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Item No. 3

Halifax Regional Council
January 19, 2010

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Paul Dunphy", written over a horizontal line.

Paul Dunphy, Director of Community Development

DATE: December 12, 2009

SUBJECT: Case 01338: Burnside Functional Plan Implementation Process

INFORMATION REPORT

ORIGIN

On September 23, 2008, Regional Council passed the following motion:

“Moved by Councillor McCluskey, seconded by Councillor Snow that Regional Council:

- 1. Approve-in-principle Part I of the Business Parks Development Functional Plan, dated July 2008, as a foundation and management plan to guide and enable HRM's leadership in development of its industrial/business park program to support the objectives of the Municipal Economic Strategy and Regional Plan;*
- 2. Request staff to initiate the process to consider amending the Regional Municipal Planning Strategy and Secondary Planning Strategy(s) Policies, Land Use By-law Regulations and Site Development Standards using the land use related recommendations of the Business Parks Development Functional Plan, Part I, as the framework for such amendments, and to undertake public participation as indicated in the September 17, 2008 Supplementary Report;*
- 3. Be mindful of the public transit implications of this plan consistent with the five-year transportation strategy; and*
- 4. All land uses are considered as part of the public consultation.”*

BACKGROUND

Policy EC-21 of the Regional Municipal Planning Strategy (RMPS) establishes HRM's intent to prepare a Business Parks Development Functional Plan (BPDPF) to guide future development of HRM owned business parks. Council has approved Part I of the BPDPF in principle which is comprised of two main components:

- 1) recommendations to guide the long term development of HRM's industrial land base in a strategic and sustainable manner; and
- 2) land use related recommendations to revise land use policy, zoning provisions, site development standards and infrastructure planning for the Greater Burnside Area.

Part 1 of the BPDPF includes a number of recommendations regarding potential amendments to the RMPS, Dartmouth Municipal Planning Strategy (MPS) and Land Use By-law (LUB) applicable to the Greater Burnside Area. The intent of this report is to outline what actions staff are intending to take to implement the Greater Burnside Area portion of the Functional Plan.

Business Parks Development Functional Plan

A brief overview of some of the land use related recommendations of the Plan are included below.

Land Use Designations and Zoning

All lands within Burnside are designated Industrial by the Dartmouth MPS and zoned General Industrial (I-2) under the Dartmouth LUB. The Industrial designation and I-2 Zone contain broad provisions and permit a wide range of commercial and industrial uses. The BPDPF recommends the creation of several, more specific, designations and zones in order to prioritize the supply of land for categories of uses (i.e. light industrial, distribution, office, commercial) and focus those uses in appropriate and strategic locations. The creation of new or sub-designations and zones would require amendments to the Dartmouth MPS and LUB.

Development Controls

With the exception of the requirements of the I-2 Zone, which are general in nature rather than tailored to specific categories of industrial and commercial uses, development in Burnside is controlled through purchase and sale agreements which include site development requirements. The BPDPF recommends strengthening zoning provisions and consider introducing the site plan approval process as a means of ensuring clarity, consistency and appropriate development standards in Burnside. This would also require the adoption of new and more detailed land use policy, zoning requirements for different categories of industrial and commercial uses. Should the site plan approval process be deemed appropriate in some circumstances, specific criteria would be established to regulate development, as well as the development of site plan approval criteria.

Burnside Comprehensive Development District (BCDD) Zone

Policies EC-13 and EC-14 of the RMPS establish the BCDD Zone. The intent of the BCDD Zone is to enable mixed use development in close proximity to Burnside and Dartmouth Crossing, two

of the largest employment and commercial service areas in Nova Scotia. Map 12 of the RMPS (included as Map 1) identifies the specific areas of Burnside and Dartmouth Crossing where the zone may be applied through the rezoning process.

The BPDFP, which was prepared subsequent to the adoption of the RMPS, recommends that the BCDD Zone be eliminated due to the potential displacement of industrial land and potential land use conflicts between industrial and residential uses. The BPDFP recommends that the portion of the Potential Burnside Mixed Use Area (Map 1) owned by Dartmouth Crossing be developed with commercial and office uses, while HRM land in this area be retained for light industrial, general industrial, and transportation/distribution uses. The BPDFP does identify that residential/mixed use development may be appropriate within Dartmouth Crossing's Ridge office campus.

Approximately 35 hectares of DCL's lands are within the BCDD Zone. No development is permitted as-of-right within the Zone and would be contingent upon approval of a development agreement. Council's motion directed staff to conduct further consultation regarding future land use on the undeveloped portion of HRM owned business park land that is adjacent to DCL's BCDD lands. This area is within the Potential Burnside Mixed Use Area identified on Map 12 of the RMPS but part of an area that the BPDFP recommends for industrial uses for reasons mentioned above.

DISCUSSION

In accordance with the motion approved by Council directing staff to initiate a process to consider amending the RMPS, MPS, and LUB in order to implement the recommendations of the BPDFP, staff have opened Case 01338.

Council has directed staff to use the land use related recommendations of the BPDFP as a framework to guide potential amendments to the applicable planning documents. However, Council also directed staff to undertake additional consultation and consider all potential land uses for the HRM owned lands located southeast of a powerline corridor that is built along a ridge between DCL's BCDD lands and Wilkinson Avenue in Burnside.

