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Item No. 11.1.5
Halifax Regional Council
October 20, 2009

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Dan English".

Dan English, Chief Administrative Officer

A handwritten signature in black ink, appearing to read "Wayne Anstey".

Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: September 28, 2009

SUBJECT: Case 01323: MPS Amendments - Sackville/Sackville Drive

ORIGIN

August 27, 2009 motion of North West Community Council (item 10.2.1)

MOVED BY Councillor Harvey, seconded by Councillor Johns that North West Community Council request that staff prepare an initiation report to Regional Council which would look at amending the boundary lines between the Sackville MPS and the Sackville Drive SPS in the vicinity of PID #40102121 and 40585267 so that the dividing line between the MPS and SPS follows the street right-of-way for Walker Avenue. Further North West Community Council would like consideration of the extension of the R-1 zone on the identified PID's. MOTION PUT AND PASSED.

RECOMMENDATION

It is recommended that Regional Council:

1. Initiate the process to consider amending the Municipal Planning Strategies and Land Use By-laws for Sackville and Sackville Drive to amend the boundary line between each plan area in the vicinity of Walker Avenue and apply the appropriate zoning to affected properties; and
2. Request staff to follow the public participation program as approved by Council in February 1997.

BACKGROUND/DISCUSSION

Plan Area Boundary

The boundary line between the Sackville MPS and the Sackville Drive SPS was established using zoning lines that existed prior to the construction of Walker Avenue which is located between Highway 101 and the Old Sackville Road (Map1). As a result, a portion of Walker Avenue is located in the Sackville MPS and LUB and designated Urban Residential and zoned R-1 (Single Unit Dwelling) Zone. The remaining portion is located within the Sackville Drive SPS and LUB and designated LS (Large Scale) Zone and zoned LS (Large Scale) Zone (Map 1 and 2).

Implications of Boundary

Due to the construction of Walker Avenue after the boundary lines were established, several small pieces of commercially zoned land on the north side of Walker Avenue have been created. These pieces of land vary in width from 5 to 20 metres back from the street line. As a result, these small strips of land have limited commercial and residential potential. The location of the boundary has effectively precluded development of the subject properties and adjacent lands.

The Request

North West Community Council has requested that the boundary line between the SPS and MPS follow the street right-of-way for Walker Avenue to allow for the development of these small pieces of land. This request would require the boundaries of the plans to be adjusted. Further the request would require revising land use zones on several properties to residential land uses.

Justification for Change

The existing MPS and SPS boundaries in the area date from a time prior to the construction of Walker Avenue. The boundary line between the plans and the existing zoning has precluded development of any use on the subject lands. A review of the location of the boundary between the SPS and MPS has determined that the line was placed in this area to follow traditional zoning lines for convenience. By reviewing the location of the boundary line and the zoning, Council can create a simpler and more appropriate land use plan and enable residential development where no development is enabled currently.

Conclusion

Staff are recommending the initiation of a planning process to consider the requested change as identified in the recommendation section of this report.

BUDGET IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved operating budget for C310. Budget availability has been confirmed by Financial Services.

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 may choose to initiate the MPS amendment process as stated in this report. This is the recommended course of action.
2. Council may choose not to initiate the MPS amendment process. A decision not to amend the MPS cannot be appealed. This alternative is not recommended as staff feels that there is merit in considering the amendments to the Sackville MPS and LUB and the Sackville Drive MPS.

