



PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

## Item No. 5

**Halifax Regional Council**  
**December 9, 2008**

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:**

A handwritten signature in cursive script, appearing to read "Paul Dunphy", written over a horizontal line.

Paul Dunphy, Director of Community Development

**DATE:** November 19, 2008

**SUBJECT:** Fall River Commercial Development

### INFORMATION REPORT

#### ORIGIN

- Issue raised by the Fall River Vision Implementation Committee (FRVIC) at its June 24, 2008 meeting.
- June 24, 2008 motion of Regional Council.

## **BACKGROUND**

### ***FRVIC Motion:***

At the June 24, 2008 meeting of the FRVIC, the committee expressed concern related to future commercial development along Highway #2 in Fall River. Furthermore, the FRVIC expressed a direct concern with the aesthetics of future commercial development and the lack of current regulations related to the appearance of buildings. The FRVIC has also voiced their concern regarding the potential of commercial development in the Fall River area, especially the range of permitted uses in the C-4 (Highway Commercial) Zone, prior to the implementation of the FRVAP.

### ***Regional Council Motion:***

Halifax Regional Council passed a motion on June 24, 2008 requesting a staff report to address the concerns raised by the FRVIC regarding commercial development occurring within the visioning area prior to the completion of the FRVAP.

### ***The Fall River Vision:***

The FRVAP represents a vision and collection of ideas expressed by the community regarding the future growth and development of the Fall River Centre and the surrounding areas. The FRVAP was adopted in principle by HRM Regional Council on October 30, 2007, with the next step in the process being the implementation phase. To facilitate the implementation process the FRVIC was formed.

Regional Council, at its meeting of September 30, 2008, adopted a public participation program to review the Municipal Planning Strategy (MPS) for Planning Districts 14 and 17 and prepare associated amendments to carry out the FRVAP. A Community Planning Group has been formed from the FRVIC to prepare a secondary municipal planning strategy (SMPS) for future consideration by Regional Council. The SMPS would contain detailed land use and servicing policies for the Fall River Centre and would form part of the MPS for Planning Districts 14 and 17. It will also include design guidelines and regulations to address aesthetic concerns of the community and carry out the FRVAP.

## **DISCUSSION**

### ***Fall River Vision - Commercial Objectives:***

The FRVAP has identified a need to foster business growth in the Fall River area while at the same time maintaining a village atmosphere. To achieve these objectives, the implementation phase of the FRVAP, which is currently underway, is looking to establish various types of land use controls through the creation of a SMPS for the Fall River Centre. These controls may include provisions

for architectural compatibility, building form and orientation, and the encouragement of less intensive forms of commercial land use.

***Addressing the Concerns of the FRVIC:***

Architectural Compatibility: Establishing interim architectural controls for commercial buildings in the Fall River area will involve amendments to the MPS and Land Use By-law (LUB) for the Planning Districts of 14 and 17 (Shubenacadie Lakes). This process will require an analysis of building form options that are contingent upon the results of a servicing study and a design alternative study that is currently underway as part of the background analysis needed to prepare a SMPS for the Fall River Centre.

Creating appropriate interim architectural requirements prior to the completion of the SMPS for the Fall River Centre will require extensive analysis by planning staff and public consultation that will duplicate the work and the process being undertaken to prepare a SMPS. Further, a plan amendment process to introduce interim controls and a process to prepare a SMPS for the Fall River Centre will take between 8 to 12 months and 12 to 16 months, respectively. Carrying out two parallel processes simultaneously has the potential to confuse the public and create conflict between approaches for design control regulations.

Less Intensive Commercial Uses: The Fall River area is mostly comprised of land zoned for residential use, with several properties along Highway 2 and Blue Hill Road zoned C-2 (Community Commercial) (Map 1). There are a few properties near the interchange of Highway 102 and Highway 118 that are currently zoned C-4, however, few of these properties are currently undeveloped (Map 1).

The LUB for the Planning Districts of 14 and 17 has given careful consideration to the permitted location of commercial uses within the Fall River area. Lands zoned C-2 permit community oriented commercial uses and provide services on a neighbourhood or community scale. Lands zoned C-4 permit uses that are considered to be higher in intensity compared to the C-2 zone, and provide services on more of a district and regional scale.

Although the current location and distribution of C-2 and C-4 zoned lands has been established to focus small and less intensive commercial uses within the heart of the Fall River Village, the FRVAP has placed a focus on ensuring that less intensive commercial uses are encouraged within the greater Fall River area. The FRVIC will address this issue through the implementation phase of the FRVAP and the creation of a SMPS. Again, carrying out two parallel processes simultaneously has the potential to confuse the public and create conflict between approaches for design control regulations.

***Conclusion:***

Staff does not recommend that Regional Council direct staff to begin a process to consider amending the MPS and LUB for Planning Districts 14 and 17 to implement architectural and land use restrictions related to commercial development in the Fall River area. This request has already been initiated through Regional Council's approval of a public participation program to review the MPS

for Planning Districts 14 and 17 and prepare amendments/secondary municipal planning strategy (SMPS) to carry out the FRVAP.

