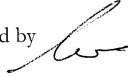


Item No. 10.1.1
Halifax Regional Council
September 21, 2010

TO: Mayor Kelly and Members of Halifax Regional Council

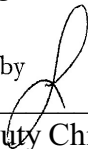
Original Signed by



SUBMITTED BY:

Wayne Anstey, Acting Chief Administrative Officer

Original Signed by



Mike Labrecque, Deputy Chief Administrative Officer

DATE: August 31, 2010

SUBJECT: **Case 16424 - MPS and LUB Amendments for Planning Districts 1 and 3 - Upper Tantallon at the Crossroads**

ORIGIN

- Community Forum III, "Vision to Reality", held on April 16 and 17, 2010.
- August 10, 2010 - Motion of Regional Council:

MOVED BY Councillor Lund, seconded by Councillor Rankin, that Halifax Regional Council request staff to prepare a report to initiate the process to consider amending the Municipal Planning Strategy and Land Use By-Law for Districts 1 and 3 (St. Margarets Bay) to incorporate the recommendations of Community Forum III, "Vision to Reality", a concept plan for Upper Tantallon at the Crossroads. MOTION PUT AND PASSED.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Initiate the process to consider amending the Municipal Planning Strategy and Land Use By-law for Planning Districts 1 and 3 (St. Margarets Bay) to implement the results of the Community Forum "Upper Tantallon at the Crossroads" Concept Plan.
2. Request that staff follow the public participation program approved by Council in February 1997, including additional consultation as outlined in this report.

BACKGROUND

Regional Context

Upper Tantallon at the Crossroads is located where St. Margarets Bay Road and Hammonds Plains Road intersect. The study area is immediately south-west of the larger commercial hub occurring around Highway 103 at Exit 5.

The community is largely residential with commercial activity occurring along St. Margarets Bay Road near the Hammonds Plains Road intersection. The area is immediately adjacent to the Upper Tantallon Rural Commuter Centre and is designated Rural Commuter under the Regional Plan.

Municipal Planning Strategy (MPS)

There are a number of MPS land use designations present in the study area, including Mixed Use A (MUA), Mixed Use B (MUB), Hubley Mill Lake (HML), Mixed Rural Residential (MRR) and Residential (RES) (Map 1). The most prevalent designation is MUB.

These designations allow for a hierarchy of land uses that transcend from primarily residential uses only in the Residential designation to that of the Mixed Use designations which allow for a wide array of uses including residential, commercial and industrial.

DISCUSSION

Issues and Opportunities

The community surrounding Upper Tantallon united in response to the development of large format retail stores in recent years along Highway 3. One such business, Canadian Tire, made an application to amend the land use by-law to permit larger signage. At the public information meeting, the public expressed their concern about allowing this type of use in their community. They felt their community was threatened by the commercial activity occurring at Exit 5 and wanted to limit the infiltration of this type of development in their community. These developments occurred as-of-right, leading the community to reconsider what uses should be permitted through the as-of-right process. This led to changes in the MPS (February, 2009) to allow commercial and industrial uses greater than 7500 sq ft by development agreement only.

These amendments addressed the community's issues in the short term. However, for the longer term, the community decided they needed to map out a strategy for how Upper Tantallon at the Crossroads was to retain and enhance its character as a traditional coastal village.

In order for the community to address these issues, they organized three annual Community Forums. These forums were community-led and contributed much to this grassroots initiative. To ensure that their concept plan is feasible and to identify potential issues, staff were invited to sit with the organizers and provide guidance about land use policy and regulations. It should be noted that this exercise is different from the HRM-led Visioning program, that is scheduled for Tantallon in 2011,

following the completion of the watershed study for this area. That program will include a wider study area and address broader development issues.

The results of the first two Community Forums, and in particular the Community Forum III (Attachment A), held in the spring of this year, forms the framework for HRM planning staff to undertake the necessary amendments to the MPS and LUB to incorporate the appropriate policy statements and by-law provisions to implement the desired outcomes.

