



P.O. Box 1749
Halifax, Nova Scotia
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Item No. 2
Halifax Regional Council
September 25, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: _____
Peter Stickings, Acting Director, Planning & Infrastructure

DATE: August 1, 2012

SUBJECT: Petition to Prohibit Rinks and Arenas in the U-1 Zone

INFORMATION REPORT

ORIGIN

Petition tabled by Councillor Uteck during the June 12, 2012, Regional Council session (Item 10.2.1).

BACKGROUND

On June 12, 2012, Councillor Uteck tabled a petition with Halifax Regional Council, which requested amendments to the Halifax Peninsula Land Use By-Law to prohibit rinks and arenas in the U-1 (Low-Density University) Zone. The petition was submitted to Councillor Uteck by a group representing 57 residents in the Oakland Road, Dalhousie Street, South Street, Studley Avenue, Malborough Avenue and Beaufort Avenue area of Peninsula Halifax.

DISCUSSION

The U-1 (Low-Density University) Zone, as it relates to the Halifax Peninsula, is currently applied to a portion of the land holdings of Dalhousie University, Saint Mary's University and the Atlantic School of Theology. The zone limits permitted uses to the following:

- University uses excepting university commercial facilities, student union buildings, physical plant buildings, parking garages, auditoriums and laboratories;
- Parking lots;
- Residential accommodation for university students;
- Fraternity and society houses; and
- R-1 and R-2 uses.

Rinks and arenas, much like stadiums and athletic centres, are facilities typically found on university campuses throughout North America and are therefore included under the broad umbrella of university uses. Consequently, they are a permitted use within the U-1 Zone as they are not explicitly excluded.

The three institutions that share the U-1 Zone on Peninsula Halifax were all informed of the petition and given the opportunity to comment on the amendment request. Two of these institutions, Dalhousie University and Saint Mary's University, provided written comments (see Attachments A and B). Both institutions are opposed to the requested amendments.

It is important to note that Regional Council initiated the Centre Plan project on October 4, 2011. This project will deliver a new municipal planning strategy and land use by-law for the entire Regional Centre by 2015.¹ As part of this planning exercise, all zones on Peninsula Halifax, including the U-1 Zone, will be reviewed.

BUDGET IMPLICATIONS

There are no budget implications related to this report.

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.

¹ The Regional Centre includes the area of Dartmouth located inside the Circumferential Highway and the Halifax Peninsula.

COMMUNITY ENGAGEMENT

Institutions which currently have land holdings on Peninsula Halifax zoned U-1 were informed of the petition and were given the opportunity to comment on the amendment request. Two of these institutions, Dalhousie University and Saint Mary's University, provided written comments (see Attachments A and B).

In the event that Council were to act on the petition and initiate an application to amend the Halifax Peninsula Land Use By-Law to prohibit rinks and arenas in the U-1 Zone, a public information meeting would be scheduled by staff to consult with the community. Furthermore, prior to the consideration of draft land use by-law amendments, Council would be required to hold a public hearing.

ENVIRONMENTAL IMPLICATIONS

No environmental implications have been identified.

ATTACHMENTS

Attachment A Correspondence Submitted by Dalhousie University
Attachment B Correspondence Submitted by Saint Mary's University

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: Luc Ouellet, Senior Planner, 490-3689

Original Signed

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

Attachment A



***Vice-President
Finance and Administration***

Ref. No.121-21338

By E-mail

July 26, 2012

Members of Regional Council
Halifax Regional Municipality
c/o Office of the Municipal Clerk, City Hall
1841 Argyle Street, Main Floor
PO Box 1749
Halifax, NS, B3J 3A5

Dear Members of Regional Council:

Re: Petition Requesting Changes to University Zoning - Dalhousie's Position

On July 16, 2012 Dalhousie University was informed of a petition to amend the Halifax Peninsula Land Use By-law to prohibit rinks and arenas in the U-1 (Low-Density University) Zone. It is Dalhousie's position that the U-1 Zone provides sufficient land use controls for urban issues. An amendment to the U-1 Zone prohibiting rinks and arenas is unwarranted at this time. The 2010 Dalhousie Campus Master Plan could not have predicted the need to replace the Memorial Arena; however, the Plan did envision new recreational facilities within the U-1 Zone on the south side of South Street. Upgrading and expanding Athletics and Recreation facilities to meet the University's needs is a key element of Dalhousie's Campus Plan.