At the September 29, 2008 meeting of the FRVIC, Staff discussed the issues associated with the initiation of a plan amendment process while the community planning process for the Fall River is on-going. Staff expressed concern that a separate process can add confusion and impact the work of the various task groups that have been formed to carry out the Fall River Vision and Action Plan. The FRVIC, while anxious to have design controls in place, preferred to focus on the community planning process to prepare a comprehensive set of policy amendments for future adoption by Regional Council.

### **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.

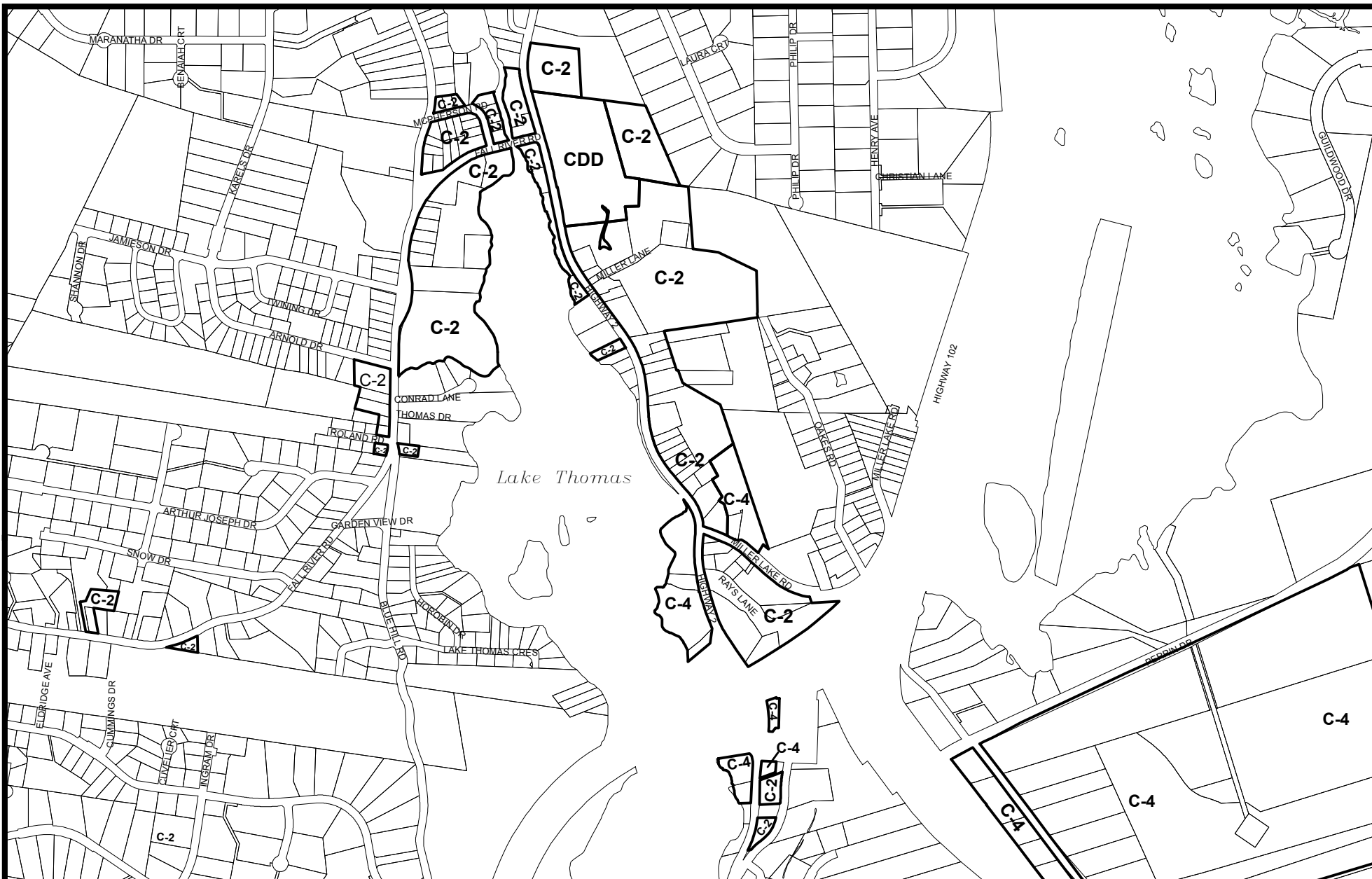
### **ATTACHMENTS**

Map 1                      Commercial Zoning Map - Fall River Area

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 :                      Miles Agar, Planner, Community Development 869 4262

Report Approved by:                       Kelly Denty, Acting Manager, Planning Services, 490-6011



# Map 1 Fall River Commercial Initiation Report

C-2 Community Commercial  
C-4 Highway Commercial  
CDD Comprehensive Development District

**HALIFAX**  
REGIONAL MUNICIPALITY  
Planning Services