The “Village Concept Plan”

The starting point for the Upper Tantallon at the Crossroads Concept Plan was to classify the area as a coastal village. This evolved into broad vision statements, with supporting sub-statements, that further clarify the characteristics of a coastal village. These statements will provide the basis for policy and regulation changes in the community. The vision statements are as follows:

- Establish a Village Zone that reflects the natural and man-made boundaries that define Upper Tantallon as a coastal village
- Protect and enhance the natural and cultural assets that already exist in the village area
- Create and enhance a "main street" atmosphere and ambiance that accommodates pedestrians and bicycles
- Respect and enhance the character of a coastal village through clear land-use regulations that will apply to all development or redevelopment
- Establish landscaping standards that are aesthetic and which support the Coastal Village ambiance
- Establish lighting standards that minimize light pollution and energy consumption while maintaining safety and security
- Within the village zone, establish a signage identity program that harmonizes the coastal village character with commercial interests
- Take "whole ecosystem" view of natural resources to protect wetlands, ocean, water supply, air quality and other aspects of environment
- Encourage a traditional arrangement of commercial buildings, parking lots, roads and walkways
- Based on community preferences, define the coastal village identity and determine the right mix of encouragement and controls to achieve that identity over time

Forum III Results - “Vision to Reality”

The forum, held on April 16 and 17, 2010, was well attended with approximately 80 people attending on Friday night and 120 people attending on Saturday. The format of the forum was a presentation followed by a facilitated discussion broken down into six specific topic areas:

- Village Boundaries
- Natural Environment and Cultural Assets
- Connectivity and Streetscaping
- Land Use

- Site Design, which includes landscaping, lighting, signage, environmental protection and physical layout
- Building Design

In addition to this, attendees were given workbooks that they could complete to provide additional comment. The results of the Forum provide staff with valuable information as to the level of importance the community places on various land use related topics and the degree of regulatory control they feel should be implemented for various community design elements.

Proposed Process

The results of Community Forum III have provided sound direction on which staff can generate options for MPS policies and implementation mechanisms. Staff will work closely with the Community Forum Organizing Committee, and at appropriate milestones, conduct further consultation with land owners, business owners, residents, and representatives of relevant Provincial Departments to present draft recommendations and obtain feedback. Meetings and workshops will commence in the fall of 2010, followed by the preparation of proposed MPS policies and land use by-law regulations. It is anticipated that a public hearing to consider the adoption of those amendments will be held in 2011.

BUDGET IMPLICATIONS

The costs to process this planning application can be accommodated within the approved 2010/11 operating budget for C320 Regional and Community Planning.

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

Amendments to the Municipal Planning Strategy and Land Use By-law for Planning Districts 1 and 3 involve community engagement and the engagement process will be consistent with the intent of the HRM Community Engagement Strategy, the *Halifax Regional Municipality Charter*, and the Public Participation Program approved by Council on February 25, 1997.

The proposed level of community engagement is consultation, achieved through a working sessions with the Community Forum Organizing Committee, conducting open houses, workshops and/or public meetings at appropriate stages of the process with either targeted stakeholders or all stakeholders. A formal public hearing will also be scheduled before Halifax Regional Council.

The proposed municipal plan and land use by-law amendments will potentially impact the following stakeholders: local residents, property owners, community or neighbourhood organizations, business and professional associations, commercial land owners, HRM Real Property Management and HRM Transportation and Public Works, and the Provincial Departments of Transportation and Infrastructure Renewal.

ALTERNATIVES

1. Council may choose to initiate a process to consider amending the Municipal Planning Strategy and Land Use By-law for Districts 1 and 3 (St Margarets Bay) to implement the results of the Upper Tantallon Village Forum. This is the recommended approach.
2. Council may choose not to initiate a process to consider amending the Municipal Planning Strategy and Land Use By-law for Districts 1 and 3 (St Margarets Bay). This is not the recommended approach for the reasons outlined in the report.

