

PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

MEMORANDUM

TO: Chair and Members of North West Planning Advisory Committee

FROM: Andrew Bone, Planner III

DATE: January 25, 2017

SUBJECT: **Case 20211: Application by WSP Canada Inc. on behalf of Hamton Holdings Limited to amend the Bedford Municipal Planning Strategy and Land Use By-law to permit gas stations in the ILI (Light Industrial) Zone**

Background: The applicant wishes to establish a gas bar and small retail development at the southwest corner of Damascus Road and Duke Street in Bedford. Gas stations in general are directed to Highway Commercial areas of Bedford such as the Bedford Highway, between the Sackville River and the northern boundary of Bedford (near Cushing Hill). An amendment to the Municipal Planning Strategy is required to permit gas stations in other areas.

Site: The property is located opposite 91 Duke Street and is:

- Located on the southwest corner of Damascus Road and Duke Street (a Provincially controlled access highway);
- Approximately 9771.4 sq. m.(2.41 acres) in size – located on south east side of the interchange between Highway 101, Bedford Highway and Highway 102 in Bedford.

Location: Southwest corner of Damascus Drive and Duke Street, Bedford (opposite Civic 91 Duke Street).

Existing Use: The site is vacant and previously housed a temporary stormwater management pond.

Designation: Industrial under the Bedford Municipal Planning Strategies (MPS) (Map 1 of Attachment A).

Zoning: ILI (Light Industrial) Zone under the Bedford Land Use By-law) (Map 2 of Attachment A).

MPS Policy: Bedford MPS policy for Bedford enables the creation of the ILI Zone which is applied to portions of lands designated Industrial. The ILI Zone permits a broad range of light

industrial, commercial and service uses. The ILI Zone is primarily applied to Industrial designated properties which are located in portions of the Bedford Industrial Park (Duke Street area), Atlantic Acres Industrial Park (Bluewater Road area) and assorted site specific properties on Larry Uteck Boulevard, Rocky Lake Road and Hammonds Plains Road (see Attachment D).

MPS policy for Bedford directs highway oriented uses such as a gas station to specific areas of Bedford.

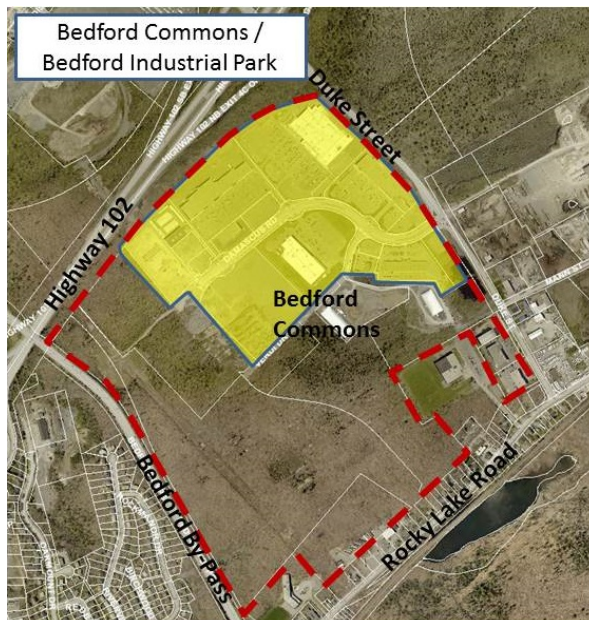
Highway Oriented Uses

Policy C-6 of the Bedford MPS:

In regulating highway oriented commercial uses, Town Council shall zone existing highway commercial uses CHWY. Town Council shall limit further highway oriented development to lands designated Commercial between the northern Town boundary and the Sackville River.

Proposal: The applicant has requested that MPS policy be created which would enable gas stations on their specific property.

In response to the request, staff reviewed the proposal and drafted an initiation report to Regional Council (Attachment D). Regional Council directed staff to proceed with consideration of the above noted request which would consider broadly permitting gas stations in the ILI Zone. The direction from Regional Council included direction with regards to public engagement, specifically directing that a public information meeting not be held and that consultation be done through a mailout, newspaper ad and the HRM website. To date, the mailout has been sent out, the website page created and the ad placed in the newspaper. To date, no comments have been received.



As directed by Council, staff is exploring the option of enabling gas stations in the ILI Zone, further staff is also exploring the option of limiting gas stations to a more limited area in the Bedford Commons (Duke Street area) (See map left).

The red dashed line indicates the ILI zone in the Bedford Common area.
The yellow highlight indicates the proposed area where gas stations are being considered.

Input Sought from North West Planning Advisory Committee

Pursuant to the Committee's Terms of Reference, feedback is sought from the Committee relative to the proposed addition of gas stations as a permitted use in the ILI Zone. Further, specific feedback is sought on the following:

1. The addition of gas stations as a permitted use for all ILI zoned lands in Bedford;
2. The addition of gas stations as a permitted use for a limited area in the Bedford Commons (Duke Street/Damascus Road) area in Bedford;

PAC's recommendations will be forwarded to North West Community Council for consideration.

Attachments:

Map 1 Generalized Future Land Use (see Attachment A)

Map 2 Zoning (see Attachment A)

Attachment A: ILI Zone Requirements

Attachment B: Relevant MPS Policy

Attachment D Initiation Report

Attachment A
ILI Zone Requirements – Bedford Land Use By-law

PART 17 LIGHT INDUSTRIAL (ILI) ZONE

No development permit shall be issued in a Light Industrial (ILI) Zone except for one or more of the following uses:

- a) warehouses and storage and distribution centres
- b) manufacturing, processing, assembly, recycling, or warehousing operations which are not objectionable uses;
- c) parking and or storage of industrial or heavy commercial vehicles, equipment and similar goods;
- d) trade centres
- e) building supplies sales
- f) auto service and supplies centres/outlets
- g) uses permitted in the Shopping Centre Zone (CSC);
- h) wholesalers
- i) full service and take-out restaurants
- j) furniture stores
- k) uses permitted in the CGB Zone, except office buildings, subject to CGB Zone provisions
- l) day care facilities;
- m) dry cleaning depot
- n) recycling depot
- o) uses permitted in the SU Zone
- p) bingo halls
- q) billiard/snooker club
- qa) Auto body repair shops on properties identified on Schedules C-1 and C-2
- r) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS ILI

