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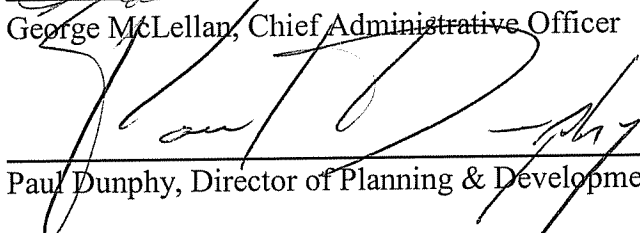
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Halifax Regional Council
October 26, 2004

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


George McLellan, Chief Administrative Officer


Paul Dunphy, Director of Planning & Development Services

DATE: October 13, 2004

SUBJECT: Case 00712: Bedford MPS and LUB Amendment - Former C.P. Allen Driveway - Duke Street

ORIGIN

An application by Nova Scotia Business Inc. to amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Bedford.

RECOMMENDATION

It is recommended that :

1. **Regional Council authorize staff to initiate a process to amend the Bedford Municipal Planning Strategy and Land Use By-law to designate a portion of 196 Rocky Lake Road (the former C.P. Allen School driveway) Industrial (IND) and rezone it ILI (Light Industrial) zone;**
2. **Request that public participation be undertaken in accordance with the Public Participation Resolution adopted by Regional Council on February 25, 1997.**

BACKGROUND

The C.P. Allen High School is located at 196 Rocky Lake Road in Bedford. The property on which the school is located is fourteen (14) acres in size and traverses lands between Rocky Lake Road and Duke Street. The property is currently designated Institutional as shown on Map 1 and is zoned Institutional (SI) as shown on Map 2.

As a part of a land swap between the Province of Nova Scotia and Real Property and Asset Management related to the new Cobequid Community Health Centre, HRM has agreed to exchange lands adjacent to the high school. The parcel HRM will acquire (as shown on Map 1) has been used as the main school access for many years but has been owned by the Province. The acquisition will give the school permanent access from Rocky Lake Road. As a result, the school will no longer require its former access from Duke Street, approximately 23,100 sq. feet in area as shown on Map 1, and it will be transferred to Nova Scotia Business Inc.(NSBI), the agency responsible for Provincial industrial parks.

Nova Scotia Business Inc. would like to consolidate the Duke Street site with its adjacent property to the south to gain safer road access from Duke Street. The current zoning, SI (Institutional) Zone (Map 2), prohibits the light industrial land uses proposed by Nova Scotia Business Inc. and allows only public uses such as schools, museums and libraries. The Bedford Municipal Planning Strategy provides no means of rezoning the land to an appropriate zone for the proposed land use.

DISCUSSION

Land Use By-law Requirements and Municipal Planning Strategy Policies

N.S. Business Inc. is requesting that the Bedford Municipal Planning Strategy be amended to allow for a rezoning to Light Industrial (ILI), the zone which primarily permits light industrial land uses. The MPS amendment to allow for this is relatively simple as there is no specific policy in the Bedford MPS which references the CP Allen School property. The only required modification to the MPS would be to amend the Generalized Future Land Use Map by changing the designation for this property from Institutional to Industrial and amend the Zoning Map to rezone the property from (SI) Institutional to (ILI) Light Industrial.

In order for Planning staff to recommend considering a change to the Municipal Planning Strategy, there must be a change in circumstance or a significantly different situation from what the plan policies anticipated. The Bedford MPS identifies the CP Allen School parcel as Institutional on the Generalized Future Land Use Map. The strategy anticipated that all portions of this property would be used as a public school in perpetuity. The land is no longer required for school uses and the disposal of the lands was not anticipated by the MPS. Based on these factors and that the proposed land use is consistent with other surrounding land uses, staff feel an MPS amendment is warranted in this instance.

