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Item No. 10.1.5

Halifax Regional Council
April 29, 2008

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

Handwritten signature of Dan English in cursive script.

Dan English, Chief Administrative Officer

Handwritten signature of Wayne Anstey in cursive script.

Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: April 14, 2008

SUBJECT: **Case 01121: Amendments to the MPS and LUB for
Timberlea/Lakeside/Beechville and Halifax**

ORIGIN

HRM initiated application.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Authorize staff to initiate the process to amend the Regional Plan, Regional Subdivision By-law, and the Timberlea/Lakeside/Beechville and Halifax Municipal Planning Strategies to allow for amendments to the Business/Industrial Park Sub-Designation, planning district boundaries, service area boundaries, and land use by-laws; and
2. Adopt the public participation process outlined in Attachment "A".

BACKGROUND

In the fall of 2007, a public information meeting was held for Case 00793 in which staff presented for the public's consideration two amendments to the Timberlea / Lakeside / Beechville (T/L/B) MPS in connection with the issues surrounding the capacity of the Nine Mile River Sewage Treatment Plant. The first amendment was to remove undeveloped publicly owned lands from the urban service area boundary. The second amendment was to remove certain privately owned lands from the unserved portion of the T/L/B plan area and place those lands in the Halifax MPS area. The presentation indicated that these lands would then be designated and zoned under the same industrial zoning applied to Bayers Lake Business Park.

In review of the Regional Council initiation report for Case # 00793, staff determined that the second amendment required a more comprehensive planning process and should be undertaken separate from the first amendment. Staff are now requesting that Council initiate this individual planning process which will remove certain lands from the T/L/B Plan Area and include them within the Halifax MPS, expand the regional Business/Industrial Park sub-designation, amend the urban service area boundary and rezone the lands as appropriate. The total area of the lands is estimated at approximately 40 acres and affects 10 private property owners.

DISCUSSION

The subject lands are located in the service boundary gap between the two planning districts as shown on the attached (See Map 1). These lands drain naturally towards the Bayers Lake sewer system and physically relate more to the business park than to the Beechville community. One of the major land owners within the unserved area has approached HRM with plans to develop these lands as a continuation of the Bayers Lake Industrial Park.

In addition to the lands located in the service boundary gap there currently exists within the Bayer Lakes Business Park two planning district boundary "encroachments" (See Map 2). These encroachments relate to developed properties with buildings that front on streets within the business park and have portions of their lands within the T/L/B plan area. These boundary encroachments cause difficulty in the administration of the land use by-law due to the need for the development of these properties to meet requirements in two different land use by-laws.

To build upon HRM's business planning and long-term capital investment planning, the preparation of a Business Park Functional Plan has been identified as a key implementation initiative of the Regional Plan. The functional plan study is currently underway and will report back to Council on a variety of topics considered vital to the long term development and sustainability of HRM's commercial/industrial base. The plan will also provide strategic direction for the development and expansion of HRM business parks including the Bayers Lake Business Park.

The request before Council is to authorize amendments to the plan area boundaries and the urban service area boundary between the Halifax and Timberlea / Lakeside / Beechville Plan Areas.

The full details of the proposed amendments include:

- Removal of land from the T/L/B Plan area, and the addition of land to the Halifax MPS plan area.;
- Addition of lands to the urban service area boundary;
- Expansion of the Business/Industrial Park sub-designation under the Regional Plan;
- Rezoning lands to the I-3 (General Industrial) Zone within Halifax Mainland Land Use By-Law; and
- Rezoning lands to the CDD (Comprehensive Development District) Zone within the Timberlea/Lakeside/Beechville Plan Area. (See Map 3).

In preparing the amendments staff will also review applicable background and ongoing studies and include, if necessary, recommendations for additional land use controls to address the planning of traffic and road networks, recommendations of the Business Parks Functional Plan, and the infrastructure requirements of Halifax Water.

Staff request that whereas this amendment affects a small number of private land owners and that the public has commented on the relevant issues through Case # 00793 that Council adopt the public participation process outlined in Attachment "A".

BUDGET IMPLICATIONS

The costs to process this planning application can be accommodated within the operating budget for C310.

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

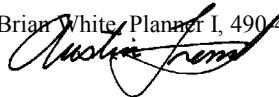
1. Regional Council could authorize staff to initiate the process to amend the Regional Plan, Regional Subdivision By-law, Timberlea/Lakeside/Beechville and Halifax MPSs and LUBs. This is the recommended option.
2. Regional Council could refuse the request for the amendment. There is no appeal process and Council is under no obligation to consider a request to amend the Municipal Planning


Strategy.

