

Attachment C1 - Letter of Rationale



architecture + planning
1 Canal St, Dartmouth NS B2Y 2W1
www.zzap.ca

Planning Applications
Halifax Regional Municipality
Planning & Development
Via email: planning@halifax.ca

**RE: Application for Land Use Bylaw Amendment and Rezoning at 4 Fernhill Dr. Dartmouth
(PID: 41079807)**

On behalf of our client, LakeCity Works, zzap Consulting Inc. (zzap) is pleased to submit a site-specific plan amendment for the Regional Centre Secondary Municipal Planning Strategy (SMPS) requesting site specific policy that enables council to consider a Development Agreement (DA) on 4 Fernhill Dr. (PID: 41079807) in the Regional Centre Plan Area.

We respectfully request that you provide us with an anticipated schedule for the Bylaw amendment process.

Please advise if you require any further information at this time in order to prepare the initiation report for this project.

Kind Regards,

A large black rectangular redaction box covering the signature and name of the sender.

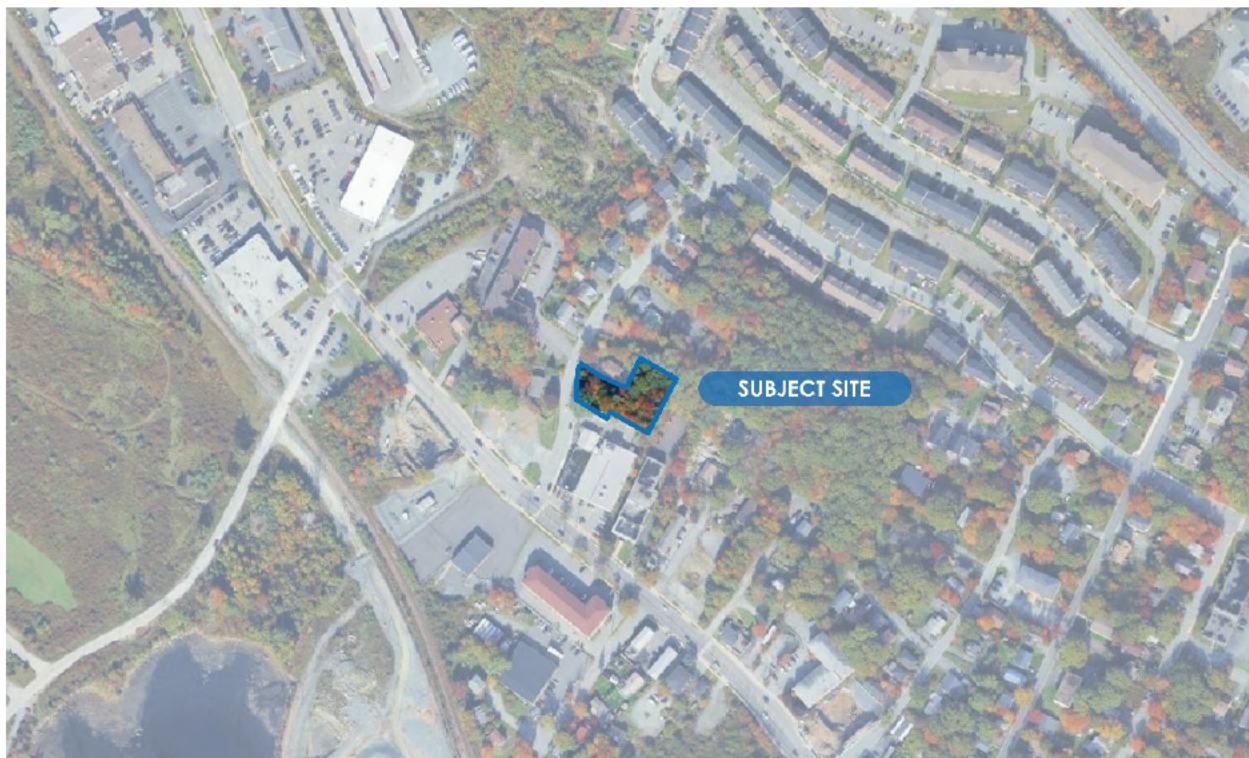
A large black rectangular redaction box covering the signature and name of the sender.

