



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 8.6
Halifax Regional Council
August 18, 2020
September 29, 2020

TO: Mayor Savage Members of Halifax Regional Council

Original Signed

SUBMITTED BY:

Councillor Lorelei Nicoll, Chair, Harbour East – Marine Drive Community Council

DATE: August 7, 2020

SUBJECT: **Case 21808: Amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law for Burnside Industrial Park and City of Lakes Business Park, Dartmouth**

ORIGIN

- August 6, 2020 special meeting of Harbour East – Marine Drive Community Council, Item 13.1.1.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part 1, Clause 25(c):

The powers and duties of a Community Council include recommending to the Council appropriate by-laws, regulations, controls and development standards for the community.

RECOMMENDATION

Harbour East – Marine Drive Community Council recommend that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Secondary Municipal Planning Strategy (SMPS) and Land Use By-law (LUB) for Dartmouth, as set out in Attachments A and B of the January 28, 2020 staff report, to re-designate and rezone lands within Burnside Industrial Park and City of Lakes Business Park, and schedule a public hearing; and
2. Approve the proposed amendments to the SMPS and LUB for Dartmouth, as set out in Attachments A and B of the January 28, 2020 staff report.

BACKGROUND

Harbour East – Marine Drive Community Council received a staff recommendation report dated January 28, 2020 to consider proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law for Burnside Industrial Park and City of Lakes Business Park, Dartmouth.

For further information refer to the attached staff report dated January 28, 2020.

DISCUSSION

Harbour East – Marine Drive Community Council considered the January 28, 2020 staff report dated and approved a motion recommending Halifax Regional Council give first reading and schedule a public hearing.

FINANCIAL IMPLICATIONS

Financial implications are outlined in the attached staff report dated January 28, 2020.

RISK CONSIDERATION

Risk consideration is outlined in the attached staff report dated January 28, 2020.

COMMUNITY ENGAGEMENT

Community Council meetings are open to public attendance and members of the public are invited to address the Community Council for up to five minutes at the end of each meeting during Public Participation. Community Councils' agendas, reports, and minutes are posted on Halifax.ca.

ENVIRONMENTAL IMPLICATIONS

Environmental implications are outlined in the staff report dated January 28, 2020.

ALTERNATIVES

Alternatives are outlined in the attached staff report dated January 28, 2020.

ATTACHMENTS

Staff recommendation report dated January 28, 2020.

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Simon Ross-Siegel, Legislative Assistant, Municipal Clerk's Office 902.490.6519

Attachment
Harbour East Marine Drive Community Council
Special Meeting
August 6, 2020

TO: Chair and Members of Harbour East Marine Drive Community Council

SUBMITTED BY: *-Original Signed-*

Kelly Denty, Director of Planning and Development

-Original Signed-

Jacques Dubé, Chief Administrative Officer

DATE: January 28, 2020

SUBJECT: **Case 21808: Amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law for Burnside Industrial Park and City of Lakes Business Park, Dartmouth**

ORIGIN

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

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: and*
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.*
4. *All land uses are considered as part of the public consultation.*

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.

RECOMMENDATION

It is recommended that Harbour East – Marine Drive Community Council recommend that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Secondary Municipal Planning Strategy (SMPS) and Land Use By-law (LUB) for Dartmouth, as set out in Attachments A and B, to re-designate and rezone lands within Burnside Industrial Park and City of Lakes Business Park, and schedule a public hearing; and
2. Approve the proposed amendments to the SMPS and LUB for Dartmouth, as set out in Attachments A and B.

EXECUTIVE SUMMARY

This report recommends amendments to the Dartmouth Secondary Municipal Planning Strategy (SMPS) and Dartmouth Land Use By-Law (LUB) to implement the land use recommendations of the Business Parks Functional Plan (BFPF), for the Burnside Industrial Park and City of Lakes Business Park.

The Regional Municipal Planning Strategy (Regional Plan) and Halifax's Economic Growth Plan call for the Municipality to ensure there is a sufficient supply of industrial lands to provide economic development opportunities. To support this objective, Regional Council approved-in-principle Part 1 of the BFPF in 2008. This study undertook a strategic review of the Municipality's role in business park development and made specific land use policy and zoning recommendations for Burnside Industrial Park and City of Lakes Business Park.

The SMPS and LUB amendments proposed in this report will implement the land use recommendations for Burnside Industrial Park and City of Lakes Business Park. Since 2008, the BFPF has been partially implemented through various initiatives including:

- Development of Burnside Phase 12 (Burnside Expansion Area) aligned with the BFPF;
- Public engagement for the Burnside Expansion Area, regarding the range of uses that should be permitted in the area; and
- Amendments to the Regional Plan and the Dartmouth LUB to limit uses in the Burnside Expansion Area to industrial uses, with only accessory office and retail uses permitted.

The proposed SMPS policy and LUB amendments are intended to protect and support the lands in this area for long-term industrial use. To support this objective, the proposed amendments will continue to apply the existing Industrial designation to all lands in the study area, and introduce two new sub-designations and three new zones, including:

- The Burnside General Industrial sub-designation, which will:
 - encourage both light and heavy industrial uses, and commercial and support uses that are compatible with an industrial environment;
 - be applied to all lands within Burnside Industrial Park;
 - establish and apply the Burnside General Industrial (BGI) Zone to the majority of Burnside; and
 - establish and apply the Commercial Industrial (CI) Zone to major transportation routes to encourage the clustering of shops and services close to transit services.
- The Business Park sub-designation, which will:
 - support the continued use of City of Lakes Business Park and limited additional lands for suburban office space for businesses that neither desire nor require a location within the Regional Centre, in a manner that is compatible with nearby industrial development;

- apply to lands within City of Lakes Business Park, HRM-owned vacant lands adjacent to City of Lakes, and lands on Venture Run known as the Wright & Burnside Business Campus development;
- establish and apply the Business Park (BP) Zone, which continues to support the development of offices and light industrial uses.

BACKGROUND

The industrial lands within Burnside Industrial Park and City of Lakes Business Park are a critical part of the Municipality's economy. The Regional Municipal Planning Strategy (Regional Plan) and Halifax's Economic Growth Plan call for the Municipality to ensure there is a sufficient supply of industrial lands to provide economic development opportunities. In support of this objective, the Business Parks Functional Plan (BPPF) undertook a strategic review of the Municipality's role in business park development. On September 23, 2008, Regional Council approved-in-principle Part I of the BPPF, which included recommendations for land use policy and regulations for Burnside Industrial Park and City of Lakes Business Park. This report recommends amendments to the Dartmouth Secondary Municipal Planning Strategy (SMPS) and Dartmouth Land Use By-Law (LUB) to implement the land use recommendations of the BPPF.

Study Area

This project is focused on the lands within Burnside Industrial Park and City of Lakes Business Park in Dartmouth, located north of the Circumferential Highway between Windmill Road and Highway 118, excluding the Dartmouth Crossing area (Maps 1 and 2). City of Lakes Business Park includes lands east of Burnside Drive and south of Wright Avenue, with the balance of the lands comprising Burnside Industrial Park. The former City of Dartmouth began developing Burnside Industrial Park in the early 1960s, and City of Lakes Business Park in the mid-1980s. Both Parks have grown to occupy approximately 3,400 acres (1376 hectares) and employ an estimated 30,000 workers.

| | |
|--|--|
| Subject Lands | Burnside Industrial Park and City of Lakes Business Park, Dartmouth |
| Regional Plan Designation (Map 3) | Urban Settlement; Business/Industrial Sub-designation |
| Secondary MPS Designation (Map 1) | Industrial |
| Zoning (Map 2) | I-2 (General Industrial) Zone |
| Current Land Uses | Range of commercial and industrial uses |
| Surrounding Uses | North: Undeveloped (forested) East: Dartmouth Crossing and Highway 118 South: Highway 111 West: Windmill Road |

New policy and zoning adopted through this project is not proposed to apply to lands immediately abutting Windmill Road, or to the lands within the Dartmouth Crossing area. Lands on the east side of Windmill Road within Burnside Industrial Park have been regulated by the policies of the Wright's Cove Secondary Planning Strategy since 2009. These policies have restricted additional industrial uses by designating lands immediately abutting Windmill Road as Highway Commercial. The character of Windmill Road may change over time as industrial uses along this corridor convert to commercial uses, and residential development proceeds at the Harbour Isle development. At this time, no significant changes are proposed to the Wright's Cove policies due to uncertainty around the future of this corridor, including:

- the planned Highway 107 extension from Burnside Drive, which may shift vehicle traffic away from Windmill Road, allowing Windmill Road to become a more pedestrian-oriented, mixed-use area;
- ongoing high-density residential and mixed-use development at Harbour Isle;

- the planned Wright's Cove Halifax Transit terminal, which may improve transit connections to Burnside and further support the residential and commercial development at Harbour Isle;
- recent upgrades to active transportation infrastructure, including multi-use trail construction along the east side of Windmill Road;
- future development of Shannon Park; and
- the Halifax Bridge Commission's work towards repairing or replacing the A. Murray MacKay Bridge.

Beginning in 2007, Dartmouth Crossing has developed between City of Lakes Business Park and Highway 118. Dartmouth Crossing is currently developed with 1.7 million square feet of large and small format retail space and 150,000 square feet of office space. The Dartmouth SMPS policy applies the Burnside Comprehensive Development District to a portion of these lands, which enables residential development by development agreement. Since Dartmouth Crossing is expected to continue to develop as a private retail park that does not cater to industrial uses, the policy and zoning which applies to the area has not been included within the scope of this project. This is consistent with the recommendations of the BPPF, which identified the area for commercial development.

Staff anticipate that the Dartmouth SMPS, including the Wright's Cove Secondary Planning Strategy and the Burnside Comprehensive Development District policies, will be reviewed as part of the Plan and By-Law Simplification program. The policy and zoning may be amended in the future as appropriate to reflect any significant changes to the transportation and land use context in these areas.

Regional Policy Context

The Regional Plan, Halifax's Economic Growth Plan 2016-21, and the Integrated Mobility Plan support the implementation of the BPPF. In particular:

- Regional Plan Policy EC-4 requires that the recommendations of the BPPF be used to guide the "rationalization of uses and development standards through amendments to the applicable secondary planning strategies and land use by-laws."
- Halifax's Economic Growth Plan 2016-21 calls for the Municipality to "ensure that an adequate supply of industrial lands is available to support economic development objectives."
- The Integrated Mobility Plan (IMP) calls for protecting industrial lands for industrial uses, and directing other commercial uses to mixed-use areas. IMP Action 29 directs the Municipality to "refine the designations and zoning for industrial parks to minimize residential and commercial encroachment of land suitable for industry."

Existing Industrial Policy and Zoning Context

Under the Regional Plan, Burnside Industrial Park and City of Lakes Business Park are included within the Business/ Industrial sub-designation (Map 3), which "represents priority areas for an integrated mix of industrial, commercial, service and support uses" (Policy EC-3). Regional Plan Map 10 identifies the boundaries of Burnside Industrial Park and City of Lakes Business Park (see Map 3). When the Regional Plan was adopted in 2014, some newer areas of Burnside that had yet to be developed were identified as the Burnside Business Park Expansion Area. Policy EC-6 requires that lands within the Burnside Business Park Expansion Area be reserved for general, light industrial and logistics uses, with office and retail permitted only as accessory to industrial uses.

Under the Dartmouth SMPS and LUB, the subject lands are designated Industrial and zoned I-2 (Map 1). The I-2 Zone permits a wide range of commercial and industrial uses. Consistent with the Regional Plan, only industrial uses and logistics uses with accessory office and retail uses are permitted in the Burnside Business Park Expansion area. The I-2 Zone is permissive, and has allowed heavy and light industrial uses to develop alongside a range of commercial uses including wholesale uses, small and large-format retail, office uses, recreation uses, and services like restaurants, medical clinics, and daycares. Within the Dartmouth LUB, Schedule H identifies the boundary of City of Lakes Business Park, which is consistent with the boundary on Regional Plan Map 10. Within Schedule H, office buildings to a maximum of five storeys are permitted.

The HRM Business Parks Program

HRM's Business Parks program administers the development and sale of new serviced industrial lands, which involves reviewing proposed uses, building and site design outside the requirements of the LUB. Lots are sold for immediate development purposes only. An approved Site Development Proposal is required as part of the Agreement of Purchase and Sale. Site Development Proposals must comply with the Site Development & Building Standards, which have been adopted for both Burnside Industrial Park and City of Lakes Business Park. These standards apply both aesthetic and environmental protection measures over and above the LUB requirements. The standards are intended to ensure Burnside and City of Lakes continue to be developed in a manner consistent with superior aesthetic and environmental protection standards with the intent of creating a pleasant and harmonious environment for the Park's occupants and protect and enhance the investment of business located in the Park.

Once the lands are in private ownership, a property's use and development is controlled and updated mainly by the LUB requirements. The permissive nature of the I-2 Zone means that lands intended for industrial uses could be converted to non-industrial uses.

