



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

Item No. 11.3
Halifax Regional Council
July 17, 2018
August 14, 2018

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY: Councillor Tony Mancini, Chair of Harbour East-Marine Drive Community Council

DATE: July 6, 2018

SUBJECT: **Case 21168: Amendments to the Cole Harbour / Westphal Municipal Planning Strategy and Land Use By-Law for 830, 834, 848, and 850 Highway 7, and 1 Broom Road, Westphal (PID 00650689)**

ORIGIN

July 5, 2018 meeting of the Harbour East-Marine Drive Community Council, Item No. 13.1.2.

LEGISLATIVE AUTHORITY

Section 25(c) of the Halifax Regional Municipality Charter sets out the powers and duties of Community Council to include “recommending to the Council appropriate by-laws, regulations, controls and development standards for the community”.

RECOMMENDATION

The Harbour East-Marine Drive Community Council recommends Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Cole Harbour / Westphal, as set out in Attachments A and B of the staff report dated June 20, 2018, to allow additional commercial uses at 830, 834, 848, and 850 Highway 7, and 1 Broom Road, Westphal and schedule a public hearing; and
2. Approve the proposed amendments to the MPS and LUB for Cole Harbour / Westphal, as set out in Attachments A and B.

BACKGROUND

The Harbour East-Marine Drive Community Council received a staff report dated June 20, 2018 at their July 5, 2018 meeting pertaining to Case 21168. No enabling policy exists to consider these commercial uses; therefore, amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) are required.

For further information, please refer to the attached staff report dated June 20, 2018.

DISCUSSION

The Harbour East-Marine Drive Community Council considered the June 20, 2018 staff report at their July 5, 2018 meeting and forwarded the recommendation to Halifax Regional Council as outlined in this report.

FINANCIAL IMPLICATIONS

As outlined in the attached June 20, 2018 staff report.

RISK CONSIDERATION

As outlined in the attached June 20, 2018 staff report.

COMMUNITY ENGAGEMENT

Harbour East-Marine Drive 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. The agenda, reports, and minutes of North West Community Council are posted on Halifax.ca.

ENVIRONMENTAL IMPLICATIONS

As outlined in the attached June 20, 2018 staff report.

ALTERNATIVES

Harbour East-Marine Drive Community Council did not discuss alternative recommendations.

Alternative are outlined in the attached June 20, 2018 staff report.

ATTACHMENTS

Staff recommendation report dated June 20, 2018.

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: Krista Vining, Legislative Assistant, Office of the Municipal Clerk, 902-490-6520

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

Item No. 13.1.2
Harbour East – Marine Drive Community Council
July 5, 2018

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

SUBMITTED BY: Original Signed

Kelly Denty, Director, Planning and Development

Original Signed

Jacques Dubé, Chief Administrative Officer

DATE: June 20, 2018

SUBJECT: **Case 21168: Amendments to the Cole Harbour / Westphal Municipal Planning Strategy and Land Use By-Law for 830, 834, 848, and 850 Highway 7, and 1 Broom Road, Westphal (PID 00650689)**

ORIGIN

- Application by Dave Campbell on behalf of 3274606 NS Ltd.
- August 15, 2017, Regional Council initiation of the MPS amendment process

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 Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Cole Harbour / Westphal, as set out in Attachments A and B of this report, to allow additional commercial uses at 830, 834, 848, and 850 Highway 7, and 1 Broom Road, Westphal and schedule a public hearing;
2. Approve the proposed amendments to the MPS and LUB for Cole Harbour / Westphal, as set out in Attachments A and B of this report;

BACKGROUND

The applicant, Dave Campbell has applied for amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Cole Harbour/Westphal to resolve an existing land use compliance matter and to allow a wider range of commercial uses at 830, 834, 848, 850 Highway 7 and 1 Broom Road, Westphal.

No enabling policy exists to consider these commercial uses; therefore, amendments to the MPS and the LUB are required. On August 15, 2017, Regional Council initiated a process to consider a range of additional commercial uses including offices, auto repair, and a self-storage facility at the subject property.

Subject Site	830, 834, 848, 850 Highway 7 and 1 Broom Road, Westphal (PID 00650689)
Location	Southwest corner of Highway 7 and Broom Road, Westphal
Regional Plan Designation	Rural Commuter (RC) and Urban Settlement (US)
Community Plan Designation (Map 1)	Highway Commercial (HC) and Urban Residential (UR) under the Cole Harbour / Westphal Municipal Planning Strategy (MPS)
Zoning (Map 2)	C-4, Highway Commercial Zone, and R-1, Single Unit Dwelling Zone, under the Cole Harbour / Westphal Land Use By-Law (LUB)
Size of Site	3 HA (7.47 acres)
Street Frontage	136.7 m (448.6 ft.) on Highway No. 7 151.6 m (497.44 ft.) on Broom Road
Current Land Use(s)	There are six buildings on the property with a total floor area of 6,178 square metres (66,500 square feet). The property is currently occupied by several commercial uses: Super Dave's Auto Sales, Bargain Basket, Mariner Auctions, CivTech Engineering, JunkBin and McCarthy's Roofing.
Surrounding Use(s)	<ul style="list-style-type: none">• An existing residential neighbourhood along Odell Drive to the southwest;• A vacant piece of land zoned R-1 to the south;• Assorted highway oriented commercial uses to the east, west and north inclusive of Karen's Recycling, Kelly's Creative Sewing, Adventure Sports, and Titans Gymnastic and Trampoline Club

Subject Site History

The subject site has an extensive history which provides some context for the current proposal:

