

Stairs and Livingstone Streets, Halifax

Dynamic Properties Company Limited

Application for Rezoning from R-2 (General Residential) and C-2 (General Business) to C-3 (Industrial)

February 1, 2018

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Introduction:

I am pleased to submit this application on behalf of Dynamic Properties Company Limited for a rezoning of 7 properties on Stairs Street and Livingstone Street, Halifax from R-2 (General Residential) and C-2 (General Commercial) to C-3 (Industrial). This application is to enable the construction of a motor vehicle dealership with associated service and repair at this location.

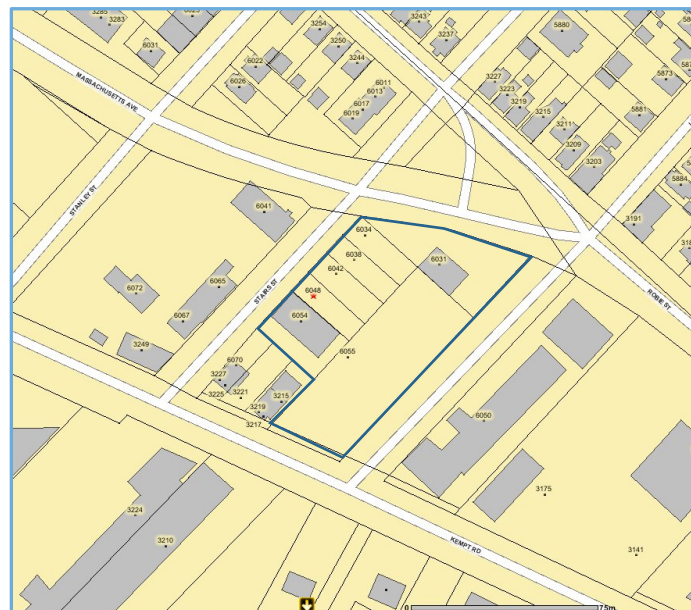
Supporting Materials:

In support of this application the following materials are submitted:

- Completed planning application form
- Application fee of \$2600.00 (cheque)
- Existing Site Plan
- Proposed Site Plan
- Excerpt from ZM-1 Halifax Peninsula - Zoning
- Electronic copies of the above material

The Properties:

The site for the future motor vehicle dealership comprises a total of 7 properties (see below and Existing Site Plan). The properties at 6048, 6042, 6038 and 6034, and 6054 Stairs Street and 6031 and 6055 Livingstone Street are currently used for a brewery and retail store, a car and truck rental use, and associated parking.



Site and Context

Neighbourhood Context:

These properties are located within a large light industrial and major commercial area which has developed between Windsor Street and Massachusetts Avenue and extends to Young Street and Highway 111. Adjacent uses include a variety of automotive uses including a collision centre, motor vehicle servicing and repair and motor vehicle dealers. There are residential uses to the northeast which are separated from this site by the four lanes of Massachusetts Avenue and associated medians.

This area of the Halifax Peninsula contains the largest concentration of motor vehicle sales and service and automotive repair uses in HRM.

Regulatory Context:

The 7 properties which make up this site are within the Halifax Municipal Secondary Planning Strategy (SPS) area and are regulated by the Halifax Peninsula Land Use Bylaw (LUB).

This site is designated **Industrial** with the intent that this area serve as an integrated and complete employment area with a variety of industrial and major commercial uses.

Notwithstanding this Industrial designation, the properties which make up this site are zoned R-2 (6034, 6038, 6042, and 6048 Stairs Street), C-2(6054 Stairs Street and 6031 Livingstone Street) or a combination of C-2 and C-3 (6055 Livingstone Street). See attached excerpt from ZM-1 Halifax Peninsula – Zoning. While the current C-2 zoning on some of the properties would allow the development of a motor vehicle dealership, the R-2 zoning would not permit this use.

Proposal:

It is proposed that each of the 7 properties which make up this site be rezoned to C-3 (Industrial). This zoning would conform to the zoning of all of the surrounding properties in this large industrial/major commercial area, and allow the development of the motor vehicle dealership with associated vehicle service uses.

The intended use is shown on the attached Proposed Site Plan. The motor vehicle dealership will be a single storey use with a footprint of approximately 20,400 square feet comprised of a showroom, offices, and 10 service bays. There will be a basement area of approximately 7000 square feet for vehicle parking and storage. Surface parking is proposed for 76 vehicles comprised of customer and employee parking and vehicle display. The existing 8 driveway access points to this site will be reduced to three – two on Livingstone Street and one on Stairs Street as shown.

Policy Analysis:

These properties are all located within an Industrial Designation. Policy for this designation requires that this area of the Peninsula be used for industry and supporting uses and discourages the development of conflicting land uses which would limit the efficient operation of these industrial and supporting commercial uses.