1.0 Site Description and Location

The subject site, 4 Fernhill Dr. totals an area of 2,032 m² (21872 ft²) and is located near the historic Mi'kmaq settlement, Turtle Grove and the current neighbourhood of Tufts Cove, Dartmouth. The site is currently unoccupied but is designated as a 'Corridor' (COR) within the Regional Centre Secondary Municipal Planning Strategy (SMPS) and zoned as 'Corridor' (COR) within the Regional Centre Land Use By-law (LUB). The existing zoning allows for a variety of residential, commercial, and institutional uses. However, it does limit the types of industrial accessory uses that may exist on the site, including storage yards and light manufacturing uses.

The site abuts the LakeCity Works Facility (PID 41079799), which is also currently zoned as COR, and is owned and occupied by our client. Their facility contains a furniture store with light manufacturing and storage yard uses. The site is near Fernhill Dr.'s intersection with Windmill Rd., which is characterized by a fabric of significantly varied land uses, including different types of industrial, commercial, and low- to mid-rise residential uses.

Figure 1: Site Context





Our client, LakeCity Works, is a non-profit that provides a variety of services, ranging from wood and plastic furniture manufacturing to lawn and yard services, as well as career services. The facility and current uses on the site have existed and operated as part of the fabric of the area for 40+ years, long prior to the creation of the Regional Centre Plan Area. As such, their facility lawfully existed prior to the plan's adoption and is considered a legal permitted non-conforming use within the bounds of its current property only (PID: 41079799). In particular, the woodworking shop has historically offered employment, skill building, and social support to adults living with mental illness and other employment barriers. Since the adoption of the Regional Centre Plan, the organization's operations have expanded, and there is currently demand for the facility's activities to extend into the subject site (PID: 41079807) in order to meet its capacity needs.

2.0 Proposed Plan Amendment

This application proposes a site-specific SMPS amendment to create policy that allows Harbour East – Marine Drive Community Council to consider a Development Agreement (DA) for the site. The agreement would also maintain permissions enabling development in accordance with existing underlying zoning provisions. Currently, the facility's proposed accessory storage yard use on the subject site (PID: 41079807) would not fall within the COR zone permitted land-uses. By enabling a DA on the site, our client can work with the Municipality to navigate the expansion of their long standing, community-oriented business while still advancing the Regional Centre Plan's objectives.

A DA is a tool that can enable a variety of compatible uses that support the ongoing operations of LakeCity Works and align with the employment-based character of the site and immediate area. These include, but are not limited to:

- Light manufacturing and assembly
- Warehousing and storage (indoor and outdoor)
- Showroom and sales of manufactured goods (e.g., furniture)
- Commercial support services (e.g., office or retail accessory to industrial use)
- Limited institutional uses that align with employment services (e.g., career counselling, job training programs)

The intent of this application is not to introduce unrelated or large-scale industrial activities, but rather to formally permit these existing and future uses in support of the facility's non-profit employment mission.