Implementation of the Business Parks Functional Plan

Regional Council's September 23, 2008 motion directed that a range of work be undertaken to implement the Business Parks Functional Plan. Since that time, public engagement has been completed in several phases, some changes to planning documents have been completed and development has expanded in Burnside Industrial Park and City of Lakes Business Park. Key actions have included:

- | | |
|-------------|---|
| 2008 | <ul style="list-style-type: none">• Regional Council approved-in-principle the BPPF (September 2008)• Phase 12-2 Burnside (Wilkinson Avenue) began development. |
| 2009 | <ul style="list-style-type: none">• Staff opened Case 01338 to respond to Regional Council's September 2008 direction.¹• Regional Council adopted the Wright's Cove Secondary Planning Strategy as an amendment to the Dartmouth SMPS (May 26, 2009).² |
| 2010 | <ul style="list-style-type: none">• Regional Council adopted amendments to the Regional Plan, the Dartmouth SMPS and LUB, and Planning Districts 14&17 SMPS and LUB to realign the boundaries of the Business/ Industrial sub-designation and Plan Area boundaries to apply to HRM-owned lands intended for industrial use (January 19, 2010).³• For Case 01338, staff held a public information meeting on January 27, 2010, and conducted an online survey regarding the recommendations of the BPPF and potential land uses in the area between Wilkinson Avenue and Dartmouth Crossing. Staff concluded that the area should be considered for light industrial uses, as recommended in the BPPF.⁴ |
| 2011 - 2015 | <ul style="list-style-type: none">• Regional Council initiated the 5-year review of the Regional Plan (October 4, 2011⁵)• Phases 12-3, 12-4, 12-5 Burnside (Cutler and Higney Avenues) proceeded to develop under the I-2 Zone. |

¹ <http://legacycontent.halifax.ca/council/agendasc/documents/100119cai03.pdf>

² <http://legacycontent.halifax.ca/council/agendasc/documents/090526ca91.pdf>

³ <http://legacycontent.halifax.ca/council/agendasc/documents/100119ca91.pdf>

⁴ <http://legacycontent.halifax.ca/commcoun/hecc/documents/Case10338Info.pdf>

⁵ <http://legacycontent.halifax.ca/council/agendasc/documents/111004cow3.pdf>

- 2014 • Regional Council adopted the 2014 Regional Plan (June 25, 2014⁶). The Regional Plan introduced policy to limit the Burnside Expansion Area to industrial uses, with only accessory office and retail uses permitted.
- 2015 • Regional Council adopted amendments to the Dartmouth SMPS for the Burnside Expansion Area, to accommodate office and retail uses on lands previously sold by HRM.⁷
- 2016 • Staff resumed work on the review of land use policy and regulations for Burnside Industrial Park and City of Lakes Business Park under Case 21808.⁸

Related Projects

This project is focused on the land use policy and regulations applied to Burnside Industrial Park and City of Lakes Business Park. However, several related municipal initiatives outside the scope of this project will work together to ultimately shape development in the area. These include:

- *Site Development & Building Standards* - Corporate Real Estate is currently working to update the Site Development & Building Standards to reduce duplication with the LUB requirements, build upon the proposed amendments set out in this report, and better reflect the needs in the Parks.
- *Burnside Industrial Park Expansion* – Phase 13 Burnside, including the currently undeveloped portions of Burnside within the Urban Service Area, is expected to begin development of new streets, services and industrial lot inventory in 2020. Phase 14 Burnside includes 425 acres of land north of Phase 13 that was acquired by the Municipality in 2015 and is currently located outside of the Urban Service Area. The background studies needed to inform the consideration of an expansion to the Urban Service Area, including a watershed study and land suitability assessment, are anticipated to commence in 2020.
- *Regional Plan Review and Business (Industrial) Parks Functional Plan Update* – A five-year review of the Regional Plan will be undertaken in 2020-2022. As part of this review, Corporate Real Estate have hired a consultant team to update the now 10-year-old Business Parks Functional Plan. This study, expected to be completed in 2020, will review economic and land use trends for industrial uses and make policy recommendations to protect and promote the Municipality's long-term industrial land supply.
- *Plan and By-Law Simplification* – Most of HRM's SMPSs and LUBs were developed before amalgamation in 1996, are in a variety of formats, and use different definitions, policies, and processes to regulate land use and development. To more effectively support the Regional Plan, Planning and Development is establishing a refined secondary planning and land use by-law simplification work program that aims to resolve regional and community planning policy issues and improve administration. The Regional Centre Plan forms the first phase of this work, and staff are developing a work plan for suburban and rural areas. It is expected that the proposed policy and zoning developed for industrial lands through this project will be able to be used as a model for other industrial lands in the Municipality.
- *Stormwater Management* – As initiated through the Integrated Stormwater Management Plan Policy Framework developed between HRM and Halifax Water, stormwater management guidelines for new

⁶ <http://legacycontent.halifax.ca/council/agendasc/140624rc-agenda.php>

⁷ <http://legacycontent.halifax.ca/council/agendasc/documents/150721ca91.pdf>

⁸ <http://legacycontent.halifax.ca/boardscom/SCcped/documents/Infoltem1Redacted.pdf>

commercial and industrial developments, with a focus on green infrastructure, will be developed as part of the Municipal Design Guidelines (Red Book) review.

- *Halifax Transit's Moving Forward Together Plan (MFTP)* – The MFTP includes realignment of several Burnside transit routes and proposes a terminal on Bancroft Lane near the intersection with Windmill Road to facilitate transfers to routes travelling to and from Burnside.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the public participation program approved by Regional Council on September 23, 2008 for the Business Parks Functional Plan implementation. Engagement for earlier phases of the implementation project included a public information meeting on January 27, 2010.

For this project, the level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, a presentation to the Greater Burnside Business Association on October 24, 2018, and a public open house held on January 8, 2019. To advertise the public open house, postcards were mailed to 417 property owners and 1,274 tenants within the notification area (Map 2).

The public comments included the following topics:

- general support for the project's intent to introduce zoning that protects Burnside for industrial uses;
- concerns about the businesses that could become non-conforming;
- concerns about restrictions on office and retail uses, particularly for multi-tenant buildings;
- comments that building design requirements, particularly building materials, could be too onerous for industrial properties;
- one comment suggested that if the intent is to protect industrial lands, that the onus for buffering from heavy industrial uses should be on the less intensive use;
- one comment suggested that the definition of heavy industrial uses may be too onerous or restrictive; and
- a few requests from individual property owners to consider particular zoning for their properties.

A public hearing must be held by Regional Council before approval of the proposed SMPS and LUB amendments can be considered. Should Regional Council decide to proceed with a public hearing on the proposed amendments, in addition to the published newspaper advertisements, property owners and tenants within the notification area shown on Map 2 will be notified of the hearing by regular mail.

The proposed amendments may impact property owners and business owners with Burnside Industrial Park and City of Lakes Business Park, the Greater Burnside Business Association, and HRM as a landowner and developer of industrial lands in this area.

DISCUSSION

The SMPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in Dartmouth. Amendments to an SMPS are significant undertakings and Council is under no obligation to adopt any particular policy. In this case, staff advise that the Regional Plan and the BFPF call for amending the Dartmouth SMPS and LUB to protect and support the lands in Burnside Industrial Park and City of Lakes Business Park for long-term industrial use. The following paragraphs review the rationale and content of the proposed SMPS and LUB amendments, which are contained in Attachments A and B.

Proposed SMPS and LUB Amendments

Given the importance of Burnside Industrial Park and City of Lakes Business Park to the Municipality's economy, the Industrial designation will continue to apply to all lands within both areas. Recognizing the difference in character between Burnside and City of Lakes, the proposed SMPS amendments establish two sub-designations and three zones as described below.

The Burnside General Industrial sub-designation will:

- encourage both light and heavy industrial uses, and commercial and support uses that are compatible with an industrial environment; and
- apply to all lands within Burnside Industrial Park (see Attachment A, Schedule C);
- establish and apply the Burnside General Industrial (BGI) Zone to the majority of Burnside; and
- establish and apply the Commercial Industrial (CI) Zone to major transportation routes to encourage the clustering of shops and services close to transit services (see Attachment B, Schedule D).

The Business Park sub-designation will:

- support the continued use of City of Lakes Business Park and limited additional lands for suburban office space for businesses that neither desire nor require a location within the Regional Centre, in a manner that is compatible with nearby industrial development;
- apply to lands within City of Lakes Business Park, HRM-owned vacant lands adjacent to City of Lakes, and lands on Venture Run known as the Wright & Burnside Business Campus development (See Attachment A, Schedule C);
- establish and apply the Business Park (BP) Zone, which continues to support the development of offices and light industrial uses (see Attachment B, Schedule D).

The proposed amendments also include several housekeeping amendments to ensure effective implementation of the new policy and zoning. A more detailed summary of the proposed sub-designations and zones is provided in Attachment C.

Policy Objectives

The proposed SMPS amendments set out several policy objectives. The following section outlines the rationale for these objectives and how the related policies and zones carry out their intent:

- *Protect and support efficient use of industrial lands*

As outlined in the Background section of this report, the proposed SMPS and LUB amendments are intended to support the objective of the Regional Plan and Economic Growth Plan to ensure a sufficient supply of industrial lands. As land values increase, lower value industrial lands can face pressure to convert to commercial or residential uses, resulting in a loss in the supply of industrial lands over time. Strong land use policy and regulations are important for protecting and promoting areas for industrial use in the long term.

- *Recognize and support Burnside Industrial Park and City of Lakes Business Park as important employment lands in the Municipality*

Burnside Industrial Park and City of Lakes Business Park generate significant economic activity and employ thousands of workers. The area has grown significantly since its initial development in the 1960s and serves as a regional draw for major industries and provides significant employment opportunities. The existing SMPS policy is outdated and does not adequately acknowledge the economic importance of the area. The proposed SMPS and LUB amendments are intended to better recognize and accommodate the needs of both industry and people that work, shop and visit the area daily.

- *Recognize industry needs for specific locations and site design, such as access to rail and highways*

The proposed SMPS and LUB amendments recognize that these lands accommodate industrial and commercial uses that either are not appropriate elsewhere in the Municipality, or have unique locational needs. For example, industrial uses often require large lots, and access to transportation infrastructure to facilitate goods movement. Industrial uses benefit from direct highway access, and some may require access to streets that can accommodate long combination vehicles. Some uses, such as warehousing and distribution, continue to benefit from direct rail access. The proposed SMPS and LUB amendments have considered industry locational and site design needs, have built upon the existing development context, and provide direction for future development.

- *Strategically direct a range of uses to support transit, shops and services for workers and customers*

Because many industrial uses require large lots for operational needs and to mitigate potential land use conflicts, industrial lands are typically low density and located away from residential neighbourhoods. As a result, industrial lands can be difficult to serve by public transit and active transportation. This is problematic when the area serves thousands of workers and customers daily. The proposed SMPS and LUB amendments attempt to address this issue through a strategic zoning approach. By clustering uses that can achieve higher densities and are unlikely to cause land use conflicts (such as commercial and service uses) on major streets with transit routes, the proposed land use policy and regulations will be mutually supportive of existing and proposed transit and active transportation routes.

- *Mitigate potential conflict between intensive industrial uses and less intensive uses*

The permissive nature of the existing I-2 Zone has allowed a range of industrial uses to develop over time. The I-2 Zone permits all industrial uses, provided they are not “obnoxious” in nature. As a result, light industrial uses, such as research and development, warehousing and distribution, currently exist alongside heavy industrial uses, such as concrete plants, asphalt plants, and large-scale manufacturing uses. This experience suggests that heavy industrial uses can continue to be supported within Burnside Industrial Park. Rather than defining particular uses as “obnoxious”, the proposed SMPS and LUB amendments are structured to mitigate potential conflict between different intensities of use by applying zones in appropriate locations and including additional requirements for heavy industrial uses.

- *Accommodate quality suburban office development in City of Lakes Business Park, while limiting new office space in Burnside Industrial Park*

The City of Lakes Business Park was and continues to be envisioned as a high profile, prestigious office and business campus. The business park is largely built out, including several low-rise and mid-rise office buildings in addition to some convenience retail, personal services, warehousing and distribution uses. The BFPF identified that suburban office uses can support businesses that neither require nor desire a downtown location and recommended the Business Park continue to be supported. However, there has been concern that too much office space in the area could undermine the viability of more compact, mixed-use growth centres envisioned by the Regional Plan and the Integrated Mobility Plan. Therefore, the proposed SMPS and LUB amendments are intended to encourage a limited amount of high-quality suburban office space, while ensuring most lands are reserved for industrial uses.

Industrial and Supportive Uses

Under the existing I-2 Zone applied to the lands, all industrial uses are permitted provided they are not “obnoxious.” Burnside Industrial Park has been identified as a suitable place for a range of industrial uses, with minimal compatibility issues. The proposed SMPS and LUB amendments therefore establish that a range of industrial uses will be permitted in Burnside Industrial Park and City of Lakes Business Park. The proposed LUB amendments introduce several new definitions for industrial and related uses. This will

distinguish between light and heavy industrial uses, permitting the least intensive industrial uses in the Business Park Zone, and permitting heavy industrial uses only in the Burnside General Industrial Zone.