The retention of R-2 zoning specifically on four of these properties does not reflect the Industrial Designation of this site, and if developed for R-2 residential uses would lead to land use conflicts within this industrial and major commercial area.

The rezoning of the properties making up this site from R-2 and C-2 to C-3 is consistent with the intent of the Halifax Secondary Municipal Planning Strategy for this site to be developed and used for industrial and supporting major commercial uses as determined by its Industrial Designation.

A detailed policy analysis can be found in Attachment 1- Policy Analysis Matrix.

Centre Plan:

In June 2017 Regional Council authorized the direction contained with the Centre Plan document as a framework for amending existing planning documents and developing new planning documents to implement the Centre Plan direction.

In addition to being consistent with the existing policies of the Halifax Municipal Planning Strategy, it is our opinion that this rezoning is consistent with future policy direction for this area as expressed by the draft Centre Plan.

This site is proposed to be included in an Intensive Employment Area which is intended to preserve the industrial and commercial character of these area, to encourage additional industrial and commercial activity, and to discourage residential growth. In addition, this is the only area of the draft urban structure map where automotive uses (which are not fully enclosed) are proposed to be permitted in the Regional Centre.

Summary/Conclusion:

In summary, the rezoning of the 7 properties which make up this site at Stairs and Livingstone Streets from C-2 and R-2 to C-3 to permit the development of a motor vehicle dealership with associated service use is in conformance with the relevant policies of the Halifax Secondary Municipal Planning Strategy.

Respectfully submitted,

Shelley Dickey

Shelley Dickey Land Use Planning- Dartmouth, Nova Scotia

Attachment 1: Policy Analysis Matrix:

Halifax Municipal Planning Strategy	
Policy	Analysis
Implementation Policies	
3.1.1 The City shall review all applications to amend the zoning by-laws or the zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4.	This site is designated Industrial and is not within a residential area.
4. When considering amendments to the Zoning By-laws and in addition to considering all relevant policies as set out in this Plan, the City shall have regard to the matters defined below.	(see below)
4.1 The City shall ensure that the proposal would conform to this Plan and to all other City by-laws and regulations.	The proposed motor vehicle sales and service uses would meet all of the requirements of the C-3 (Industrial) zone including use, setbacks, height, and the requirement of one building per lot.
4.2 The City shall review the proposal to determine that it is not premature or inappropriate by reason of: i) the fiscal capacity of the City to absorb the costs relating to the development; and ii) the adequacy of all services provided by the City to serve the development.	There are no costs of this development to HRM. This area of Stairs and Livingstone Streets is within a large industrial and commercial area surrounded by major collector roads – Kempt Road and Massachusetts Avenue which service and provide access to this area. It is our understanding that piped services and transportation infrastructure of this industrial/commercial area would be adequate to serve the replacement of two existing light industrial and commercial uses with a motor vehicle sales and service use.

Section II: City Wide Policies- Economic Development and Industrial Policies	
1.7 The City should establish land-use regulations that promote the development of high quality commercial, industrial, and residential areas.	The residential development of four small R-2 zoned properties in the midst of an industrial and major commercial area would not result in the promotion of a high quality residential area.
4.2.1 The City should encourage the maximum use by industry and supporting uses of lands designated for industrial development and should, where possible, discourage the development of conflicting land uses on these lands in recognition of the limited supply of this type of land within the City and the impediment to efficient industrial operation that may be created by competing activities.	The retention of R-2 zoning on 4 properties in this Industrial Designation would be contrary to the maximum use by industry and supporting uses in this area. Any new R-2 residential development would be surrounded by existing industrial and major commercial uses and would be a conflicting and competing land use. Impediments to efficient industrial operations would likely result. While the C-2 zoned properties on this site would allow the development of the motor vehicle dealership with associated vehicle service and repair, rezoning of these properties to C-3 is also supported by this policy.
4.5 The City shall encourage industrial development in those areas, designated generally on Map 9, within the context of Policies 4.1 to 4.4. In those areas which have been designated for detailed area planning, the City shall resolve the exact nature of the desired land use pattern through the detailed area planning process.	This site is designated Industrial on Map 9. C-3 zoning would encourage industrial and major commercial development of this site. The existing R-2 zoning on four of the properties which make up this site is contrary to the policies of the Halifax SMPS in this Industrial Designation.

STAIRS STREET

N

VACANT
OFFICE

P.I.D. 00152850
CIVIC: 3225, 3227 & 6070
ZONE: C-3

GRANITE
BREWERY

P.I.D. 00152868
CIVIC: 6054
ZONE: C-2
6600 S.F.

P.I.D. 00152876
CIVIC: 6048
ZONE: R-2
3300 S.F.

P.I.D. 00152884
CIVIC: 6042
ZONE: R-2
3300 S.F.