In any Light Industrial (ILI) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	5,000 sq. ft.
Minimum Lot Frontage	50 ft.
Minimum Front Yard	30 ft.
setback	
Minimum Rear Yard	0 ft. except 40 ft. where abutting a residential zone
Minimum Side Yard	0 ft. except 40 ft. where abutting a residential zone
Maximum Height of Building	52 ft.
Maximum Lot Coverage	70%

SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE

- a) There shall be a landscaped area of at least 15 feet in depth running the length of and directly abutting the front lot line. This landscaped area shall extend the length of the front lot line and of the flankage lot line for a corner lot. Landscaping shall consist of existing vegetation and/or plantings as per *Part 5, Section 32*.

- b) A buffer 40 feet wide, beginning at the property line, shall be required for the for side or rear yards in an Industrial Zone which abut an existing residential use, vacant land zoned for residential use, or a Park or Institutional Zone.
- c) No outdoor storage shall be located:
 - i) within any required yard; nor
 - ii) within any yard which abuts lands fronting on an arterial road; except where a fence or other visual barrier is provided to completely screen the use.
- d) Outdoor display may be permitted provided it does not occur on the required 15 Ft. landscaped area described above and required abutting yards as per Part 5, Section 24 b).
- e) External fuel storage tanks shall be screened unless located at the rear of the building.

Attachment B: Relevant Bedford MPS Policy

Highway Oriented Uses

Policy C-6:

In regulating highway oriented commercial uses, Town Council shall zone existing highway commercial uses CHWY. Town Council shall limit further highway oriented development to lands designated Commercial between the northern Town boundary and the Sackville River.

INDUSTRIAL OBJECTIVE

To promote industrial development which is appropriately located in relation to the physical environment and other land uses, consistent with the preservation, creation and maintenance of a well balanced community.

Policy I-2:

It shall be the intention of Town Council to direct and encourage industrial development in areas designated "Industrial" on the Generalized Future Land Use Map. The following industrial zones shall be applied within the Industrial designation:

- a) Light Industrial Zone (ILI) which permits industrial uses, including but not limited to, manufacturing, processing, assembly or warehousing operations, shopping centre commercial uses, commercial uses permitted within the General Business District (CGB) Zone, and utility (SU) uses. Commercial office uses permitted within the GBD Zone shall be permitted by development agreement. Light industrial and permitted commercial uses shall be encouraged to locate in the Atlantic Acres Industrial Park, in immediately adjacent industrial areas, and in the southern portion of the Bedford Industrial Park.
- b) Harbour Oriented Zone (IHO) which permits light industrial uses requiring direct access to Bedford Basin, marine technology and research facilities, recreational uses, and utilities (SU).
- c) Heavy Industrial (IHI) Zone which permits heavy industrial uses including, but not limited to, manufacturing, railway uses, concrete brick and asphalt plants, recycling facilities, utilities, bulk storage facilities, construction industries, dry cleaning establishments and industrial uses permitted within the ILI Zone.



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

Item No. 14.1.8
Halifax Regional Council
June 21, 2016

TO: Mayor Savage and Members of Halifax Regional Council
Original Signed by 

SUBMITTED BY: _____
John Traves, QC, Acting Chief Administrative Officer

Original Signed by 

Jane Fraser, Acting Deputy Chief Administrative Officer

DATE: May 25, 2016

SUBJECT: **Case 20211: Amendments to the Bedford Municipal Planning Strategy and Land Use By-law to allow service stations within the ILI (Light Industrial) Zone, Bedford**

ORIGIN

Application by WSP Canada Inc.

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that Halifax Regional Council direct staff to initiate the process to consider amending the Bedford Municipal Planning Strategy and Land Use By-law to:

1. Add service stations to the list of permitted uses within the ILI Zone; and
2. Adopt a public participation program for the consideration of said amendments that shall be comprised of a request for written comments from the public through notification that includes the placement of a regular newspaper advertisement and the posting of information on HRM's website, in lieu of a public information meeting and other provisions of the February 25, 1997 Regional Council Resolution Regarding a Public Participation Program for Municipal Planning Strategy Amendments.

BACKGROUND

WSP Canada Inc., on behalf of Banc Developments Limited, is applying to amend the Bedford Municipal Planning Strategy (MPS) and the Bedford Land Use By-law (LUB) in order to allow the development of a gas bar. An amendment to the MPS is required as there is currently no policy to enable the use in the Industrial Designation that applies to the area. The applicant's letter outlines a desire to develop a gas bar at the corner of Damascus Road and Duke Street in Bedford (subject site), within what is commonly known as the Bedford Commons commercial centre. The area is designated Industrial and zoned ILI (Light Industrial).

Policy Context

The Bedford MPS was adopted in 1996 and contains policies regarding service stations, which are defined to include the retail sale of gasoline associated with auto service and repair. The policies limit service stations to highway-oriented commercial zones on the Bedford highway located between the Sackville River and the Highway 102 interchange. The limitation on the location was due to the close proximity to nearby offices, retail shops and the highway.

The subject site is within the Industrial designation and the ILI (Light Industrial) Zone (Maps 1A and 2A). The zone permits warehousing and manufacturing, auto service and supply centres, restaurants, and commercial uses permitted in the CSC (Shopping Centre) Zone. However, there are no MPS policies that enable service stations or gas bars to be permitted within the ILI Zone.

The Industrial designation and the ILI zone also apply to areas and individual properties in the vicinity of Hammonds Plains Road in the western Bedford area (Maps 1B and 2B).