- In 1959, A. R. Hemming Building Supplies Ltd. used the property for manufacturing roof trusses and general building supplies.
- In 1982, Halifax County approved a Municipal Development Plan (MDP) and Land Use By-law (LUB) for Cole Harbour/Westphal. The subject site was split designated Highway Commercial and Residential A. The MDP allowed for consideration of the expansion of A. R. Hemming Building Supplies Ltd. through the development agreement process.
- In 1984, Halifax County approved a development agreement (DA CHW 04 84 07), to permit the expansion of the A. R. Hemming manufacturing operation. The development agreement permitted highway commercial uses on the entire property.
- In 1989, Halifax County adopted the MPS and LUB for Cole Harbour/Westphal. Similar to the 1982 MDP, an expansion of the business could only be considered through the development agreement process.
- Beaver Lumber leased the property in 1989 for a building supply outlet. It closed in April 2001.
- Since 2001, renovations have been made for several commercial leaseholds in accordance with the C-4 (Highway Commercial) zoning.
- Dave Campbell purchased the property in 2013.

The property is no longer occupied by Hemming Building Supplies Ltd. nor is it being used for industrial purposes. Several highway commercial uses operate at the property including, as of March 23, 2016, three businesses operating without permits: McCarthy's Roofing Limited, Junk Bin, and CivTech Engineering and Surveying Limited. To date, McCarthy's Roofing and Junk Bin received permits. However, CivTech Engineering and Surveying Limited cannot be permitted because offices are currently not allowable under the existing development agreement and the C-4 Zone.

Proposal Details

The property owner proposes to resolve the compliance issue with the CivTech office, eliminate the industrial capacity and allow additional commercial uses on the subject property. No policy exists to consider the conversion of this former industrial site for commercial purposes. Therefore, the applicant is seeking amendments to the MPS and LUB to provide for the proposed changes.

In addition, a development agreement enabling the former manufacturing operation was approved in 1984 and remains in effect. However, the related industrial use no longer exists and a discharge development agreement will be forwarded to Harbour East-Marine Community Council for consideration at a later date if the proposed MPS and LUB amendments are approved by Regional Council.

MPS and LUB Context

The subject property is split by two land use designations - the Highway Commercial designation applies to the northern portion of the lot and the Urban Residential designation applies to the south under the Cole Harbour/Westphal MPS (Map 1). The Highway Commercial designation is generally applied along Highway 7 and is intended for commercial uses that are larger in scale and require outdoor display and storage. The Urban Residential designation is intended for continued residential development.

The subject property is also split zoned in a manner that generally corresponds with the above referenced MPS designations - the northern portion is zoned C-4 and the southern portion is zoned R-1 under the Cole Harbour/Westphal LUB (Map 2). The property is also listed in Appendix "B" of the LUB, which recognised A. R. Hemmings Building Supplies Ltd. as an existing industrial use at the time of the adoption of the 1982 MDP and LUB.

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 Council on February 25, 1997. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area and a public information meeting held on October 10, 2017. Attachment C contains a copy of the minutes from the meeting. Public comments received include the following topics:

- Noise;
- Traffic; and
- Stormwater management.

The applicant responded to all questions and concerns regarding these topics (see Attachment C).

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

The proposal will potentially impact local residents and property owners, and other properties zoned C-4 under the Cole Harbour/Westphal LUB.

DISCUSSION

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in the Municipality. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. In this case, staff advise that there is merit to consider the proposed amendments to allow a wider range of commercial uses as an adaptive reuse of the site. The following paragraphs review the rationale and content of the proposed MPS and LUB amendments.

Adaptive Reuse

Planning policy and regulation on this property is somewhat dated and generally reflects an intention to retain existing industrial uses without encouraging new ones. The development agreement that enabled expansion of the A. R. Hemmings manufacturing business is still registered on the property although the business no longer exists. Residential designation and zoning also exists at the rear of the property despite the presence of several buildings with warehouse space and service bays.

Under these circumstances, staff advise it is reasonable to amend the MPS and LUB to allow an appropriate reuse of the property. Highway commercial uses including additional compatible commercial uses are more appropriate than the former industrial operation.

Proposed Amendments

Staff considered the existing MPS policy context and various policy approaches when drafting the proposed MPS and LUB amendments. Attachments A and B contain the proposed MPS and LUB amendments. The recommended approach is to allow highway commercial uses throughout the subject property as-of-right.

Recognising the subject property is a former industrial site, the intent is to eliminate the permitted industrial uses and extend the C-4 Zone currently present on the northern part of the property throughout the balance of the lands. In addition, offices would be added to the C-4 Zone throughout the entire plan area and some additional uses not generally permitted under the C-4 Zone would be allowed on the subject property through the use of a schedule to the LUB. A summary of the proposed amendments are as follows:

- re-designate and rezone the portion of the property designated Urban Settlement and zoned Urban Residential (UR) to the Highway Commercial designation and Highway Commercial (C-4) Zone;
- add offices to the list of permitted commercial uses under the C-4 Zone of the LUB;
- add a schedule to the LUB identifying the lands of the former A.R. Hemmings Building Systems Limited Industrial Site;
- allow some additional commercial uses at the subject site only;
- add requirements for frontage, setbacks, building height, lot coverage, commercial floor area and fencing for the subject site only; and
- discharge the existing agreement.

Compatibility of Proposed Uses

A mix of commercial, residential and institutional uses are permitted along Highway 7 under the Highway Commercial designation. The property contains six active commercial buildings including warehouse space, service bays and outdoor storage while a sizable portion of the property is zoned and designated for residential use. The applicant indicates there is high demand for commercial space in Cole Harbour/Westphal and they do not intend to use the property for industrial or residential purposes. Staff advise moving from industrial and residential, as the development agreement and zoning supports, to highway commercial with additional compatible commercial uses is more appropriate for the subject property and compatible with the established community.