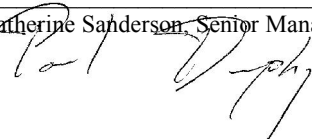
ATTACHMENTS

- Map 1: Current Service Area Boundaries
- Map 2: Planning Area Boundaries
- Map 3: Proposed Planning District Boundary Change
- Attachment A: Proposed Public Participation Program

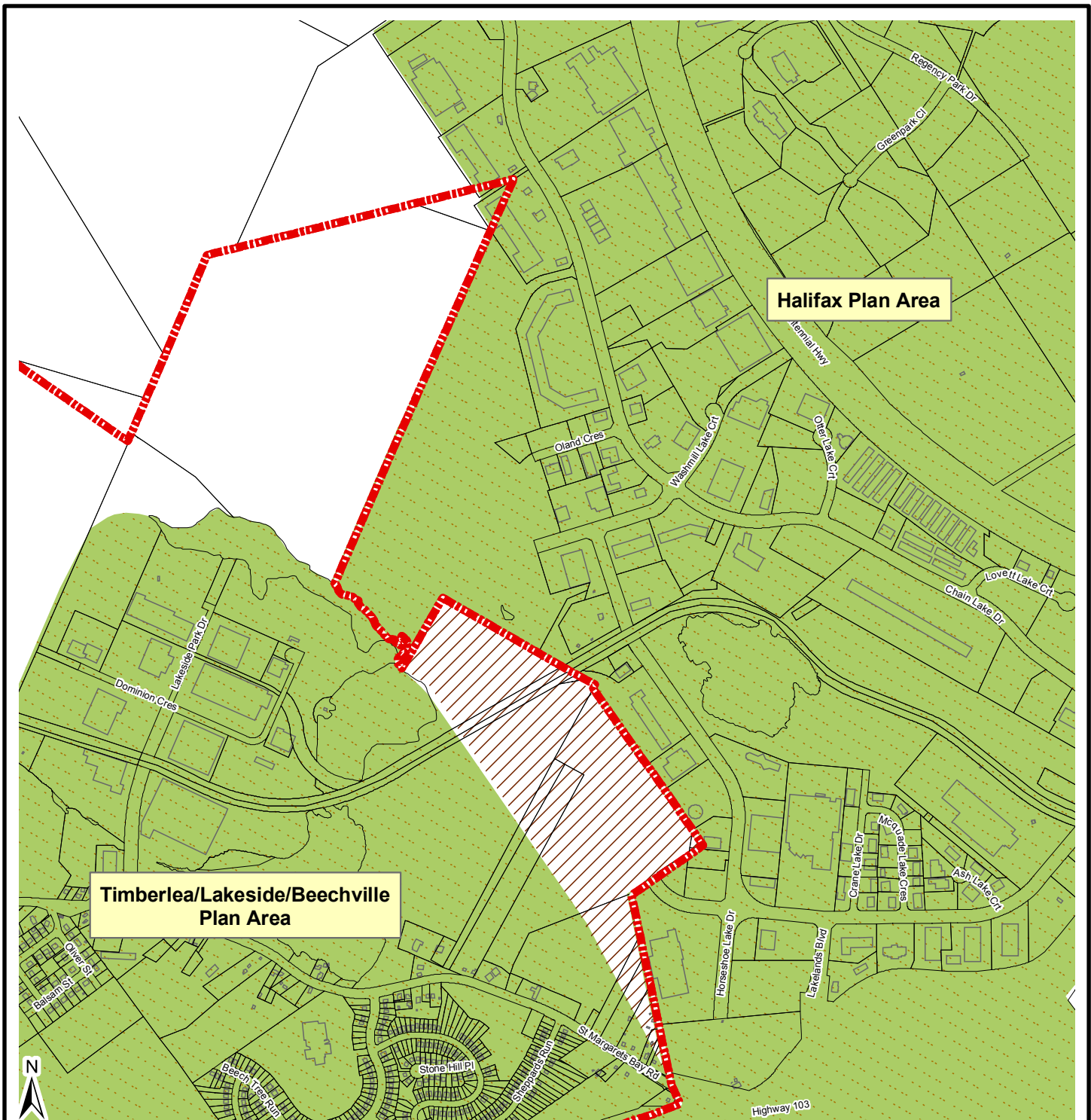
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Brian White, Planner I, 490-4793


Report Approved by: _____
 Austin French, Manager, Planning Services, 490-6717


Financial Approval by: _____
 Catherine Sanderson, Senior Manager, Financial Services, 490-1562