DISCUSSION

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in Municipality. While the MPS provides broad direction, Regional Council may consider MPS amendment requests to enable proposed development that is inconsistent with its policies. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. Amendments should be only considered within the broader planning context and when there is reason to believe that there has been a change to the circumstances since the MPS was adopted, or last reviewed.

Rationale

The applicant has provided the following rationale for the consideration of the proposed amendment:

- Gas Bars are a modern land use that didn't exist as it is currently modeled. The MPS accordingly does not contemplate the use, and should;
- The site is ideally located at the entrance to a successful commercial centre (Bedford Commons) and near Highway 102, a highly visible site;
- There is a market need for gas bars in the area; and,
- Gas bars were excluded in the past due to environmental concerns, but those concerns are no longer valid, as the use is highly regulated by the Province.

Review

The Bedford LUB has allowances for both service stations and gas bars. Service stations include the sale of fuel and the minor repair of motor vehicles. Gas bars may be viewed as a subset of service stations in that while they include the sale of fuel, they do not allow motor vehicle repair or service.

While the applicant is solely seeking amendments that would allow for a gas bar upon the subject site, the application raises the matter of whether service stations should be permitted use within all ILI Zone properties. From a convenience perspective, there are needs for service stations outside of the Highway Commercial Zone. The ILI Zone allows for a variety of land uses that are similar to service stations, such as auto service and supply centres within which vehicles may be repaired. Consequently, there is merit in considering the proposed overall amendments to the Bedford MPS and LUB.

While the amendments would allow service stations as a permitted use, the applicant and any other future developer would be responsible for meeting any provincial and other municipal requirements for the siting and operation of a service station.

Public Consultation

Adding Service Stations to the list of permitted uses within the ILI Zone, with supporting MPS policies, are minor amendments to the planning documents. Consequently, it is recommended that in lieu of a public information meeting, that public consultation occur through a request for written comments. Notification will occur through a newspaper advertisement, a mail out to property owners within and in proximity to the ILI Zone lands, and information on HRM's website.

Conclusion

Staff have reviewed the proposal and find that there is merit to considering amending the MPS and LUB to allow service stations within the ILI Zone. Therefore, staff recommends that Regional Council initiate the MPS amendment process.

COMMUNITY ENGAGEMENT

Should Regional Council choose to initiate the MPS amendment process, the *HRM Charter* requires that Regional Council approve a public participation program. The proposed program, specific to this application, is consultation, achieved through a mailed notice of request for comment, feedback through the webpage, as well as a public hearing before Regional Council can consider approval of any amendments.

Amendments to the Bedford MPS and LUB will potentially impact the following stakeholders: area residents, landowners and businesses.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2016/17 operating budget for C310 - Urban and Rural Planning Applications.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this report. This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified at this time.

ALTERNATIVES

1. Regional Council may choose to initiate the consideration of potential policy that would differ from those outlined in this report. This may require a supplementary report from staff.
2. Regional Council may choose not to initiate the MPS amendment process. A decision of Council not to initiate a process to consider amending the SPS is not appealable to the NS Utility and Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

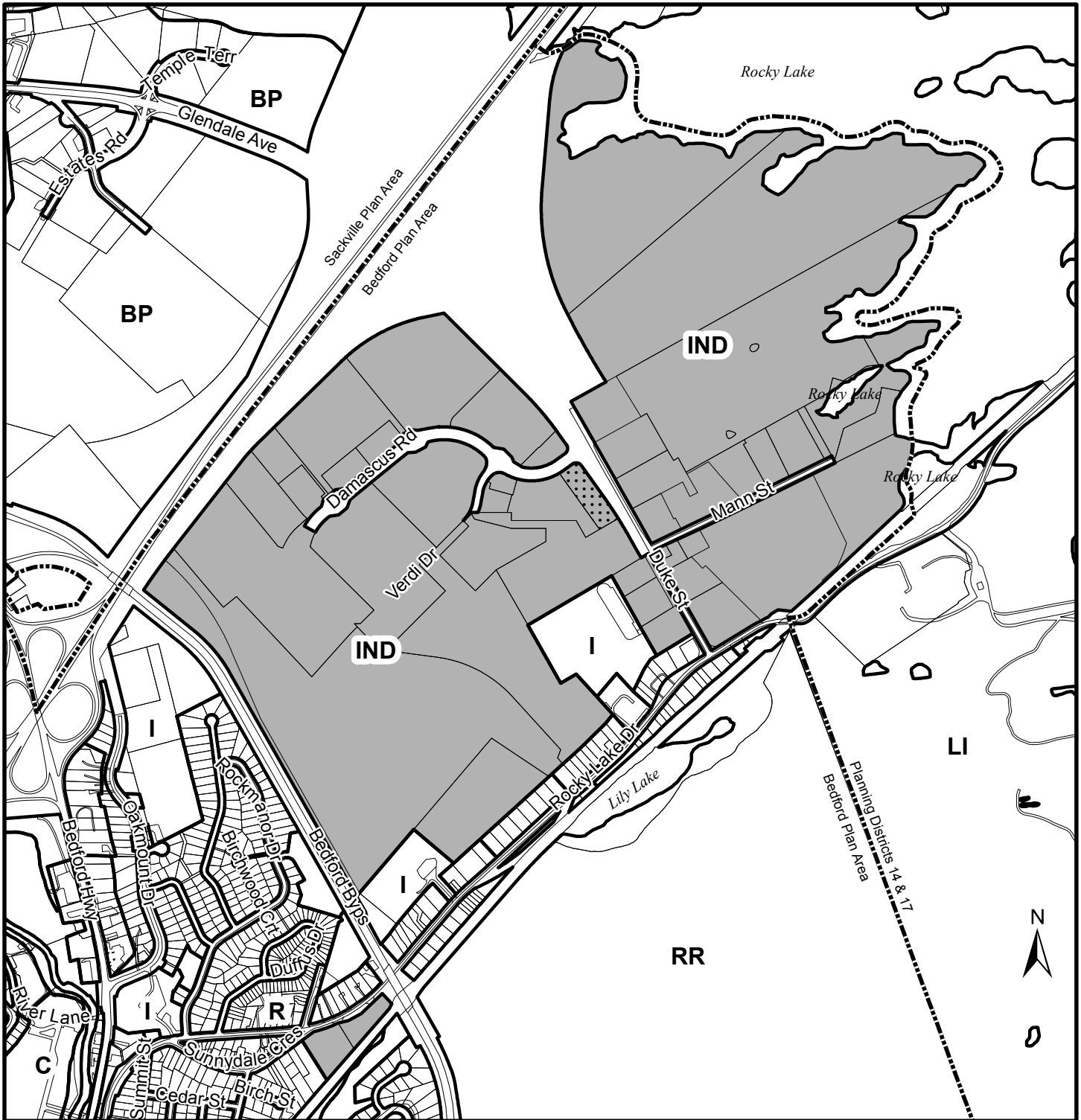
Maps 1A & 1B	Generalized Future Land Use Map
Maps 2A & 2B	Zoning Map
Attachment A	Application Letter
Attachment B	Relevant MPS Policy - Excerpts Bedford Municipal Planning Strategy

