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Item No. 15.1.10
Halifax Regional Council
December 13, 2022

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

SUBMITTED BY: _____
Caroline Blair-Smith, Acting Chief Administrative Officer

DATE: December 7, 2022

SUBJECT: **Case 24057: Amendments to the Planning District 4 Municipal Planning Strategy and Land Use By-law to permit industrial development on a 120-acre parcel in Goodwood**

ORIGIN

Application by Stephen Adams Consulting Service Inc.

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that Halifax Regional Council direct the Chief Administrative Officer to:

1. Initiate a process to consider amendments to the Municipal Planning Strategy and Land Use By-law for Planning District 4 to enable an industrial development on a 120-acre parcel of land in Goodwood through the provisions of a development agreement; and
2. Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.

BACKGROUND

Stephen Adams on behalf of MLP Developments Limited (MLP) is applying to amend the Municipal Planning Strategy (SMPS) and Land Use By-law (LUB) for Planning District 4. The request is to rezone a 120-acre parcel of land from the RB-1 Zone to an I-1 (Light Industrial) Zone to allow for the expansion of the construction operations of 5 companies in Goodwood. These include Schooner General Contracting (Carpentry), Schooner Excavation, Gilson’s General Contracting (Electrical and Mechanical work), Coastal Restoration (Masonry) (CRM); and MLP which is the landowner that undertakes the leasing arrangements for these companies.

These 5 companies are currently located in the Gerald Mills Industrial Park in Goodwood. All of the companies have outgrown the land area needed for their operations. CRM uses land in West Dover as a backup area for the storage of heavy equipment. This poses difficulty for its operations since the company cannot move equipment along Highway 333 during spring weight restrictions. CRM is seeking to consolidate its operations at this site and to work with Schooner General Contracting, Schooner Excavation, Gilson’s General Contracting, and MLP, in Goodwood.

CRM also proposes to donate 189 acres of land comprising the Drysdale Bog to the Municipality for preservation purposes. CRM request that these lands be redesignated and rezoned as Western Common as part of this application. This proposal cannot be considered under existing SMPS policies and, therefore, the applicant is seeking amendments to the planning documents for Planning District 4 to enable the expansion of industrial operations to the 120-acre site in Goodwood and to have the 189-acre Drysdale Bog redesignated and rezoned to form part of the Western Common.

Council may consider the request to enable the expansion of the industrial operations to the 120-acre site and the request to redesignate, rezone and accept the Drysdale Bog but both requests cannot be considered simultaneously. Each application would have to be considered on the basis of its own merits independently. Staff may investigate the merits of the request to redesignate, rezone and accept the Drysdale Bog independent of this application, but one cannot be contingent upon the other. Regional Council must consider the interests of each application independently. The request to have the Drysdale Bog redesignated and rezoned to form part of the Western Common will therefore be the subject of a future report.

Subject Site	Lands requested for I-1 zoning comprise the two properties as outlined below and as illustrated on Maps 1 and 2: <table border="1" data-bbox="586 1312 1024 1440"> <thead> <tr> <th>PID</th> <th>Area (acres)</th> </tr> </thead> <tbody> <tr> <td>41197385</td> <td>45a</td> </tr> <tr> <td>40271629</td> <td>75a</td> </tr> <tr> <td>Total</td> <td>120a</td> </tr> </tbody> </table>	PID	Area (acres)	41197385	45a	40271629	75a	Total	120a
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Total	120a								
Location	The site is approximately 2 kms south of the existing Ragged Lake Industrial Park and east of the Gerald Mills Industrial Park in Goodwood. It also abuts the area under consideration for the Ragged Lake Industrial Park expansion. Background studies are being undertaken to enable the initiation of a secondary planning process which is required to enable industrial expansion. The area identified for potential future industrial expansion is outlined on Map 3. These boundaries may be adjusted on the basis of the findings of the background studies.								
Regional Plan Designation	Rural Commuter								
Community Plan Designation (Map 1)	Residential B Designation								
Zoning (Map 2)	RB-1								
Size of Site	As outlined above								

Street Frontage	The site currently has access from Prospect Road via a driveway that has been constructed over PID 41032814 situated on the south side of the proposed development.
Current Land Use(s)	The companies have been using a portion of PID 40271629 (the 75-acre parcel closest to Goodwood) for construction storage.
Surrounding Use(s)	Northeast – HRM Composting Facility East- Gerald Mills Industrial Park Southeast – Goodwood Community approximately 200 feet from the nearest residence South West – Drysdale Bog and then Western Common