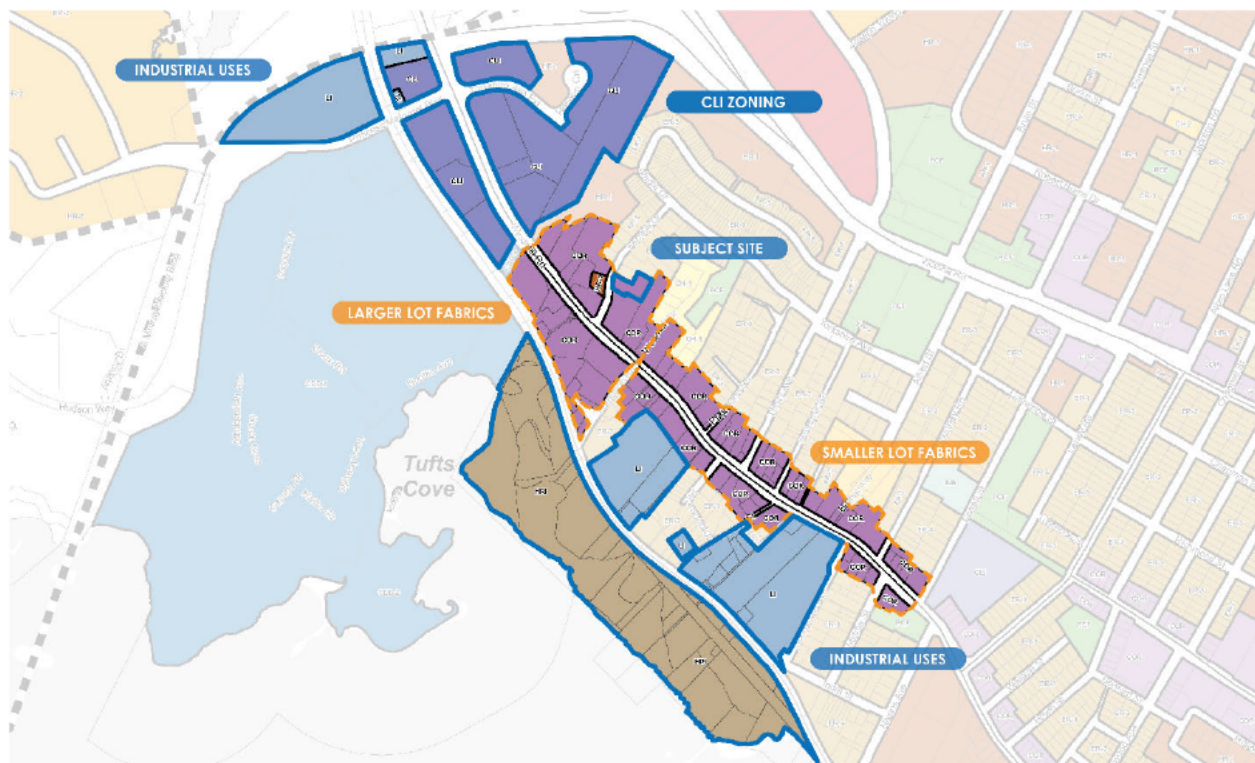
3.0 Rationale for Requested Amendment

The majority of lots along the immediate portion of Windmill St. are zoned COR, however the area is characterized by an integrated mix of varying land uses, including

different types of industrial, commercial, and low- to mid-rise residential uses. Additionally, the site is in proximity to a range of industrial zones, including Commercial Light Industrial, Light Industrial, and Harbor Related Industrial uses, as shown in Figure 2. The proposed amendment would allow for this established community-oriented business to grow, remain within, and support the integrated mixed land use fabric of this area.