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Erin MacIntyre, Planner II, 902.490.6704




Report Approved by: _____
Kelly Denty, Manager, Current Planning, 902.490.4800

Report Approved by: _____
Bob Bjerke, Chief Planner & Director, Planning and Development, 902.490.1627



**Map 1A - Generalized Future Land Use
Eastern Bedford Area**

HALIFAX

-  Industrial Designation
-  Subject Site
-  Plan Area Boundary
- Bedford Plan Area

- Bedford Designations**
- R Residential
 - RR Residential Reserve
 - C Commercial
 - IND Industrial
 - I Institutional

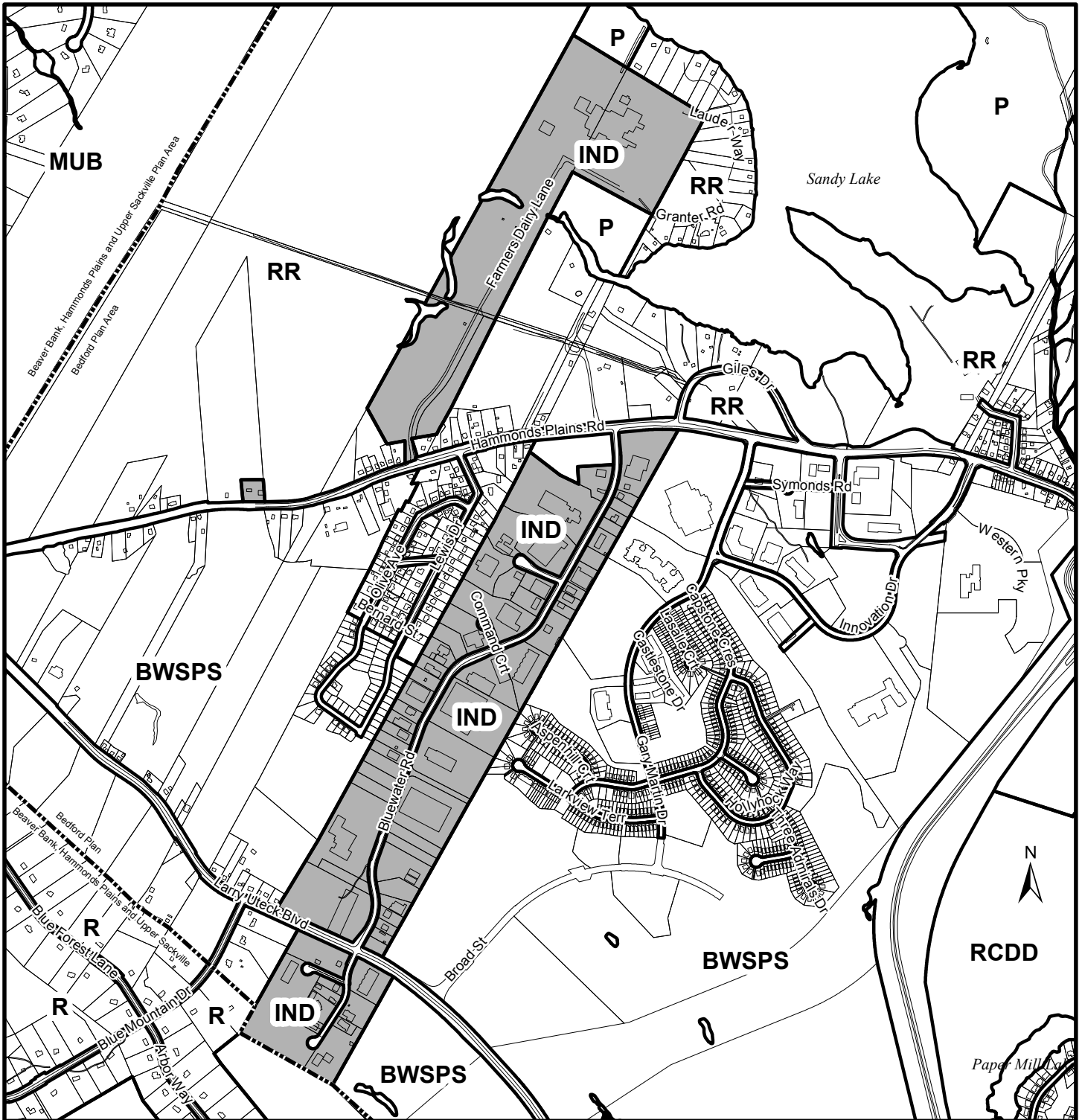
- Sackville Designations**
- BP Business Park

- Planning Districts 14 & 17 Designations**
- LI Light 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 1B - Generalized Future Land Use
Western Bedford Area**

HALIFAX

-  Industrial Designation
-  Plan Area Boundary

Bedford Designations

- RCDD Residential Comprehensive Development District
- RR Residential Reserve
- P Park and Recreation
- IND Industrial
- BWSPS Bedford West Secondary Planning Strategy

Hammonds Plains, Upper Sackville and Beaver Bank Designations

- MUB Mixed Use B
- R Residential



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.