The additional commercial uses listed in the proposed LUB amendments for the subject property are:

- automotive repair;
- self-storage facility; and

- warehousing, displaying, wholesaling and retailing of building materials, products or related machinery and equipment.

Staff advise these commercial uses capture those that already exist at the property and are compatible with surrounding highway commercial uses along Highway 7. These uses are also less intensive than the former manufacturing operation and should create no material impact on neighbouring residential uses.

The intent of the C-4 Zone is to permit general commercial uses not exceeding 10,000 square feet of gross floor area along Highway 7. Offices are considered a general commercial use and are compatible with highway commercial uses permitted under the C-4 Zone. Staff advise that adding offices to the list of uses for all C-4 Zoned properties under the proposed LUB amendments is reasonably consistent with the intent of the MPS and, therefore, an MPS amendment is not required. However, an MPS amendment is required to permit offices on the areas of the lot that are currently designated for residential use.

Buffering and Screening

In October 1997, Council amended the LUB to add buffering and screening requirements to the C-4 Zone. A grassed area and vegetated buffers are generally required between highway commercial uses and abutting residential properties. These provisions would be applied to any new development under the proposed C-4 zone but would not be retro-actively applied to any lawful existing development. The existing development agreement includes a provision to maintain a fence between the subject site and abutting residential developments. This requirement will be retained as a site-specific bylaw provision for this property.

Open Storage and Display

Some of the existing uses at the subject property require open storage or outdoor display. There are existing requirements for open storage and display under the C-4 zone. Outdoor display is permitted within the required front yard, whereas open storage is not. Outdoor display and open storage is not permitted within any yard that abuts a residential zone, except where a fence is provided. The proposed amendments include a requirement to maintain a fence between the subject site and abutting residential properties. Therefore, outdoor storage and display associated with the uses at the subject property would meet the existing requirements under the C-4 Zone.

Traffic and Parking

A traffic impact statement and addendum for the proposed uses were reviewed and deemed acceptable by the Development Engineer. The traffic study indicated there are no sightline limitations and trip volumes would be similar to existing volumes and would have a negligible impact on traffic conditions along Highway 7 and Broom Road. There is sufficient space at the property to accommodate the parking that would be required under the LUB for the proposed uses.

Conclusion

Staff have reviewed the application and the existing policy context and advise that the MPS and LUB should be amended to update the policies relative to the former industrial business and allow the adaptive reuse of the property. The proposed amendments would allow less intensive and more compatible uses than the former manufacturing operation. The proposed uses are also more consistent with the general intent of the highway commercial designation.

Therefore, staff recommend that the Harbour East – Marine Drive Community Council recommend that Regional Council approve the proposed MPS and LUB amendments for Cole Harbour / Westphal.

FINANCIAL IMPLICATIONS

The HRM costs associated with the processing of this planning application can be accommodated within the approved 2018-19 operating budget for C310 Urban and Rural Planning Applications.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within 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.

ALTERNATIVES

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

1. Modify the proposed amendments to the MPS and LUB for Cole Harbour / Westphal, 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 Cole Harbour / Westphal. 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

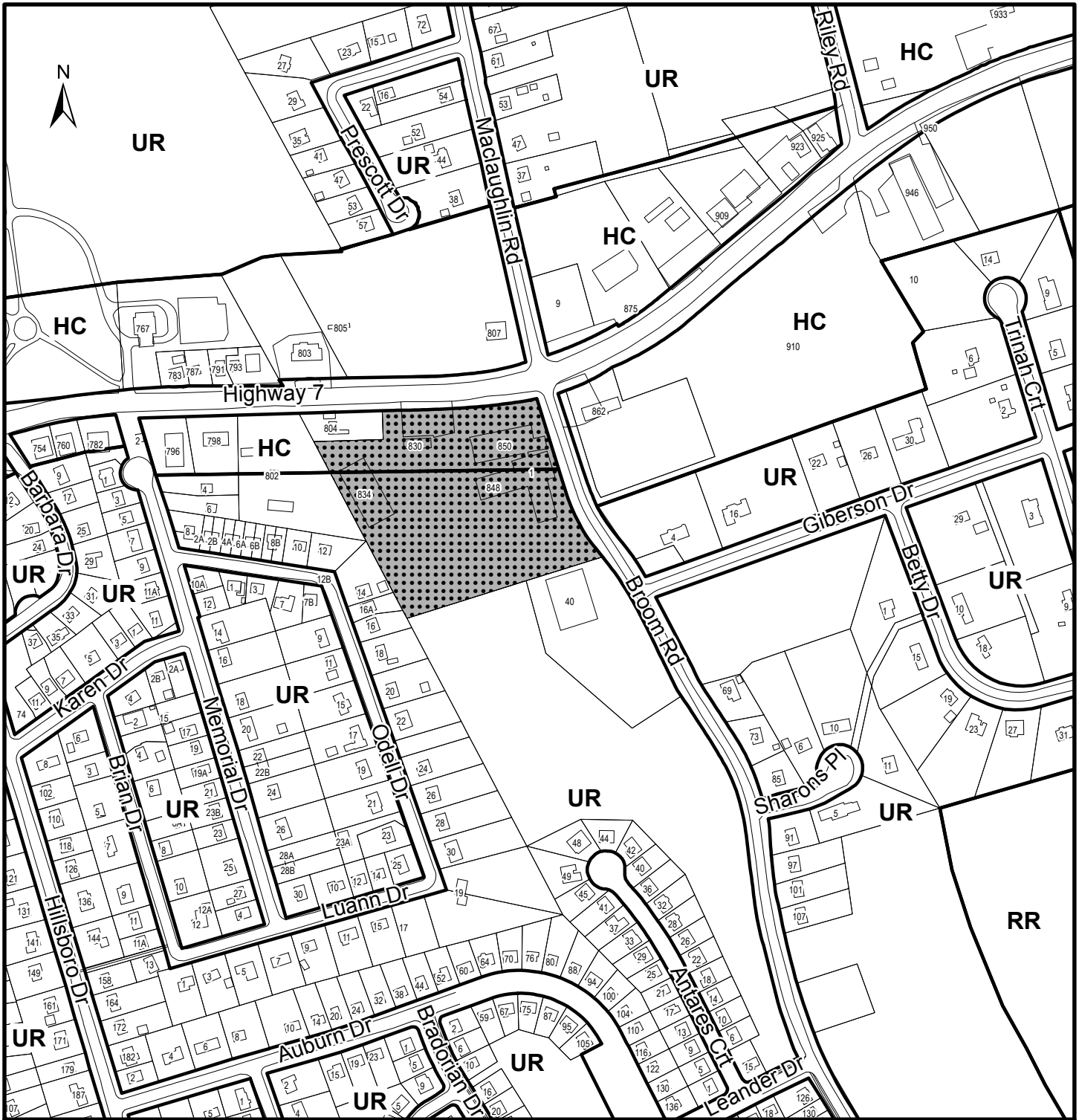
Map 1:	Generalized Future Land Use
Map 2:	Zoning and Notification Area
Attachment A:	Proposed MPS Amendments
Attachment B:	Proposed LUB Amendments
Attachment C:	Public Information Meeting (PIM) Minutes