The HRM Business Parks Office expects to complete the development and sale of the remaining available lots in Phase 12-2 over the course of the winter. Phase 12-3 is located within the area where further consultation on future land use has been requested and, as a result, will not be developed until direction is provided in this regard. Given that there are significant limitations for developing Phase 13 in the short term, and DCL is considering options for a mixed residential development on their newly zoned BCDD lands, staff suggest that the issue of future land use of these lands be determined as the initial step in this planning process. A Public Information Meeting to conduct additional consultation with the public and stakeholders, such as the Greater Burnside Business Association (GBBA) on this issue, has been scheduled for January 27, 2010. Following this public meeting, staff will report back to Council and seek approval in principle for future land use in this area, as has already been provided for the rest of Burnside.

Once Council provides direction to staff regarding future land use in the area between Dartmouth Crossing's lands and the NSP corridor, a process to consider the remaining land use related recommendations of the BPDFP will commence. Staff intend to form a steering committee comprised of internal and external stakeholders, hold at least one additional public meeting or workshop, engage in focused discussion sessions with the steering committee and/or other stakeholders such as the GBBA, and bring any proposed amendment to the RMPS forward to the Regional Plan Advisory Committee (RPAC). In addition, any proposed amendments to planning documents will require a public hearing before Regional Council.

BUDGET IMPLICATIONS

The costs to process this planning application can be accommodated within the approved operating budget for C310.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

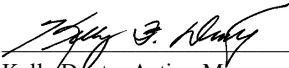
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

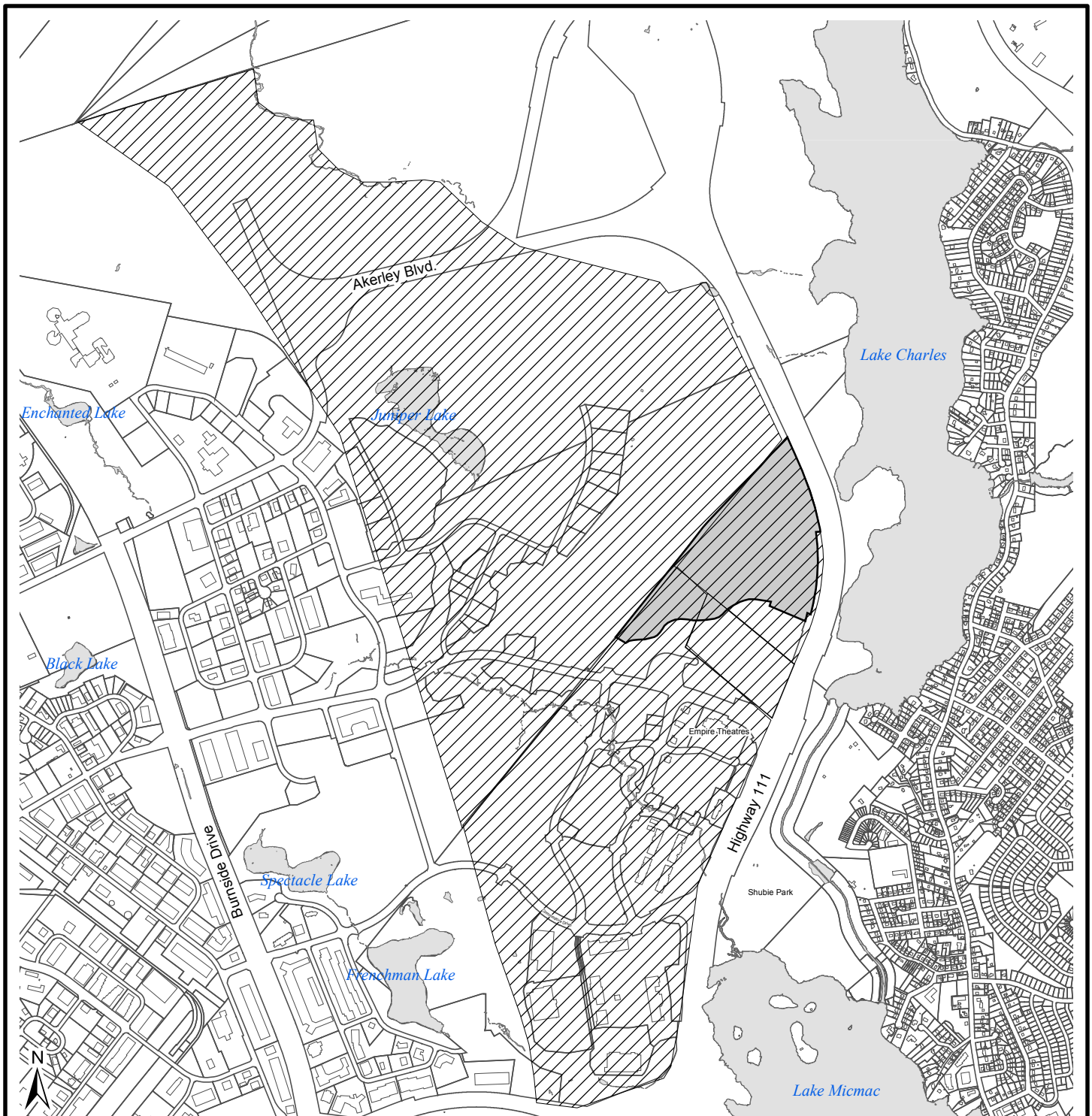
ATTACHMENTS

Map 1 Burnside Potential Mixed Use Area

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 : Joseph Driscoll, Senior Planner, Community Development, 490-3991


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



Map 1 - Burnside Potential Mixed Use Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

 DCL Lands Rezoned to BCDD

 Potential Mixed Use Area

Dartmouth Plan Area

0 500 1,000 2,000 3,000
Feet

This map is an unofficial reproduction
of a portion of the Dartmouth Plan Area.

HRM does not guarantee the accuracy
of any representation on this plan.