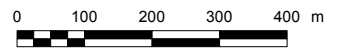


**Map 2A - Zoning
Eastern Bedford Area**

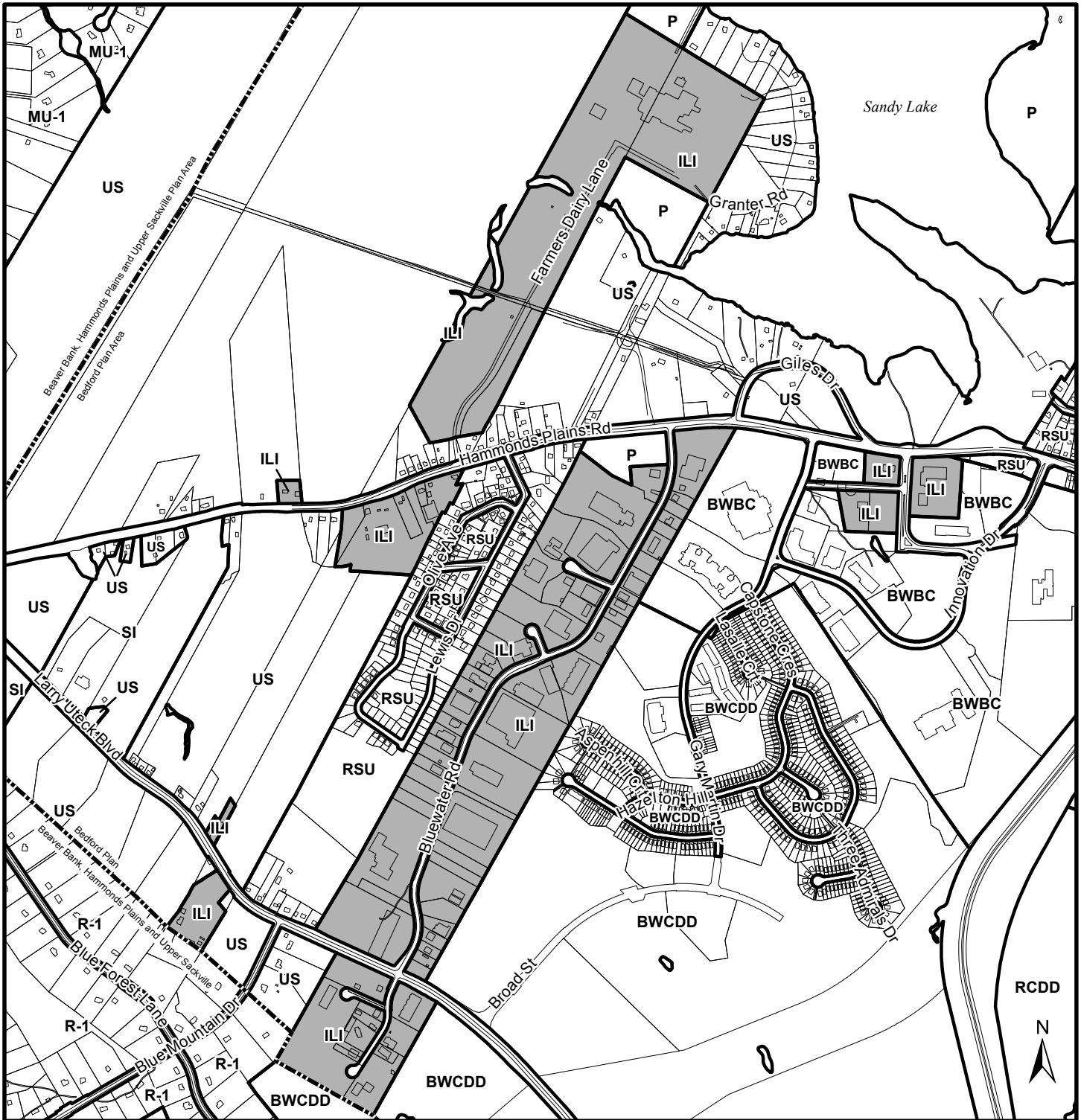
HALIFAX

-  Lands Zoned (ILI)
Light Industrial
-  Subject Site
-  Plan Area Boundary


Zone	
Bedford	RSU Single Unit Dwelling
	RTU Two Unit Dwelling
	CGB General Business District
	CHWY Highway Oriented Commercial
	CCDD Commercial Comprehensive Development District
	ILI Light Industrial
Sackville	BP Business Park




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 2B - Zoning
Western Bedford Area**

 Lands Zoned ILI (Light Industrial)

 Plan Area Boundary

Bedford
Plan Area

Bedford Zones

- RSU Single Dwelling Unit
- RCDD Residential Comprehensive Development District
- BWCCD Bedford Westl Comprehensive Development District
- ILI Light Industrial
- BWBC Bedford West Business Campus
- SI Institutional
- P Park
- US Urban Settlement

Hammonds Plains, Upper Sackville and Beaver Bank Zones

- R-1 Single Unit Dwelling
- MU-1 Mixed Use 1
- US Urban Settlement

HALIFAX



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.