Proposal Details

The applicant proposes to use the lands for the industrial operations of five (5) companies that have outgrown their locations in the adjacent Gerald Mills Industrial Park. There were no site plans submitted with the application, but two site visits were conducted by staff to view the present operations. A portion of the subject lands that the applicant has requested to be rezoned to the I-1 (Light Industrial) Zone is occupied by a portion of the Drysdale Bog and is undevelopable. The remaining lands are proposed to be used for the storage of heavy equipment, scaffolding, and buildings to undertake stone fabrication, wood construction, stained-glass window restoration, and the manufacturing of mechanical and electrical products for off-site developments.

History of the Site

In 2011, the northwest portion of the property was under the Halifax SMPS and was zoned I-3 (General Industrial) under the Halifax LUB for Mainland South (Attachment A – 2011 Report to Regional Council - Map 3). In 2006, Lloyd MacLellan Construction Services asked Regional Council to grant an easement, to construct a public street to access these backlands for the development of an industrial park that included an asphalt plant. At that time, the construction services company was also proposing to develop residential uses closer to Goodwood between the proposed industrial park and the Goodwood Community.

Out of community concern and concern for the potential impact on the Drysdale Bog, Regional Council undertook amendments to remove these lands from the Halifax Municipal Planning Strategy and placed them under the Municipal Planning Strategy for Planning District 4. Through that process, Regional Council redesignated and rezoned these lands from industrial to residential to facilitate the future development of residential uses within the Goodwood Community.

Regional MPS – Ragged Lake Industrial Park

Regional Council has directed staff to undertake the necessary background studies in preparation for a Secondary Planning Process that HRM is planning to undertake for the nearby Ragged Lake Business Park to the north. Policy EC-5 of the Regional Plan requires that HRM undertake secondary planning and implement land use by-law regulations where HRM has identified lands required to meet industrial land needs. Policy EC-5 also requires that any future secondary plan be designed to minimize conflicts with existing or future incompatible (residential) uses in the vicinity. In keeping with Policy EC-5, Regional Council directed staff to undertake the necessary background studies to prepare a secondary plan for the Ragged Lake Business Park.

SMPS and LUB Context

Policies and Regulations Related to the Industrial Development Request

The Residential B Designation is intended to protect the low-density residential environment and its associated facilities while allowing for the development of small-scale business uses from a residential property (Attachment B – Policy RB-1 and RB-2). The RB-1 Zone allows for the development of a business within a single unit dwelling or associated accessory structure with limited outdoor storage and no outdoor display (Attachment B- RB-1 Zone). It also allows for craft shops and bed and breakfast operations that may benefit from tourist-related traffic along the lighthouse route to Peggy's Cove.

Several industrial and commercial uses were in existence before the SMPS and LUB was adopted in 1994. Some of those industrial operations were located within the Goodwood community. A concentration of industrial uses was also located in the Gerald Mills Industrial Park, a 58-acre park situated at the northern edge of Goodwood. To accommodate these existing uses, an I-1 (Light Industrial) Zone was applied to existing industrial operations (Attachment C – Policy IU-2). The I-1 Zone permits the development of manufacturing operations, construction storage yards, trucking, landscaping and paving, and other industrial uses provided those uses are not obnoxious in terms of noise, odor, dust, vibration, or glare (Attachment C - Section 27.3(a)).

No provisions were created under the SMPS for the application of the I-1 Zone to any additional areas beyond the areas that were in existence before the Plan was adopted. Industrial development was considered incompatible with the residential and conservation-related designations the SMPS was designed to support (Attachment D – Policy IU-3).

The Plan acknowledges that industrial development proposals may arise which would require an amendment to the SMPS and LUB. If a given property receives such amendments, Policy IU-4 further specifies that proposals for industrial development should be considered through the provisions of a development agreement. This was so off-site impacts that an industrial operation may have on surrounding uses in terms of noise, odour, dust, and traffic could be addressed through the provisions of a development agreement (Attachment D).

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. While the MPS provides broad direction, Regional Council may consider SMPS amendment requests to enable proposed development that is inconsistent with its policies. Amendments to an SMPS 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.

