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**Marine Drive, Valley and Canal Community Council
Harbour East Community Council
December 11, 2007**

TO: Marine Drive Valley and Canal Community Council
Harbour East Community Council

SUBMITTED BY: Sharon Bond
Sharon Bond, Acting Director of Community Development

DATE: December 1, 2007

SUBJECT: **Case 01093 - Planning District 14 and 17 Land Use By-law
Amendment - Parking Standards**

ORIGIN

On November 27, 2007, Marine Drive, Valley and Canal Community Council passed a motion requesting that staff review parking standards for medical and dental clinics within the Planning Districts 14 and 17 Land Use By-law.

RECOMMENDATIONS

It is recommended **Marine Drive, Valley and Canal Community Council and Harbour East Community Council:**

1. Give First Reading to consider amendments to the Planning Districts 14 and 17 Land Use By-law (Shubenacadie Lakes), as provided in Attachment A of this report to amend the parking requirements for medical clinics and health practitioners and to schedule a public hearing; and
2. Approve the proposed amendments to the Planning Districts 14 and 17 (Shubenacadie Lakes) Land Use By-law as provided in Attachment A.

BACKGROUND

On November 27, 2007, Marine Drive, Valley and Canal Community Council requested that staff review parking standards for medical and other health practitioners in the Planning Districts 14 and 17 (Shubenacadie Lakes) Land Use By-law (LUB).

The current parking standard for medical clinics and other health practitioners is currently 5 spaces per consulting room. Other Land Use By-laws in the Municipality generally conform to the 5 spaces per consulting room with the exception of Dartmouth, Downtown Dartmouth, Halifax and Sackville Drive which provide for a reduced standard (based upon either floor area or consulting rooms).

Other municipalities in North America calculate the parking ratio for medical and dental clinics based on the size of the clinic, number of practitioners or based on the number of consulting rooms. The ratio of parking typically varies from a low of approximately 1 per 500 square feet to a high of approximately 1 per 77 square feet. The high of 1 per 77 square feet is the HRM standard (based on an average size clinic). In some urban areas parking is not required.

DISCUSSION

Evaluation of Existing Standard:

Staff have reviewed parking standards across North America and recommend that HRM continue to base the parking standard for medical and other health practitioners on the number of consulting rooms, as there appears to be a direct correlation between the number of consulting rooms and the number of persons using and working in a clinic.

In order to determine an appropriate parking ratio, staff analyzed a number of recent proposals for small and large scale medical and dental clinics. Staff determined that it was anticipated that a clinic would need between 2.75 and 3 parking spots per consulting room to deal with peak demand. Therefore, staff recommend that the parking ratio be reduced from 5 spaces per consulting room to 3 spaces per consulting room. This ratio should provide adequate parking for staff and patients, based on the assumption that there is always one patient waiting for a consulting room and one patient in a consulting room. Given that not all persons will be traveling by car, the proposed ratio will provide some flexibility during peak times.

Public Participation Program

The Public Information Meeting for this proposal was waived by the local area Councillor as the proposal is minor in nature and will not impact area residents directly.

Because of the general nature of the proposed amendment, notification of the public hearing, if scheduled by Community Council, will be advertised in a local newspaper only. This will be the notification process unless Council recommends changes to the notification program at First Reading

Summary

Staff are of the opinion that the proposed reduction in the parking standard for medical and dental clinics will provide an adequate number of parking spaces for such a land use. Further, the reduction will ensure that the Municipality is not requiring an excess number of parking spaces. Given that the goal of the MPS is to set reasonable standards (Attachment B), staff recommend the proposed changes as contained in Attachment A of this report.

BUDGET IMPLICATIONS

There are no budget implications. The costs to process this planning application will be covered within the C310 operating budget.

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 proceed with the proposed Land Use By-law amendment. This is staff's recommended course of action as identified above;
2. Council may choose to approve the proposed Land Use By-law amendment subject to modifications. This may require a second public hearing; or
3. Council may choose to refuse the proposed Land Use By-law amendment, and in doing so, must provide reasons based on a conflict with the MPS policies. This alternative is not recommended as Staff are satisfied that the proposed amendment is consistent with MPS policies.

ATTACHMENTS

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| Attachment "A" | Proposed Amendments to the Planning Districts 14 and 17 LUB |
| Attachment "B" | Relevant MPS Policy (Planning Districts 14 and 17) |

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, Community Development, 869-4226

Report Approved by:



Austin French, Manager Planning Services, 490-6717

Attachment "A"
Proposed Amendments to the Planning Districts 14 and 17 LUB

BE IT ENACTED by the Marine Drive, Valley and Canal Community Council and the Harbour East Community Council of the Halifax Regional Municipality that the Land Use By-law of Planning Districts 14 and 17 (Shubenacadie Lakes) as enacted by the Halifax Regional Municipality on the 2nd day of May, 1989 and approved by the Minister of Municipal Affairs on the 19th day of July, 1989, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 11th day of August, 2007, is hereby further amended as follows:

1. Part 4: General Provisions for all Zones of the Land Use By-law is amended by deleting "5 spaces per consulting room" from clause 4.25 and replacing it with "3 spaces per consulting room".

I HEREBY CERTIFY that the amendment to the Land Use By-law for Planning Districts 14 and 17 (Shubenacadie Lakes) as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the ____ day of ____, 2007

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2007

Municipal Clerk

Attachment B
Relevant MPS Policy (Planning Districts 14 and 17)

- P-155 In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:
- (a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
 - that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Municipality to absorb any costs relating to the development;
 - (ii) the adequacy of central or on-site sewerage and water services;
 - (iii) the adequacy or proximity of school, recreation or other community facilities;
 - (iv) the adequacy of road networks leading or adjacent to or within the development; and
 - (v) potential for damage to or for destruction of designated historic buildings and sites.
 - (c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) traffic generation, access to and egress from the site, and parking;
 - (iv) open storage;
 - (v) signs; and
 - (vi) any other relevant matter of planning concern.
 - (d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility or flooding.
 - (e) **Within any designation, where a holding zone has been established pursuant to “Infrastructure Charges - Policy P-64F”, Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the “Infrastructure Charges” Policies of this MPS. (RC-July 2/02; Effective-Aug 17/02)**