Attachment A - Application Letter



141-14425

May 16, 2016

HALIFAX – Eastern Region Office
40 Alderney Drive, Floor 2, Alderney Gate
Dartmouth, NS, B2Y 2N5

Attn: Ms. Erin Macintyre, Planner II – Rural Policy Applications

Re: Application for Plan Amendment to Bedford Municipal Planning Strategy and Bedford Land Use By-law to permit a gas bar use within the Industrial Light (ILI) Zone

Dear Ms. Macintyre:

On behalf of our client, Hamton Holdings Limited, WSP Canada Inc. (WSP) is pleased to provide you with an application for the following amendments to the *Bedford Municipal Planning Strategy (MPS)* and the *Bedford Land Use By-law (LUB)*:

- Permitting the development of gas bars within the Industrial Light (ILI) zone

The following Planning Application Summary Report includes policy support and justification for the proposed amendment. In addition, the following supporting materials are enclosed:

- Application Form
- Application Fee (\$2,600.00)
- Preliminary Concept Plan (10 copies)
- Traffic Impact Study (4 Copies)
- Servicing Schematic (6 Copies)
- Storm Water Management Plan (6 Copies)
- Wetland Alteration Application in response to MPS Policy E-8 (1 Copy)

WSP trusts that the above listed items are satisfactory to initiate the plan amendment process.

PLANNING APPLICATION SUMMARY REPORT

Section 1: Background

This application is being submitted as a result of our client's property (PID: 41376856) being zoned Industrial Light (ILI) under the LUB, which currently does not permit the development of their desired land use (Gas Bar). The ILI zone permits a variety of commercial uses including 'Auto Service and Supplies Centres/Outlets, however, under the LUB, there is no definition specifically for 'Auto Service' uses. After discussing with representatives from the HRM, it has been determined that gas bars are not considered an 'Auto Service' use. Therefore, we are requesting to amend the MPS and LUB to enable gas bars as a permitted use within the ILI zone.

Section 2: Discussion

Service stations, or gas bars, are a service required by communities and are generally provided in commercial areas nearby significant residential populations. This application request is to allow for a gas bar in an established commercial hub (commonly referred to as

the “Bedford Commons”) which is zoned Industrial Light (ILI) within the Bedford Plan Area. We have identified the following rationale to support our amendment request.

‘Gas Bars’ are a Modern Land Use

According to the LUB, ‘Gas Bars’ are defined as:

“...development used for the retail sale of gasoline, other petroleum products and incidental automotive accessories. This use does not include service stations but may include a car wash or drive-thru restaurant as an accessory use.”

Gas Bars can be interpreted as a modern land use in relation to the dates at which the existing LUB and MPS for the town of Bedford were adopted. This is because developers only began to build these types of land uses, especially the retail/drive-thru components, over the past decade as the demand increased for Gas Service Stations to become a more multifunctional land use. That being said, there is a lack of policy that supports the development of Gas Bars within any zone of the Bedford LUB and MPS. There is existing policy that permits the development of Auto Service stations; however, the demand for Auto Service Stations has significantly decreased because more multifunctional uses (‘Gas Bars’) have become a more appealing and profitable option for consumers and developers.

Location

Commercial areas are generally the most appropriate locations for gas bars due to the low incidence of conflict between land uses. Furthermore, commercial areas on main collector roads or close to highway interchanges are most appropriate for locating gas bars as there is a higher degree of pass-by traffic. The subject property for this application is located directly adjacent to one of the most prominent commercial hubs within the Bedford Plan Area that includes several large and busy retail outlets such as Canadian Tire and Wal-Mart. The subject property is also within proximity to an Exit 4C of Provincial Highway 102.

Need for Gas Bars

Based on current MPS and LUB policies, there are no properties in this particular region of the Bedford Plan Area where gas bars are permitted due to policy restrictions. Subsequently, there are no gas bars located in this area despite the concentration of several significant commercial uses. Based on the premise of ensuring the needs of the commercial hub are met, it is in our opinion that there is a demand for gas bars in this particular region of the Bedford Plan Area, which is zoned Industrial Light (ILI).

Environmental Considerations

In Nova Scotia there are significant measures required from gasoline retailers to protect the environment. The Nova Scotia Environment Act, and subsequent regulations, outlines a series of stringent requirements and penalties which result in a highly regulated environment. These policies regulate tank construction, placement and monitoring. We are confident that existing provincial regulation are appropriate for the establishment of the proposed use.

The subject property includes a portion of a water retention area that can be identified on the map showing environmentally sensitive areas within the Town of Bedford. Policy E-8 of the MPS states that areas where and ILI zone abuts a watercourse or water retention area, Council shall prohibit the erection of any structure, or the excavation or filling in of land within 100 feet of the watercourse or water retention area. This 100 ft. area shall be maintained with existing vegetation or landscaped. A reduction in the buffer from 100' to 50' may be considered by Town Council by a plan amendment, where it is demonstrated that a property cannot be reasonably developed by complying with the 100 foot setback and site



disturbance provisions. A plan amendment shall be subject to the provisions of Policy Z-3, and the undertaking of an environmental study which addresses the issues of runoff, erosion, siltation and any other impacts on the watercourse during and after construction. The plan amendment application shall outline the specific measures to be used to ensure no net loss in the effectiveness of the natural 100' buffer in terms of protecting the watercourse. For an explanation of how the proposed development meets the provisions of Policy E-8, please refer to Attachment E.

Section 3: Proposed Amendments to MPS

Policy I-2 (a) shall be amended by adding the text:

- "gas bars"
after the words:
- "commercial uses permitted within the General Business District (CGB) Zone"

Section 4: Proposed Amendments to LUB

Part 17 shall be amended by adding the following text:

- "r) gas bars"
after the words
- "q) billiard/snooker club"

Part 17 shall also be amended by changing the following text:

- "r) any uses accessory to the forgoing uses" to "s) any uses accessory to the forgoing uses."

Section 5: Conclusion

We would ask that you accept this application to consider the proposed amendments as outlined above. Thank you, and should you have any questions or comments, please do not hesitate to contact the undersigned.

Yours truly,
WSP Canada Inc.

Original Signed 

Kourosh Rad, MCIP, LPP
Urban Planner
902.835.9955
Kourosh.Rad@WSPGroup.com

cc. *Ralph Hamilton, Hamton Holdings Ltd.*

Encl.