Commercial Uses

Because the primary intent of the proposed SMPS and LUB amendments is to protect and promote industrial uses, the ability to establish non-industrial uses is proposed to be limited compared to the existing I-2 Zone. This includes:

- only permitting standalone office uses in the Business Park (BP) Zone;
- prohibiting large format retail uses in all three proposed zones;
- permitting only office and retail space that is accessory to industrial uses in the Burnside General Industrial (BGI) Zone, consistent with Regional Plan policy which prohibits office and retail uses in the Burnside Expansion Area; and
- permitting a range of commercial uses in the Commercial Industrial (CI) Zone and Business Park (BP) Zone, including retail uses to a maximum of 5,000 square feet, restaurants, recreation uses, medical clinics and personal services.

While the size of general retail uses is limited, the proposed zone requirements will continue to enable a wide variety of stores and services that serve workers and businesses. In addition, retail uses that are compatible with an industrial setting are not restricted in size in the CI and BP Zones, such as building suppliers and vehicle services. Large format retail stores will continue to be permitted nearby in the Dartmouth Crossing and Windmill Road areas.

Architectural and Site Design Requirements

Because of the nature of industrial lands and uses, industrial development does not require the same level of design control as a downtown area or residential neighbourhood. Furthermore, HRM's *Site Development & Building Standards* are applied to new development and will typically ensure a high standard of design. However, the LUB can establish minimum architectural and site design requirements necessary to maintain high-quality industrial park lands in the long term. The architectural and site design requirements included in the proposed SMPS and LUB amendments are most detailed in the Business Park Zone, and least restrictive in the Burnside General Industrial Zone.

High quality building and site design is expected in the Business Park Zone and Commercial Industrial Zone, which are served by public transit and attract the most workers and customers. In these zones, pedestrian-oriented site design requirements include barrier-free entrances accessed from direct pathways that connect to the street. Outdoor storage and display are completely restricted in the Business Park Zone, consistent with the City of Lakes' character as a suburban office park. The Commercial Industrial Zone and Burnside General Industrial Zone allow both outdoor storage and display, however outdoor storage will need to be located at the side and rear of buildings in the CI Zone. To ensure appropriate screening next to the 100-series highways, landscaping will be required in the Commercial Industrial Zone and the Burnside General Industrial Zone.

All proposed zones require:

- landscaping with plant cover, including trees and shrubs, to ensure that development is attractive and contributes to stormwater management and the Municipality's urban forest;
- visual screening of garbage and waste containers from the street; and
- exterior lighting that directs light away from adjacent properties and shields unnecessary glare.

Existing Uses

Lands in Burnside Industrial Park and City of Lakes Business Park have developed over several decades according to the I-2 Zone, and the proposed amendments will significantly change the development regulations. Some non-industrial uses that currently exist in the area, such as offices and general retail, are not envisioned to continue in the long term and have not been permitted under the proposed zones.

However, because this project is intended to support the Municipality's economic development objectives, the proposed amendments are not intended to unnecessarily constrain existing businesses. It is therefore reasonable to encourage an incremental approach to change. Accordingly, the proposed SMPS and LUB amendments will allow all existing uses, which are lawfully in existence on the date of Council's first notice of intention to adopt the amendments, to:

- continue to be considered as permitted uses;
- be extended, enlarged or altered;
- resume operations if discontinued for no more than two years; and
- be replaced or rebuilt if destroyed.

This approach will allow established businesses to remain and adapt their operations, and avoid unintended impacts of the changes. Over time, as businesses turn over, new businesses will need to meet the proposed requirements of the BP Zone, CI Zone and BGI Zone.

Housekeeping Amendments

In addition to the proposed policy and zoning for Burnside Industrial Park and City of Lakes Business Park, the proposed SMPS and LUB amendments include housekeeping amendments to ensure correct implementation of the Dartmouth SMPS and LUB. These include:

Windmill Road Area

When the Wright's Cove Secondary Planning Strategy (SPS) was adopted as part of the Dartmouth SMPS, a "General Industrial" sub-designation was shown on the Wright's Cove Generalized Future Land Use Map on several properties east of Windmill Road. However, no corresponding policy was adopted for that designation. This has been determined to be a mapping error; these properties should not have been included within Wright's Cove SPS and should have retained the Industrial designation. Therefore, properties within the study area for this project that are currently designated "General Industrial" are proposed to be re-designated with the Industrial designation and the Burnside General Industrial sub-designation (Attachment A, Schedules A and B).

Dartmouth Crossing Area

This project has not reviewed or proposed to change the development rights for the Dartmouth Crossing area. However, lands on the east side of Frenchman Lake owned by Dartmouth Crossing Limited are within the boundary of the City of Lakes Business Park and outside the boundary of the Regional Plan's Business/Industrial sub-designation (Map 3). These lands are currently regulated by the I-2 Zone, and because they are within the boundary of City of Lakes Business Park, 5-storey office buildings are permitted. To allow these regulations to continue to apply, the proposed SMPS and LUB amendments include a site-specific policy and corresponding provision in the I-2 Zone. It is expected that when the policy and regulations for the entire Dartmouth Crossing area are reviewed in the future, these site-specific provisions will be reviewed and may no longer be required.

Municipally-Owned Parks and Recreation Facilities

There are three municipally-owned parks in the study area: Frenchman Lake Park, Dartmouth Harbour East Recreation Campus (which includes Spectacle Lake, the RBC Centre and Harbour East All-Weather Field) and Don Bayer Park. These lands will be zoned with the Park Zone, consistent with their existing use.

Outdated References

The proposed amendments also include removing outdated references to avoid contradictions and confusion within the Dartmouth SMPS and LUB. These amendments include:

- in the SMPS, removing outdated sections related to the "North Dartmouth Industrial Complex" (Burnside), as these policies are now addressed by the Regional Plan;

- in the SMPS and LUB, removing outdated sections related to City of Lakes Business Park, including the original maps (Map 2A and Schedule 'H'), which will be replaced by the Business Park sub-designation policy and Business Park Zone;
- in the SMPS, adding a policy to the Construction & Demolition Waste Management Strategy to allow C&D transfer stations and recycling operations within the Burnside General Industrial Zone;
- in the LUB, removing restrictions on shipping containers for industrial purposes in the Commercial Industrial and Burnside General Industrial Zones; and
- in the LUB, clarifying that identification and directional signs for Burnside Industrial Park and City of Lakes Business Park should not be considered billboards.

Conclusion

The proposed SMPS and LUB amendments implement the recommendations of the BFPF in a manner consistent with the Regional Plan's intent to protect industrial lands. The proposed policy and regulations limit the range of permitted commercial uses in favour of industrial uses, to encourage and support industrial use in Burnside Industrial Park and City of Lakes Business Park. The proposed designations and zones will support a range of light and heavy industrial uses, with commercial and service uses directed to major streets that are served by transit. The proposed zone requirements for building, site design and landscaping encourage quality urban design while also recognizing the area's industrial context. City of Lakes Business Park will continue to be considered a high-quality suburban office park, while ensuring most new office construction is directed to the Regional Centre and other mixed-use centres that can be served by high frequency transit service. The proposed amendments will significantly reduce the amount of industrial land that could be converted to non-industrial uses. Therefore, staff recommend that the Harbour East-Marine Drive Community Council recommend that Regional Council approve the proposed amendments to the Dartmouth SMPS and Dartmouth LUB.

FINANCIAL IMPLICATIONS

The municipal costs associated with processing this planning project can be accommodated within the approved 2019-20 operating budget for C320 Policy & Strategic Initiatives.

RISK CONSIDERATION

The risks associated with the recommendations in this report are low. This project proposes amendments to the Dartmouth SMPS. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. HRM Corporate Real Estate continues to market and sell serviced land in the subject area. Changes to zoning may affect the permitted uses on vacant lands or lands in the process of being sold. HRM will continue to advise potential purchasers to undertake their due diligence regarding the potential changes to the land-use bylaws during this secondary planning process.

ENVIRONMENTAL IMPLICATIONS

No additional concerns were identified beyond those raised in this report.

ALTERNATIVES

The Harbour East-Marine Drive Community Council may choose to recommend that Regional Council:

1. Modify the proposed amendments to the SMPS and LUB for Dartmouth, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held

before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

2. Refuse the proposed amendments to the MPS and LUB for Dartmouth. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1: Generalized Future Land Use
Map 2: Zoning and Notification Area
Map 3: Regional Plan – Burnside Area

Attachment A: Proposed MPS Amendments
Attachment B: Proposed LUB Amendments
Attachment C: Summary of Proposed Sub-Designation and Zones

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Leah Perrin, Planner III, 902.490.4338



Map 1 - Generalized Future Land Use

HALIFAX

Burnside
Dartmouth

Subject Area

BCDD Sub-designation

Dartmouth
Plan Area

Dartmouth Designations

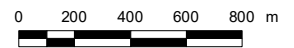
- R Residential
- C Commercial
- I Industrial
- RSV Reserve
- PO Park & Open Space
- WCSPS Wrights Cove Secondary Planning Strategy

Planning Districts 14 & 17 Designations

- RE Resource
- SA Special Area

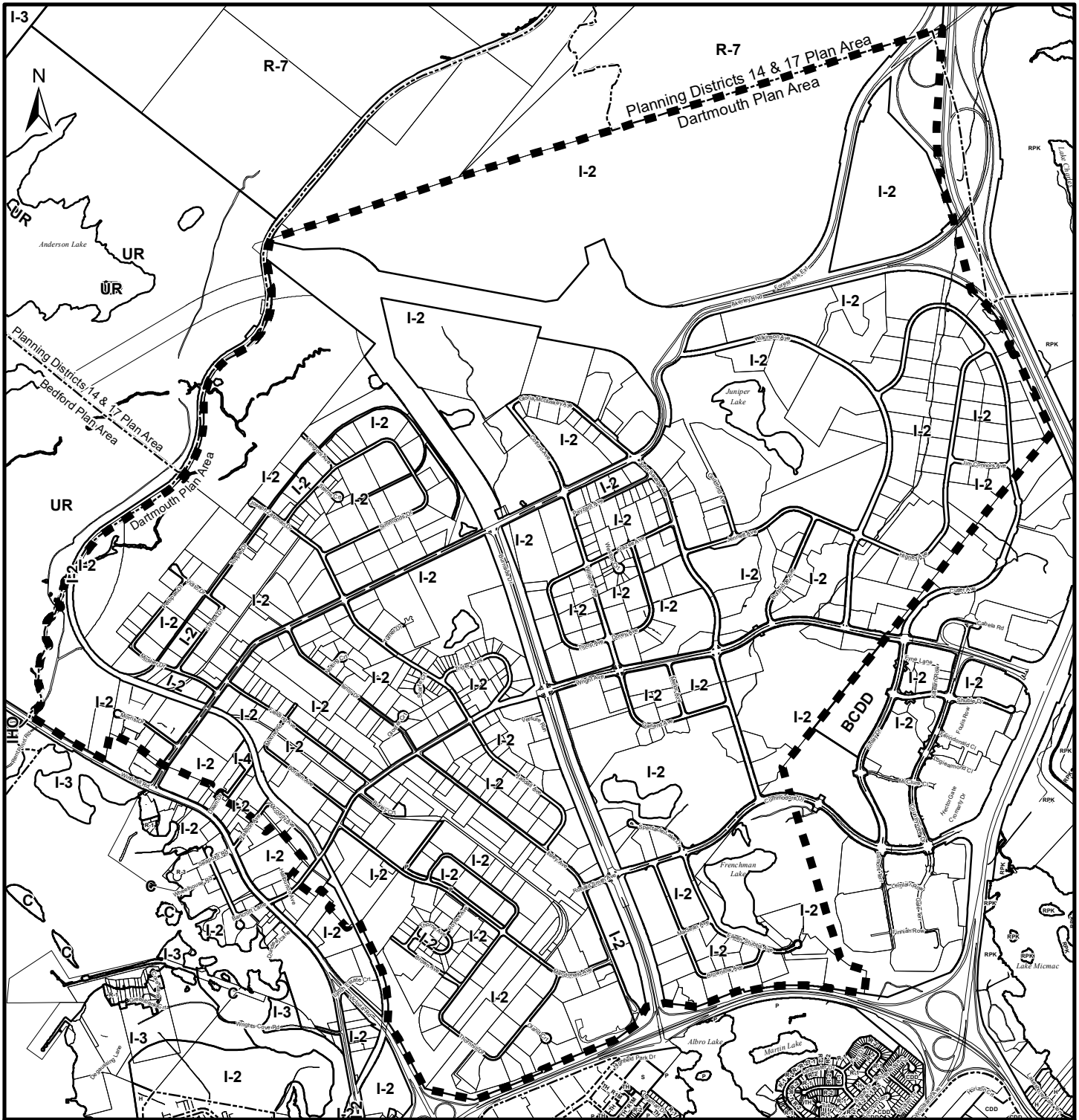
Bedford Designations

- RR Residential Reserve
- IND Industrial



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.



