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PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

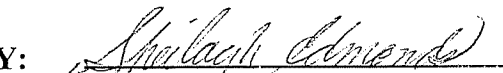
Halifax Regional Council

March 22, 2005

April 12, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


Councillor Brad Johns, Chair
North West Community Council

DATE: March 8, 2005

SUBJECT: Case 00712: Bedford MPS and LUB Amendment - 196 Rocky Lake Road

ORIGIN

Special meeting of North West Community Council of March 8, 2005

RECOMMENDATION

It is recommended that Regional Council:

1. Give First Reading to the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D of the staff report dated January 20, 2005, and schedule a public hearing for April 12, 2005;
2. Approved the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D of the staff report dated January 20, 2005.

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BACKGROUND:

See attached staff report.

DISCUSSION:

See attached staff report.

BUDGET IMPLICATIONS:

None

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

See attached staff report.

ATTACHMENTS

Report from the North West Planning Advisory Committee dated March 3, 2005.

Staff report dated January 20, 2005.

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: Sheilagh Edmonds, Legislative Assistant

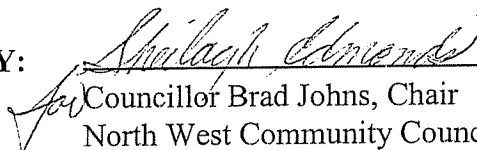
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Halifax Regional Council
March 22, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Councillor Brad Johns, Chair
North West Community Council

DATE: March 8, 2005

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It is recommended that Regional Council:

1. Give First Reading to the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D of the staff report dated January 20, 2005, and schedule a public hearing for April 12, 2005;
2. Approved the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D of the staff report dated January 20, 2005.

BACKGROUND:

See attached staff report.

DISCUSSION:

See attached staff report.

BUDGET IMPLICATIONS:

None

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

See attached staff report.

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Report Prepared by: Sheilagh Edmonds, Legislative Assistant

North West Community Council
March 8, 2005

TO: North West Community Council

SUBMITTED BY: *Gail Harnish*
Ann Merritt, Chair
North West Planning Advisory Committee

RE: Case 00712: Bedford MPS and LUB Amendment - 196 Rocky Lake Road

DATE: March 3, 2005

ORIGIN

North West Planning Advisory Committee meeting - March 2, 2005

RECOMMENDATION

The North West Planning Advisory Committee recommend that North West Community Council recommend that Regional Council:

1. Give First Reading to the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D of the staff report dated January 20, 2005, and schedule a public hearing;
2. Approve the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D of the staff report dated January 20, 2005.

ATTACHMENTS

Staff report dated January 20, 2005

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.

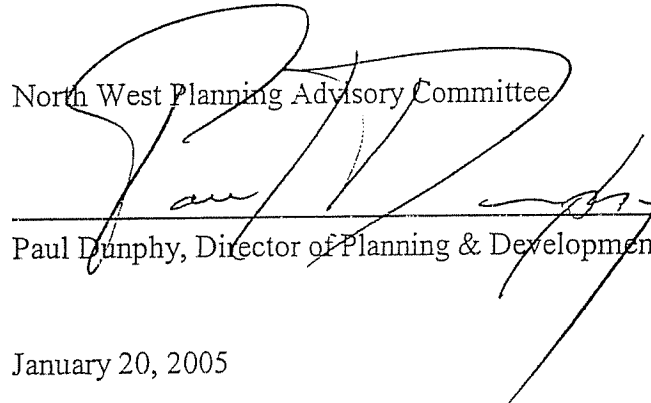
Report prepared by: Gail Harnish, Admin/PAC Coordinator, 490-4937

North West Planning Advisory Committee
February 2, 2005

TO:

North West Planning Advisory Committee

SUBMITTED BY:


Paul Dunphy, Director of Planning & Development Services

DATE:

January 20, 2005

SUBJECT:

Case 00712: Bedford MPS and LUB Amendment - 196 Rocky Lake Road

ORIGIN

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

RECOMMENDATION

It is recommended that North West Community Council recommend that Regional Council:

1. Give First Reading to the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D and schedule a public hearing;
2. Approve the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment D.

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. The Institutional designation and zone are intended to permit institutional uses such as schools, public buildings and museums.

As a part of a land swap between the Province of Nova Scotia and HRM Real Property and Asset Management related to the new Cobequid Community Health Centre, HRM has agreed to exchange land 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 is currently 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 and the owner of land adjacent to the site.

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 land would then be sold for industrial use. NSBI currently has an agreement to sell the property for use as a contracting yard. 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.