Attachment A – MPS Policy Review

Policy Criteria	Comment
<p>Z-3 It shall be the policy of Town Council when considering zoning amendments and development agreements [excluding the WFCDD area] with the advice of the Planning Department, to have regard for all other relevant criteria as set out in various policies of this plan as well as the following matters:</p> <ol style="list-style-type: none"> 1. That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town By-laws and regulations, and where applicable, Policy R-16 is specifically met; 2. That the proposal is compatible with adjacent uses and the existing development form in the neighbourhood in terms of the use, bulk, and scale of the proposal; 3. That provisions are made for buffers and/or separations to reduce the impact of the proposed development where incompatibilities with adjacent uses are anticipated; 4. That provisions are made for safe access to the project with minimal impact on the adjacent street network; 5. That a written analysis of the proposal is provided by staff which addresses whether the proposal is premature or inappropriate by reason: <ol style="list-style-type: none"> i) the financial capability of the Town to absorb any capital or operating costs relating to the development; ii) the adequacy of sewer services within the proposed development and the surrounding area, or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems; 	<ol style="list-style-type: none"> 1. Proposal is in conformance with Industrial Objective of the MPS which is to promote industrial development which is appropriately located in relation to the physical environment and other land uses, consistent with the preservation, creation and maintenance of a well-balanced community. 2. Proposed development is compatible with its adjacent land uses, which are also commercial and industrial. 3. There are no incompatibilities with proposed development and adjacent uses, which are also commercial and industrial 4. Refer to Attachment B – Traffic Impact Assessment. 5. <ol style="list-style-type: none"> i). Town will not absorb any capital or operating costs relating to the proposed development. ii). Refer to Attachment C – Preliminary Servicing Schematic

<p>iii) the adequacy of water services for domestic services and fire flows at Insurers Advisory Organization (I.A.O.) levels; the impact on water services of development on adjacent lands is to be considered;</p> <p>iv) precipitating or contributing to a pollution problem in the area relating to emissions to the air or discharge to the ground or water bodies of chemical pollutants;</p> <p>v) the adequacy of the storm water system with regard to erosion and sedimentation on adjacent and downstream areas (including parklands) and on watercourses;</p> <p>vi) the adequacy of school facilities within the Town of Bedford including, but not limited to, classrooms, gymnasiums, libraries, music rooms, etc.;</p> <p>vii) the adequacy of recreational land and/ or facilities;</p> <p>viii) the adequacy of street networks in, adjacent to, or leading toward the development regarding congestion and traffic hazards and the adequacy of existing and proposed access routes;</p> <p>ix) impact on public access to rivers, lakes, and Bedford Bay shorelines;</p> <p>x) the presence of significant natural features or historical buildings and \ sites;</p> <p>xi) creating a scattered development pattern which requires extensions to trunk facilities and public services beyond the Primary Development Boundary;</p> <p>xii) impact on environmentally sensitive areas identified on the Environmentally Sensitive Areas Map; and,</p>	<p>iii). Refer to Attachment C – Preliminary Servicing Schematic</p> <p>iv). Provincial Regulation for Gasoline retails ensure that there will be no emissions to the air or discharges to the ground of chemical pollutants.</p> <p>v). Refer to Attachment C – Preliminary Servicing Schematic</p> <p>vi). N/A</p> <p>vii). N/A</p> <p>viii). Refer to Attachment B – Traffic Impact Assessment</p> <p>ix). N/A</p> <p>x). Refer to Attachment D – Wetland Alteration Application</p> <p>xi). Proposed development is located within the Primary Development Boundary.</p> <p>xii). Refer to Attachment D – Wetland Alteration Application</p>
--	---

<p>xiii) suitability of the proposed development's siting plan with regard to the physical characteristics of the site.</p> <p>6. Where this plan provides for development agreements to ensure compatibility or reduce potential conflicts with adjacent land uses, such agreements may relate to, but are not limited to, the following:</p> <ul style="list-style-type: none"> i) type of use, density, and phasing; ii) traffic generation, access to and egress from the site, and parking; iii) open storage and landscaping; iv) provisions for pedestrian movement and safety; v) provision and development of open space, parks, and walkways; vi) drainage, both natural and subsurface; vii) the compatibility of the structure(s) in terms of external design and external appearance with adjacent uses; and, viii) the implementation of measures during construction to minimize and mitigate adverse impacts on watercourses. <p>7. Any other matter enabled by Sections 73 and 74 of the Planning Act.</p> <p>8. In addition to the foregoing, all zoning amendments and development agreements shall be prepared in sufficient details to:</p> <ul style="list-style-type: none"> i) provide Council with a clear indication of the nature of the proposed development; and ii) permit staff to assess and determine the impact such development would have on the proposed site and the surrounding 	<p>xiii). Refer to Attachment D – Wetland Alteration Application</p> <p>6.</p> <ul style="list-style-type: none"> i). Proposed use is compatible with adjacent commercial and industrial land uses. ii). Refer to Attachment B – Traffic Impact Assessment iii). Refer to Attachment E – Concept Plan iv). Refer to Attachment E – Concept Plan v). N/A vi). Refer to Attachment C – Preliminary Servicing Schematic vii). Proposed structure is compatible with adjacent commercial and industrial land uses viii). Refer to Attachment D – Wetland Alteration Application <p>7. N/A</p> <p>8.</p> <ul style="list-style-type: none"> i) Attached letter provides clear indication of the nature of the proposed development. ii) Supporting Traffic and Environmental Studies permit staff to assess and determine the impact the proposed development will have on the proposed site and the
--	---