Report Approved by: _____
 Paul Dunphy, Director of Community Development



Map 1 - Current Service Area

Bayers Lake Business Park
Halifax

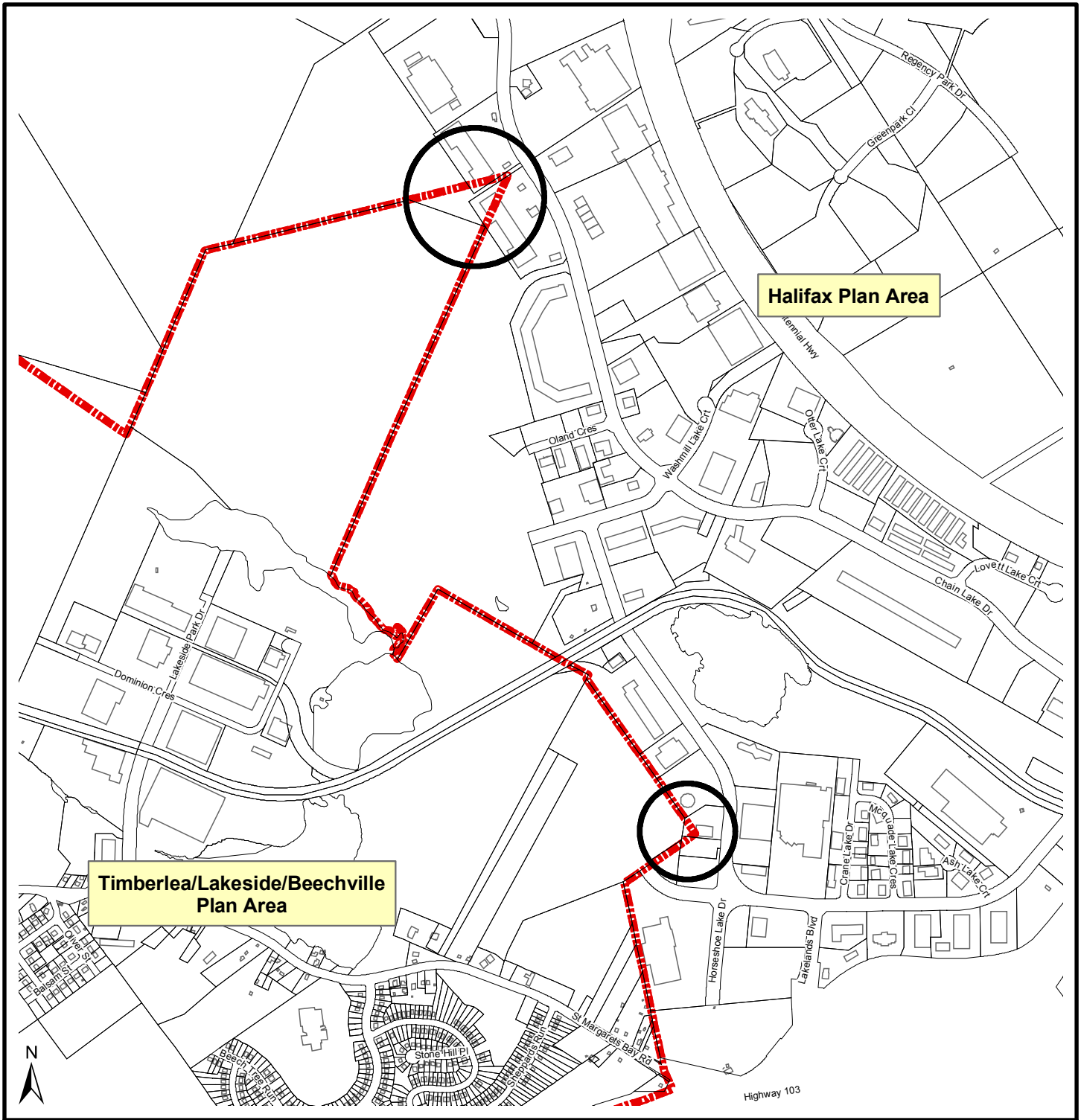


-  Area not included in current service area
-  Area within current service area boundary
-  Plan area boundary