Public Comment:

On January 13, 2005, a public meeting was held to discuss the proposal to amend the MPS to allow industrial uses on the former driveway for the C.P. Allen School. No members of the public attended this session. Minutes of the meeting are attached as Attachment A.

Bedford Waters Advisory Board:

There are no known watercourses on the property or immediately adjacent, and thus this application was not forwarded to the Bedford Waters Advisory Committee for comment.

DISCUSSION

Land Use By-law Requirements and Municipal Planning Strategy Policies

Nova Scotia Business Inc. is requesting that the Bedford Municipal Planning Strategy be amended to allow for a rezoning to Light Industrial (ILI) Zone (Attachment D), the zone which permits light industrial uses. The plan amendment to allow for this is relatively simple. The only required

modification to the Plan would be to amend the Generalized Future Land Use Map by changing the designation for this property from Institutional(I) to Industrial (IND) and amend the Zoning Map of the Land Use By-law to rezone the property from Institutional (SI) to Light Industrial (ILI).

In order for Planning Services 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 Municipal Planning Strategy identified the C.P. Allen School parcel as Institutional on the Generalized Future Land Use Map. The plan anticipated that this property would be used as a public school in perpetuity. The closure of this driveway and sale of the lands was not anticipated by the Plan. This would qualify this property for consideration for a plan amendment based on staff's review criteria.

Analysis of the requested Change

The portion of the C.P. Allen School site in question is surrounded by industrial land uses on three sides and institutional (school) uses on the other side. The proposed land use, light industrial is the same as most of the adjacent land use and located a reasonable distance from the school thus staff considered it compatible.

In terms of the impact of the proposed change in land use on the school, there will be minimal impact. Traffic from the proposed development will access Duke Street over the parcel and will not have a significant impact on the school.

Conclusion

Staff recommends that Regional Council amend the Bedford Municipal Planning Strategy to designate a portion of the C.P. Allen School site, at 196 Rocky Lake Drive in Bedford, Industrial (IND) on the Generalized Future Land Use Map of the Bedford MPS and concurrently amend the Bedford Land Use By-law to rezone the site Light Industrial (ILI) Zone.

BUDGET IMPLICATIONS:

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.

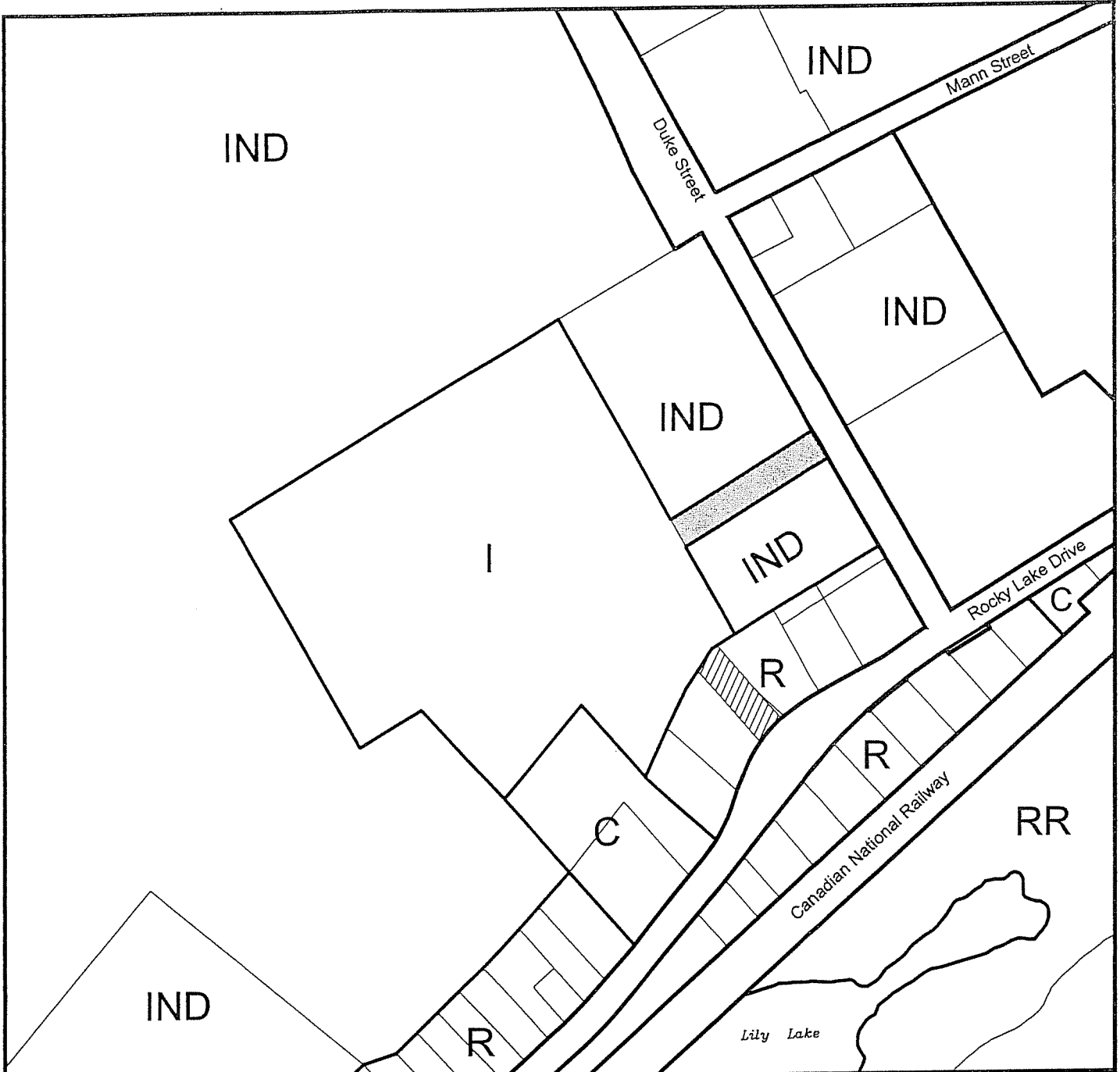
ALTERNATIVES:

1. Approve the proposed amendment to the MPS. This is the recommended option.
2. Refuse the requested amendment. A request to amend a Municipal Planning Strategy is completely at the discretion of Council. A decision not to amend the MPS cannot be appealed. This alternative is not recommended as Staff feels that the amendments to the Bedford Municipal Planning Strategy are appropriate.

ATTACHMENTS:

| | |
|--------------|--|
| Map 1 | Generalized Future Land Use Map |
| Map 2 | Zoning Map |
| Attachment A | Excerpt from NWPAC Public Meeting Minutes - January 13, 2005 |
| Attachment B | Existing Zoning - Institutional (SI) |
| Attachment C | Proposed Zoning - Light Industrial (ILI) |
| Attachment D | Proposed Changes to the Bedford MPS and Land Use By-law |


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



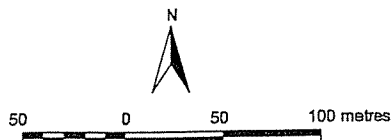
Map 1
Generalized Future Land Use

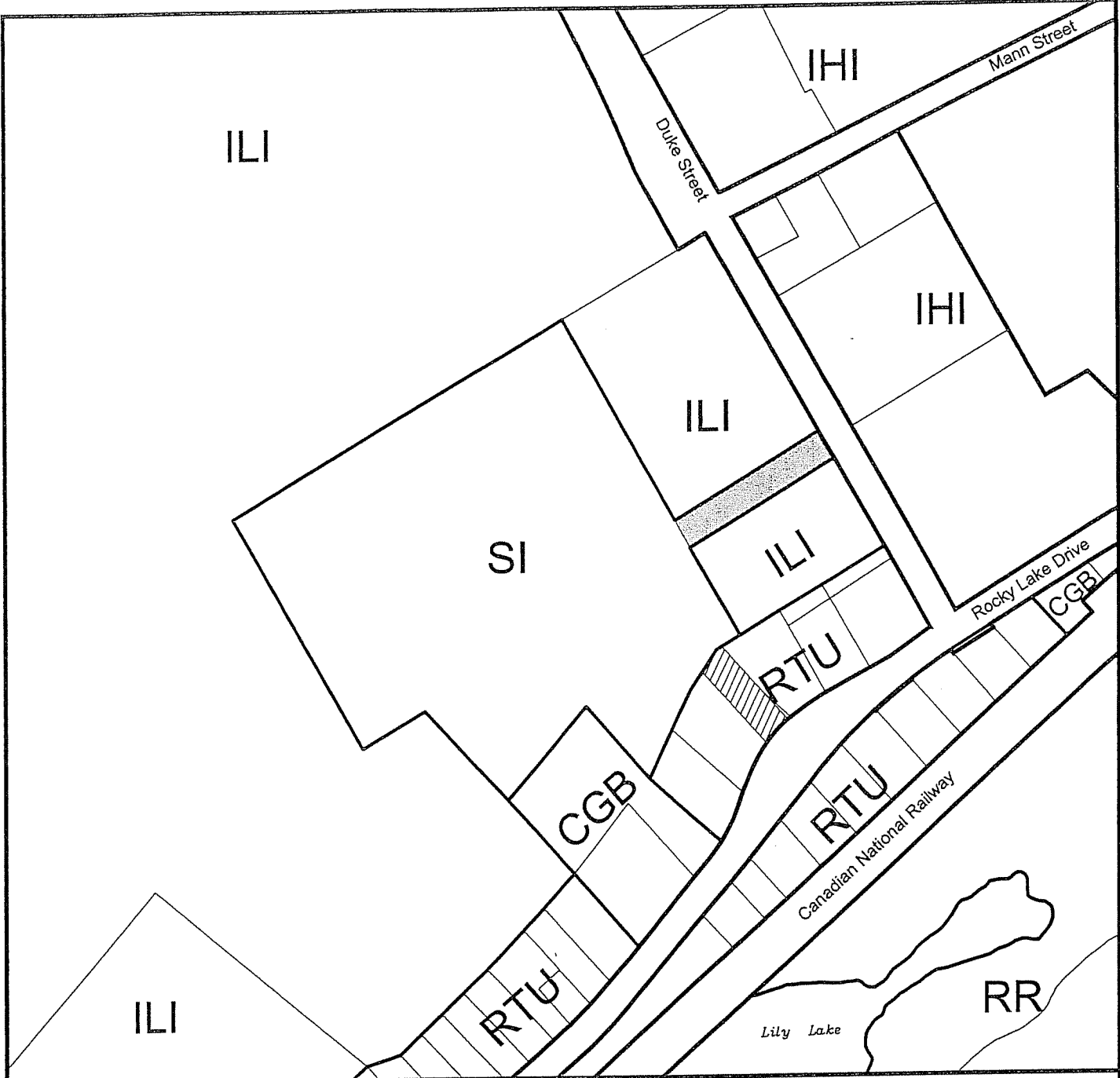


- | | | | |
|---|-------------------------|-----|---------------------------|
| R | Residential Designation | I | Institutional Designation |
| C | Commercial Designation | IND | Industrial Designation |

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

 Land transferred to HRM







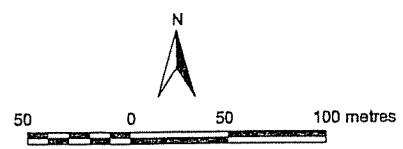