Applicant Rationale

Zzap Consulting on behalf of Stephen Adams Consulting has submitted the following rationale in support of the request to amend the SMPS and LUB for Planning District 4:

- There is a need for the associated masonry and repair services offered by CRM to service the development boom in HRM.
- Moving equipment between the two properties along Highway 333 (Prospect Road) creates unnecessary truck traffic and has an impact on infrastructure.
- The Regional MPS discusses supporting rural communities in HRM through ensuring the economic viability of rural communities by giving consideration to supporting rural resource industries such as forestry, fishing, and resource extraction (Policy EC-15).
- There has been a change in circumstance since the adoption of the Planning District 4 Municipal Planning Strategy. The needs of rural businesses have changed, and the consolidation of light industrial uses is pertinent to the continued success of this rural economy.
- The Regional Plan speaks to the desire to maintain natural corridors. Policy E-9 contemplates the consideration of natural corridors that are consistent with the “Greenbelting and Public Open Space Priorities Plan” (Halifax Green Network Plan) approach when considering amendments to existing secondary planning strategies to allow new development.
- The applicant is offering to donate 189 acres of wetland known as the Drysdale Bog which is identified as an important natural corridor and area of high ecological value under the Halifax Green Network Plan as an area to be redesignated and rezoned to Western Common. For the reasons given above, this proposal will be the subject of a separate report.

Attachment E contains the applicant's application letter which contains an expanded version of the above rationale.

Review

Staff has reviewed the submitted rationale in the context of site circumstances and surrounding land uses. Staff advises that there is merit to consider amending the MPS for Planning District 4 to allow the development of industrial uses on a portion of the 120-acre parcel of land.

The site is situated in a forested area at the end of the Gerald Mills Industrial Park. This park has been zoned I-1 (Light Industrial) under the LUB for Planning District 4. The site is also located next to the area under consideration for the future expansion of the Ragged Lake Industrial Park through a secondary planning process. The extension of the industrial area on this 120-acre site could potentially impact the Goodwood Community if the development is not carefully controlled and separated from the Goodwood Community.

The Goodwood community has been under pressure from industrial development since the 1970s. The community consists of 38 residential dwellings with some of the properties containing industrial and commercial developments that were in existence before the Planning District 4 SMPS came into effect. These properties and the 58-acre Gerald Mills Industrial Park along the north side of the community were zoned to allow for the continuation of the existing industrial and commercial businesses.

There are differences in perception about whether the Goodwood Community is a residential area or an industrial area. However, during the community planning process for this area, every attempt was made to allow for the continuation of existing businesses with the understanding that any future industrial uses permitted in the Industrial Park would not be permitted if they were considered to be obnoxious or created a nuisance. Notwithstanding this effort, several industrial operations including a construction and demolition debris plant, tire recycling plant, and other industrial uses have developed in the Gerald Mills Industrial Park which has received numerous complaints.¹ The development of another 120 acres of industrial uses on these lands may exacerbate the current situation if the industrial operations are not carefully controlled and adequate separation distances and buffering from residential uses are not put in place.

Policy IU-4 of the Municipal Planning Strategy contemplates amendments to consider future industrial development and given the location of this area near Highway 103, adjacent to the Ragged Lake Industrial Park and the Gerald Mills Industrial Park, this is a likely location where future industrial development would have been considered. Policy IU-4 states an intention to only consider future industrial operations through the provisions of a development agreement. This was to give the Municipality greater control over the types of industrial land uses that may be permitted, the hours of operation, and requirements for buffering and to ensure that the uses are adequately separated from non-industrial uses (Attachment D). This is a better mechanism than rezoning to an I-1 Zone since the I-1 Zone permits a wide range of uses under conditions that are difficult to enforce. A development agreement would give the Municipality greater control over how the business activities take place and greater control over site development.

Conclusion

Staff has reviewed the proposed SMPS amendment and advises that there is merit to the request. The SMPS for Planning District 4 contemplates the consideration of industrial development through an amendment to the Plan and the provisions of a development agreement. Staff does not recommend that future development be authorized by rezoning to an I-1 Zone. The I-1 Zone has standards that have been difficult to enforce and have not prevented impact on the existing residential area of the Goodwood Community. Greater controls are required on hours of operation which cannot be controlled under the provisions of a zone. A development agreement also gives the Municipality the ability to set in place

¹ Complaints about noise, unsightly premises and potential land use by-law violations have been registered and processed.

buffering requirements and setbacks from residential development that are designed to minimize conflict between industrial and residential uses. Therefore, staff recommends that Regional Council initiate the SMPS amendment application process to consider industrial development on the 120-acre site through the provisions of a development agreement.