Halifax Plan Area
Timberlea/Lakeside/Beechville Plan Area


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



Map 2 - Plan Area Boundaries

Bayers Lake Business Park
Halifax

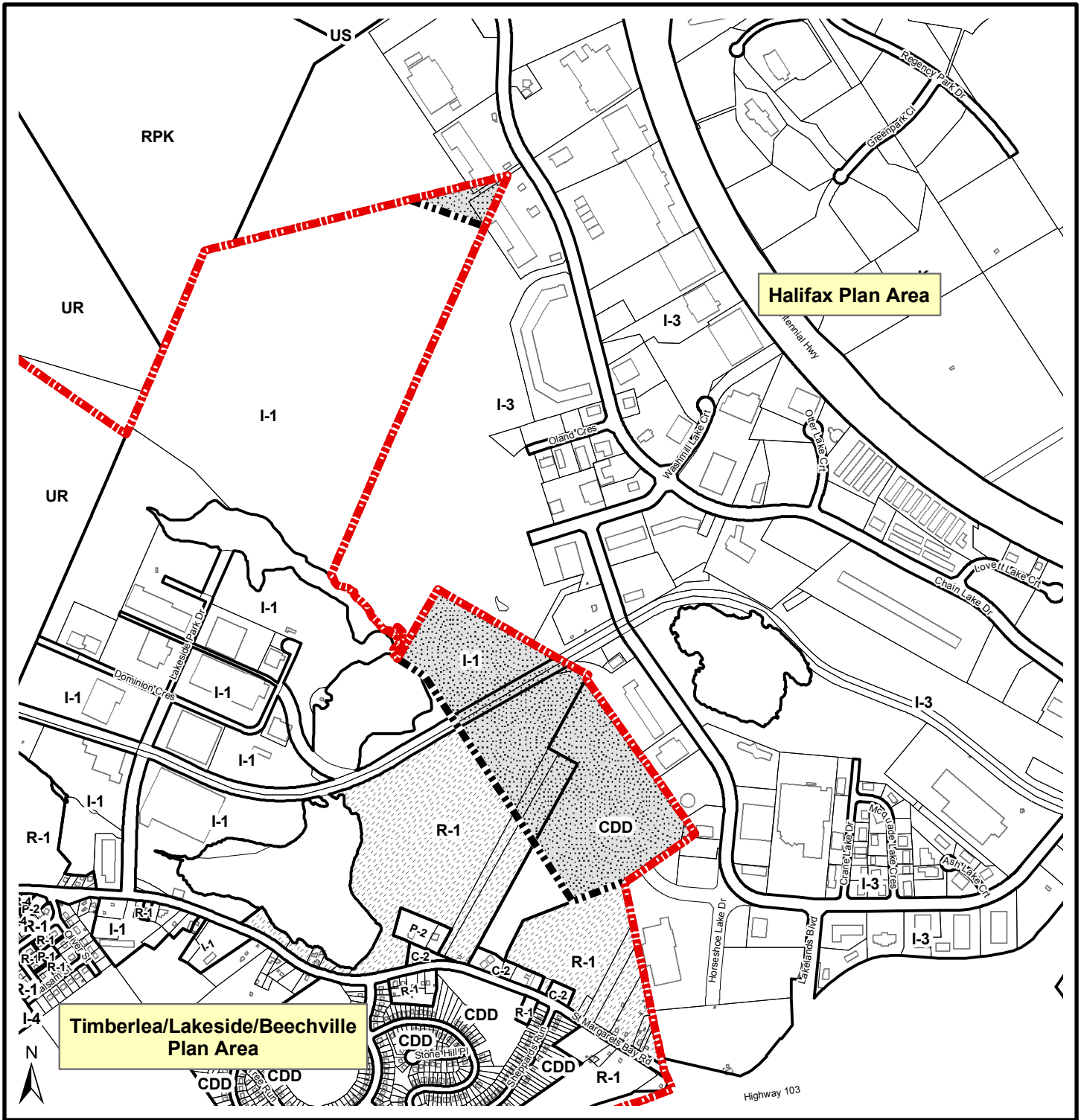
 Boundary of plan area

 Area of plan boundary encroachment



Halifax Plan Area
Timberlea/Lakeside/Beechville Plan Area




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Map 3 - Proposed Boundary Change

Bayers Lake Business Park
Halifax



-  Area proposed to be allocated to Halifax Plan Area, zoned I-3 (General Industrial) and designated Industrial
-  Area proposed to be rezoned to CDD
-  Proposed plan area boundary



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

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

Halifax Plan Area
Timberlea/Lakeside/Beechville Plan Area

Attachment “A”
Proposed Public Participation Process

Purpose:

To obtain input from affected landowners on amendments to the planning boundaries of the Timberlea / Lakeside / Beechville and Halifax MPS.

Jurisdiction:

Amendments to the Regional MPS and community municipal planning strategies are subject to approval by Regional Council.

Process:

A single program allowing amendments to the Regional MPS, the Regional Subdivision By-law and the T/L/B and Halifax MPS/LUB to be presented, discussed and adopted by Regional Council. Steps in the process are as follows:

- C Waive the requirement for a public information meeting.
- C Staff would review the minutes of the public information meeting for Case 00793 and address these in the staff report.
- C Staff would consult with each individual affected land owner to discuss the implications of the amendments. Staff will address these consultations in the staff report.
- C Staff would review the results of the Business Park Functional Plan and address the implications of the functional plan in the staff report.

When Council is satisfied with the proposed amendments to the Regional Plan, Regional Subdivision By-law, and the T/L/B and Halifax MPSs and Land Use By-laws, Council would move First Reading. At that same meeting, Council would set a date for a public hearing on the proposed amendments.