Map 2 - Zoning and Notification

Burnside
Dartmouth

 Subject Area and
Notification Area

Dartmouth
Land Use Bylaw Area

Dartmouth Zones

- R-1 Single Family Residential
- R1M Single Family (Modified) Residential
- R-2 Two Family Residential
- R-3 Multiple Family Residential (Medium Density)
- TH Town Housing
- C Conservation
- C-2 General Business
- CDD Comprehensive Development District
- I-2 General Industrial
- I-3 Harbour-Oriented Industrial
- I-4 Salvage
- H Holding
- P Park
- RPK Regional Park
- S Institutional

Planning Districts 14 & 17 Zones

- R-7 Rural Estate
- UR Urban Reserve
- RPK Regional Park

Bedford Zones

- UR Urban Reserve

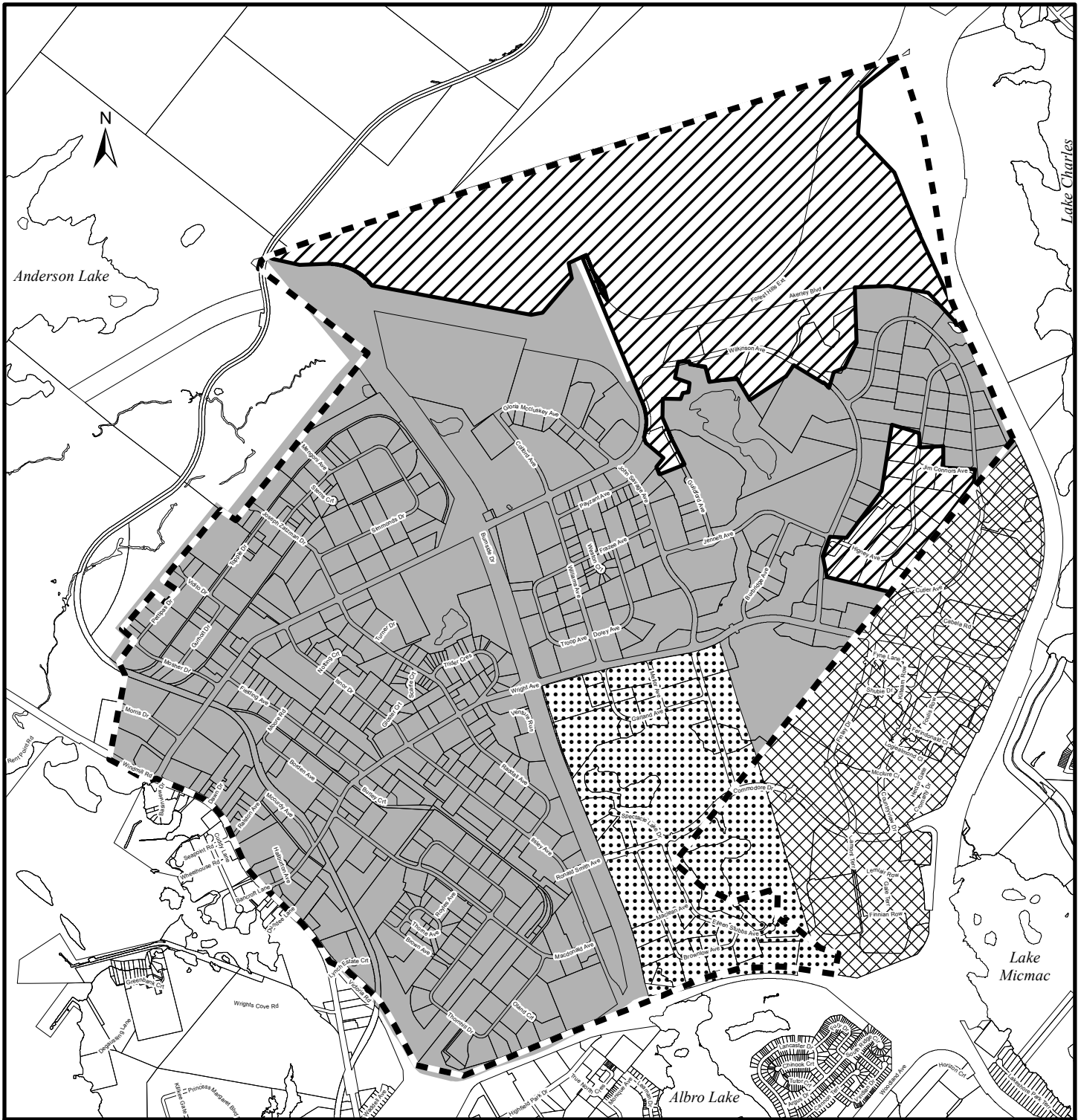
HALIFAX

0 200 400 600 800 m



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

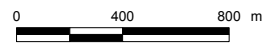
The accuracy of any representation on this plan is not guaranteed.



Map 3 Regional Plan - Burnside Area

HALIFAX

- Burnside Business Park
- City of Lakes Business Park
- Dartmouth Crossing
- Burnside Expansion Lands
- Business / Industrial Park Sub Designation



Dartmouth
Plan Area

The accuracy of any base map representation on this plan is not guaranteed.

Attachment A: Proposed Amendments to the Municipal Planning Strategy for Dartmouth

BE IT ENACTED by the Halifax Regional Council that the Municipal Planning Strategy for Dartmouth is hereby further amended as follows:

1. Deleting the words, brackets and numbers “(4) North Dartmouth” under the heading “DIRECTIONS FOR GROWTH” within the “TABLE OF CONTENTS”.
2. Deleting the words, brackets and number (2) “North Dartmouth Industrial Complex” under the heading “INDUSTRIAL” within the “TABLE OF CONTENTS”.
3. Under the heading “INDUSTRIAL”, adding the words, numbers and brackets “(10) Burnside Industrial Park and City of Lakes Business Park” immediately below the words, number and brackets “(9) Burnside Comprehensive Development District” within the “TABLE OF CONTENTS”.
4. Adding the words and numbers “Map 13 Burnside Industrial Park and City of Lakes Business Park” under the heading “BIBLIOGRAPHY” immediately below the words “Map 12 Burnside Mixed Use Comprehensive Development District” within the “TABLE OF CONTENTS”.
5. Amending the chapter titled “Directions for Growth” by deleting the number, brackets and words “(4) North Dartmouth Area” after the words, number and brackets “(3) Shearwater Airport” in the 6th paragraph, as shown below in strikeout:
 - (1) Russell Lake Area
 - (2) Port Wallace Area
 - (3) Shearwater Airport
 - ~~(4) North Dartmouth Area~~
6. Amending the chapter titled “Directions for Growth” by repealing Section (4) North Dartmouth following Section (3) Shearwater Airport and before Section (5) Summary, as shown in strikeout below:

~~(4) North Dartmouth~~

~~The area north of the industrial park slated for future residential development in the 1965 official town plan and the 1971 draft municipal development plan was given the lowest priority at those times for future development. This was mainly due to high costs of servicing and the availability of more suitable lands within the City.~~

~~Due to industrial pressures unforeseen in the drafting of the 1978 MDP the municipal development boundary in North Dartmouth should be extended eastward. This will allow the City to meet the pressures for uses that require large tracts of industrial land. These lands can be fully serviced as the market dictates.~~
7. In the chapter titled “Commercial”, repealing Clause (2)(d) City of Lakes Business Park, as shown in strikeout below:

~~(d) City of Lakes Business Park~~

~~In 1984, City Council approved the creation of the City of Lakes Business Park, situated on lands east of Burnside Drive in the vicinity of the interchange at Highway 111. It is the City's objective to encourage the development of the Business Park as a high profile, prestigious office and business location. The unique natural amenities of the area, coupled with its optimum location as a "gateway" site to the City and indeed the entire metro area, provide an ideal setting for development of the Business Park as a quality office location.~~

~~The City of Lakes Business Park will attract office uses which neither desire nor require a downtown location. In order to enhance the attractiveness of the Business Park as an office location, provide for a significant and concentrated employment node and increase the economic viability of development projects, office buildings in the Business Park should be permitted to increase from a present height limitation of three storeys to five storeys in height. (As amended by By-law C-686, Aug. 28, 1990).~~

8. Repealing Policy C-15 in its entirety.
9. Repealing Policy C-16 in its entirety.
10. In the chapter titled "Industrial", repealing Item (2) North Dartmouth Industrial Complex in its entirety, as shown in strikeout below:

~~(2) — North Dartmouth Industrial Complex~~

~~This industrial area includes the Burnside and Commodore Industrial Parks and a number of individual sites. The entire area contains 600 developed acres and 1,100 acres of land west of the Burnside Expressway's proposed right-of-way. If the demand warranted, long-term industrial expansion could take place to the north and east of the Burnside Expressway (See Map 3).~~

~~Industry has required an average of 20 acres of serviced land per year, mostly in the two industrial parks. It is reasonable to assume that development will continue at least at this rate.~~

~~At present, the demand for industrial land is for relatively small lots (1 acre or less). In the North Dartmouth Industrial area, the presently available lots are considerably larger (5 acres). This situation is potentially dangerous and steps must be taken to more accurately meet the demand or firms may decide not to locate here.~~

~~The Dartmouth Industrial Commission should get ahead of the demand and provide firms with a selection of serviced sites. To accomplish this, the City should be providing at least 30 acres of serviced industrial land per year (this does not take into account extraordinary demands for large industrial sites, i.e. 20-30 acre parcels) (Policy M-2, M-3)~~

11. In the chapter titled "Industrial" adding a new section after Policy BC-16 and before the Chapter entitled "Transportation", as shown in bold below:

Lands to the east of Frenchman Lake

The boundary of City of Lakes Business Park adopted by the City of Dartmouth in 1984 included lands to the edge of the City of Dartmouth's Development Boundary. Lands on the east side of Frenchman Lake are within the boundary of the City of Lakes Business Park, as

identified on Map 10 of the Regional Municipal Planning Strategy. These lands are a portion of a large parcel of land (PID 41215476) that extends eastward to the rear of properties on Lamont Terrace, in the Dartmouth Crossing development. Due to their private ownership, these lands will not be developed as part of the Municipality's Business Parks program; however, it is appropriate to allow these lands to keep their long-standing development rights until an alternative policy is adopted.

Policy BC-17 For the portion of PID 41215476 within the boundary of City of Lakes Business Park (as identified on Map 10 of the Regional Municipal Planning Strategy):

- (a) The I-2 (General Industrial) Zone shall apply;
- (b) Notwithstanding any other policy of this Plan, office buildings shall be permitted to a maximum height of five storeys; and
- (c) Clauses (a) and (b) shall apply until such time that an amendment to this Plan is adopted for PID 41215476.

12. Adding a new section at the end of the chapter titled "Industrial", following the newly added Policy BC-17, and before the chapter titled "Transportation" as shown in bold below:

(10) Burnside Industrial Park and City of Lakes Business Park

The Burnside Industrial Park was assembled by the former City of Dartmouth beginning in the early 1960s. Following amalgamation, the Municipality has continued to develop serviced industrial land in this area, and together with City of Lakes Business Park, it has grown to approximately 3,400 acres (1376 hectares). As the largest industrial park north of Boston and east of Montreal, Burnside is a major employment centre in HRM and has an estimated 30,000 employees.

Burnside is well suited for industrial uses, given its separation from residential neighbourhoods, and direct links to 100-series highways and the railway. The area has attracted a mix of light and heavy industrial uses, commercial and support uses, and is the preferred industrial location for many national and international firms. Early phases of Burnside, east of Windmill Road and west of Burnside Drive, include both small and large lots that provide opportunities for a range of industrial operations. There are few sidewalks in this older portion of Burnside, but there are areas of high-quality landscaping including many street trees. Later phases of Burnside have been developed with generally larger lots, and a higher standard of infrastructure, including sidewalks and bicycle lanes on major streets. Lands located next to the Highway 118 interchange have been branded as the Atlantic Gateway Logistics Park and developed with lot sizes and transportation infrastructure to attract transloading, distribution, and warehousing operations.

In 1984, the City of Dartmouth approved the creation of the City of Lakes Business Park, situated on lands east of Burnside Drive near the interchange at Highway 111. The City of Lakes Business Park was and continues to be envisioned as a high profile, prestigious office and business campus. The business park is largely built out, including several low-rise and mid-rise office buildings in addition to some convenience retail, personal services, warehousing and distribution uses. The Dartmouth Harbour East Recreation Campus on Commodore Drive is a major public recreation facility that attracts participants from across the region to its all-weather fields and four-pad arena. A multi-use trail and overpass

connects the area directly to the Highfield Park neighbourhood on the opposite side of the Highway 111.

The industrial lands within Burnside Industrial Park and City of Lakes Business Park are highly valuable to the Municipality's economy. A key objective of both the Regional Municipal Planning Strategy and Halifax's Economic Growth Plan is to ensure there is a sufficient supply of industrial lands to provide economic development opportunities. In support of this objective, the Business Parks Functional Plan (2008) undertook a strategic review of the Municipality's role in business park development and a rationalization of uses and development standards. The Business Parks Functional Plan recommended that the Land Use By-Law should differentiate the permitted uses in Burnside Industrial Park and City of Lakes Business Park through zoning.