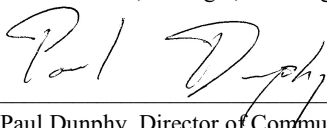
ATTACHMENTS

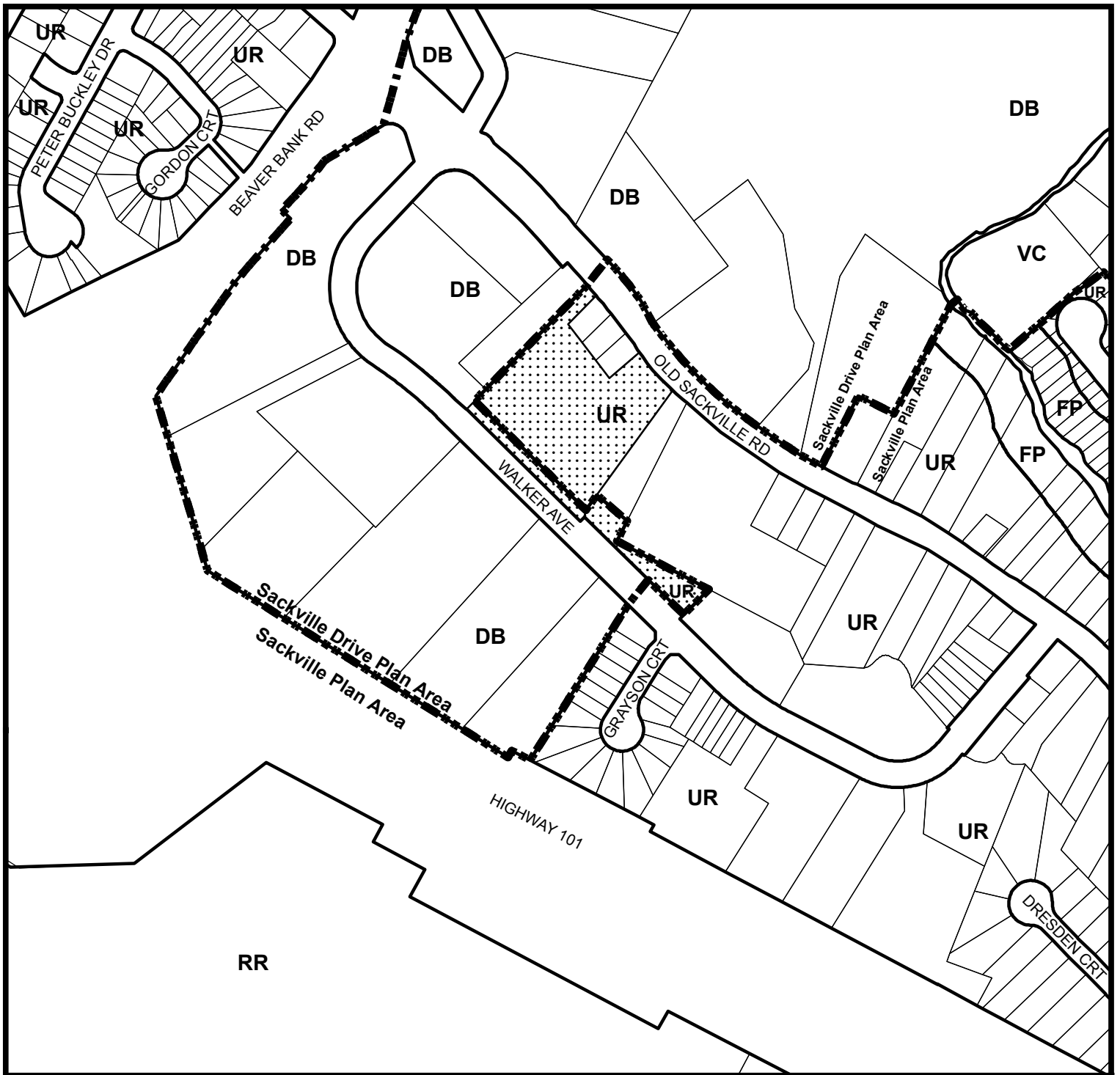
Map 1 Generalized Future Land Use
Map 2 Zoning

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.

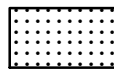
Report Prepared by: Andrew Bone, Senior Planner, 869-4226