ATTACHMENTS

Attachment A: Community Authored Forum 3 Results

Map 1: Generalized Future Land Use, Upper Tantallon at the Crossroads

Map 2: Zoning, Upper Tantallon at the Crossroads

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: Jennifer Chapman, Planner 1, Regional and Community Planning, 490-4949

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

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

Attachment A
Community Authored Forum 3 Report

Background

On April 16-17, 2010 St. Margarets Bay residents participated in the third annual Village Forum, entitled “Vision to Reality.” The event was the culmination of three years of visioning undertaken by the community in response to the rapid commercial development of Upper Tantallon Village at the Crossroads.

In 2008, Forum I—“Managing Change”— explored the forces behind rapid development and galvanized community support to establish their role in managing change. In 2009, Forum II—“Visioning a Village”— articulated the SMB community values and made them evident to politicians and developers.

Participants were generally agreed that the existing HRM municipal plan identifying Exit 5 at the #103 and Hammonds Plain as a “population hub” should be refined. Specifically, an unintended result of the “hub” scenario is that the commercial development following the new population growth into the Tantallon area is spilling over from the Exit 5 parameters, and “compromising” the rural quality of Upper Tantallon Village as a gateway to Peggy’s Cove.

The predominant zoning of this area, technically known as Planning Districts 1 & 3—MU 1 and MU2—, has encouraged commercial infringement on the coastal corridor. Forum participants sent a strong message that the “coastal village quality” of Tantallon, specifically that section within the coastal corridor, should be protected from uncontrolled commercial development.

Eighty-two percent of Forum I participants were opposed to the box-store type developments in the designated village area; at the very least, they wanted “controlled” development that respected specific design criteria and community input.

Participants supported development of a more “personal scale,” featuring more small business, services and appropriate local enterprise. Residents also called for the “clustering” of residential expansion with appropriate commerce, education, and recreation facilities in a village setting.

The three forums were cosponsored by the SMB Stewardship, Chamber and Tourism Associations and attended by Provincial MP’s, HRM councillors, and HRM planners and facilitators. The forums were well publicized and attracted over 100 Bay residents, with Forum III hosting representatives from 31 Bay organizations and church groups. Participants included landowners (11%), residents (9%) and business people (8%) in the proposed village zone, developers 2%, and residents of greater SMB (88%).

Forum III translated the community values into a “village concept,” providing a clear road map for HRM planners and councillors to create a special development zone in Upper Tantallon at the

Crossroads. Forum III was designed to provide the last link for translating community vision into an amended municipal plan for the area.

Forum III

“Vision to Reality” consisted of a Friday night overview presentation on how communities can participate in managing change. The Power Point Presentation (PPP) by Andy Fillmore, HRM’s Project Manager, Urban Design, responsible for HRM by Design, was followed by a community-authored PPP to summarize the highlights of the previous two forums and their aftermath.

The Saturday morning event was a presentation of a “six point plan”—the six features of a rural coastal village—upon which the ground rules for controlled development in the village could be established. The six features, with a series of elaborations under each of them, were presented as proposals in the form of clear statements.

The proposals were authored by a committee drawn from the three sponsoring organizations, with help from Bay experts in the fields of planning, architecture, trail management, and group organization. The committee took its direction from past Forums, various precedents—local and otherwise—, expert advice, and constant attention to the opinions of residents, businesses, and community leaders.

The design meetings took place over the four months leading up to the April 16-17 dates and were facilitated and guided by HRM planners under the leadership of Roger Wells. After Forum III, the workbook results were compiled and tabulated by members of the SMB Stewardship team.

Each of the participants was given a workbook containing the statements and a rating scale and asked to express his/her level of agreement or disagreement. Participants were also given an opportunity to register their reactions to the proposals through a comments section of the workbook and at three discussion “pavilions” hosted by “facilitator-experts.” After a complimentary lunch, the group was gathered back together for “facilitator-expert” reports and discussion amongst the group as a whole.