Objectives

For lands within Burnside Industrial Park and City of Lakes Business Park (as shown on Map 13), this Plan intends to:

- protect and support efficient use of industrial lands;
- recognize and support Burnside Industrial Park and City of Lakes Business Park as important employment lands in the Municipality;
- recognize industry needs for specific locations and site design, such as access to rail and highways;
- strategically direct a range of uses to support transit, shops and services for workers and customers;
- mitigate potential conflict between intensive industrial uses and less intensive uses; and
- accommodate quality suburban office development in City of Lakes Business Park, while limiting new office space in Burnside Industrial Park.

Burnside General Industrial Sub-Designation

As redevelopment in Burnside occurs, it is crucial that the Municipality continues to protect these valuable industrial lands for industrial uses. As land prices increase, industrial lands can face pressure to convert to non-industrial uses, such as large-format retail, office and residential developments. The policies of this Plan are intended to protect and promote Burnside Industrial Park as a priority area for industrial uses.

Policy B-1 The Burnside General Industrial Sub-Designation, shown on Map 13, shall be applied to lands within the Burnside Industrial Park with the primary intent of protecting industrial lands for industrial uses.

Burnside General Industrial Zone

The Burnside General Industrial (BGI) Zone is intended to apply to the majority of the Burnside Industrial Park to support both light and heavy industrial uses, and commercial and support uses that are compatible with an industrial environment.

- Policy B-2** Within the Burnside General Industrial Sub-Designation, the Burnside General Industrial (BGI) Zone shall be established within the Land Use By-Law to accommodate a wide range of industrial uses in Burnside Industrial Park. The BGI Zone shall:
- (a) permit both light industrial and heavy industrial uses;
 - (b) require heavy industrial uses to be located on large lots, set back and buffered from less intensive uses and 100-series highways;
 - (c) permit commercial uses that support industrial uses and are compatible with an industrial setting;
 - (d) limit office uses to those that support industrial uses;
 - (e) limit the size of general retail uses, except for retail uses that support industrial uses;
 - (f) not permit residential uses, except for caretaker units that are essential to 24-hour industrial operations;
 - (g) permit salvage yards consistent with Policy M-7 of this Plan; and
 - (h) permit C&D transfer stations and processing facilities consistent with Policy SW-7A of this Plan.
- Policy B-3** To support flexible site and building designs that are accessible to all users and maintain high-quality industrial lands over the long term, the BGI Zone shall include regulations respecting:
- (a) signage, landscaping, walks, fences, lighting and screening of waste materials;
 - (b) outdoor storage and outdoor display of goods and materials; and
 - (c) the requirement for landscaped buffers adjacent to 100-series highways.
- Policy B-4** The BGI Zone may be applied to any lands within the Burnside General Industrial Sub-Designation, as shown on Map 13.
- Policy B-5** In considering amendments to the Land Use By-Law to apply or adjust the boundaries of the BGI Zone, Council shall be satisfied that the proposal is reasonably consistent with the following criteria:
- (a) the proposed rezoning achieves the objectives and policies of this Section (10) and is consistent with any other applicable policies established by this Plan and the Regional Municipal Planning Strategy; and
 - (b) the general rezoning criteria outlined in Policy IP-1(c) of this Plan.

Commercial – Industrial Zone

The Commercial-Industrial Zone is intended to accommodate light industrial uses and a range of commercial uses that support industries, workers and customers. Primarily applied to major streets (identified on Map 13), the Commercial-Industrial Zone will direct commercial uses to key transportation routes to support transit use, active transportation and provide visibility for businesses. The CI Zone may also be applied to buffer more intensive industrial uses in the Burnside General Industrial Zone from major streets and from zones that support less intensive uses.

- Policy B-6** Within the Burnside General Industrial Sub-Designation, the Commercial-Industrial (CI) Zone shall be established within the Land Use By-Law to accommodate light industrial uses and a range of commercial uses that support industries, workers and customers in Burnside Industrial Park. The CI Zone shall:
- (a) permit a range of commercial and industrial uses, as well as services for workers and customers;
 - (b) permit recreation uses that are compatible with an industrial setting;
 - (c) limit office uses to those that support industrial uses;
 - (d) limit the size of general retail uses, except for retail uses that support industrial uses; and
 - (e) not permit residential uses, except for caretaker units that are essential to 24-hour industrial operations.
- Policy B-7** To support flexible, varied and quality site and building designs that are accessible to all users and maintain high-quality industrial lands over the long term, the CI Zone shall include the following:
- (a) regulation respecting the external appearance of structures by prohibiting the use of low-quality building materials;
 - (b) regulation respecting signage, landscaping, walks, lighting and screening of waste materials;
 - (c) regulation respecting outdoor storage and outdoor display of goods and materials;
 - (d) requirements for barrier-free walkways from the public street to accessible entrances; and
 - (e) requirements for landscaped buffers adjacent to 100-series highways.
- Policy B-8** The CI Zone may be applied to lands:
- (a) with lot frontage on major streets identified on Map 13; or
 - (b) that act as a buffer between the Burnside General Industrial Zone and zones that support less intensive uses;
 - (c) within future phases of Burnside Industrial Park if transit service is provided
- Policy B-9** In considering amendments to the Land Use By-Law to apply or adjust the boundaries of the CI Zone, Council shall be satisfied that the proposal is reasonably consistent with the following criteria:
- (a) the proposed rezoning achieves the objectives and policies of this Section (10) and is consistent with any other applicable policies established by this Plan and the Regional Municipal Planning Strategy;
 - (b) where the proposed rezoning would remove lands from the BGI Zone, there is a demonstrated need for additional commercial land uses that cannot be accommodated in established commercially-zoned areas of the Municipality;
 - (c) the lands are within 500 metres of a transit stop; and
 - (d) the general rezoning criteria outlined in Policy IP-1(c) of this Plan.

Business Park Sub-Designation

The Business Park Sub-Designation is intended to support the continued use of City of Lakes Business Park for suburban office space for businesses that neither desire nor require a location within the Regional Centre, in a manner that is compatible with nearby industrial development. In addition to the developed areas of City of Lakes Business Park, this sub-designation will recognize limited opportunities for new office development.

Policy B-10 The Business Park Sub-Designation, shown on the Generalized Future Land Use Map (Map 10), shall be applied to lands within City of Lakes Business Park and to limited areas where existing or new office development contributes to the City of Lakes office cluster.

Business Park Zone

The Business Park Zone is primarily intended to permit suburban office development. While light industrial uses will also be permitted, heavy industrial uses and outdoor operations will not be permitted to ensure that uses in the zone are compatible with a high-quality business park environment.

Policy B-12 Within the Business Park Sub-Designation, the Business Park (BP) Zone shall be established in the Land Use By-Law and applied to lands that are intended to support high-quality suburban office space that complements the industrial uses in the Burnside Industrial Park. The BP Zone shall:

- (a) notwithstanding any other policy of this Plan, permit general office uses;
- (b) permit a mix of office, commercial and light industrial uses, together with services for workers and customers;
- (c) limit the size of general retail uses, except for retail uses that support industrial uses; and
- (d) not permit residential uses, except for caretaker units that are essential to 24-hour industrial operations.

Policy B-13 The BP Zone shall encourage high-quality architecture and barrier-free site design by:

- (a) permitting buildings to a maximum height of five storeys;
- (b) regulating the external appearance of structures by requiring high quality exterior building materials;
- (c) regulating landscaping, walks, lighting and screening of waste materials;
- (d) prohibiting outdoor storage and outdoor display of goods and materials; and
- (e) requiring barrier-free walkways from the public street to accessible entrances.

Municipal Parks

There are currently three municipally-owned parks in Burnside Industrial Park and City of Lakes Business Park, including:

- Dartmouth Harbour East Recreation Campus (which includes the four-pad arena, all-weather sports fields, and Spectacle Lake trails);
- Don Bayer Park; and
- Frenchman Lake Park.

These parks provide access to green space for area workers, and draw people from around the region for high quality recreational opportunities. To encourage the continued use of these lands for open space and community recreation purposes, it is appropriate to zone these municipal parks consistent with their existing use.

Policy B-14 The Park (P) Zone may be applied to municipally-owned parks and recreation areas within the Burnside General Industrial Sub-Designation and the Business Park Sub-Designation.

Existing Uses

Until 2020, lands in Burnside Industrial Park and City of Lakes Business Park were regulated by the General Industrial (I-2) Zone. The I-2 Zone permitted all commercial and industrial uses including office and retail uses. As a result, some businesses which have invested significantly in their present operations may not meet the requirements of the BP Zone, CI Zone and BGI Zone.

While the policies of this Plan prioritize protecting industrial lands for industrial uses, it is anticipated that this will be achieved through incremental change. Allowing established businesses to remain and adapt their operations will avoid unintended impacts on existing development.

Policy B-15 The Land Use By-Law shall permit all uses within the BP Zone, the CI Zone, and the BGI Zone that were lawfully permitted on [INSERT DATE OF COUNCIL’S FIRST NOTICE OF ITS INTENTION TO ADOPT THIS SECTION] to continue to be permitted as existing uses. The Land Use By-Law shall establish provisions to permit existing uses to continue to operate and make needed alterations to buildings and structures.

13. In the chapter titled “Construction and Demolition Waste Management Strategy”, after Policy SW-7 and before Section (2) C&D Disposal Facilities, adding the words shown in bold below:

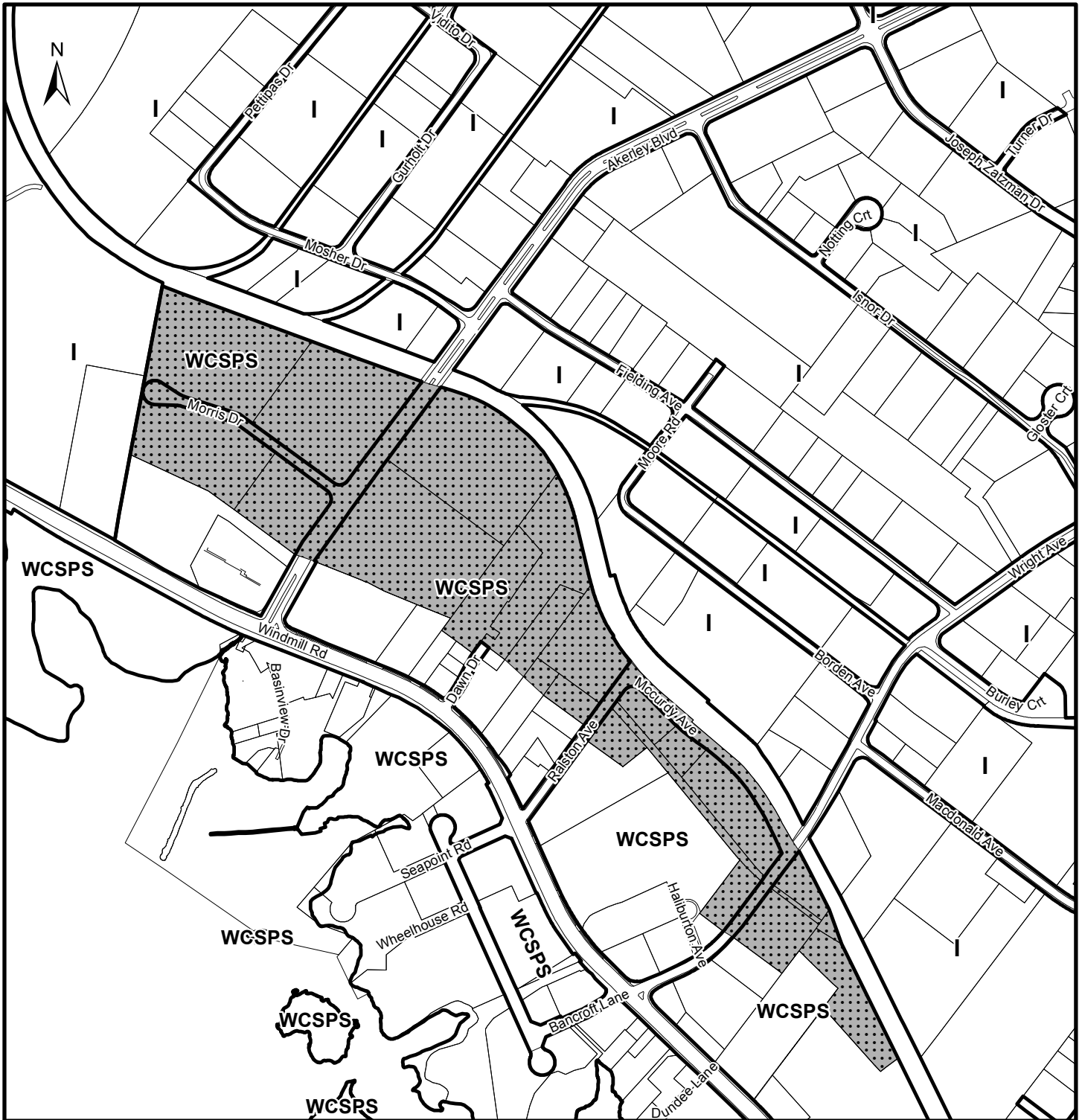
In 2020, amendments to this Plan and the Land Use By-Law introduced new policy and zoning for Burnside Industrial Park. Through this process, it was determined that Burnside Industrial Park may be an appropriate place for C&D Transfer Stations and Processing Facilities given the industrial focus of land use policies and zoning of the area.