COMMUNITY ENGAGEMENT

Should Regional Council choose to initiate the SMPS amendment process, the HRM Charter requires that Regional Council approve a public participation program. In February of 1997, Regional Council approved a public participation resolution that outlines the process to be undertaken for proposed SMPS amendments which are considered to be local in nature. This requires a public meeting to be held, at a minimum, and any other measures deemed necessary to obtain public opinion.

The proposed level of community engagement is consultation, achieved through a public meeting and/or public workshop early in the review process, as well as a public hearing before Regional Council can consider approval of any amendments.

Amendments to the SMPS for Planning District 4 can potentially impact the plans for the development of the Ragged Lake Industrial Park which is now undergoing an assessment. The proposed development, however, is downstream of the Ragged Lake Industrial Park and will be in alignment with the land suitability assessment that the HRM Department of Acquisitions, Disposals, and Industrial Lands will have to undertake for the Ragged Lake Secondary Plan. CRM is willing to donate the vast majority of the Drysdale Bog for conservation purposes and has no plans to develop the remaining portion of the bog on the 120-acre site without adherence to setbacks and buffers.

The requested amendments will also potentially affect the Goodwood community and the Western Commons. Appropriate consultations will have to be undertaken with the community of Goodwood and the Western Common Advisory Committee.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2022-2023 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 SMPS amendments. Such amendments are at the discretion of the 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

The requested amendments would have a positive benefit to the environment by facilitating the long-term preservation of the Drysdale Bog.

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 SMPS amendment process. A decision of Council not to initiate a process to consider amending the SMPS and LUB for Planning District 4 is not appealable to the NS Utility and Review Board as per Section 262 of the *HRM Charter*.