The Six Point Plan

Six Key Features of a Coastal Village

1. Village Boundaries
2. Natural Environment and Cultural Assets
3. Connectivity and Streetscaping
4. Land Use
5. Site Design:
 - (a) Landscaping
 - (b) Lighting
 - (c) Signage
 - (d) Environmental Protection
 - (e) Physical Layout
6. Building Design

The results of the workbooks are appended to this introduction and provide the substance of the Forum III report.

Preliminary Analysis

In general the extent of agreement evidenced by Bay residents to the proposed features far exceeded the degree of agreement on statements in questionnaires from the previous forums. For example, the lowest approval rating for the propositions was 92 percent agreement level, with the average being close to 97%. Each of the statements and the degree of agreement or disagreement provide a clear indicator of community values. The results provide a clear path forward to the drafting of a new development plan for Upper Tantallon at the Crossroads.

A similar high level of agreement occurred with the sub-statements, with only two statements, one suggesting “traditional light design for street lighting” and the other to “Encourage a traditional arrangement of commercial buildings, parking lots, roads and walking paths” receiving agreement at 67%. These examples indicate a “weakness” in defining the term “traditional” and the insightfulness of the participants in addressing grey areas. While there was almost unanimous agreement for setting the village boundaries as proposed, many comments suggested that they be extended, mostly in the area of the Old School Road to provide more room for development.

The comment sections to each of the statements are illuminating as they display the concern and breadth of thinking among the participants and give HRM planners an extra dimension of elaboration to consider in drafting a new Village plan. The comments amplify the group understanding of what is being affirmed or denied.

The compiled workbook response provides a clear picture of how wide cross sections of Bay residents want to see Upper Tantallon at the Crossroads develop; it also provides a benchmark of community evaluation for other Bay villages who may wish to conduct their own visioning process.

Bay residents want to see Tantallon at the Crossroads as a village that has distinct boundaries and is its own special development area quite apart from Exit 5 commercialism. As befitting a gateway to Peggy’s Cove, the village will have its own distinct identity, being rural in a “modern” way, with a discernable architecture, signage, scale, and focus on community interactions; it will encourage small business, appropriate land uses, street and yard landscaping, a concern for natural environment, green building techniques and energy conservation, along with walking and biking connectivity. In summary, it will be a town that develops in tune with the community values.

