
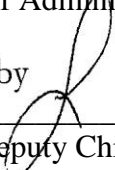


Item No. 10.1.7
Halifax Regional Council
April 17, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original signed by 

Richard Butts, Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

DATE: March 7, 2012

SUBJECT: **Case 17413, Amendments to the Municipal Planning Strategy and Land Use By-Law for Planning District 4 (Prospect) for 16 Mills Drive, Goodwood**

ORIGIN

Application by Halifax C&D Recycling Limited.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Authorize staff to initiate a process to consider amending the Municipal Planning Strategy and Land Use By-Law for Planning District 4, to permit the expansion of the existing construction and demolition materials processing facility located at 16 Mills Drive, Goodwood; and
2. Request that staff follow the public participation program as approved by Council in February 1997.

BACKGROUND

Halifax C&D Recycling Limited operates a construction and demolition materials (C&D) processing facility at 16 Mills Drive in Goodwood. The facility is located on two adjoining parcels of land, which are generally described as follows:

- Approximately 4 acres in total area;
- Approximately 385 feet of total street frontage;
- Zoned CD-2 (C&D Materials Processing Facilities) and I-1 (Light Industry) by the Land Use By-Law for Planning District 4 (LUB) (Map 1); and
- Designated Residential B by the Municipal Planning Strategy for Planning District 4 (MPS) (Map 2).

The facility has operated on these lands since 1995 and has grown to become the primary C&D processing operation in HRM. Halifax C&D is requesting amendments to the MPS and LUB to permit expansion of this facility.

Proposed Expansion:

Halifax C&D Recycling Limited wishes to expand the processing operation onto land immediately west of the existing site (Map 1). The land in question is approximately 29,000 square feet and if included with the existing operation, would represent a 17% increase in area. This land is zoned I-1 by the LUB (Map 1), designated Residential B by the MPS (Map 2), and lies within a larger parcel currently used as a tire recycling facility.

C&D Requirements:

Municipal planning documents adopted or amended prior to 2002, did not recognize the various types of C&D operations (transfer, processing, and disposal) as unique forms of land use. Instead, land use regulations generally provided for these uses under regulations which apply to other uses such as salvage yards and 'industrial' or 'processing' operations.

In September of 2002, as part of a Construction and Demolition Waste Management Strategy, Regional Council adopted amendments to all of HRM's Municipal Planning Strategies and Land Use By-Laws. These amendments recognized the unique land use requirements of the C&D industry and in turn, provided a consistent and comprehensive set of land use regulations through specific planning policy and zoning. These amendments also recognized existing C&D operations by applying applicable zoning to reflect their use.

Zoning Oversight:

Although the 2002 amendments were intended to recognize existing C&D operations, the CD-2 Zone was not applied correctly to the entire processing facility in Goodwood. As shown on Map 1 of this report, the eastern portion of the existing processing facility is located on land zoned I-1. These lands form part of the original processing facility and should have been zoned CD-2. As policy SW-10 of the MPS indicates an intention to recognize existing C&D operations through applicable zoning, this issue will be addressed as part of a separate rezoning process.

MPS Context:

The MPS identifies lands along Highway No. 333 (Prospect Road), including Goodwood, as predominantly residential with a significant non-residential component. In response to the amount of residential development, the Residential B designation was applied to these areas, including lands in the vicinity of Mills Drive. However, the MPS also expresses intent to acknowledge existing industrial areas through the LUB. As a result, the I-1 Zone was applied to lands surrounding Mills Drive (Map 2).

Amendments to the municipal planning documents adopted in 2002, identified the appropriate context by which new or expanded C&D facilities should be considered. In general, newly established or expanded C&D facilities are considered more appropriate in areas identified for industrial or resource purposes, and may be considered subject to the rezoning and site plan approval processes. In the case of Planning District 4, the MPS does not include an industrial land use designation. Therefore, MPS policy for Planning District 4 indicates that new or expanded C&D facilities may only be considered in the Resource designation.

Although land surrounding Mills Drive carries an industrial zone, the existing residential designation does not allow the requested expansion to be considered, subject to rezoning and site plan approval.

DISCUSSION

Typically, a Municipal Planning Strategy will identify areas where industrial development is considered appropriate, and through the corresponding Land Use By-Law, apply an industrial zone. In the case of Planning District 4, the MPS expresses a clear intent not to designate any particular area for future industrial development, resulting in the absence of an industrial designation. However, the Mills Drive area is recognized by the LUB as an existing industrial area and, as such, industrial zoning was applied in the absence of an industrial designation.

As municipal wide C&D policies identify industrial areas as appropriate locations where C&D operations may be considered, expanding the existing processing facility on land zoned for industrial uses has merit and should be considered, subject to a planning process.

Conclusion:

While current policies and regulations do not allow the applicant to proceed with the proposed expansion by rezoning and site plan approval, undertaking a planning process to review the proposal in further detail has merit due to its location.