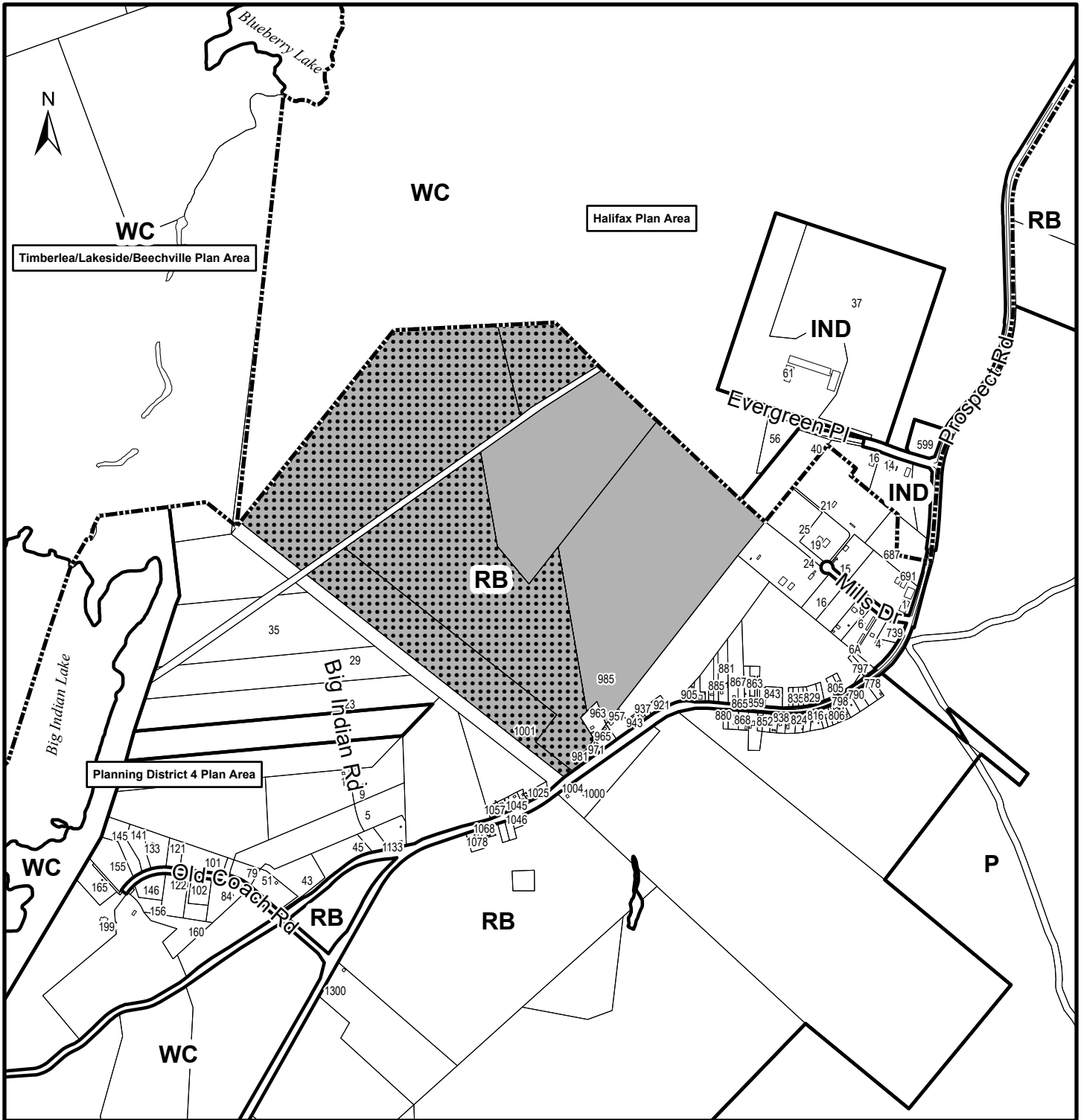
ATTACHMENTS

Map 1: Generalized Future Land Use
Map 2: Zoning
Map 3: Ragged Lake Study Area

Attachment A: Case 01231 - Map 3 showing the area that was redesignated and rezoned to the Residential B Designation and an RB-1 Zone under the 2011 Staff Report
Attachment B: SMPS Policies and LUB Regulations pertaining to the Residential B Designation
Attachment C: SMPS Policies and LUB Regulations pertaining to Industrial Land Uses
Attachment D: SMPS Policies and LUB Regulations pertaining to the Western Commons
Attachment E: Application Rational Letter

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: Maureen Ryan, Planner III, Development Review – Rural Policy and Applications,
782-640-0592