Optimizing Use of Space

Dalhousie is focused on creating a compact urban form. A compact university community offers certainty to adjacent neighbourhoods regarding university expansion. Intensification generates advantages for sustainable development, programming function, and a heartier social environment.

Dalhousie's planning and development efforts must be focused on intensification within the parameters of the land use bylaw regulations. Dalhousie's new institutional development must promote sustainability measures and building design excellence that protect the integrity, character and compatibility with our surrounding neighbourhoods, while enhancing the University's world class status.

in addition to the University's mandate to design high-quality, respectful campus buildings, we understand that the U-1 Zone contains building controls that encourage residential compatibility. Firstly, the height of buildings located in the U-1 Zone is limited to 35 feet, which is compatible with the R-1 and R-2 Zones in the surrounding neighbourhoods. Secondly, we understand that the building front yard would be generally in accordance with the existing street line, thereby not creating a dominating presence on the street. Thirdly, parking requirements stipulate that surface parking must be buffered from the streetline by a minimum of 15 feet of landscaped space. Should a new arena be constructed in a U-1 zone, and should it require surface parking, the current zoning controls provide appropriate setback and buffering measures. Finally, Dalhousie recognizes that an arena in a U-1 zone would operate primarily as a facility for university and community activities focused on the athletic, cultural and educational development of the community members it serves. Dalhousie understands that the primary function of an arena in the U-1 zone would not be for commercial or otherwise disruptive uses.

The existing U-1 Zone provisions allow Dalhousie to consider an arena development, while providing certainty about minimizing neighbourhood impacts. Prohibiting rinks and arenas in the U-1 Zone reduces options for creating a compact urban university.

Strengthening Community

Dalhousie is an urban university that co-exists with residential neighbours. Dalhousie hosted a community discussion on April 4, 2012 inviting feedback from neighbours on options for a new arena. By working collaboratively, the University is seeking to improve shared resources – in this case a new arena. Recreation facilities at Dalhousie experience a very high rate of public use and benefit students and the greater community. HRM's indoor Recreational Facilities Master Plan notes that university facilities play a key role in indoor recreation service provision...significant gaps would exist if they were not available. Prohibiting rinks and arenas in the U-1 zone would lessen Dalhousie's options and reduce space planning efficiencies. The university is striving to accommodate a variety of space uses typical of urban mixed use – much of what HRMbyDesign is focused on achieving.

Dalhousie is interested in working together with our neighbour's to improve the quality and design of the shared campus facilities. Dalhousie cannot support outright restricting the University's ability to operate allowable uses in the U-1 Zone. Dalhousie understands that the HRMbyDesign CentrePlan Phase 3 will be expanding throughout the neighbourhoods on the Halifax Peninsula and Dartmouth inside the arc of the circumferential highway. A review of the zones is appropriate at that time.

Dalhousie looks forward to continued dialogue with our residential neighbours and working together to improve our shared facilities.

Yours truly,



Ken Burt
Vice-President
Finance and Administration

Attachment B



**Saint Mary's
University**

Halifax, Nova Scotia
Canada B3H 3C3

Vice-President, Administration

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July 18, 2012

Luc H. Ouellet, MCIP, LPP
Senior Planner
Planning & Infrastructure
Halifax Regional Municipality
Alderney Gate Office

Dear Mr. Ouellet:

Re: Petition Requesting Changes to University Zoning

Saint Mary's University would like to express our objection to what appears to be a blanket request to amend the Halifax Peninsula Land Use By-law to prohibit rinks and arenas in the U-1 (Low-density University) Zone. By granting this request, HRM could limit Saint Mary's future development plans for within its own campus boundaries.

Recreation facilities are a key component of a university campus as well as the local community, promoting health and wellness. In regard to zoning, it is desirable to locate these facilities on the campus such that they complement the academic facilities and also allow the community easy access to the recreation facilities (without going through the academic facilities). Recreation facilities also require parking, which at Saint Mary's University has been placed at the perimeter of the campus in U-1 zoning in order to create an interior green campus.

Thank you for the opportunity to express our objection to the requested university zoning changes.

Sincerely,

[REDACTED]
Gabrielle Morrison
Vice President, Administration