subject area - Parcel HRM-1
-  Plan area boundary
-  Western Common

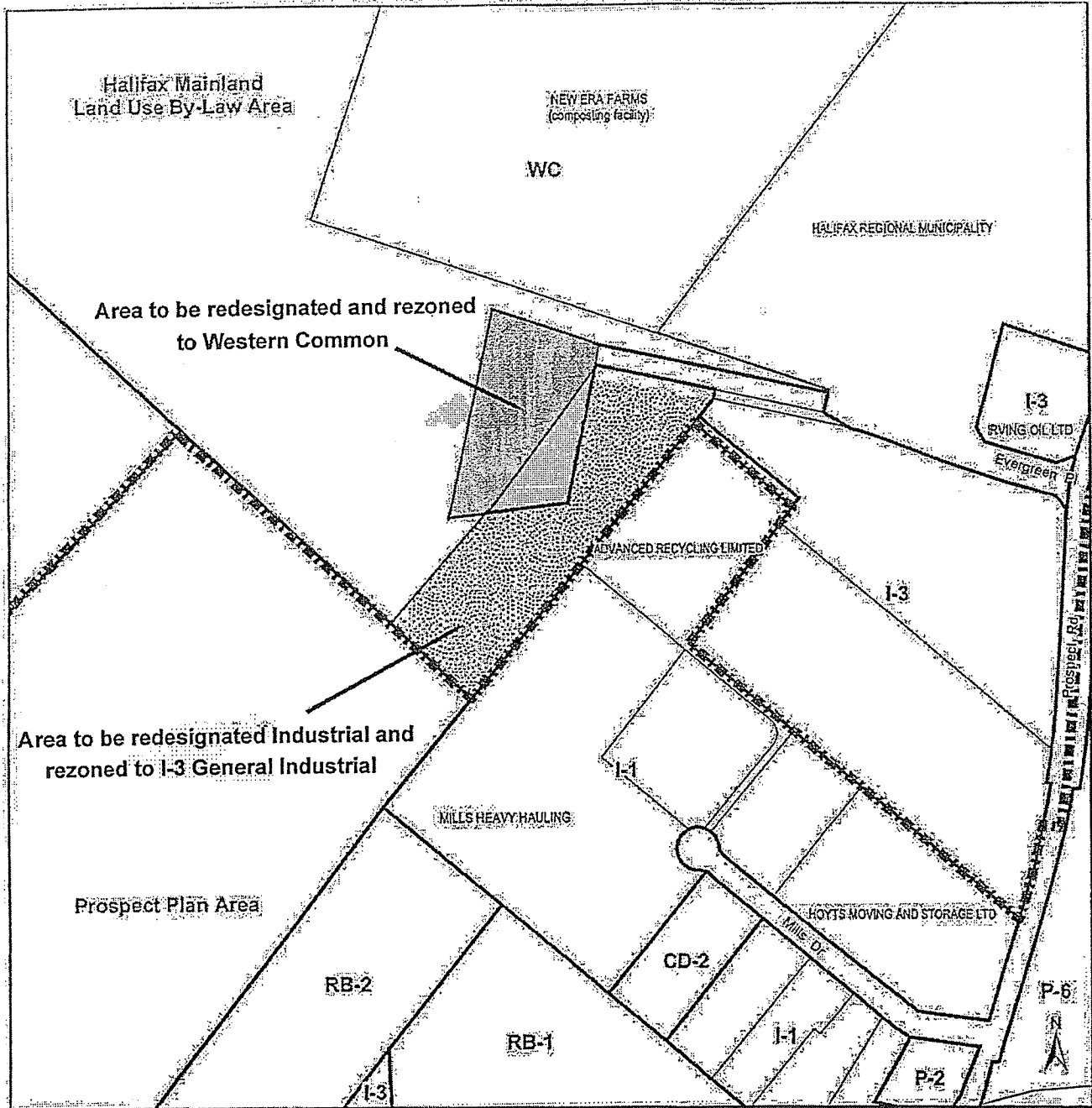
HALIFAX
REGIONAL MUNICIPALITY
PLANNING AND
DEVELOPMENT SERVICES



This map is an unofficial reproduction of a portion of the Zoning Maps for the areas noted.