SW-7A Notwithstanding policies SW-6 and SW-7, C&D transfer stations and C&D recycling operations shall be permitted in the Burnside General Industrial (BGI) Zone. C&D operations in the BGI Zone shall be required to meet the lot size and setback requirements for heavy industrial uses in the BGI Zone, as well as the requirements of the CD-1 and CD-2 Zones.

13. Repealing Map 2A (By-law C-686).
14. Amending Map 10 Generalized Future Land Use Map, to re-designate the area as shown on Schedule A attached hereto from WCSPS (Wrights Cove Secondary Planning Strategy) to I (Industrial).
15. Amending Map 11 Wright's Cove Secondary Planning Strategy, to remove the area as shown on Schedule B attached hereto.
16. Adding "Map 13 Burnside Industrial Park and City of Lakes Business Park", as shown on Schedule C attached hereto.

I, Sherryl Murphy, Acting Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on [INSERT DATE], 2020.


Municipal Clerk



Schedule A - Amendments to Map 10 Generalized Future Land Use Map

HALIFAX

Burnside
Dartmouth

 Area to be redesignated to I (Industrial) from WCSPS (Wrights Cove Secondary Planning Strategy)



Dartmouth Designations

I Industrial
WCSPS Wrights Cove Secondary Planning Strategy

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.


Dartmouth
Plan Area

The accuracy of any representation on this plan is not guaranteed.



**Schedule B - Amendments to Map 11 Wright's Cove
Secondary Planning Strategy**

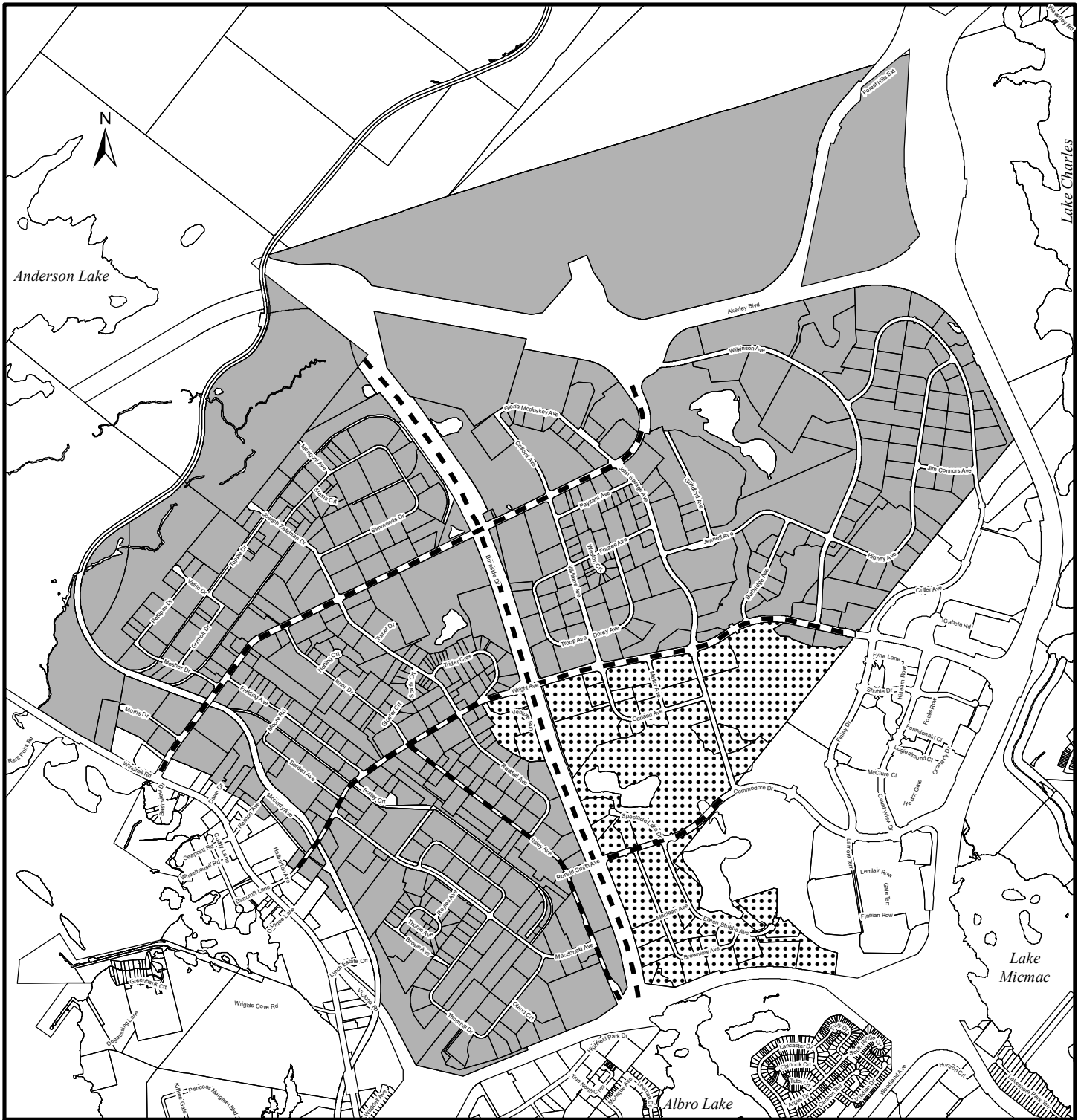
HALIFAX

 Area to be removed from Map 11
Wright's Cove Secondary Planning Strategy






The accuracy of any representation on
this plan is not guaranteed.

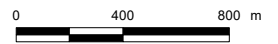
Dartmouth
Plan Area



Schedule C
Map 13 - Burnside Industrial Park and City of Lakes Business Park
Sub Designation

HALIFAX

-  Business Park
-  Burnside General Industrial
-  Major Streets



Dartmouth
Plan Area

The accuracy of any base map representation on this plan is not guaranteed.

**Attachment B:
Proposed Amendments to the Land Use By-Law for Dartmouth**

BE IT ENACTED by the Halifax Regional Council that the Land Use By-Law for Dartmouth is hereby further amended as follows:

1. In the "TABLE OF CONTENTS", adding the words, number, colon and commas "**SECTION 1A: DEFINITIONS FOR THE BP ZONE, CI ZONE AND BGI ZONE**" immediately below the words, number, and colon "SECTION 1: DEFINITIONS".
2. In the "TABLE OF CONTENTS", adding the words, number, and colon "**PART 34: BP (BUSINESS PARK) ZONE**" immediately below the words, numbers, and brackets "PART 33 BCDD (Burnside Comprehensive Development District) Zone".
3. In the "TABLE OF CONTENTS", adding the words, numbers, colon, and brackets "**PART 35: CI (COMMERCIAL INDUSTRIAL) ZONE**" immediately below the newly added "PART 34 BP (Business Park) Zone".
4. In the "TABLE OF CONTENTS", adding the words, numbers, colon, and brackets "**PART 36: BGI (BURNSIDE GENERAL INDUSTRIAL) ZONE**" immediately below the newly added "PART 35 CI (Commercial Industrial) Zone".
5. In the "TABLE OF CONTENTS", deleting the words "Schedule H: City of Lakes Business Park" in Section 4.
6. Adding a new section after Section 1 Definitions, titled "Section 1A: Definitions for the BP Zone, CI Zone and BGI Zone", including the text shown in bold below:

SECTION 1A: DEFINITIONS FOR THE BP ZONE, CI ZONE AND BGI ZONE

- 1A. In the BP Zone, CI Zone and BGI Zone, the following additional definitions shall apply:
 - (1) **100-SERIES HIGHWAY** means the public right-of-way for Highway 107, Highway 111, and Highway 118, including exits and ramps.
 - (2) **BANK AND FINANCIAL INSTITUTION** means premises where banking and financial services are provided, and where money is deposited, kept, lent or exchanged, such as bank branches, credit unions and lending establishments.
 - (3) **BREWERY, WINERY AND DISTILLERY USES** means premises used for the production and packaging of beer, wine, spirits or other alcoholic beverages. The facility may include accessory uses such as retail sale, wholesale, tours and events, or hospitality rooms where beverages produced at the facility can be sampled.
 - (4) **BROADCAST USE** means commercial uses and public communication uses such as radio and television broadcasting, receiving stations, and recording and production studios.

- (5) **CARETAKER UNIT** means living accommodation for a caretaker, employee or security personnel that is essential to the operation of an industrial operation on the same lot.
- (6) **COMMERCIAL RECREATION** means a recreational facility operated for commercial purposes, such as go-kart tracks, paintball facilities, shooting ranges, racetracks, and miniature golf courses, and similar uses.
- (7) **EMERGENCY SERVICES USE** means fire stations, police stations, emergency medical and ambulance stations, and similar uses.
- (8) **EXISTING USE** means a structure or use lawfully in existence on [INSERT DATE OF COUNCIL'S FIRST NOTICE OF ITS INTENTION TO ADOPT THIS SECTION].
- (9) **GARDEN CENTRE** means premises where retail and wholesale gardening products are sold, which may include a nursery and greenhouses.
- (10) **HEAVY EQUIPMENT SALES AND SERVICE USE** means premises used for the sale, repair, storage or service of vehicles or other apparatus used in commercial, industrial, agricultural, forestry or construction enterprises such as backhoes, bulldozers, cranes, farm equipment, marine vessels, and tractor trailers, excluding vehicle services.
- (11) **HEAVY INDUSTRIAL USE** means:
- i. the extraction of raw materials; or
 - ii. the manufacture or processing of products from raw materials, including animal processing; or
 - iii. the production or use of flammable, explosive or hazardous products and materials; or
 - iv. the bulk storage of flammable, explosive, or hazardous products and materials.
- (12) **INDUSTRIAL TRAINING** means the commercial provision of educational instruction and safety certification relating to industrial activities.
- (13) **INDUSTRIAL USE** means the use of land or buildings for:
- i. cannabis production facilities;
 - ii. construction and demolition materials disposal sites, processing facilities and transfer stations;
 - iii. light manufacturing uses;
 - iv. heavy industrial uses;
 - v. salvage yards;
 - vi. warehouse uses;
 - vii. wholesale uses;
 - viii. wholesale food production uses, and
 - ix. any similar uses that involve dismantling, demolishing, cleaning, servicing, repairing or testing materials, goods and equipment associated with industrial or commercial operations.

- (14) **KENNEL** means premises used for:
- i. the keeping of more than two dogs for the purposes of commercial breeding or sale;
 - ii. the overnight boarding of dogs, excluding for veterinary purposes;
 - iii. the commercial training of dogs; or
 - iv. the shelter of stray or abandoned animals.
- (15) **LIGHT MANUFACTURING USE** means the processing, fabrication, assembly, treatment, or packaging of products from previously prepared materials, finished products or parts, excluding animal processing. Research facilities and industrial printing are considered light manufacturing uses.
- (16) **OFFICE** means premises in which a person transacts the affairs of a business, profession, service, industry, or government, excluding a home office or a home occupation.
- (17) **OUTDOOR DISPLAY** means the display or sale of goods outside on a lot in conjunction with a business located in a building or structure on the same lot.
- (18) **OUTDOOR STORAGE** means the storage of materials, equipment or other items not intended for immediate sale, outside on a lot for longer than 24 hours.
- (19) **PERSONAL SERVICE USE** means services for the needs of individuals or pets, such as grooming and haircutting, tailoring and shoe repair, tattooing, depots for collecting dry cleaning and laundry, laundromats, warming and cooling centres, food banks, soup kitchens, drop-in centres, funeral homes, and the retail sale of products accessory to any service provided. Veterinary facilities, kennels, pet daycare uses and crematoria are not considered a personal service use.
- (20) **PET DAYCARE USE** means the daytime boarding and care of pets, provided that overnight boarding is not permitted, and excluding a kennel.
- (21) **PREMISES** means the lot or that portion of the lot that contains a use, including a structure or portions of a structure occupied by the use.
- (22) **RECREATIONAL VEHICLE SALES** means premises used for the retail sale or rental of new or used recreational vehicles such as tent trailers, travel trailers, boats, all-terrain vehicles, snowmobiles, or similar light recreational vehicles or marine crafts, and may include the servicing and repair of the products sold or rented.
- (23) **RETAIL BUILDING SUPPLIER** means premises used for the selling or renting of building and construction supplies, materials and products such as appliances, building materials, doors and windows, electrical supplies, hand and power tools, hardware, home improvement items, kitchen cabinets, lumber, paint, plumbing supplies.