Map 1 - Generalized Future Land Use

Prospect Road,
Goodwood

Subject Properties

Area to be Redesignated to WC

Community Plan Boundary

Planning District 4 Plan Area,
Halifax Plan & TLB Plan Area

Planning District 4 Designation

RB Residential B
P Park
WC Western Common

Halifax Plan Designation

IND Industrial
WC Western Common

TLB Plan Designation

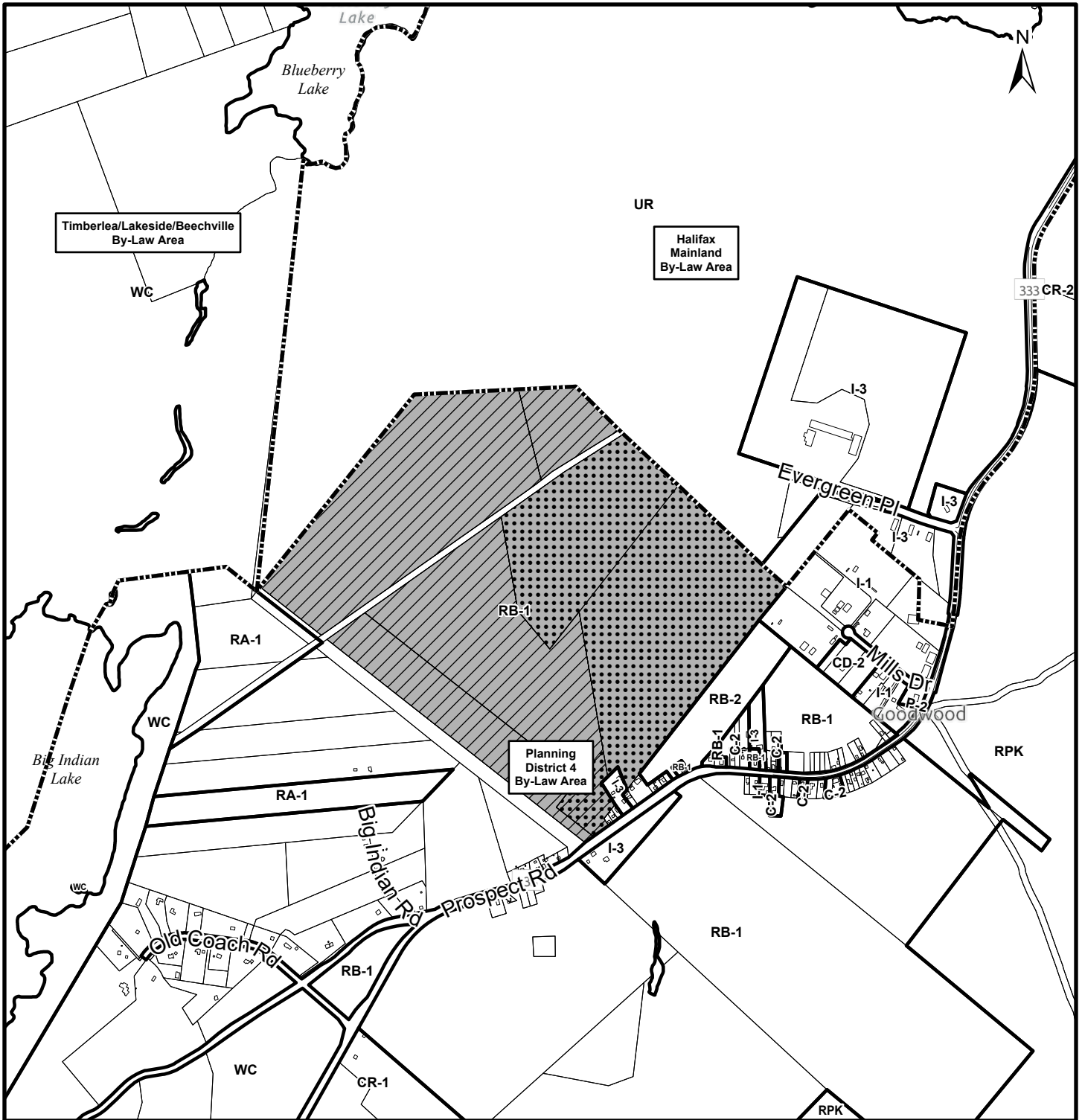
WC Western Common

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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

Prospect Rd,
Goodwood

-  Subject Properties
-  Area Requested to be Rezoned to I-1
-  Area Requested to be Rezoned to WC
-  Community Plan Boundary

Planning District 4 By-Law Area,
Halifax By-Law & TLB By-Law

Planning District 4 Zone

- RA-1 Residential A-1
- RB-1 Residential B-1
- RB-2 Residential B-2
- C-2 General Business
- I-1 Light Industry
- I-3 Local Service
- P-2 Community Facility
- CD-2 C&D Materials Processing Facilities
- CR-1 Commercial Recreation 1
- CR-2 Commercial Recreation 2
- WC Western Common
- RPK Regional Park

