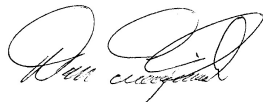


Item No. 11.1.1

**Halifax Regional Council
September 8, 2009**

TO: Mayor Kelly and Members of Regional Council

SUBMITTED BY:



Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: August 14, 2009

Subject: **Case 01287: Burnside Expansion - Regional MPS and
MPS Amendments**

ORIGIN:

This report originates from a request by Real Estate and Facility Services for amendments to Municipal Planning Strategy (MPS) policies to enable the continuation of the Burnside Business Park to the north of the Akerley Boulevard/Highway 107 Ext/Highway 118 interchange.

RECOMMENDATION

It is recommended that Regional Council:

1. Authorize staff to initiate the process to consider amending the Regional Municipal Planning Strategy, the Regional Subdivision By-law, and the Municipal Planning Strategies for Dartmouth and Planning Districts 14 & 17 (Shubenacadie Lakes) to allow for amendments to enable the continuation of the Burnside Business Park on HRM owned lands; and
2. Direct staff to follow the public participation program approved by Council in February 1997.

BACKGROUND

Proposal:

During the undertaking of the Regional Municipal Planning Strategy (Regional MPS) the intended outcome was to include all HRM owned lands of Burnside Business Park within the Business/Industrial Park sub-designation. However, due to a relatively small portion of the Burnside Park falling within a different planning area than the majority of the Park, this smaller portion of land was inadvertently excluded (Map 1) . The requested amendments are therefore required to remedy this oversight.

Regional Plan Context:

The Regional Business/Industrial Park Sub-Designation under the Regional MPS identifies the subject Burnside lands as “priority” lands which have the potential for growth of industrial and business uses (Attachment 1). Map 1 shows the current limits of the Business/Industrial Park sub-designation, and the lands which were inadvertently excluded. Business/Industrial Park Sub-Designation was intended to include those lands within existing business/industrial parks.

Policy EC-12 permits Council to consider extending municipal wastewater and water distribution services for HRM-operated business/industrial parks within both the Business/Industrial Park Sub-Designation and the Urban Settlement Designation (Attachment 1). Further, the industrial zoning applied under the applicable secondary planning strategy to the subject lands which are owned by HRM shall be extended to coincide with the boundaries of the Business/Industrial Park Sub-Designation.

Existing MPS Requirements:

The current planning framework as it applies to the subject lands prevent implementation of business park goals as follows:

Planning Document	Generalized Future Land Use Designation	Result
Regional MPS	Lands are designated Rural Commuter, not Urban Settlement Subject lands are not included within the Business/Industrial Park sub-designation.	Lands are situated outside the HRM service area boundary area, therefore, services cannot be extended to all of the subject area.
Community MPS and Land Use By-law (LUB)	Lands are designated Resource under the Planning Districts 14 & 17 (Shubenacadie Lakes) MPS - rest of the park is situated within Dartmouth MPS and designated Industrial	Existing zoning does not permit business park uses. No option for rezoning under Planning Districts 14 & 17 (Shubenacadie Lakes) MPS

Burnside Functional Plan:

The HRM Business Parks Development Functional Plan, approved in principle by Regional Council in September 2008, identifies an impending shortage of industrial land supply in the Region and confirms the need to develop the remaining phases of Burnside to meet near-term demand for land in this area. Real Estate and Facility Services is therefore planning for the development of the final phases of Burnside Business Park.

DISCUSSION

The subject lands are situated adjacent to the Akerley Boulevard/Highway 107 Ext/Highway 118 interchange. Although long intended to be part of the Burnside park, they are actually located outside the former City of Dartmouth and are within the former Halifax County area. The amendments would bring the lands into the Dartmouth Plan area and allow Burnside to develop as envisioned under the Regional Plan.

The Regional MPS recognizes Burnside Business Park as a major employment centre of critical importance to the economic future of the Region. To sustain the success of Burnside and meet on-going market demand for industrial land in this area it is vital that a timely supply of serviced land and development opportunities exist to accommodate future Park expansion.