Map 2
Zoning



- | | | | |
|-----|--------------------------------|-----|-----------------------|
| 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



Attachment A
Excerpt from NWPAC Public Meeting Minutes - January 13, 2005

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE
Public Meeting

January 13, 2005

PRESENT: Ms. Ann Merritt, Chair
Mr. George Murphy
Ms. Karen Stadnyk
Ms. Jan Gerrow (7:24 pm)

ABSENT: Councillor Len Goucher
Councillor Brad Johns
Mr. Robert Morgan
Mr. Tony Edwards
Mr. Roddy Macdonald
Ms. Gloria Lowther

STAFF AND OTHERS: Mr. Andrew Bone, Planner
Mr. Richard Harvey, Planner
Ms. Chris Newson, Legislative Assistant

1. **PUBLIC PARTICIPATION: Case 00712** - Application by Nova Scotia Business Inc., to amend the Bedford Municipal Planning Strategy and Land Use By-Law to designate a portion of 196 Rocky Lake Road, PID #40293052, Industrial and rezone it to ILI (Light Industrial) Zone from Institutional Zone

- A report dated October 13, 2004 was before the Committee in attendance.

Mr. Andrew Bone, Planner, presented the report.

Ms. Karen Stadnyk confirmed with Mr. Bone that no water courses would be affected by this redesignation.

There were no further comments from the Committee or the public.