Municipal Planning Strategy amendments should only be considered where there is a change in circumstances. In this case, the land in question is zoned industrial and located on a parcel currently housing a tire recycling facility. Also, the existing operation has grown to become the primary C&D processing facility in HRM and requires additional land in order to improve diversion opportunities and operational efficiencies. Diverting C&D materials is an important goal of the Construction and Demolition Waste Management Strategy, which has set C&D

recycling targets and requires the diversion of C&D materials from Municipal landfills. As such, a planning process should be initiated to explore the proposed expansion in greater detail.

BUDGET IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved operating budget for C310.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

At this point, Regional Council is being asked to only initiate a planning process to consider an expansion to the existing C&D processing facility in Goodwood. If Regional Council agrees to this, staff will undertake a comprehensive review of the proposal.

Staff will also consult with the public and other stakeholders, through a public information meeting and other means, following which staff will submit a report and recommendation to Regional Council. This report will be considered by the Western Region Community Council, who will make a recommendation on any prospective amendments to the planning documents. With this information, if Regional Council wishes to consider adopting amendments, it will need to hold a public hearing.

ALTERNATIVES

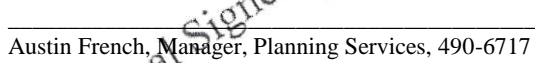
1. Regional Council may choose to initiate the application, which is the recommended alternative for the reasons outlined in this report.
2. Regional Council may choose not to initiate the application, the result of which would be the retention of the current policies and regulations. Refusing to initiate the application is not recommended as the proposal warrants further detailed review and public consultation.

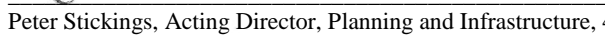
ATTACHMENTS

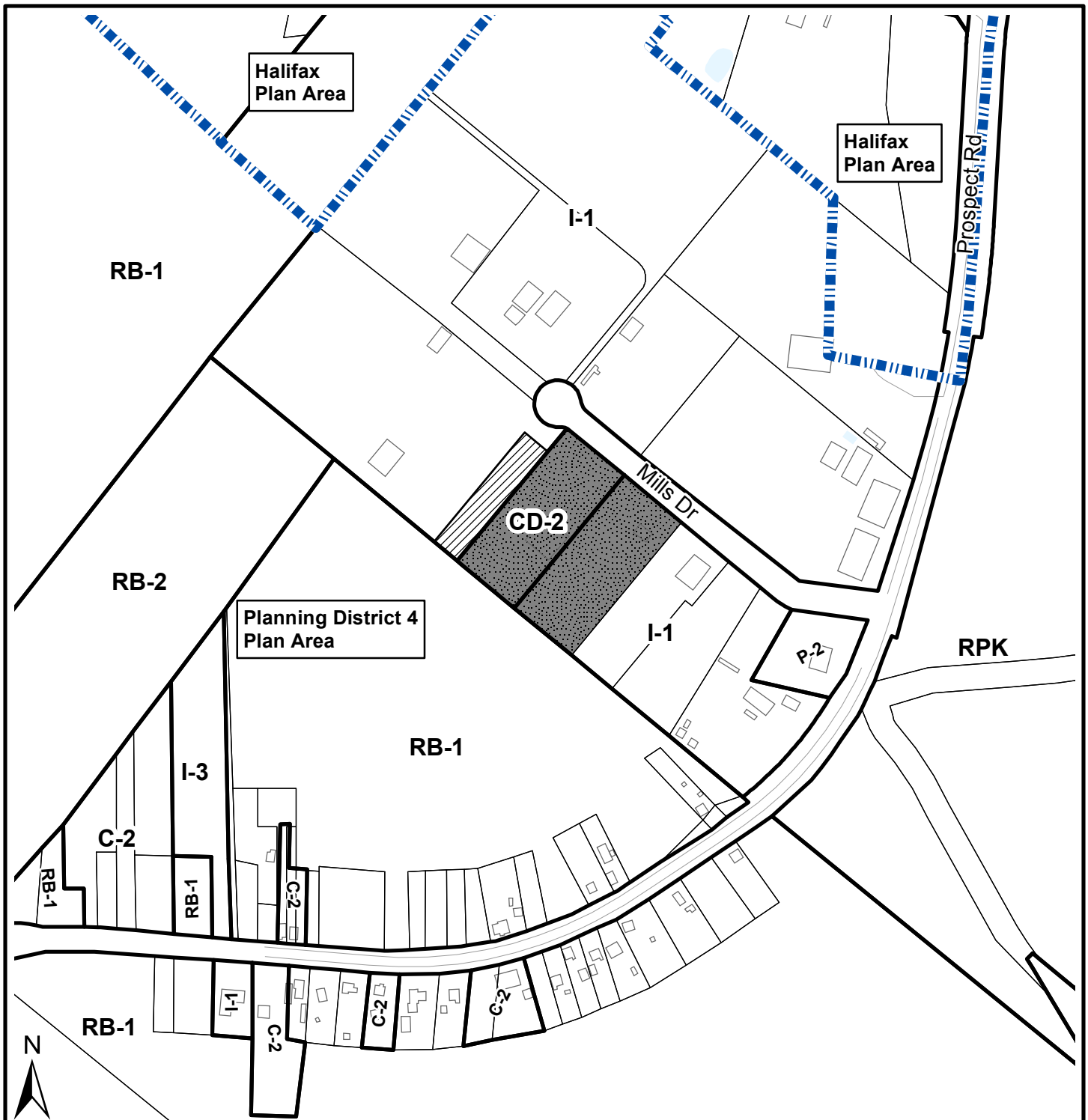
- Map 1: Location and Zoning
Map 2: Generalized Future Land Use

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.