Requested Amendments:

In order to allow implementation of HRM's business park goals, the following amendments are therefore required:

Planning Document	Amendments
Regional Plan	Re-designate lands from Rural Commuter to Urban Settlement Extend the Business / Industrial Park Sub-Designation to the lands
Dartmouth MPS/LUB	Expand Plan area boundary over the lands Re-designate the lands to Industrial Rezone the lands to an Industrial / Commercial Zone
Planning Districts 14 & 17 (Shubenacadie Lakes) MPS/LUB	Remove the lands from the Plan area
Subdivision By-law	Expand the service area boundary over the lands

Public Participation Process:

Staff recommends that the Public Participation Resolution for MPS amendments as approved in 1997 by Regional Council be followed. In addition, as amendments to the Regional MPS are required, the Regional Planning Advisory Committee will also provide advice to Regional Council.

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

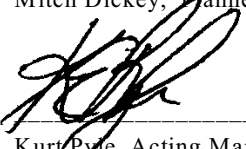
1. Council could request staff to initiate the process to consider amendments to the Regional MPS, Subdivision By-law, and the MPS/LUB documents for the Dartmouth and Shubenacadie Lakes plan areas. This is the recommended action.
2. Council could choose not to initiate the process to consider amendments to the Regional MPS, Subdivision By-law, and the MPS/LUB documents for the Dartmouth and Shubenacadie Lakes plan areas. This is not recommended as this would be contrary to the intent of the Regional MPS and recommendations of the Business Parks Development Functional Plan for Burnside.

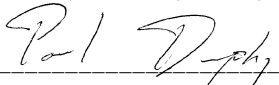
ATTACHMENTS

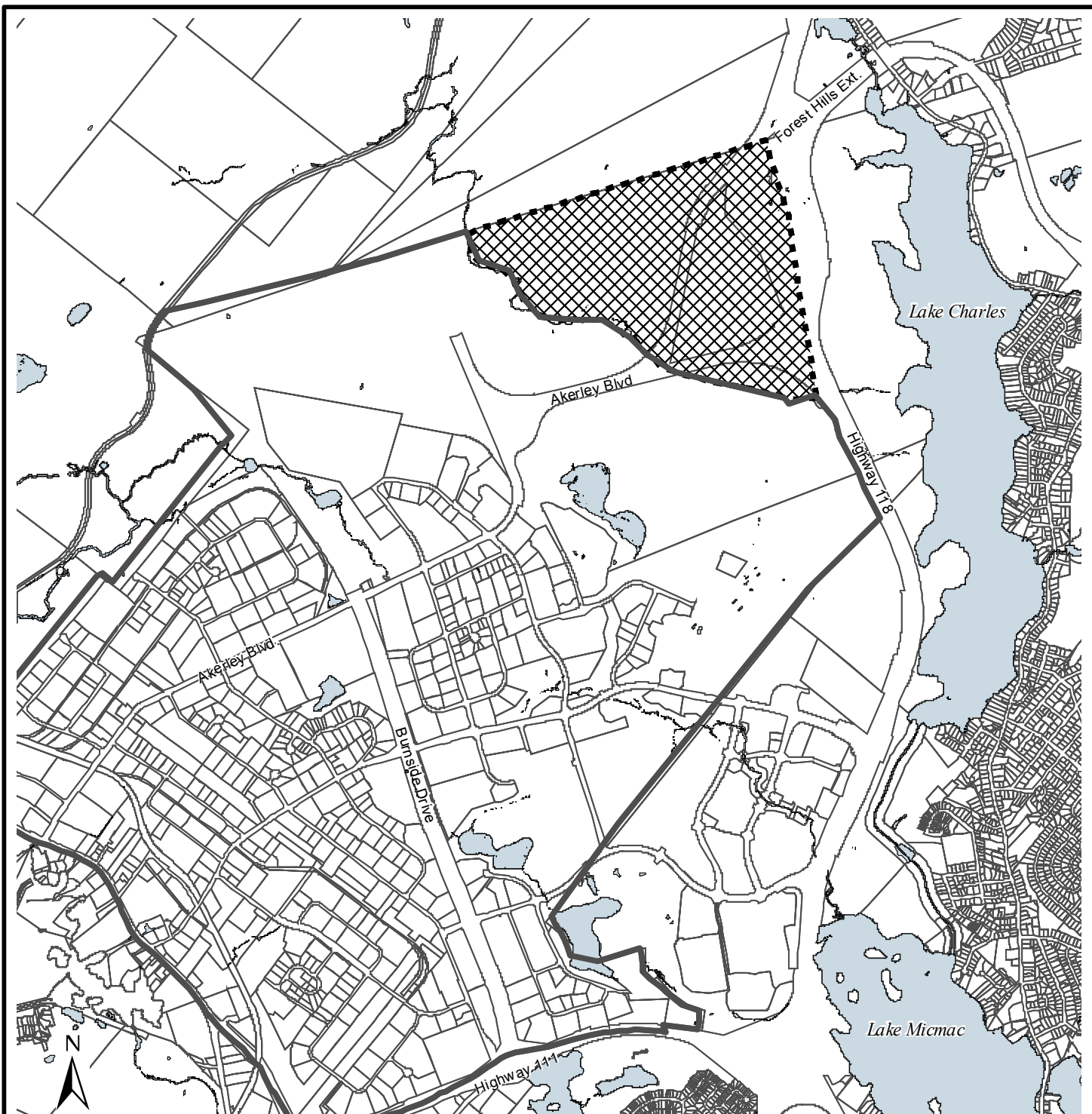
Map 1:	Regional MPS Map
Map 2:	Community MPS Map
Attachment 1	Excerpts from the Regional MPS