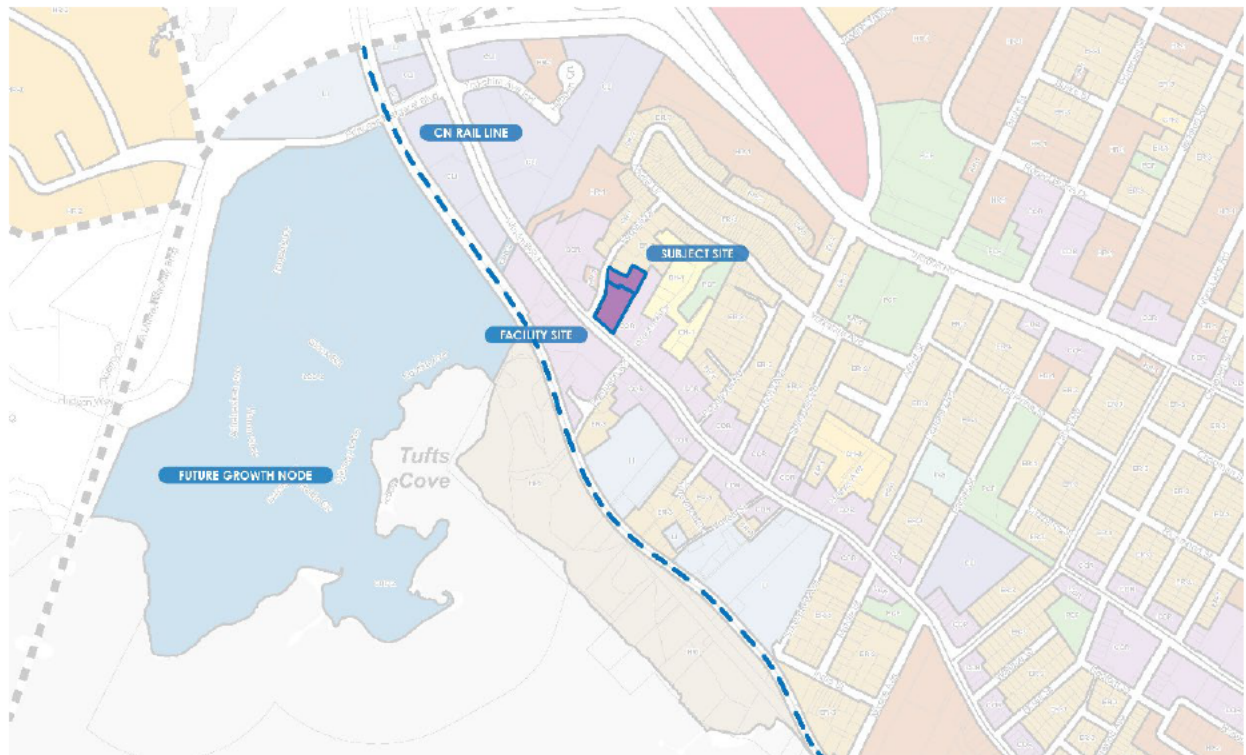
Furthermore, the lot fabric of the COR zoned sites on the northern portion of Windmill Rd. surrounding Fernhill Dr. differ in terms of scale relative to the lot fabrics of the COR zoned sites further south along Windmill Rd, as shown in Figure 2. Lots in the immediate area of the subject site are larger in area, have larger proportions (frontage and depth), and contain a mix of uses with larger building footprints. These lots are comparable to the areas zoned CLI just south of Yorkshire Ave. / Princess Margaret Blvd., The subject site presents a unique context where a DA would enable the proposed expansion in a way that responds to the larger lot fabric, existing mix of uses, and the interface with surrounding residential areas. This approach provides the flexibility to achieve a context-sensitive design that supports a gradual transition between the more commercial areas to the north and the more residential fabric to the south.

Figure 2 Surrounding Industrial Uses



The nearby Shannon Park Lands are another factor to consider as it pertains to the rezoning of this site. The lands are currently designated as Future Growth Node (FGN) in the Regional Centre SMPS and are zoned as CDD in the Regional Centre LUB. The lands are expected to develop into an urban mixed-use residential neighborhood featuring mid- to high-rise buildings (Figure 4). The industrial and commercial uses within the subject site's neighborhood provide a diverse range of service and employment opportunities within proximity to the potential future residents of the Shannon Park FGN. Thus, it is important to maintain and support these existing uses, including the LakeCity Works facility, within the neighborhood to support complete communities and allow the neighbourhood to maintain its mixed-use identity. In terms of urban fabric, the rail line between the Shannon Park lands and the site's surrounding neighborhood creates a transition from the FGN's more urban-mixed use residential neighborhood to the mixed residential, commercial and light industrial area abutting the subject site. (Figure 5).

Figure 5: Rail Line Separation



4.0 Policy Support

While this rationale primarily evaluates consistency with the Regional Centre Secondary Municipal Planning Strategy (SMPS), the request is also consistent with broader objectives of the Halifax Regional Municipal Planning Strategy (Regional Plan), particularly those related to economic development, complete communities, and

support for employment-focused land uses in strategic growth areas.