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Map 1 - Location and Zoning

16 Mills Drive
Goodwood

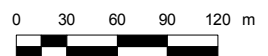
-  Existing CD-2 facility
-  Proposed expansion

Planning District 4
(Prospect) Plan Area

Zone

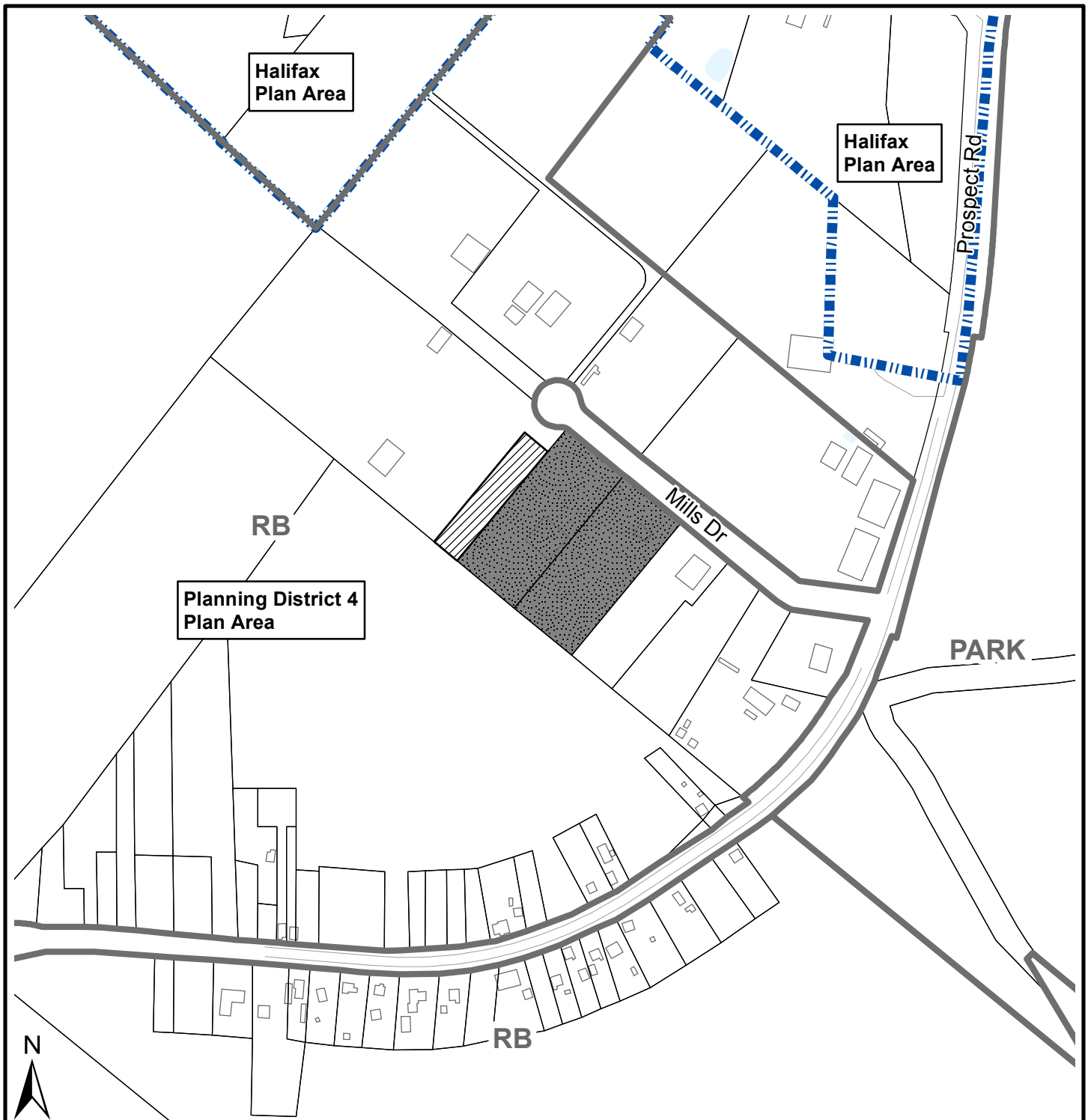
- RB-1 Residential B-1
- RB-2 Residential B-2
- C-2 General Business
- I-1 Light Industry
- I-3 Local Service
- P-2 Community Facility
- RPK Regional Park
- CD-2 C&D Materials Processing Facilities

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PLANNING SERVICES





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

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



Map 2 - Generalized Future Land Use

16 Mills Drive
Goodwood

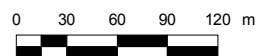
-  Existing CD-2 facility
-  Proposed expansion

Planning District 4
(Prospect) Plan Area

Designation

RB Residential B
Park Park

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