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: Stephanie Salloum, Planner II, Rural Policy and Applications, 902.490.4223

Original Signed


Report Approved by: _____
Carl Purvis, Acting Manager of Current Planning, 902.490.4797



Map 1 - Generalized Future Land Use

830 Highway 7,
Westphal

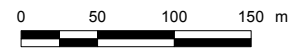
HALIFAX

 Subject Site

Cole Harbour/Westphal
Plan Area

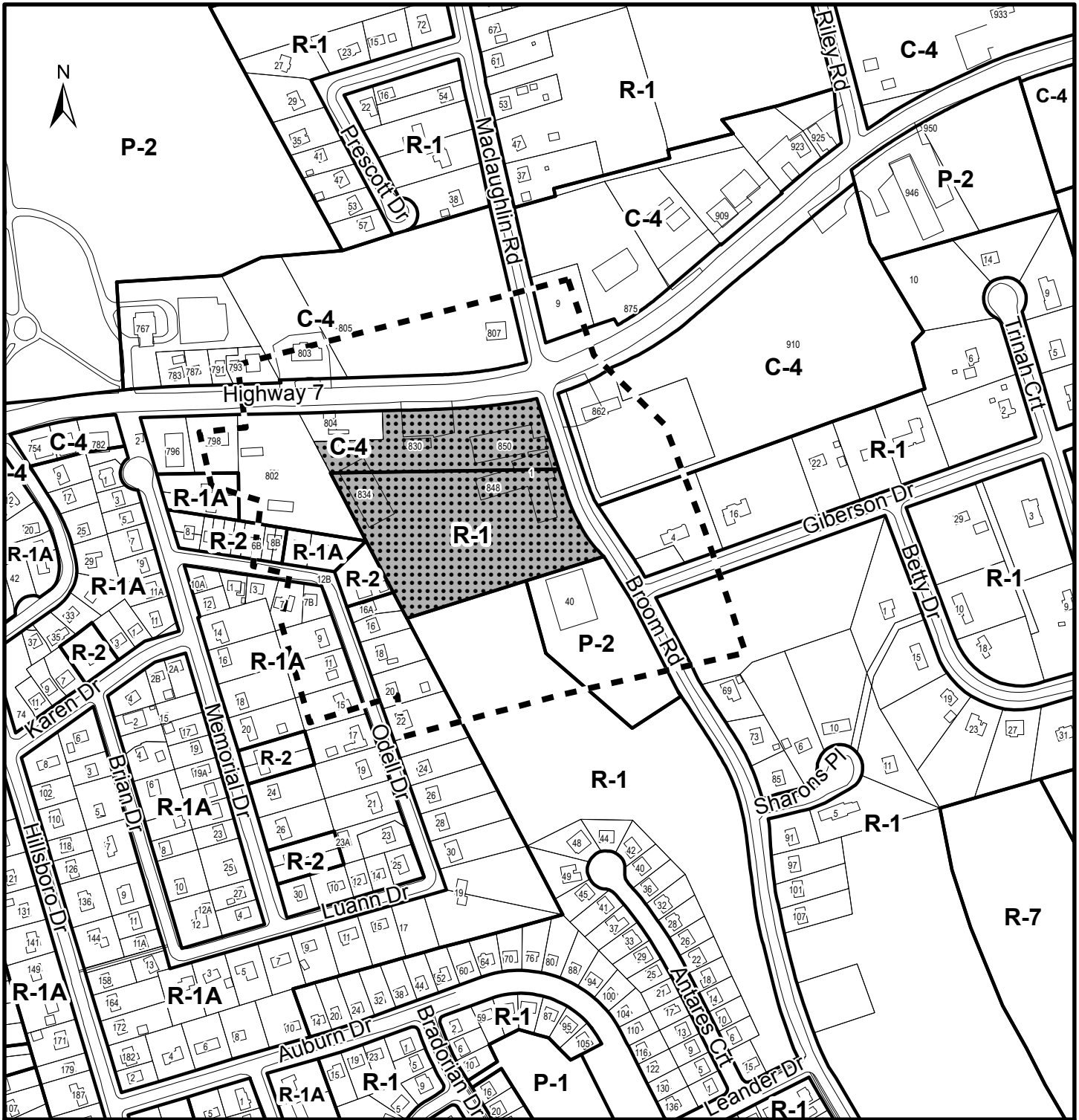
Designation

- UR Urban Residential
- RR Rural Residential
- HC Highway Commercial



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

830 Highway 7,
Westphal

HALIFAX

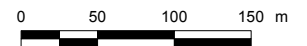
 Subject Site

 Area of Notification

Cole Harbour/Westphal
Plan Area

Zone

- R-1A Single Unit Dwelling
- R-1 Single Unit Dwelling
- R-2 Two Unit Dwelling
- R-7 Rural Estate
- C-4 Highway Commercial
- P-2 Community Facility