<p>community.</p> <p>9. To assist in the evaluation of applications to enter into development agreements, Council shall encourage proponents to provide the following information:</p> <p>a) a plan to a scale of 1":100' or 1":40' showing such items as:</p> <p>i) an overall concept plan showing the location of all proposed land uses;</p> <p>ii) each residential area indicating the number of dwelling units of each type and an indication of the number of bedrooms;</p> <p>iii) description, area, and location of all proposed commercial, cultural, mixed-use projects proposed;</p> <p>iv) location, area, shape, landscaping and surface treatment of all public and private open spaces and/or park areas;</p> <p>v) plan(s) showing all proposed streets, walkways, sidewalks, bus bays and bike routes;</p> <p>vi) a description of any protected viewplanes; and,</p> <p>vii) an indication of how the phasing and scheduling is to proceed.</p> <p>b) For individual phases of a development more detailed concept plans are to be provided indicating such items as maximum building heights, location and configuration of parking lots, landscaping plans, and any additional information required to be able to assess the proposal in terms of the provisions of the Municipal Planning Strategy.</p>	<p>surrounding community.</p> <p>9.</p> <p>i). Refer to Attachment E – Concept Plan.</p> <p>ii). N/A</p> <p>iii). Refer to application letter.</p> <p>iv). N/A</p> <p>v). Refer to Attachment E – Concept Plan.</p> <p>vi). N/A</p> <p>vii). N/A</p> <p>b). The site will be developed in a single phase.</p>
---	---

<p>c) Plans to the scale of 1":100' showing schematics of the proposed sanitary and storm sewer systems and, water distribution system.</p> <p>10. Within any designation, where a holding zone has been established pursuant to Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the Infrastructure Charges@ Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)</p>	<p>c). Refer to Attachment C – Preliminary Servicing Schematic.</p> <p>10. N/A</p>
---	---

Policy Criteria	Comments
<p>Z-6: It shall be the intention of Town Council to include provisions in the Land Use By-law to regulate or prohibit the outdoor storage and outdoor display of goods, machinery, vehicles, building materials, waste materials, aggregates and other items. There shall be requirements to screen outdoor storage sites with landscaping or structures in order to improve the appearance of these land uses within the Town. There shall be a requirement to screen fuel storage tanks as well as to buffer residential, park, and institutional uses where they abut commercial and/or industrial zones. Landscaping shall be required along the street frontages of industrial land uses.</p>	<p>Fuel will be stored in regulated storage tanks beneath the ground and frontages along Duke St. and Damascus Rd. are to be landscaped. Please refer to Attachment D – Concept Plan</p>

Policy Criteria	Comments
<p>E-8 In areas where Industrial I1I or IHI Zones, Institutional Zones (RC-Mar 18/03;E-May 10/03), or Commercial Zones abut a watercourse or water retention area identified on the map Bedford showing environmentally sensitive areas in the Town, Town Council shall prohibit the erection of any structure, or the excavation or filling in of land within 100 feet of the watercourse or water retention area. This 100 ft. area shall be maintained with existing vegetation or landscaped. A reduction in the buffer from 100' to 50' may be considered by Town</p>	<p>Refer to Attachment D – Wetland Alteration Application</p>

<p>Council by a development agreement, where it is demonstrated that a property can not be reasonably developed by complying with the 100 foot setback and site disturbance provisions. A development agreement shall be subject to the provisions of Policy Z-3, and the undertaking of an environmental study which addresses the issues of runoff, erosion, siltation and any other impacts on the watercourse during and after construction. The development agreement shall outline the specific measures to be used to ensure a no net loss in the effectiveness of the natural 100' buffer in terms of protecting the watercourse. The setback and site disturbance provisions of this policy are applicable also to commercial uses in an RCDD zone and multiple unit dwellings in all zones. Single unit dwellings, two unit dwellings and townhouses in all zones are subject to the setback provisions of Policy E-4. Policy E-8 shall not apply to properties abutting the Bedford Basin.</p>	
---	--

Policy Criteria	Comments
<p>E-14 Town Council shall require that environmentally sensitive areas as identified in Policy E-13 remain in a natural state, unless as part of a development agreement the proponent undertakes an environmental impact study to determine whether the environmental constraints are non-existent or can be overcome without adversity to the environment. The study shall identify the area's sensitivities through consideration of the items listed in the chart within Appendix A. The study shall address the impact of the proposed development on the area's identified sensitivities and how the impact(s) may be mitigated. The study shall also establish a means of monitoring any potential impacts during the development phase and for a specific time following development. Proposals considered under this policy shall be subject to the evaluation criteria contained in Policy Z-3.</p>	<p>Refer to Attachment D – Wetland Alteration Application</p>

Attachment B
Relevant MPS Policy - Excerpts Bedford Municipal Planning Strategy

INDUSTRIAL OBJECTIVE

To promote industrial development which is appropriately located in relation to the physical environment and other land uses, consistent with the preservation, creation and maintenance of a well-balanced community.

Policy I-1:

It shall be the intention of Town Council through the Economic Development Commission to undertake a marketing and promotion campaign to actively market and promote the Town of Bedford in efforts to attract new industrial development.

Policy I-2:

It shall be the intention of Town Council to direct and encourage industrial development in areas designated "Industrial" on the Generalized Future Land Use Map. The following industrial zones shall be applied within the Industrial designation:

- a) Light Industrial Zone (ILI) which permits industrial uses, including but not limited to, manufacturing, processing, assembly or warehousing operations, shopping centre commercial uses, commercial uses permitted within the General Business District (CGB) Zone, and utility (SU) uses. Commercial office uses permitted within the GBD Zone shall be permitted by development agreement. Light industrial and permitted commercial uses shall be encouraged to locate in the Atlantic Acres Industrial Park, in immediately adjacent industrial areas, and in the southern portion of the Bedford Industrial Park.
- b) Harbour Oriented Zone (IHO) which permits light industrial uses requiring direct access to Bedford Basin, marine technology and research facilities, recreational uses, and utilities (SU).
- c) Heavy Industrial (IHI) Zone which permits heavy industrial uses including, but not limited to, manufacturing, railway uses, concrete brick and asphalt plants, recycling facilities, utilities, bulk storage facilities, construction industries, dry cleaning establishments and industrial uses permitted within the ILI Zone.