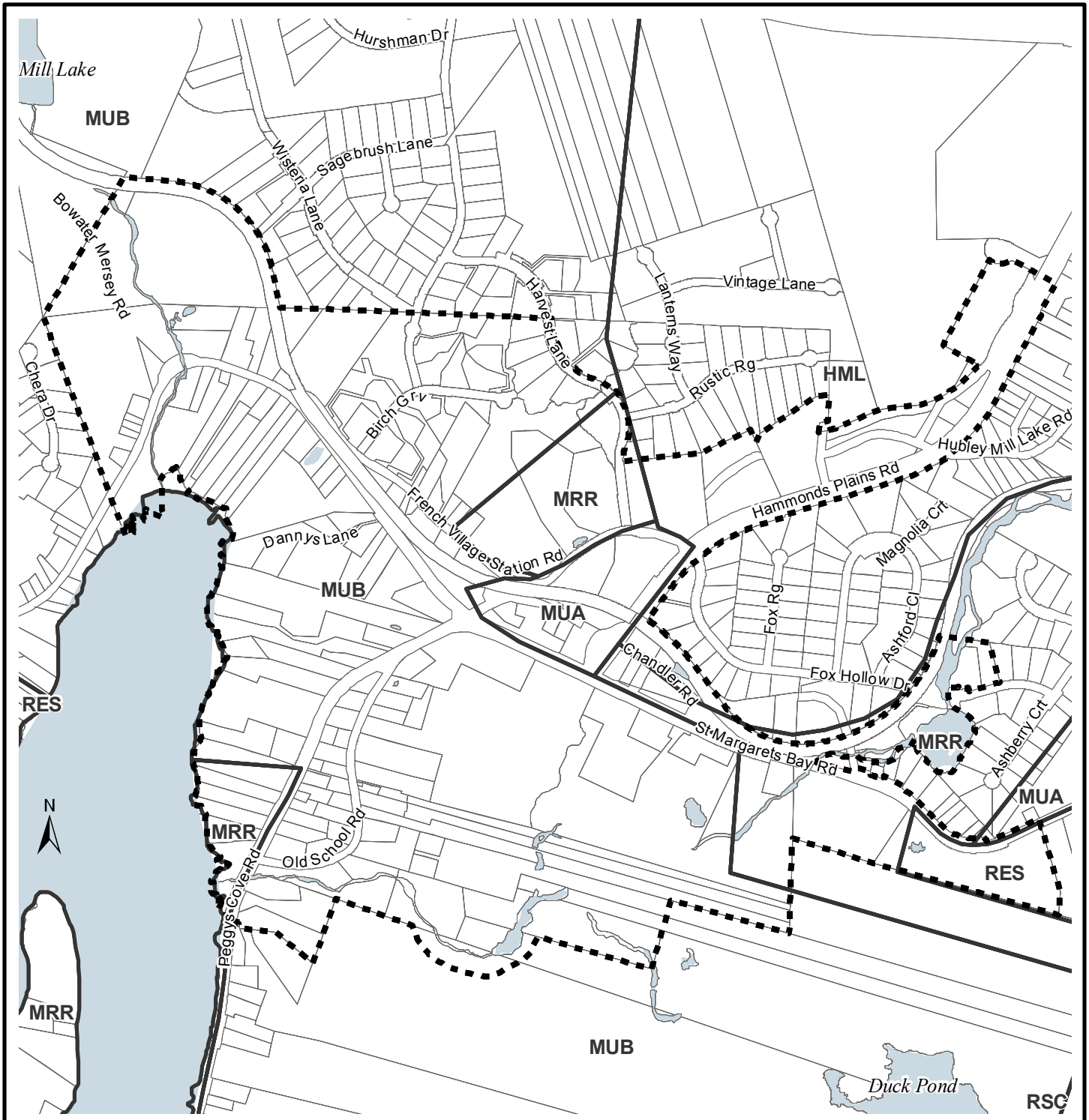
Next Steps

The SMB residents have gathered a compelling body of intelligence related to the development of their village. What remains now is for HRM to acknowledge community efforts and to translate this

intelligence into municipal law. To formalize this process, Roger Wells of HRM Planning suggests that the community present this report to Regional Councilors Peter Lund and Reg Rankin.


“In terms of protocol from here, I would suggest that the Report be "tabled" or "accepted" at an upcoming meeting of Community Council. Community Council could then approve a Motion recommending that Regional Council request staff to prepare a report regarding the initiation of a process to amend the MPS and LUB to incorporate the recommendations of the Forum report.”

The HRM draft plan, prepared for the new Upper Tantallon at the Crossroads, would be vetted in consultation with the SMB steering committee and a larger gathering of SMB residents. Revisions and recommendations would be incorporated into a motion to amend the MPS and revise the by-laws for adoption by HRM Regional Council.