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

Proposed Amendments to the Cole Harbour / Westphal Municipal Planning Strategy

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Cole Harbour / Westphal Land Use By-law is hereby amended as follows:

1. Map 1 – Generalized Future Land Use shall be amended to re-designate the portion of PID 00650689 designated Urban Residential to Highway Commercial as shown on Schedule A attached hereto.
2. Policy HC-4 shall be deleted as shown in strikeout below.

~~HC 4 Notwithstanding Policy HC-2, within the Highway Commercial Designation, it shall be the intention of Council to permit the continuation of the A.R. Hemmings Buildings Systems Limited plant (LRIS #650589) to the extent that it was in existence at the time of the adoption of the initial planning strategy. Council may consider expansions of this use in accordance with the development agreement provisions of the Planning Act. When considering such an agreement, council shall have regard to the following:~~

- ~~(a) buffering and screening from residential areas;~~
- ~~(b) noise reduction measures; and~~
- ~~(c) the provisions of Policy IM-11.~~

3. The text shown in bold below shall be added immediately after Policy HC-3 and before the preamble for Policy HC-5.

Continuation of existing industrial operations is generally supported within the Plan Area. However, there are several properties where such uses are not appropriate for future industrial development and were not given industrial zoning. Expansions to existing industrial operations have occurred through the development agreement process (UR-20). In the event that an existing industrial operation no longer exists, it is reasonable to evaluate the appropriate adaptive reuse of the property on a case-by-case basis relative to surrounding uses and the existing conditions of the site.

In the case of A. R. Hemmings Systems Ltd., a development agreement permitted expansion of an industrial operation at PID #00650689, where roof trusses and building supplies were manufactured. Highway commercial uses were also permitted at the property. A. R. Hemmings Systems Ltd. no longer exists but the property is left with several large buildings occupied by various commercial uses. The existing buildings have service bays and warehouse space, which are ideal for light industrial and commercial uses including but not limited to storage and warehousing, sale of building supplies and automotive repair. It is reasonable to consider additional commercial uses at this site given the history of the property, while mitigating impacts to abutting residential uses.

HC-4A Notwithstanding Policy HC-2, within the Highway Commercial Designation, it shall be the intention of Council to permit additional commercial and warehouse uses on the former A.R. Hemmings Systems Limited site (PID #00650689) that are not generally permitted under the highway commercial zone and that exceed ten thousand (10,000) square feet of gross floor area. In addition, the zone shall include site specific provisions for screening from abutting residential properties.

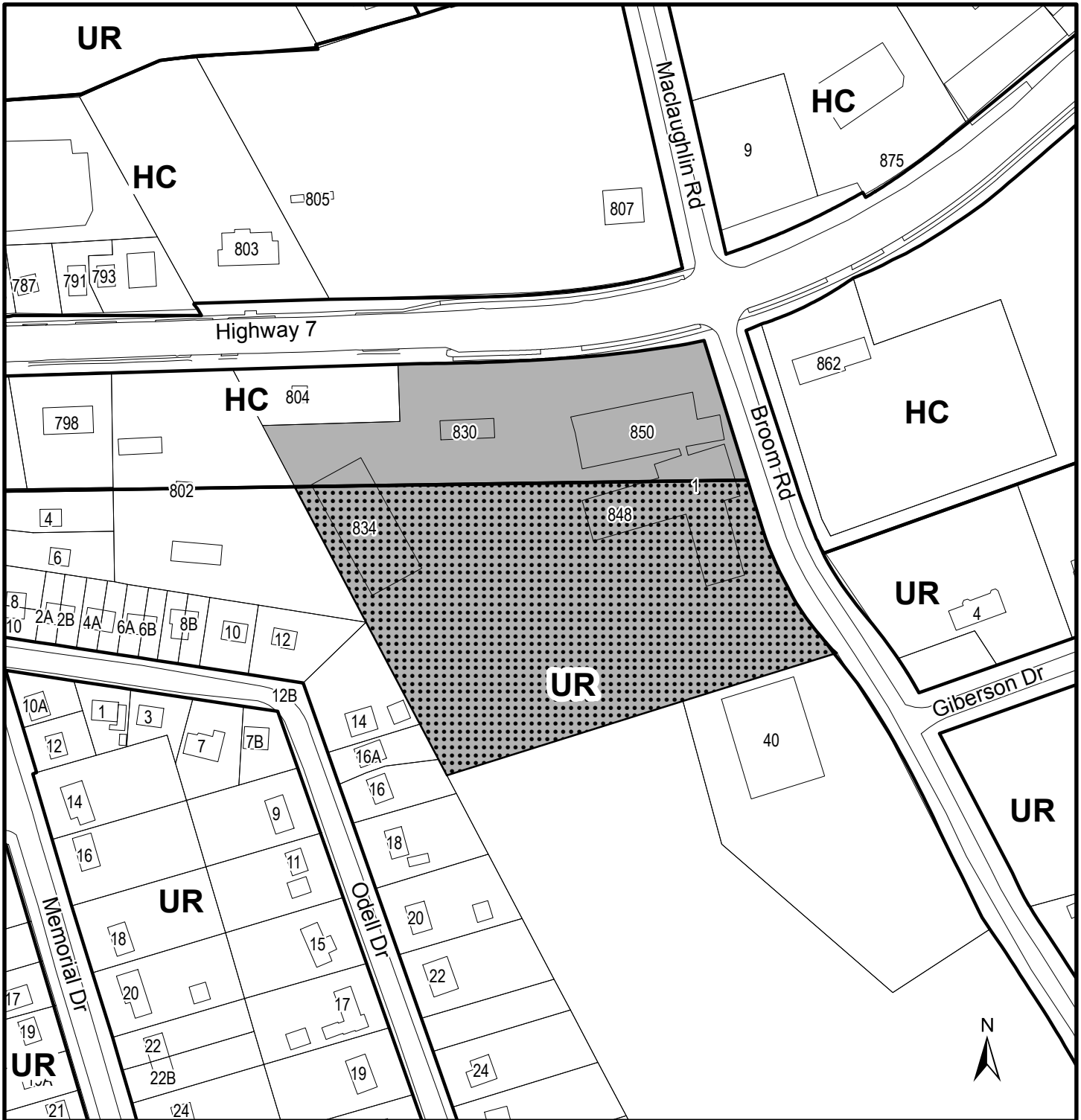
4. Policy IM-9 (d) (ii) shall be deleted as shown in strikeout below.