Halifax Mainland Zone

- 1-3 General Industrial
- UR Urban Reserve

TLB Zone

- WC Western Common Regional Park

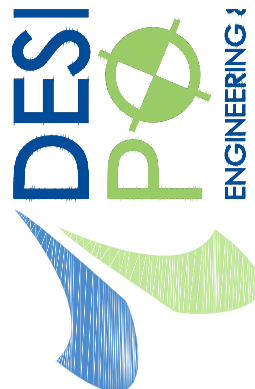
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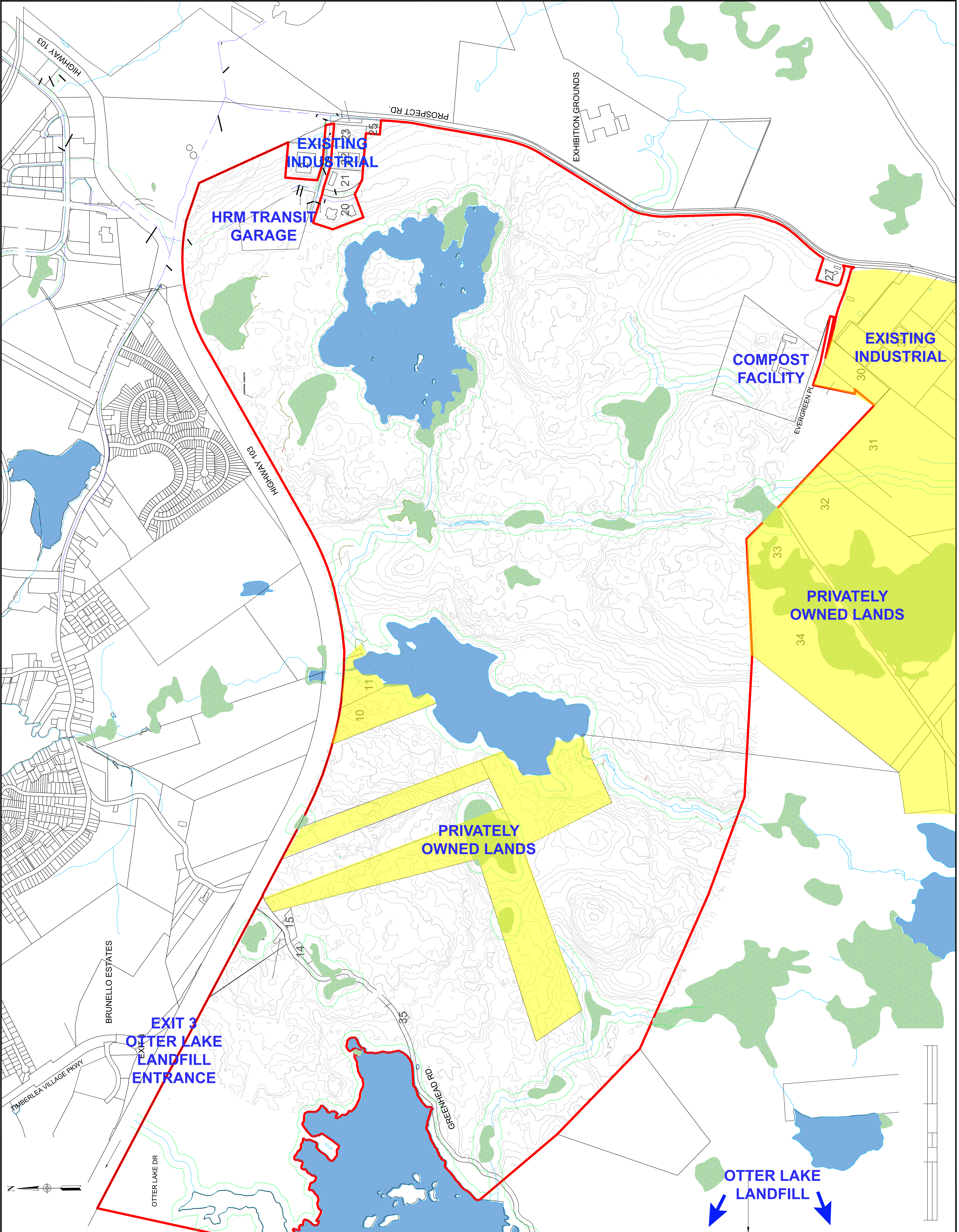
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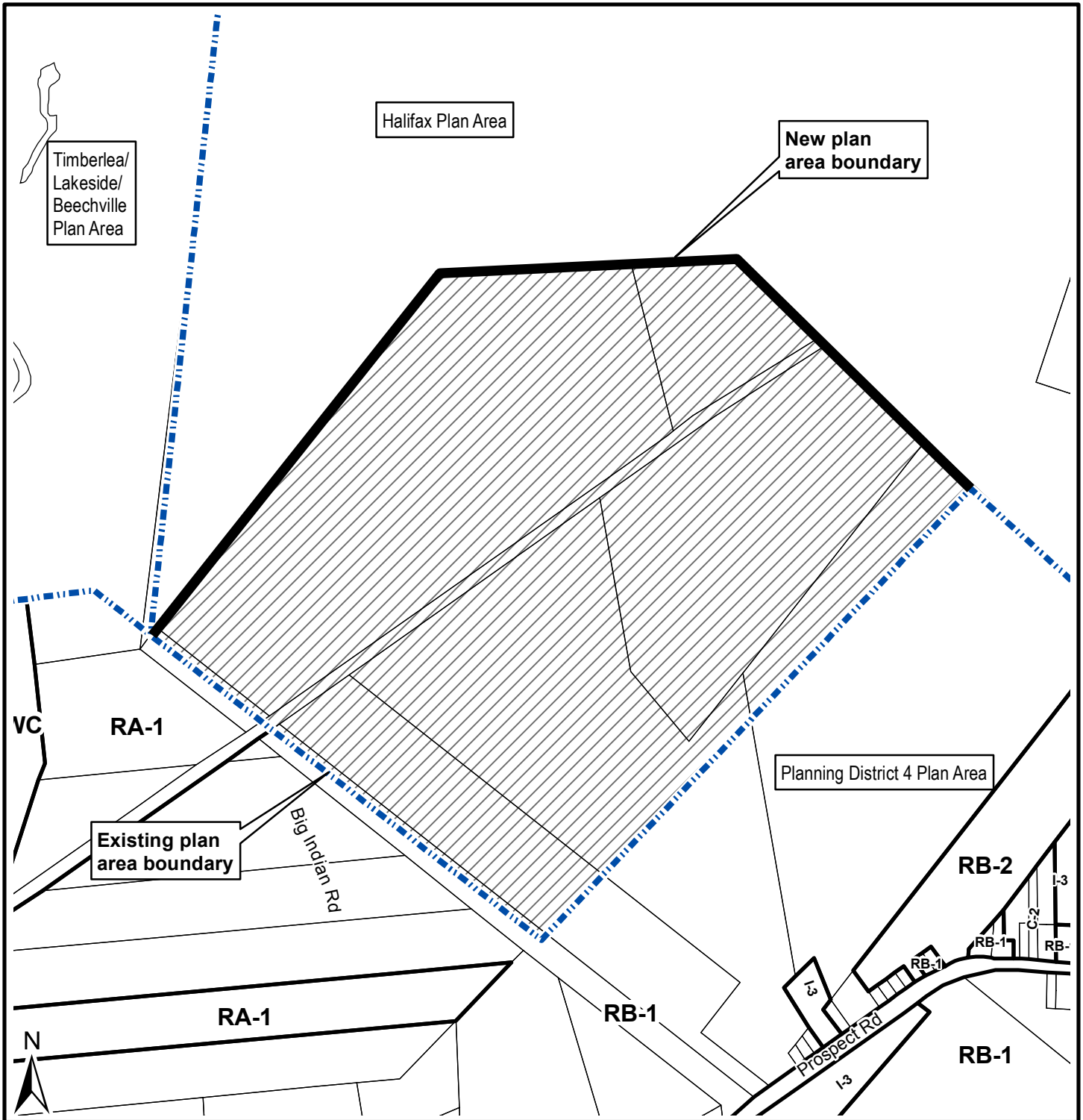
The accuracy of any representation on this plan is not guaranteed.