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

Report Approved by: 
Paul Dunphy, Director of Community Development, 490-4933



Map 1
Generalized Future Land Use



Subject Properties



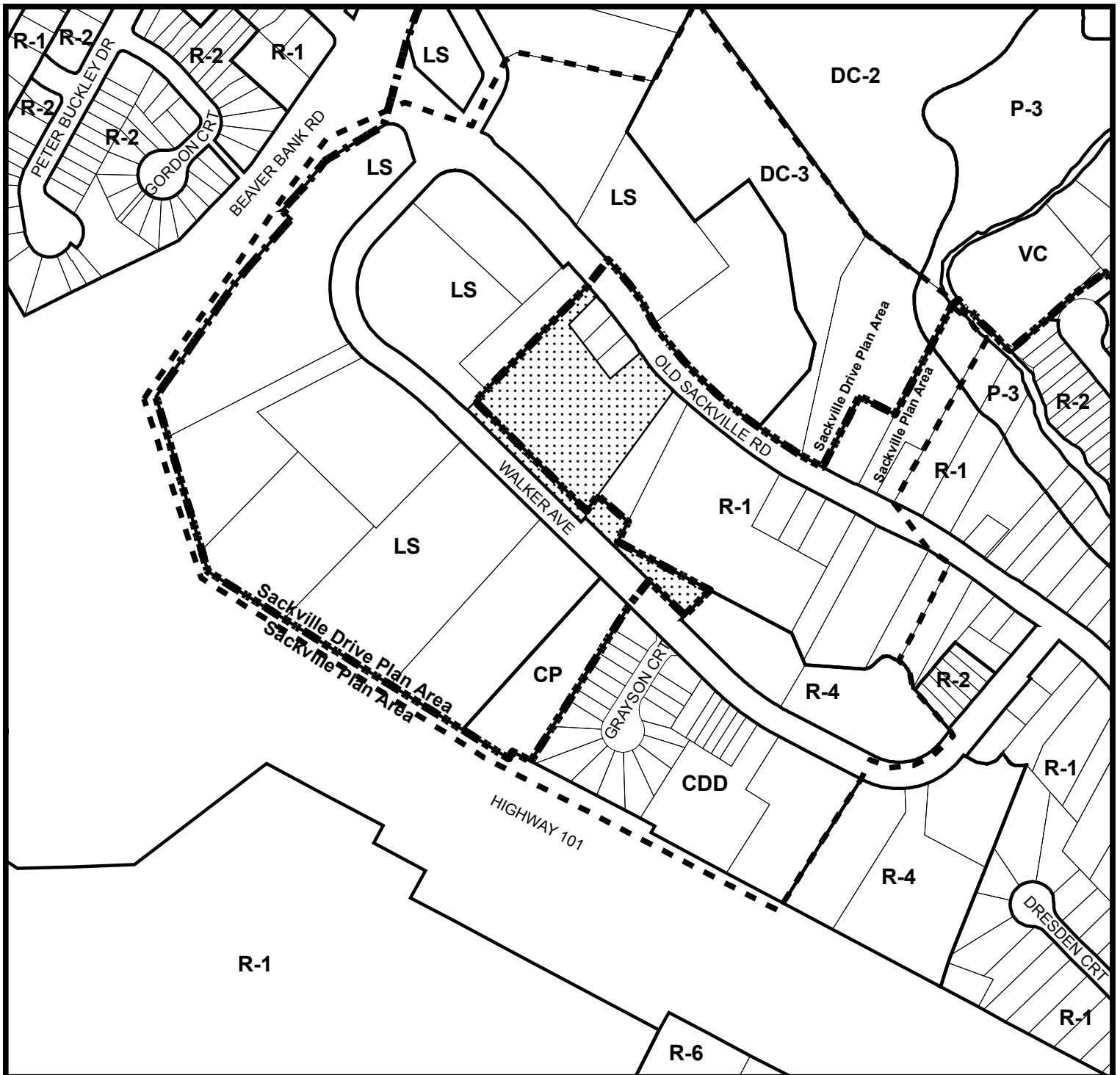
Sackville Plan Area

- UR Urban Residential Designation
- RR Rural Residential Designation
- FP Floodplain Designation

Sackville Drive Plan Area

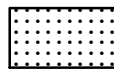
- DB Downsview / Beaver Bank Designation
- VC Acadia Village Centre Designation





**Map 2
Zoning**

--- Notification Area



Subject Properties



Sackville Plan Area

- R-1 Single Unit Dwelling Zone
- R-2 Two Unit Dwelling Zone
- R-4 Multiple Unit Dwelling Zone
- R-6 Rural Residential Zone
- CDD Comprehensive Development District
- P-3 Floodplain Zone

Sackville Drive Plan Area

- LS Large Scale Commercial Zone
- DC-2 Downsview Complex-2 Zone
- DC-3 Downsview Complex-3 Zone
- CP Community Parkland and Facility Zone
- VC Acadia Village Centre Zone
- P-3 Floodplain Zone