~~(ii) the expansion of the A.R. Hemmings manufacturing plant, according to Policy HC-4.~~

I HEREBY CERTIFY that the amendments to the Cole Harbour / Westphal Municipal Planning Strategy, as set out above, were duly passed by a majority vote of the Halifax Regional Municipal Council at a meeting held on the day of , 2018.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2018.

Municipal Clerk



Schedule A

830 Highway 7,
Westphal

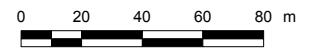
■ Subject Site

▨ Area to be Redesignated from (UR) Urban Residential to (HC) Highway Commercial

Designation

- UR Urban Residential
- RR Rural Residential
- HC Highway Commercial

HALIFAX



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.

Cole Harbour/Westphal Plan Area

ATTACHMENT B

Proposed Amendments to the Cole Harbour / Westphal Land Use By-law

C-4 (Highway Commercial) Zone

BE IT ENACTED by the Harbour East – Marine Drive Community Council of the Halifax Regional Municipality that the Cole Harbour / Westphal Land Use By-law is hereby further amended as follows:

1. Schedule A - Cole Harbour / Westphal Zoning Map shall be amended to rezone the portion of PID 00650689 currently zoned R-1 (Single Unit Dwelling) to C-4 (Highway Commercial) as shown on Schedule B attached hereto.
2. The Table of Contents shall be amended by adding the text "**Appendix "F": Lands of the Former A.R. Hemmings Building Systems Limited Industrial Site**" immediately after "Appendix "E": P-3 Existing Uses". Furthermore, the appendixes shall be amended by adding **Appendix "F": Lands of the Former A.R. Hemmings Building Systems Limited Industrial Site**, attached hereto, immediately after Appendix "E": P-3 Existing Uses.
3. Section 18.1 shall be amended by adding "**Offices**" to the list of permitted Commercial Uses, immediately below "Car Washes" and before "Community Uses".
4. Section 18.1 shall be amended by adding text which is a list of additional commercial and warehouse uses only permitted on lands identified in Appendix "F" immediately after "Offices" and before "Community Uses" as shown in bold below:

Commercial Uses permitted only on lands identified in Appendix "F"

Automotive Repair

Self-storage facility

Warehousing, displaying, wholesaling and retailing of building materials, products or related machinery and equipment.

5. Section 18.2A shall be added immediately after Section 18.2 and before Section 18.3 as shown in bold below:

18.2A C-4 ZONE REQUIREMENTS: APPENDIX "F"

Notwithstanding Section 18.2, where C-4 uses are permitted on lands identified in Appendix "F", no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard	9.1 metres (30 feet)
Minimum Rear or Side Yard	6.1 metres (20 feet)
Minimum Distance Between Buildings	3.6 metres (12 feet)
Maximum Building Height	10.7 metres (35 feet)
Maximum Lot Coverage	50 percent

6. Section 18.3 shall be amended by deleting the words shown in strikeout and adding the words shown in bold below:

18.3 OTHER REQUIREMENTS: COMMERCIAL FLOOR AREA

- (a) **Notwithstanding the provisions of Section 18.1, no commercial building in any C-4 Zone shall exceed ten thousand (10,000) square feet (929m²) of gross floor area.**

(b) Notwithstanding Subsection 18.3 (a), commercial buildings located on lands identified in Appendix “F” may exceed 929 square metres (10,000 square feet) of gross floor area, provided that the development meets the requirements of Section 18.2A.