Attachment BA -Existing Zoning - Institutional (SI)

PART 20 INSTITUTIONAL (SI) ZONE

No development permit shall be issued in an Institutional (SI) Zone except for one or more of the following uses:

- a) churches;
- b) schools;
- c) cemeteries;
- d) fire stations;
- e) libraries;
- f) police stations;
- g) public buildings;
- h) post offices;
- i) private recreational facilities and clubs;
- j) museums
- k) P and POS uses, subject to the P and POS Zone requirements
- l) special care facilities
- m) daycare facilities/nursery schools/ early learning centres;
- n) recycling depot
- o) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS SI

In any Institutional (SI) Zone, no development permit shall be issued except in conformity with the following requirements:

| | |
|----------------------------|---|
| Minimum Lot Area | 10,000 sq. ft |
| Minimum Lot Frontage | 100 ft. |
| Minimum Front Yard | Local Street 20 ft; Collector or Arterial 30 ft. |
| Minimum Rear Yard | 20 ft. |
| Minimum Side Yard | 8 ft., or half the height of the building, whichever is greater |
| Flankage Yard | Local Street 20 ft; Collector or Arterial 30 ft. |
| Maximum Height of Building | 35 ft. |
| Lot Coverage | 35% |

Attachment C - Proposed Zoning - Light Industrial (ILI)

PART 17 LIGHT INDUSTRIAL (ILI) ZONE

No development permit shall be issued in a Light Industrial (ILI) Zone except for one or more of the following uses:

- a) warehouses and storage and distribution centres
- b) manufacturing, processing, assembly, recycling, or warehousing operations which are not objectionable uses;
- c) parking and or storage of industrial or heavy commercial vehicles, equipment and similar goods;
- d) trade centres
- e) building supplies sales
- f) auto service and supplies centres/outlets
- g) uses permitted in the Shopping Centre Zone (CSC);
- h) wholesalers
- i) full service and take-out restaurants
- j) furniture stores
- k) uses permitted in the CGB Zone, except office buildings, subject to CGB Zone provisions
- l) daycare facilities, nursery schools, early learning centres;
- m) dry cleaning depot
- n) recycling depot
- o) uses permitted in the SU Zone
- p) bingo halls
- q) billiard/snooker club
- q) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS ILI

In any Light Industrial (ILI) Zone no development permit shall be issued except in conformity with the following requirements:

| | |
|----------------------------|---|
| Minimum Lot Area | 5,000 sq. ft. |
| Minimum Lot Frontage | 50 ft. |
| Minimum Front Yard | 30 ft. setback |
| Minimum Rear Yard | 0 ft. except 40 ft. where abutting a residential zone |
| Minimum Side Yard | 0 ft. except 40 ft. where abutting a residential zone |
| Maximum Height of Building | 52 ft. |
| Maximum Lot Coverage | 70% |

SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE

- a) There shall be a landscaped area of at least 15 feet in depth running the length of and directly abutting the front lot line. This landscaped area shall extend the length of the front lot line and of the flankage lot line for a corner lot. Landscaping shall consist of existing vegetation and/or plantings as per *Part 5, Section 32*.
- b) A buffer 40 feet wide, beginning at the property line, shall be required for the for side or rear yards in an Industrial Zone which abut an existing residential use, vacant land zoned for residential use, or a Park or Institutional Zone.
- c) No outdoor storage shall be located:
 - i) within any required yard; nor
 - ii) within any yard which abuts lands fronting on an arterial road; except where a fence or other visual barrier is provided to completely screen the use.
- d) Outdoor display may be permitted provided it does not occur on the required 15 Ft. landscaped area described above and required abutting yards as per Part 5, Section 24 b).
- e) External fuel storage tanks shall be screened unless located at the rear of the building.

Attachment D - Proposed Changes to the Bedford MPS and Land Use By-law

Case 00712: Amendments for Bedford Municipal Planning Strategy

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy of Bedford as enacted by Bedford Town Council on the 26th day of March, 1996 and approved by the Minister of Municipal Affairs on the 17th day of May, 1996 as amended, is hereby further amended as follows::

1. The Bedford Generalized Future Land Use Map is further amended by redesignating 196 Rocky Lake Road (PID 40293052) from I (Institutional) to IND (Industrial) as shown on the attached Map 1.

I HEREBY CERTIFY that the amendment to the Municipal Planning Strategy for Bedford as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the ____ day of ____, 2005

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2005

Jan Gibson
Municipal Clerk

Attachment D (continued)
Case 00712: Amendments for Bedford Land Use By-law

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law of Bedford as enacted by as enacted by Bedford Town Council on the 26th day of March, 1996 and approved by the Minister of Municipal Affairs on the 17th day of May, 1996 as amended, is hereby further amended as follows:

1. The Bedford Zoning Map is further amended by rezoning a portion of 196 Rocky Lake Road (PID 40293052) from SI (Institutional) Zone to LI (Light Industrial Zone) Zone as shown on the attached Map 2.

I HEREBY CERTIFY that the amendment to the Land Use By-law for Bedford as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the ____ day of _____, 2005

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2005

Jan Gibson
Municipal Clerk