- (24) **RETAIL USE** means premises used for the selling or renting of merchandise, including second-hand goods, directly to consumers. Retail uses may also include the servicing and repair of items similar to those being sold.
- (25) **SELF-STORAGE FACILITY** means a building or group of buildings containing individually rented storage units.
- (26) **SERVICE USE** means a business whose primary function is call-out or dispatch work, such as exterminators, plumbers, carpet cleaners, locksmiths, electricians, tow trucks, landscapers, taxis, and standalone catering.
- (27) **SOFT LANDSCAPING** means covered by soft or water-permeable material and vegetation such as trees, hedges, shrubs, flowers, grass, fruit and vegetable plants, sod, or other vegetative groundcover. A water feature is considered soft landscaping.
- (28) **UTILITY USE** means structures, equipment, and materials used by a corporation, municipality, or other entity authorized to install and maintain energy, gas, water, or communication systems for public use. District energy systems, whether standalone or integrated into another building, are also considered a utility use.
- (29) **WAREHOUSE USE** means a building or part of a building for storage for the wholesale and distribution of manufactured products, supplies, and equipment.
- (30) **WHOLESALE FOOD PRODUCTION USE** means premises used for baking, preparing, processing, distributing, and wholesaling food products, but where over-the-counter or other retailing of food products is limited to an accessory retail outlet, and which excludes the slaughtering of animals.
- (31) **WHOLESALE USE** means premises where merchandise is sold or distributed to retailers, industrial, commercial, institutional, or professional users, or other wholesalers.

7. Adding the following words immediately below Section 27C (3), as shown in bold below:

- (4) **Where shipping containers are used in conjunction with a permitted industrial use in the CI Zone or BGI Zone, subsections 27C (1) and (2) shall not apply.**

8. Repealing Section 29E, as shown in strikeout below:

~~29E. The uses in the area shown in Schedule "H" shall be those permitted by the General Industrial (I-2) Zone and any permitted office use shall be limited to a maximum building height of five storeys. (As amended by By-law C-687, Oct 30/90)~~

9. Adding a new clause 30(l) after clause 30(k) and before Subsection 31(1), as shown in bold below:

- (l) **Notwithstanding Section 30(g) above, identification and directional signage for Burnside Industrial Park and City of Lakes Business Park may be erected within the BP Zone, CI Zone, or BGI Zone.**

10. In Section 31 of Section 3: Zones, adding the words and letters shown in bold below immediately following the words “TR Transportation Reserve Zone” and before Subsection 31.(a):

BP Business Park Zone
CI Commercial Industrial Zone
BGI Burnside General Industrial Zone

11. Repealing Section 42(1A) in Part 13: I-2 Zone - General Industrial Zone, as shown in strikeout below:

~~42(1A) Notwithstanding the requirements of subsection 42(1), within the area shown on Map 10 in the Regional Municipal Planning Strategy as Burnside Park Expansion Area, the only permitted business are:~~

- ~~(a) industrial enterprises (including cannabis production Facilities (RC-Sep18/18; E-Nov 3/18)) except obnoxious uses and uses creating a hazard to the public;~~
~~(b) warehousing and distribution uses; and~~
~~(c) office and retail uses ancillary to the above. (RC-Jun 25/14;E-Oct 18/14)~~

12. In Part 13: I-2 Zone – General Industrial Zone, adding a new Subsection 42(8) after Subsection 42(6) and before Part 14, as shown in bold below:

42(8) Notwithstanding Subsection 42(2), for the portion of PID 41215476 within the City of Lakes Business Park (as identified on Map 10 of the Regional Municipal Planning Strategy), a building with an office as its primary use shall be permitted, providing the maximum height of the building does not exceed 5 storeys.

13. Adding a new zone, Part 34: BP (Business Park) Zone, after Part 33 and before Section 4: Scheduling as shown in bold below:

PART 34: BP (BUSINESS PARK) ZONE

PERMITTED USES

55 (1) The following uses only shall be permitted in a BP Zone:

- (a) **Banks and financial institutions;**
(b) **Brewery, winery and distillery uses;**
(c) **Broadcast uses;**
(d) **Caretaker units;**
(e) **Day care facilities;**
(f) **Emergency services uses;**
(g) **Existing uses;**
(h) **Fitness centre uses;**
(i) **Hotels;**
(j) **Industrial training;**
(k) **Industrial uses, except:**
i. **Heavy industrial uses;**
ii. **Salvage yards; and**

- iii. CD-1, CD-2, and CD-3 Zone uses;
- (l) Kennels, pet daycare uses and veterinary clinics;
- (m) Medical clinics;
- (n) Office uses;
- (o) Personal service uses;
- (p) Recreation uses, including commercial recreation;
- (q) Recreational vehicle sales;
- (r) Restaurants, full-service and Restaurants, take-out;
- (s) Retail building suppliers and used building material retail outlets;
- (t) Retail uses;
- (u) Self-storage facilities;
- (v) Service uses;
- (w) Utility uses;
- (x) Vehicle services; and
- (y) Accessory uses.

REQUIREMENTS: ALL USES

55 (2) Premises used for BP uses in a BP Zone shall comply with the following requirements:

- (a) Lot area minimum: 5,000 sq. ft. (464.5 sq. m);
- (b) Minimum front or flankage yard: 20 ft. (6.1 m);
- (c) Maximum building height: 5 storeys;
- (d) The external cladding of main buildings shall include one or more of the following materials:
 - i. architectural masonry units, excluding concrete block and cinder block;
 - ii. natural stone;
 - iii. precast concrete;
 - iv. steel panels; or
 - v. glass panels;
- (e) Subject to clause (f) below, every new or expanded main building shall have at least one barrier-free entrance which:
 - i. faces the public street; and
 - ii. is accessed from a barrier-free walkway;
- (f) For lots with frontage on Burnside Drive and another public street, barrier-free entrances may face Burnside Drive only;
- (g) Every new main building or addition to a main building shall have a barrier-free walkway that:
 - i. provides access from the public street to any barrier-free entrance referred to in clauses (e) and (f) above;
 - ii. is clearly separated from any vehicle parking or driving areas by:
 - (A) changes in grade; or
 - (B) changes in materials;
- (h) Outdoor storage and outdoor display are prohibited;
- (i) Except where driveway or walkway access is required, a 10 ft. (3 m) wide strip of soft landscaping shall be provided abutting the street line, excluding the street line of 100-series highways. Soft landscaping shall include:
 - i. salt-tolerant groundcover plants;

- ii. one ornamental shrub for every 100 sq. ft. (9.29 sq. m.) of required landscaped area; and
- iii. at least one tree with a minimum base caliper of 50 millimetres for every 50 linear ft. (15.24 linear m) of lot frontage;
- (j) Garbage and waste containers shall be screened from view from adjacent properties and public streets with an effective visual barrier, such as an opaque fence or landscaping; and
- (k) Exterior lighting, including security lighting, shall be directed to driveways, parking areas, loading areas, building entrances and walkways and shall be arranged to divert the light away from streets, adjacent lots and buildings. Luminaries shall be shielded to prevent unnecessary glare.

OTHER REQUIREMENTS: INDUSTRIAL USES

- 55 (3) Industrial uses shall be entirely contained within a building, except for parking and loading facilities.

OTHER REQUIREMENTS: RETAIL USES

- 55 (4) Standalone retail uses shall not exceed a maximum gross floor area of 3000 sq. ft. (278.7 sq. m) per retail premises. In a multi-tenant building, this requirement applies to each retail premises within the building. This requirement shall not apply to:
- (a) recreational vehicle sales;
 - (b) retail building suppliers;
 - (c) used building material retail outlets;
 - (d) vehicle services; or
 - (e) retail uses accessory to a permitted industrial use.

OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- 55 (5) Cannabis production facilities in the BP Zone shall meet the following requirements:
- (a) Where a lot containing a cannabis production facility abuts a lot
 - i. zoned or used for residential purposes, or
 - ii. that is used for a daycare, community centre, school, religious institution, public park or playground,
 such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 ft. (70 m) from the abutting lot line.

OTHER REQUIREMENTS: CARETAKER UNITS

- 55 (6) Each industrial premises shall be permitted one caretaker unit. Subject to the requirements of the Building Code Act, caretaker units in the BP Zone shall:
- (a) be located within a main building that contains a permitted industrial use;
 - (b) include no more than two bedrooms; and
 - (c) have a maximum gross floor area of 602.8 sq. ft. (56 sq. m).

OTHER REQUIREMENTS: EXISTING USES

55 (7) Existing uses shall meet the following requirements:

- (a) Uses lawfully existing on [INSERT DATE OF COUNCIL'S FIRST NOTICE OF ITS INTENTION TO ADOPT THIS SECTION] shall be considered permitted uses in the BP Zone;**
- (b) Existing uses shall be permitted:**
 - i. to be extended, enlarged or altered;**
 - ii. to resume operation if discontinued for not more than two years; and**
 - iii. to be replaced or rebuilt if destroyed;****on the lot on which they occupied on [INSERT DATE OF COUNCIL'S FIRST NOTICE OF ITS INTENTION TO ADOPT THIS SECTION], subject to the requirements of this Part; and**
- (c) Where an existing use is converted to another permitted use in the BP Zone, clause (b) above shall not apply.**

14. Adding a new zone, Part 35: CI (Commercial Industrial) Zone, after the newly added Part 34 as shown in bold below:

PART 35: CI (COMMERCIAL INDUSTRIAL) ZONE

PERMITTED USES

56(1) The following uses only shall be permitted in a CI Zone:

- (a) Banks and financial institutions;**
- (b) Brewery, winery and distillery uses;**
- (c) Broadcast uses;**
- (d) Caretaker units;**
- (e) Day care facilities;**
- (f) Emergency services uses;**
- (g) Existing uses;**
- (h) Fitness centre uses;**
- (i) Garden centres;**
- (j) Heavy equipment sales and service uses;**
- (k) Industrial training;**
- (l) Industrial uses, except:**
 - i. Heavy industrial uses;**
 - ii. Salvage yards; and**
 - iii. CD-1, CD-2, and CD-3 Zone uses;**
- (m) Kennels, pet daycare uses and veterinary clinics;**
- (n) Medical clinics;**
- (o) Personal services;**
- (p) Recreation uses, including commercial recreation;**
- (q) Recreational vehicle sales;**

- (r) Recycling depots;
- (s) Restaurant, drive-through; Restaurant, full-service; Restaurant, take-out;
- (t) Retail building suppliers and used building material retail outlets;
- (u) Retail uses;
- (v) Self-storage facilities;
- (w) Service uses;
- (x) Utility uses;
- (y) Vehicle services; and
- (z) Accessory uses.

REQUIREMENTS: ALL USES

56 (2) Premises used for CI uses in a CI Zone shall comply with the following requirements:

- (a) Lot area minimum: 5,000 sq. ft. (464.5 sq. m);
- (b) Minimum front or flankage yard: 20 ft. (6.1 m);
- (c) The external cladding of main buildings shall not have the appearance of:
 - i. unfinished concrete, except for foundation walls no greater than 2 ft. (0.6 m) above grade and loading docks;
 - ii. plywood; or
 - iii. particle board, chip board or strand board;
- (d) Subject to clause (e) below, every new main building or addition to a main building shall have at least one barrier-free entrance which:
 - i. faces the public street; and
 - ii. is accessed from a barrier-free walkway;
- (e) For lots with frontage on Burnside Drive and another public street, barrier-free entrances may face Burnside Drive only;
- (f) Every new or expanded main building shall have a barrier-free walkway that:
 - i. provides access from the public street to any barrier-free entrance referred to in clauses (d) and (e) above;
 - ii. is clearly separated from any vehicle parking or driving areas by:
 - A. changes in grade; or
 - B. changes in materials;
- (g) No outdoor storage shall be permitted within any yard abutting a street line, excluding the street line of a 100-series highway;
- (h) Except for areas where landscaping is required, outdoor display shall be permitted in any yard;
- (i) Except where driveway or walkway access is required, a 10 ft. (3 m) wide strip of soft landscaping shall be provided abutting the street line, excluding the street line of a 100-series highway. Soft landscaping shall include:
 - i. salt-tolerant groundcover plants;
 - ii. one ornamental shrub for every 100 sq. ft. (9.29 sq. m.) of required landscaped area; and
 - iii. at least one tree with a minimum base caliper of 50 millimetres for every 50 linear ft. (15 linear m) of lot frontage;
- (j) Where a lot abuts a 100-series highway, landscaping shall be provided along the street line of the 100-series highway that consists of at least one tree with a minimum base caliper of 50 millimetres for every 50 linear ft. (15.24 linear m);

- (k) Garbage and waste containers shall be screened from view from adjacent properties and public streets with an effective visual barrier, such as an opaque fence or landscaping; and
- (l) Exterior lighting, including security lighting, shall be directed to driveways, parking areas, loading areas, building entrances and walkways and shall be arranged to divert the light away from streets, adjacent lots and buildings. Luminaries shall be shielded to prevent unnecessary glare.

OTHER REQUIREMENTS: RETAIL USES

- 56 (3) Standalone retail uses shall not exceed a maximum gross floor area of 3000 sq. ft. (278.7 sq. m) per retail premises. In a multi-tenant building, this requirement applies to each retail premises within the building. This requirement shall not apply to:
- (a) garden centres;
 - (b) heavy equipment sales and service uses;
 - (c) recreational vehicle sales;
 - (d) retail building suppliers;
 - (e) used building material retail outlets;
 - (f) vehicle services; or
 - (g) retail uses accessory to a permitted industrial use.

OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

- 56 (4) Cannabis production facilities in the CI Zone shall meet the following requirements:
- (a) Where a lot containing a cannabis production facility abuts a lot
 - i. zoned or used for residential purposes, or
 - ii. that is used for a daycare, community centre, school, religious institution, public park or playground,such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

OTHER REQUIREMENTS: CARETAKER UNITS

- 56 (5) Each industrial premises shall be permitted one caretaker unit. Subject to the requirements of the Building Code Act, caretaker units in the CI Zone shall:
- (a) be located within a main building that contains a permitted industrial use;
 - (b) include no more than two bedrooms; and
 - (c) have a maximum floor area of 602.8 sq. ft. (56 sq. m.)

OTHER REQUIREMENTS: EXISTING USES

- 56 (6) Existing uses shall meet the following requirements:
- (a) Uses lawfully existing on [INSERT DATE OF COUNCIL'S FIRST NOTICE OF ITS INTENTION TO ADOPT THIS SECTION] shall be considered permitted uses in the CI Zone;

- (b) Existing uses shall be permitted:
 - i. to be extended, enlarged or altered;
 - ii. to resume operation if discontinued for not more than two years; and
 - iii. to be replaced or rebuilt if destroyed; on the lot on which they occupied on [INSERT DATE OF COUNCIL'S FIRST NOTICE OF ITS INTENTION TO ADOPT THIS SECTION], subject to the requirements of this Part; and
- (c) Where an existing use is converted to another permitted use in the CI Zone, clause (b) above shall not apply.

15. Adding a new zone, Part 36: BGI (Burnside General Industrial) Zone, after the newly added Part 35 as shown in bold below:

PART 36: BGI (BURNSIDE GENERAL INDUSTRIAL) ZONE

57 (1) PERMITTED USES

The following uses only shall be permitted in a BGI Zone:

- (a) Brewery, winery and distillery uses;
- (b) Broadcast uses;
- (c) Caretaker units;
- (d) CD-1 and CD-2 Zone uses;
- (e) Emergency services uses;
- (f) Existing uses;
- (g) Heavy equipment sales and service uses;
- (h) Industrial training;
- (i) Industrial uses, except:
 - i. CD-3 Zone uses;
- (j) Kennels;
- (k) Recreational vehicle sales;
- (l) Recycling depots;
- (m) Retail building suppliers and used building material retail outlets;
- (n) Salvage yards;
- (o) Self-storage facilities;
- (p) Service uses;
- (q) Utility uses;
- (r) Vehicle services; and
- (s) Accessory uses.

57 (2) Premises used for all BGI uses in a BGI Zone shall comply with the following requirements:

- (a) Lot area minimum: 5,000 sq. ft. (464.5 sq. m);
- (b) Minimum front or flankage yard: 20 ft. (6.1 m);
- (c) Except for areas where landscaping is required, outdoor storage and outdoor display shall be permitted in any yard;

- (d) Except where driveway or walkway access is required, a 10 ft. (3 m) wide strip of soft landscaping shall be provided abutting the street line, excluding the street line of a 100-series highway. Soft landscaping shall include:
 - i. salt-tolerant groundcover plants;
 - ii. one ornamental shrub for every 100 sq. ft. (9.29 sq. m.) of required landscaped area; and
 - iii. at least one tree with a minimum base caliper of 50 millimetres for every 50 linear ft. (15 linear m) of lot frontage;
- (e) Where a lot abuts a 100-series highway, landscaping shall be provided along the street line of the 100-series highway that consists of at least one tree with a minimum base caliper of 50 millimetres for every 50 linear ft. (15.24 linear m);
- (f) Garbage and waste containers shall be screened from view from adjacent properties and public streets with an effective visual barrier, such as an opaque fence or landscaping; and
- (g) Exterior lighting, including security lighting, shall be directed to driveways, parking areas, loading areas, building entrances and walkways and shall be arranged to divert the light away from streets, adjacent lots and buildings. Luminaries shall be shielded to prevent unnecessary glare.

OTHER REQUIREMENTS: HEAVY INDUSTRIAL USES

57 (3) Heavy industrial uses in the BGI Zone shall meet the following requirements:

- (a) Notwithstanding Clause 57(2)(a), lot area minimum: 107,639 sq. ft. (1.0 ha);
- (b) Where a lot containing a heavy industrial use abuts:
 - i. a lot in the CI Zone, buildings, structures, and outdoor storage shall be set back a minimum of 24.6 ft. (7.5 m) from the abutting lot line; or
 - ii. a lot in any other zone or a 100-series highway, then buildings, structures, and any outdoor storage shall be set back a minimum of 230 ft. (70 m) from the abutting lot line;
- (c) Outdoor storage may be permitted within the required set back defined in clause (b) above, if landscaping is provided that acts as an effective visual screen. The landscaping shall consist of at least one tree with a minimum base caliper of 50 millimetres for every 50 linear ft. (15 linear m).

OTHER REQUIREMENTS: SALVAGE YARDS

57 (4) Salvage yards in the BGI Zone shall meet both the requirements for heavy industrial uses in Subsection 57(3) above, and the following requirements:

- (a) Salvage operations and scrap materials storage on the site shall be screened from the view of any adjacent sites or streets;
- (b) Fencing shall be constructed around the entire property which shall be:
 - i. not less than 6 ft. (1.8 m) in height;
 - ii. constructed of opaque material; and
 - iii. set back a minimum of 20 ft. (6.1 m) from the street line; and
- (c) A lot containing a salvage yard must be separated a minimum distance of 500 ft. (152.4 m) from, and shall not immediately abut any lot that is:

- i. zoned or used for residential purposes, or
- ii. that is used for a daycare, community centre, school, religious institution, or public park.

OTHER REQUIREMENTS: CD-1 and CD-2 ZONE USES

57 (5) CD-1 and CD-2 Zone uses in the BGI Zone shall meet both the requirements of clause 57(3)(a) and the requirements of their respective zones.

OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES

57 (6) Cannabis production facilities in the BGI Zone shall meet the following requirements:

- (a) Where a lot containing a cannabis production facility abuts a lot
 - i. zoned or used for residential purposes, or
 - ii. that is used for a daycare, community centre, school, religious institution, public park or playground,such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 ft. (70 m) from the abutting lot line.

OTHER REQUIREMENTS: CARETAKER UNITS

57 (7) Each industrial premises shall be permitted one caretaker unit. Subject to the requirements of the Building Code Act, caretaker units in the BGI Zone shall:

- (a) be located within a main building that contains a permitted industrial use;
- (b) include no more than two bedrooms; and
- (c) have a maximum gross floor area of 602.8 sq. ft. (56 sq. m).

OTHER REQUIREMENTS: EXISTING USES

57 (8) Existing uses shall meet the following requirements:

- (a) Uses lawfully existing on [INSERT DATE OF COUNCIL'S FIRST NOTICE OF ITS INTENTION TO ADOPT THIS SECTION] shall be considered permitted uses in the BGI Zone;
- (b) Existing uses shall be permitted:
 - i. to be extended, enlarged or altered;
 - ii. to resume operation if discontinued for not more than two years; and
 - iii. to be replaced or rebuilt if destroyed;on the lot on which they occupied on [INSERT DATE OF COUNCIL'S FIRST NOTICE OF ITS INTENTION TO ADOPT THIS SECTION], subject to the requirements of this Part; and
- (c) Where an existing use is converted to another permitted use in the BGI Zone, clause (b) above shall not apply.

17. Amending “Schedule 1 – Zoning Map for Dartmouth” as shown on Schedule D attached hereto to rezone the areas shown on that Schedule to BGI (Burnside General Industrial), to CI (Commercial Industrial), to BP (Business Park), or to P (Park).

I, Sherryl Murphy, Acting Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on [INSERT DATE], 2020.

Sherryl Murphy
Acting Municipal Clerk

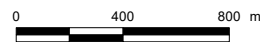


Schedule D - Dartmouth Zoning Amendments

HALIFAX

Zones

- Area to be Rezoned to BGI (Burnside General Industrial)
- Area to be Rezoned to BP (Business Park)
- Area to be Rezoned to CI (Commercial Industrial)
- Area to be Rezoned to P (Park)



Dartmouth
Plan Area

The accuracy of any base map representation
on this plan is not guaranteed.

Attachment C: Summary of Proposed Sub-Designations and Zones

| <i>Sub-designation</i> | <u>BURNSIDE GENERAL INDUSTRIAL (BGI)</u> |
|---|---|
| <i>Intent</i> | <ul style="list-style-type: none">• To encourage both light and heavy industrial uses, and commercial and support uses that are compatible with an industrial environment |
| <i>Application</i> | <ul style="list-style-type: none">• Applied to lands in Burnside Industrial Park (See Attachment A, Schedule C) |
| <i>Associated Zone</i> | <u>Burnside General Industrial (BGI) Zone</u> |
| <i>Intent</i> | <ul style="list-style-type: none">• To permit a wide range of industrial uses in Burnside Industrial Park |
| <i>Application</i> | <ul style="list-style-type: none">• Applied to most lands in Burnside Industrial Park located away from major streets and away from lands developed with non-industrial uses (See Attachment B, Schedule D)• May be applied to any lands within the BGI sub-designation, by rezoning |
| <i>Permitted uses</i> | <ul style="list-style-type: none">• Permits light industrial and heavy industrial uses, including salvage yards and construction and demolition (C&D) transfer stations and processing facilities• Permits commercial uses that support industrial uses and are compatible with an industrial setting• Restricts the size and type of office and retail uses• Does not permit residential uses, except for caretaker units that are essential to 24-hour industrial operations |
| <i>Architectural and Site Design Requirements</i> | <ul style="list-style-type: none">• Outdoor storage and outdoor display permitted• Landscaping with trees and shrubs required along the street, and a landscaped buffer required adjacent to 100-series highways• Lighting must be directed to buildings, driveways and walkways, and away from streets and adjacent properties• Heavy industrial uses must be located on large lots, set back and buffered with landscaping from less intensive uses and 100-series highways• Additional requirements included for salvage yards, including fencing and separation distances• C&D facilities must follow the requirements of the CD-1 and CD-2 Zones including site plan approval |
| <i>Associated Zone</i> | <u>Commercial Industrial (CI) Zone</u> |
| <i>Intent</i> | <ul style="list-style-type: none">• To accommodate light industrial uses and a range of commercial uses that support industries, workers and customers• Directs higher density uses to major streets to support transit use, active transportation and to provide visibility for businesses |
| <i>Application</i> | <ul style="list-style-type: none">• Applied to major streets (Burnside Drive, Akerley Boulevard, Wright Avenue, Commodore Drive, Isley Avenue) within the BGI sub-designation, and to buffer more intensive industrial uses in the Burnside General Industrial Zone from major streets and from zones that support less intensive uses (See Attachment B, Schedule D) |

(Commercial Industrial (CI) Zone, continued)

- | | |
|---|---|
| <i>Permitted uses</i> | <ul style="list-style-type: none">• Permits a range of industrial and commercial uses (except heavy industrial)• Restricts the size and type of office and retail uses• Does not permit residential uses, except for caretaker units that are essential to 24-hour industrial operations |
| <i>Architectural and Site Design Requirements</i> | <ul style="list-style-type: none">• Building materials must not include unfinished concrete, plywood, or particle board• Buildings must have a barrier-free entrance and path from the street• Outdoor display of goods is allowed, but no outdoor storage near the street is allowed• Landscaping with trees and shrubs required along the street, and a landscaped buffer required adjacent to 100-series highways• Lighting must be directed to buildings, driveways and walkways, and away from streets and adjacent properties |

Sub-designation **BUSINESS PARK (BP)**

- | | |
|--------------------|--|
| <i>Intent</i> | <ul style="list-style-type: none">• To support the continued use of City of Lakes Business Park and limited additional lands for suburban office space for businesses that neither desire nor require a location within the Regional Centre, in a manner that is compatible with nearby industrial development |
| <i>Application</i> | <ul style="list-style-type: none">• Applied to City of Lakes Business Park, HRM-owned vacant lands adjacent to City of Lakes, and lands on Venture Run known as the Wright & Burnside Business Campus development (See Attachment A, Schedule C) |

Associated Zone **Business Park (BP) Zone**

- | | |
|---|---|
| <i>Intent</i> | <ul style="list-style-type: none">• To permit primarily suburban office development, as well as light industrial uses that are compatible with a high-quality business park environment |
| <i>Application</i> | <ul style="list-style-type: none">• Applied to lands within the BP sub-designation (See Attachment B, Schedule D) |
| <i>Permitted uses</i> | <ul style="list-style-type: none">• Permits office uses in buildings up to five storeys in height• Permits a range of commercial uses including offices, restaurants, and personal services• Permits light industrial uses which are wholly contained within a building• Restricts the size and type of general retail uses• Does not permit residential uses, except for caretaker units that are essential to 24-hour industrial operations |
| <i>Architectural and Site Design Requirements</i> | <ul style="list-style-type: none">• Building materials must include masonry, stone, precast concrete, steel or glass panels• Buildings must have a barrier-free entrance and path from the street• No outdoor display of goods or outdoor storage permitted• Landscaping with trees and shrubs required along the street• Lighting must be directed to buildings, driveways and walkways, and away from streets and other properties |