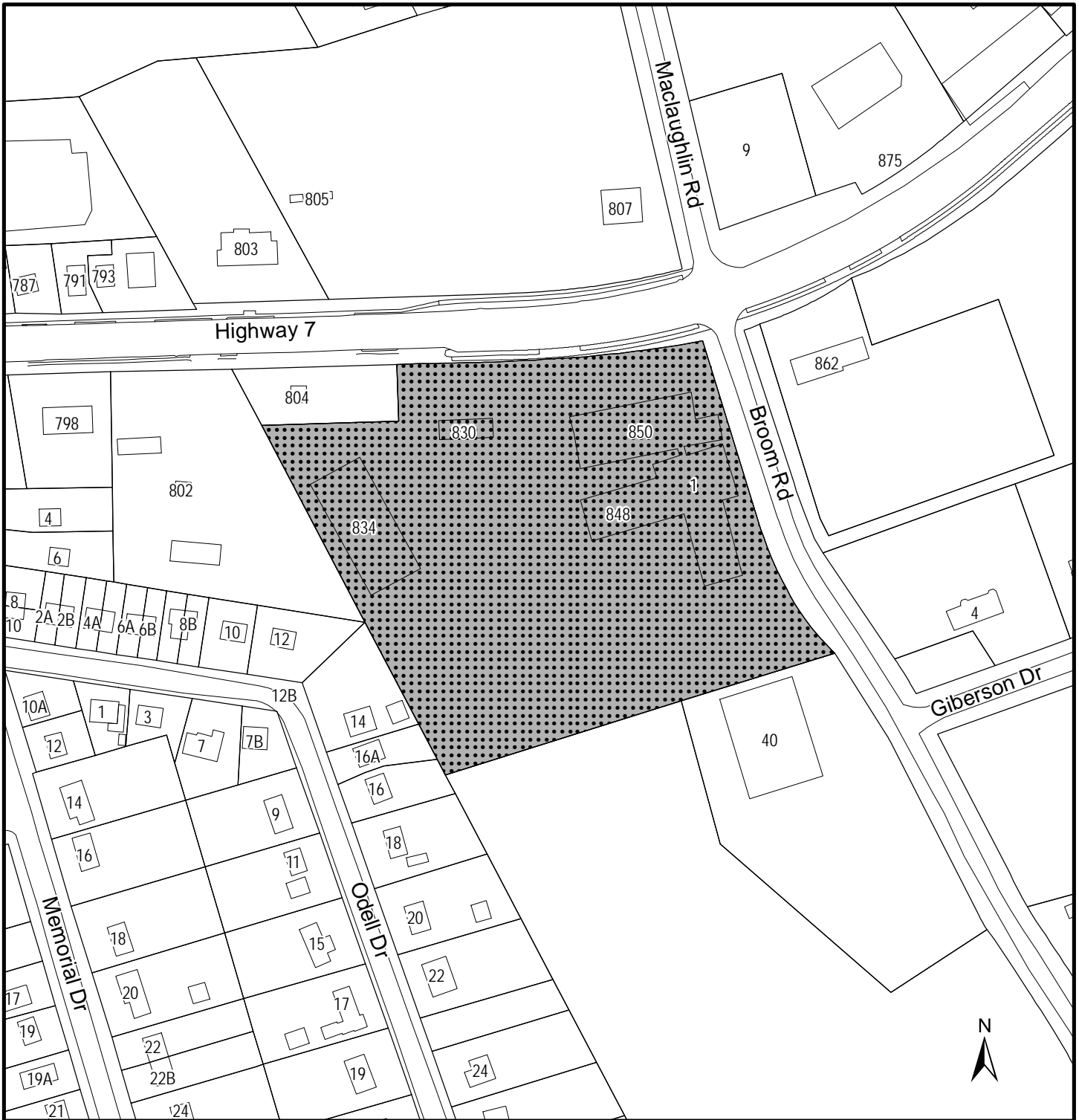
7. Section 18.9 (e) shall be added immediately after Section 18.9 (d) as shown in bold below:

(e) Notwithstanding Subsections 18.9(a), for any expansion or construction of a use permitted on lands identified in Appendix “F”, the developer shall maintain a fence of at least 1.8 metres (6 feet) in height parallel to the property lines and within the required yard, where the property abuts residential development.

I HEREBY CERTIFY that the amendments to the Cole Harbour / Westphal Land Use By-law, as set out above, were duly passed by a majority vote of the Halifax Regional Municipal Council at a meeting held on the day of , 2018.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2018.