Map 1 - Generalized Future Land Use

Upper Tantallon at the Crossroads

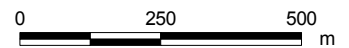
 Study Area

Planning Districts 1 & 3,
St. Margarets Bay Plan Area

Designation

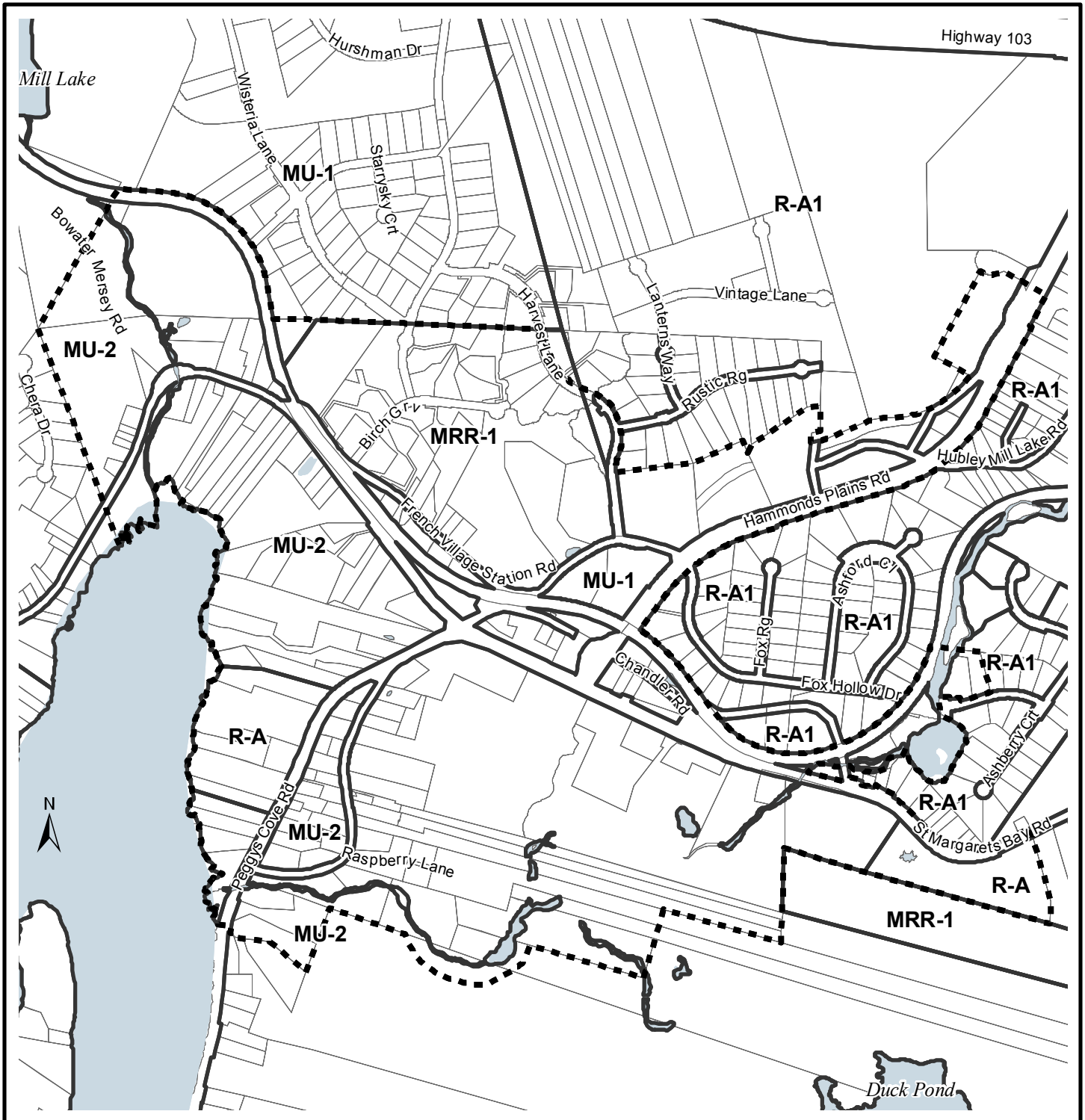
- RES Residential
- HML Hubley Mill Lake
- MRR Mixed Rural Residential
- MUA Mixed Use "A"
- MUB Mixed Use "B"
- RSC Resource

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
This map is an unofficial reproduction of a portion of the Generalized Future Land Use for Planning Districts 1 & 3.

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Map 2 - Zoning and Location

Upper Tantallon at the Crossroads

 Study Area

Planning Districts 1 & 3,
St. Margarets Bay Plan Area

Zone

R-A	Residential
R-A1	General Residential
MRR-1	Mixed Rural Residential
MU-1	Mixed Use
MU-2	Mixed Use

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of a portion of the Zoning Map for
Planning Districts 1 & 3.

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