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.

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



Map 1

Regional Plan: Proposed Amendments
Map 2- Generalized Future Land Use Map

Burnside Industrial Business Park

Planning Districts 14 & 17 Plan Area
Dartmouth Plan Area



Industrial Park Sub-designation



Area proposed to be included in the
Industrial Park Sub-designation
and redesignated to Urban Settlement
(Map 2 of the Regional Plan)

HALIFAX
REGIONAL MUNICIPALITY

COMMUNITY DEVELOPMENT
PLANNING SERVICES

300 150 0 300 600 900
Meters

This map is an unofficial reproduction of a
portion of the Planning Districts 14 & 17,
and the Dartmouth Plan area.

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

Attachment 1
Excerpts from the Regional MPS

- EC-11 HRM shall establish a Business/Industrial Park Sub-Designation to identify lands which have the potential for growth of industrial and business uses and associated support uses, as shown on the Generalized Future Land Use Map (Map 2). Sites in this designation include all existing business/industrial parks, including Halifax International Airport, and their proposed expansion areas. The sub-designation is intended to provide priority areas for an integrated mix of industrial, commercial, service and support uses.
- EC-12 Notwithstanding Policies SU-2 and SU-5, for HRM-operated parks within both the Business/Industrial Park Sub-Designation and the Urban Settlement Designation, municipal wastewater and water distribution services may be extended upon determination by HRM Council that financial resources are available. This also applies to lands within the Aerotech Business Park. The industrial zoning applied under the applicable secondary planning strategy to those lands which are owned by HRM shall be extended to coincide with the boundaries of the Business/Industrial Park Sub-Designation.
- SU-2 HRM shall establish an Urban Service Area under the Subdivision By-law to designate those areas within the Urban Settlement Designation and the Harbour Designation, or as otherwise determined under Policy IM-18, where municipal wastewater and water distribution systems are to be provided. The Area shall initially include all lands within existing service boundaries established under secondary planning strategies at the time of adoption of this Plan. Lands within the Urban Service Area shall only be developed with municipal wastewater and water distribution systems. Any service boundary established under existing secondary planning strategies shall be replaced by the Urban Service Area boundary.
- SU-5 Further to Policy IM-9, within the Urban Settlement designation, HRM shall consider requests to amend the Urban Service Area. When considering any expansion of the Urban Service Area, HRM shall have regard to the following:
- (a) that a Community Visioning exercise has been undertaken in accordance with Policy G-11 and a Secondary Planning Strategy for the lands to be included within the Urban Service Area has been adopted by HRM except that this requirement may be waived where, in the opinion of HRM, the proposed extension represents a minor adjustment to the Area;
 - (b) the financial ability of HRM to absorb any costs relating to the extension;
 - (c) that the lands are within a reasonable distance of existing infrastructure and sufficient capacity exists within the system;
 - (d) the impacts on natural heritage and availability of existing or committed infrastructure, impacts on density targets, and agricultural capability ;
 - (e) compliance with buffer and distance separation policies and regulations for natural resource activities within the Urban Settlement Designation;
 - (f) impacts on the natural environment and cultural features;
 - (g) existing or potential drainage or pollution problems;
 - (h) the interconnection of urban areas;

- (i) watershed or sub-watershed studies are completed as per Policy E-17;
- (j) that the lands are adjacent to an existing subdivision serviced with municipal wastewater and water distribution systems;
- (k) that an infrastructure charge area is established, if appropriate; and
- (l) the sufficiency of community services in the area and the ability to expand community services to meet future needs.