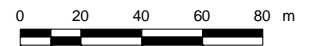
Municipal Clerk




**Appendix "F": Lands of the Former
A.R. Hemmings Building Systems
Limited Industrial Site**

830 Highway 7,
Weshpal

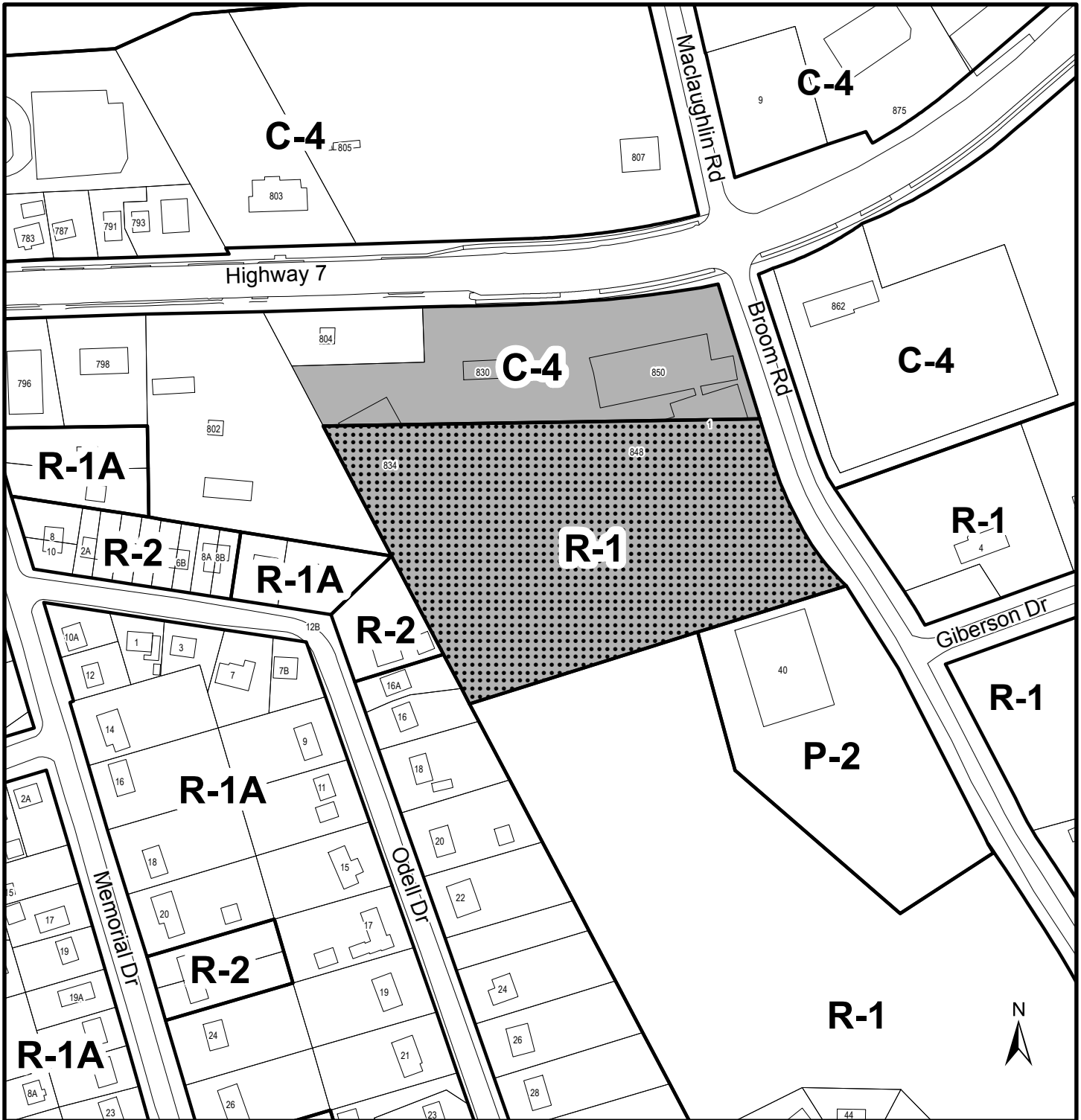
HALIFAX



 Former A.R. Hemmings Building Systems Limited Industrial Site

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

Cole Harbour/Westphal Plan Area




Schedule B

830 Highway 7,
Weshpal

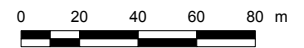
HALIFAX

 Subject Site

 Area to be Rezoned from R-1
(Single Unit Dwelling) to C-4
(Highway Commercial)

Zone

- R-1A Single Unit Dwelling
- R-1 Single Unit Dwelling
- R-2 Two Unit Dwelling
- C-4 Highway Commercial
- P-2 Community Facility



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.

Cole Harbour/Westphal
Plan Area

**HALIFAX REGIONAL MUNICIPALITY
Public Information Meeting
Case 21168**

The following does not represent a verbatim record of the proceedings of this meeting.

**Tuesday, October 10, 2017
7:00 p.m.**

Cole Harbour Place - (Wesphal Room) 51 Forest Hills Parkway, Dartmouth, NS

STAFF IN

ATTENDANCE: Stephanie Salloum, Planner, HRM Planning
Thea Langille, Principal Planner, HRM Planning
Iain Grant, Planning Technician, HRM Planning
Tara Couvrette, Planning Controller, HRM Planning

ALSO IN

ATTENDANCE: Councillor, Lorelei Nicoll, District 4
Dave Campbell – Applicant

PUBLIC IN

ATTENDANCE: Approximately 2

The meeting commenced at approximately 7:01 p.m.

Call to order, purpose of meeting – Ms. Salloum

Ms. Salloum introduced herself as the Planner and Facilitators for the application. She also introduced; Tara Couvrette – Planning Controller, Iain Grant - Planning Technician, Thea Langille – Principal Planner; Councillor Lorelei Nicoll, District 4; and Dave Campbell, applicant.

Case 21168 - Application by Dave Campbell for an amendment to the Municipal Planning Strategy for Cole Harbour/Westphal to allow for automotive repair, office, and self-storage uses at his property located south west of the Highway 7 and Broom Road intersection in Westphal.

Ms. Salloum explained; the purpose of the Public Information Meeting (PIM) is: a) to identify that HRM has received a proposal for the site; b) to provide information on the project; c) to explain the Planning Policies and the stages of the Planning Process; d) an opportunity for Staff to receive public feedback regarding the proposal. No decisions are made at this PIM.

1. Presentation of Proposal – Ms. Salloum

Ms. Salloum provided a brief introduction to the application and then made a presentation to the public outlining the purpose of the meeting, status of the application and the applicant's request. Ms. Salloum outlined the context of the subject lands and the current zoning and policies applicable to the property. She also explained that there is no policy to consider the proposed uses and therefore, the applicant has requested an amendment to the Municipal Planning Strategy.

1b. Presentation by the applicant – Dave Campbell

Mr. Campbell gave a brief introduction of the proposal, a history of the lands, and then explained the status of the application. Mr. Campbell presented some of the changes he made to improve

the condition of the property. He explained that he does not wish to have industrial uses on the site. Mr. Campbell stated that he would like to convert the property for commercial uses only.

2. Questions and Comments

Heather Decker – Odell Dr. – She had concerns about noise and traffic. She also wanted to state that she appreciated him moving all the cars off the greenspace by the sidewalk. **Mr. Campbell** stated that the businesses that made most of the noise are now gone and greatly reduced their traffic on and off the site. He has also installed a privacy fence.

Councilor Nicoll asked about storm water management, runoff to other properties (i.e. Titan gym), what services are currently allowed under the zoning today, and traffic / lights. Mr. Campbell stated they had addressed the issue of runoff with Scott (Titan's president) and that issue has resolved.

Ms. Salloum thanked everyone for coming and expressing their comments.

3. Adjournment

The meeting adjourned at approximately 7:31 p.m.