BUDGET IMPLICATIONS:

The initiation of this plan amendment process has 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 and utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES:

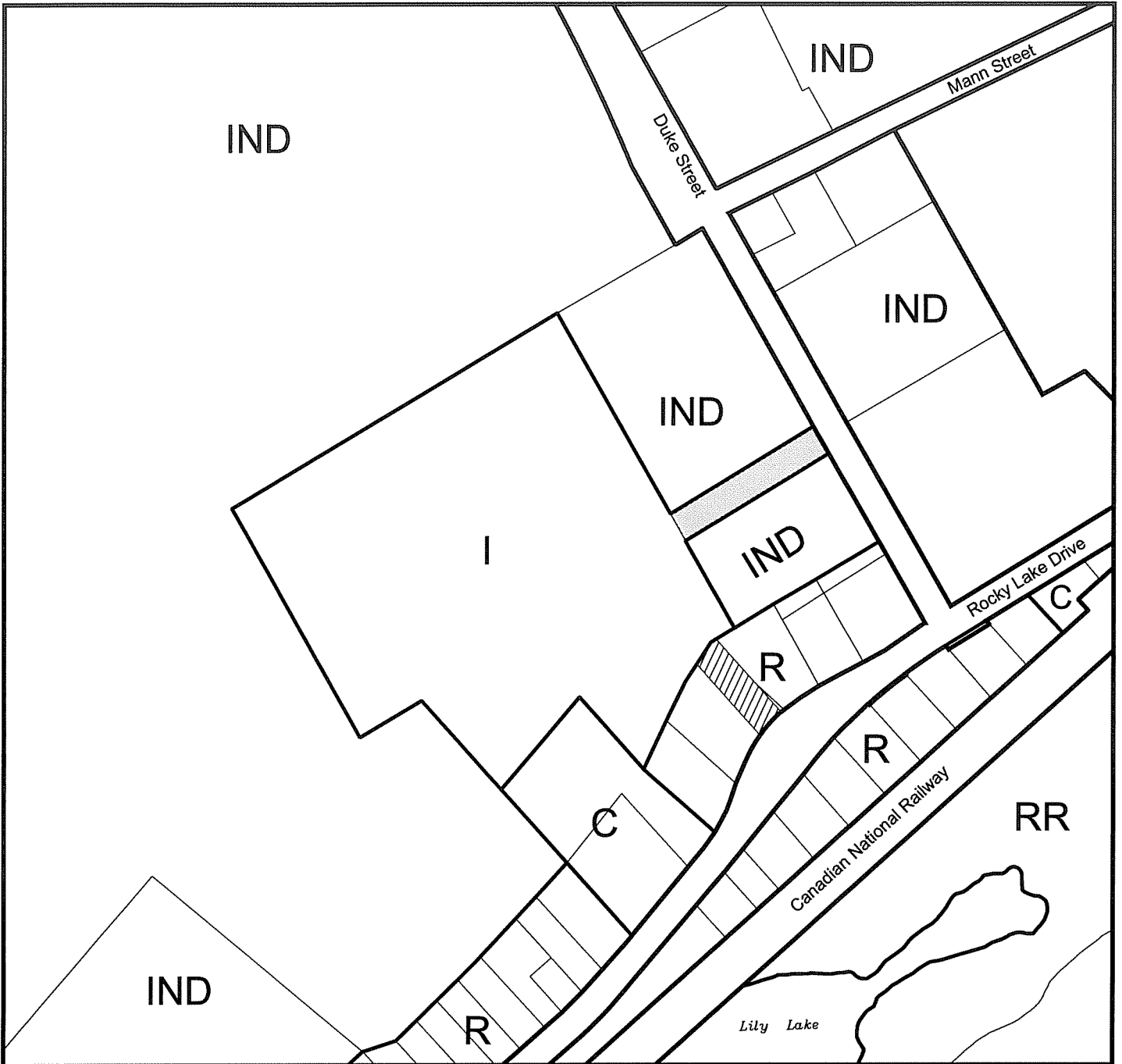
1. Authorize staff to initiate the process to amend the Municipal Planning Strategy and Land Use By-law for Bedford to designate the identified portion of the C.P. Allen School site, at 196 Rocky Lake Road in Bedford, Industrial on the Generalized Future Land Use Map of the Bedford Municipal Planning Strategy and concurrently amend the Bedford Land Use By-law to rezone the site Light Industrial (LI) Zone.
2. Refuse the requested amendment. A request to amend its Municipal Planning Strategy is at Council's discretion and cannot be appealed. This is not recommended for the reasons outlined above.

ATTACHMENTS:

Map 1 Generalized Future Land Use Map
Map 2 Zoning Map

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 Fax 490-4208.