The Halifax Regional Centre SMPS outlines several policies and objectives where the requests in this plan amendment generally align with the intent of the municipal plan. In terms of land use, The Industrial Employment (IE) Designation section outlines the following policies and objectives:

IE Designation Objective 2: Support the growth of the industrial sector, including harbour-related uses, light manufacturing, and warehousing

IE Designation Objective 4: Provide a buffer and transition between existing residential areas and industrial uses.

Policy IC-1 c): The Commercial Light Industrial (CLI) Zone shall apply to lands that are accessible by transit service and that provides a buffer between industrial and residential uses. The CLI Zone shall permit **light industrial uses enclosed in buildings, commercial uses that complement industrial uses, and limited institutional uses.**

These policies and objectives emphasize the importance of maintaining and supporting the growth of the industrial sector within the Regional Centre, and the value of light-industrial uses in providing a buffer between other types of industrial uses and residential uses. Enabling the expansion of their operation through a DA can help contribute to these objectives, helping foster the growth of a long-established industrial use within the community, while helping create a transition between the nearby heavier industrial uses and the established residential zone just north of the site.

In terms of employment, the Economic Development section outlines the following policies and objectives:

Economic Development Objective 7: Maintain a balance between jobs and residents by accommodating both employment and residential developments.

Policy ED-4 i) To maintain and expand the concentration of jobs and services in the Regional Centre, the Land Use By-law shall support the retention and intensification of industrial lands

Allowing for the expansion of this facility can help expand the number of people it employs. This can help contribute to the municipal plan's goals for economic growth and a higher concentration of jobs within the Regional Centre, especially for individuals living with mental illness and other disabilities who have traditionally been employed by our client.

Furthermore, policies IM-18 a) and IM-19 a) of the Regional Centre SMPS outline pathways to expand the use of non-conforming structures on a site:



Policy IM-18 a) The Land Use By-law shall relax the restrictions in the HRM Charter relating to non-conforming structures in all zones, and allow them to be extended, enlarged, or altered, if the extension, enlargement, or alteration does not further worsen any non-conformity with the By-law;

Policy IM-19 a) Council may, by development agreement, allow non-residential non-conforming uses located on a lot that existing on the coming into force of this Plan to expand the structure containing the non-conforming use.

Our plan amendment request is consistent with the general intent of these policies around expanding the volume of a nonconforming use within a structure. However, our client is not able to proceed with an application under these enabling policies because they cannot be applied over two sites, and our client is unable to consolidate the subject lot with the adjacent lot.

Finally, we have not identified any policies within the Regional Centre SMPS for the COR designation that create a direct conflict between the intent with the establishment of the COR designation and our site-specific request.

5.0 Changes in Circumstance

Furthermore, several key changes in circumstance support the requested amendments:

- The Regional Centre Plan was adopted after LakeCity Works had long established its presence and function in the area. Since then, community reliance on inclusive employment services such as these has grown, especially in response to the challenges posed by the COVID-19 pandemic and increasing socioeconomic disparities.
- There is rising regional demand for flexible, small-scale industrial and employment spaces, particularly for non-profits and social enterprises, which can be well integrated with residential areas.
- The Centre Plan's Corridor (COR) designation prioritizes residential and commercial intensification, which does not align with the operational requirements of LakeCity's light industrial and storage activities, nor does it allow for the continued growth of this area to include a mixing of light industrial uses.

These factors demonstrate that the current policy context no longer reflects the practical realities of land use in this particular area of Windmill Road and necessitates a site-specific amendment.



architecture + planning
1 Canal St, Dartmouth NS B2Y 2W1
www.zzap.ca

6.0 Closing

This request is time-sensitive as LakeCity Works is currently operating at capacity, and expansion into the adjacent site is required to accommodate existing operational needs. Delays in approval jeopardize their ability to fulfill client contracts, secure storage, and maintain employment for program participants.

We trust that the enclosed materials satisfy the application requirements. Should you have any questions, comments or concerns with regards to this application, please do not hesitate to contact the undersigned.