

WEBSITE COPY

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: _____
Dan English, Chief Administrative Officer

Wayne Anstey, Deputy Chief Administrative Officer

DATE: June 9, 2006

SUBJECT: Regional Plan - Addendum

SUPPLEMENTARY REPORT

ORIGIN

- Regional Plan - Response to Public Hearing Supplementary Report dated June 7, 2006

RECOMMENDATION

It is recommended Halifax Regional Council amend its motion of May 16, 2006, to adopt, by by-law, the Regional Municipal Planning Strategy (Regional Plan), Regional Subdivision By-law, and Amendments to the By-laws to Amend the Land Use by-laws of Halifax Regional Municipality, as set out in Attachments "A-D" of the Regional Planning Committee's April 19, 2006 report, as amended by Attachments "A", "B" and "C" of this supplementary report.

BACKGROUND/DISCUSSION

On June 9, staff tabled a supplementary report dealing with 112 issues raised through the formal public hearing process. Following circulation of this supplementary report, staff identified one additional amendment requiring Council's consideration.

The issue pertains to allowing accessory structures within the required watercourse buffer area, proposed under the Regional Plan, where a residential use already exists within the required buffer.

The proposed amendment would permit new or expanded accessory structures to encroach within the buffer subject to the other requirements of the land use by-law. Additionally, the accessory structure would not be permitted to encroach any closer than the existing main building.

To accommodate this change it is recommended the amending by-laws be further amended as described in Attachment "A".

Also, staff were recently made aware of a potential conflict with the proposed designation for a portion of the Anderson Lake Urban Reserve area.

It is recommended Council approve the change to the Regional Plan and Land Use Bylaw indicated in Attachments "B" and "C". This will maintain the existing Industrial Zoning, as found in the Planning District 14 and 17 Land Use Bylaw on the lands shown on the attached maps. The Urban Reserve Designation and Zone would be removed from these lands and replaced by the Rural Commuter Designation and I-3 Zone. These changes make it possible for the property to be continued to be used for light industrial purposes associated with the Rocky Lake Quarry.

BUDGET IMPLICATIONS

Budgets to implement the Regional Municipal Planning Strategy will be decided by Council on a yearly basis. Endorsement of this planning strategy does not represent a budget commitment.

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

Council may choose not to accept the proposed amendment; however, this is not recommended.

ATTACHMENTS

- Attachment "A" Amendment to the By-laws to Amend the Land Use By-laws of Halifax Regional Municipality
- Attachment "B" Amendment to the proposed Regional Municipal Planning Strategy of Halifax Regional Municipality
- Attachment "C" Amendment to the By-law to Amend the Land Use By-law for Planning Districts 14 and 17.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210 or Fax 490-4208.

Report Prepared by: Susan Corser, Senior Planner, Regional Planning

Approved by:

Austin French, Manager, Regional Planning

Paul Dunphy, Director, Planning and Development Services

Attachment "A"

**AMENDMENT OF BY-LAWS
TO AMEND THE LAND USE BY-LAWS
OF HALIFAX REGIONAL MUNICIPALITY**

The by-laws to amend the land use by-laws of Halifax Regional Municipality, are hereby amended as follows:

1. Delete and replace subsection (2) in the Watercourse Setback and Buffers section in all of the amending land use by-laws, as shown in the following sample clause:
 - (2) **Notwithstanding subsection (1), where an existing residential main building is located within the required setback, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.**

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the ____ day of ____, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this ____ day of _____, A.D., 2006.

Jan Gibson

Attachment "B"

**AMENDMENT OF THE PROPOSED
REGIONAL MUNICIPAL PLANNING STRATEGY**

Anderson Lake Urban Reserve Area

The Regional Municipal Planning Strategy is hereby amended as follows:

1. Amend Map 2 (Generalized Future Land Use Map) in the area of Anderson Lake as shown on Appendix I.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D., 2006.

Jan Gibson
Municipal Clerk

Attachment "C"

**AMENDMENT OF THE BY-LAW
TO AMEND THE LAND USE BY-LAW
FOR PLANNING DISTRICTS 14 & 17**

Anderson Lake Urban Reserve Area

The amending by-law for the Planning District 14 & 17 Land Use By-law, is hereby amended as follows:

1. Amend Appendix "A" in the area of Anderson Lake as shown on Appendix I.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the _____ day of _____, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D., 2006.

Jan Gibson
Municipal Clerk