Report Prepared by: Andrew Bone, Planner, 869-4226



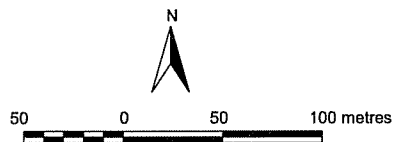
Map 1
Generalized Future Land Use

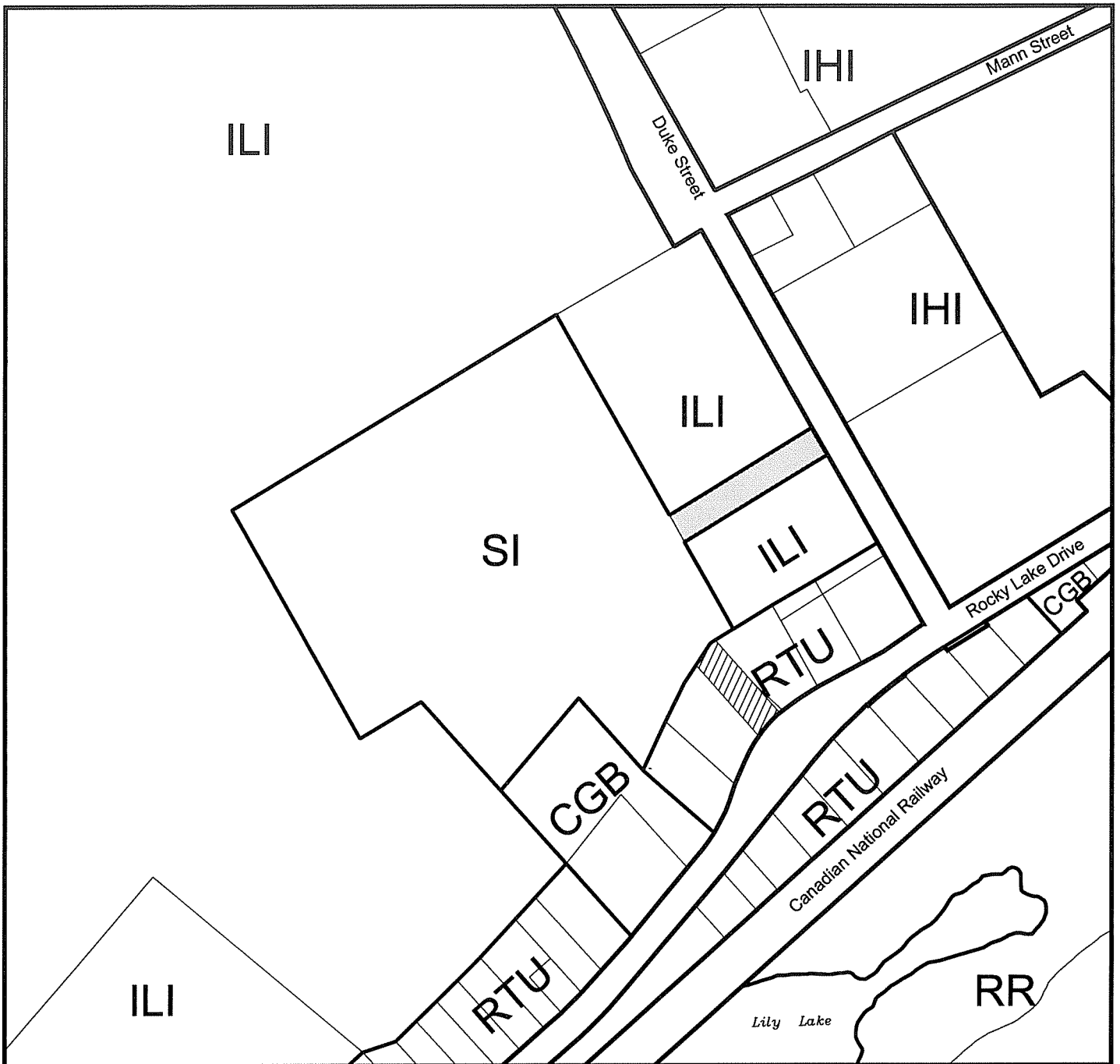


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|---|-------------------------|-----|---------------------------|
| R | Residential Designation | I | Institutional Designation |
| C | Commercial Designation | IND | Industrial Designation |

 Area to be redesignated from I to IND and transferred to NSBI from HRM

 Land transferred to HRM






**Map 2
Zoning**



- | | | | |
|-----|--------------------------------|-----|-----------------------|
| RTU | Two Dwelling Unit Zone | SI | Institutional Zone |
| RR | Residential Reserve Zone | ILI | Light Industrial Zone |
| CGB | General Business District Zone | IHI | Heavy Industrial Zone |

 Area to be rezoned from SI to ILI and transferred to NSBI from HRM

 Land transferred to HRM