P.I.D. 00152892
CIVIC: 6038
ZONE: R-2
3300 S.F.

P.I.D. 00152900
CIVIC: 6034
CIVIC: R-2
3300 S.F.

CHEF ABOD
CAFE

P.I.D. 00152835
CIVIC: 3215, 3217 & 3219
ZONE: C-3

DISCOUNT
CAR & TRUCK
RENTALS

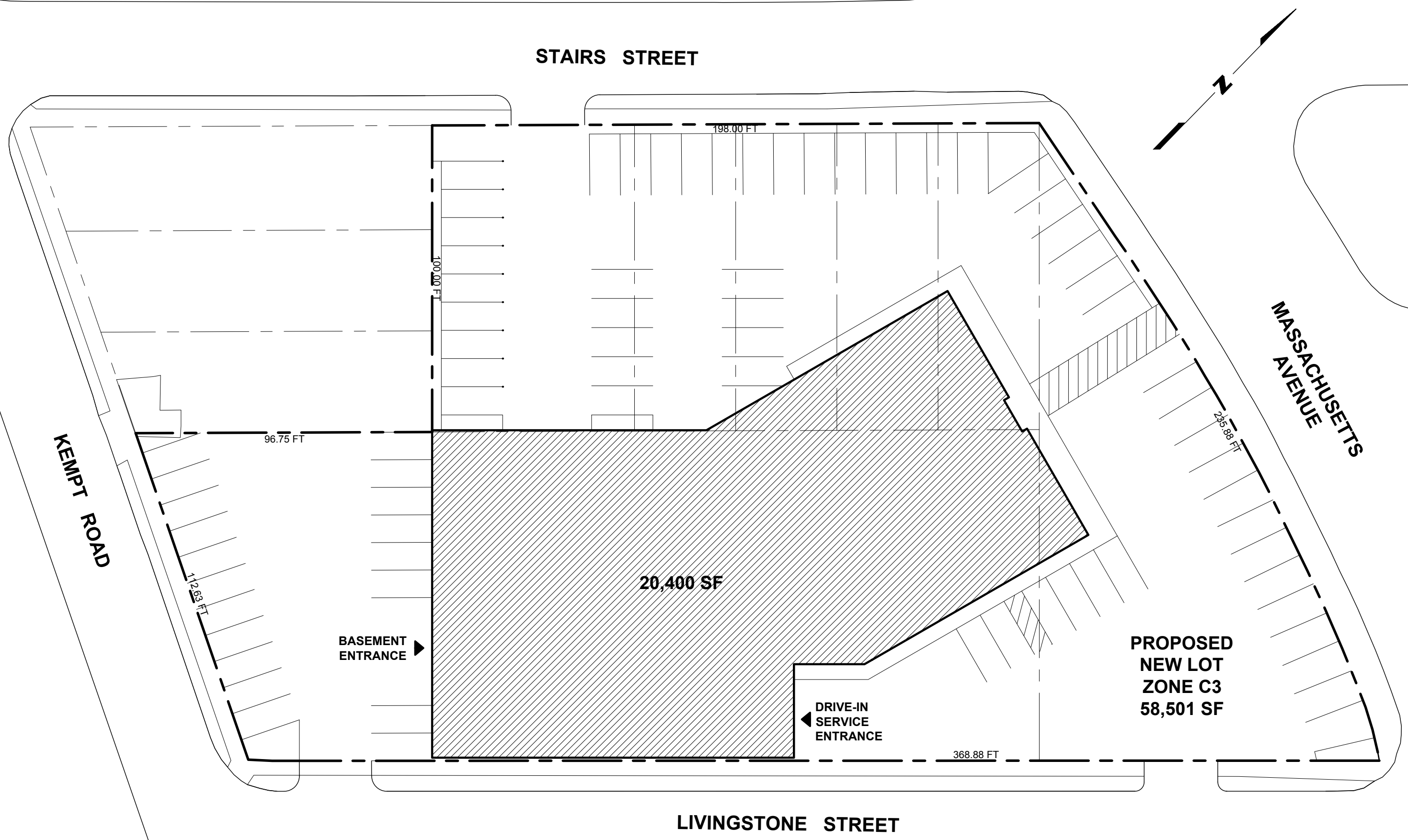
P.I.D. 00152819
CIVIC: 6031
ZONE: C-2
12107 S.F.

P.I.D. 00152827
CIVIC: 6055
ZONE: C2 / C-3
26594 S.F.

MASSACHUSETTS
AVENUE

KEMPT ROAD

LIVINGSTONE STREET



EXCERPT HALIFAX

Peninsula Land Use By-Law ZM-1 - Zoning

- Zone
- R-2 General Residential
 - R-3 Multiple Dwelling
 - C-2 General Business
 - C-3 Industrial
 - P Park and Institutional