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

**Attachment 1
Recommended Amendments to the MPS and LUB for Halifax**



**Recommended Amendments to the
MPS and LUB for Halifax**

Halifax Land Use By-Law Zones

- I-3 General Industrial
- WC Western Common

Prospect Plan Area Zones

- RB-1 Residential B-1
- RB-2 Residential B-2
- CD-2 General Business
- I-1 General Industrial
- I-3 Local Service
- P-2 Community Facility
- P-6 Park



This map is an unofficial reproduction of a portion of the Zoning Maps for the areas noted.

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

to retain its industrial zoning and perhaps be disposed of in the future or, alternatively, it could be redesignated and zoned as Western Common.

Mr. Lloyd McLellan, referencing the map, questioned why HRM does not change all the zoning to I-3. Somebody else wanting to purchase industrial land in the area of that road will have to go through this same process.

Mr. Skora responded it was his understanding that the direction to staff from Council was specific to this site. He pointed out Parcel 7H on the map. Staff feel there are certain benefits. There is no real specific use for this site under the present concept for the Western Common. All the recreational uses are located up this way (pointed out on map). We are not trying to propagate the industrial use back towards the area that will be recreational in the future.

It was confirmed that the access to the site is on the other side through the Old Coach Road.

Mr. McLellan suggested they consider changing the zoning to industrial up to the end of Evergreen through this process.

Mr. McLellan questioned where the industrial zoning stopped before. It was responded where the southeast side of the red line is (shown on map). The road was built in order to allow New Era Farms to put in the compost facility.

Mr. McLellan stated he was in favour of the designation/zoning being changed.

Mr. Wayne Hamilton, Brookside, questioned whether the proposal was asking for an industrial trucking and storage site, to allow Mills Heavy Hauling to expand into this area. It was responded yes.

Mr. Hamilton stated what we already have on the site is essentially an interim C&D storage facility and so what we are really seeing is an expansion of a C&D storage facility contrary to the long range plans for HRM which is to move the C&D into the three designated areas, including the site in Harrietsfield.

Mr. Jack MacIsaac stated the Mills are not involved with and do not operate a C&D site. He pointed out on the map the area of land owned by the Mills. He also pointed out on the map the site being referenced. It used to belong to Len Gillespie.

Mr. Hamilton indicated his concern related to setting a precedent. He encouraged that HRM make sure it is worded such that it is not a precedent whereby they see the Western Common land being redesignated for industrial.

Mr. Skora responded staff was aware of that concern, as well as Council. However, staff sees this as being beneficial to the Western Common. This is a reconfiguration of the industrial use to some degree. Keeping this land in the Western Common will be of little use. Staff is looking for

Mr. Hamilton indicated when they did the Western Common planning, they looked at it as an egress point into that. Moving that piece of land into the Industrial Designation would not create any problems. He recommended that the funds generated from the differential in the cost be directed towards the Western Common funding as opposed to general revenue.

Mr. MacIsaac, lawyer representing the Mills for over thirty years, stated the Mills family has a large interest in the property on Mills Drive in Goodwood. The property starts at the head of the cul de sac and runs away from the Prospect Road and then it runs between the Butler Brothers property and the Reardon property and goes up to Advancement Recycling. All the land controlled by the Mills is used for storage of various pieces of equipment. There is a lot of pipe in there and it is taken to and from that site by the people who own it. The property that is the subject of the discussion tonight does not front on the next street over which is Evergreen. All access to it will be coming down the Mills Road.

Mr. MacIsaac advised that the Mills Company has four acres which is leased to Mills Heavy Hauling. Gerald Mills and his wife own fifteen acres. About thirteen acres is rented out to a company that stores its own assets there. Gerald Mills rents five acres to Mills Heavy Hauling.

Mr. MacIsaac stated that what they are supporting is the idea that this land was being classified for the same particular use. This land will all be used for storage. He requested that it be consolidated so that it can be sold at a price which HRM determines to be market value. They have been trying to get this transaction closed for about two years and they have run into obstacles that are not intended but just happen to be there. He urged that this be put forward as soon as possible.

The meeting adjourned at approximately 7:35 p.m.