Map 3 Ragged Lake Study Area



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**Map A2
Planning District 4 (Prospect)
Municipal Planning Strategy
and Land Use By-Law
Proposed Amendments**

Drysdale Bog, Goodwood

Planning District 4
(Prospect) Plan Area



Area to be allocated to
Planning District 4 Plan Area;
designated Residential "B";
and zoned RB-1 (Residential B-1)

Zone

- RA-1 Residential A-1
- RB-1 Residential B-1
- RB-2 Residential B-2
- C-2 General Business
- I-3 General Industrial
- WC Western Common



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

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

ATTACHMENT B

Planning District 4 MPS Policies and LUB Regulations pertaining to the Residential B Designation

RESIDENTIAL B DESIGNATION

The Residential B Designation encompasses lands along Highway No. 333, which form part of the Goodwood, Hatchet Lake, Shad Bay, Bayside, McGraths Cove and East Dover communities. While the predominant land use within these areas is residential, there is also a significant non-residential component. This mixture of land uses is a product of the Plan Area's historical development pattern, the function it serves to the surrounding communities and the high desire among the residents of Planning District 4 for economic self-efficiency.

Development along Highway No. 333 was relatively sparse until highway services were improved in 1951. Up until that time, the residents relied heavily on their established communities for the provision of goods and services. Once the cities of Halifax and Dartmouth became more accessible as places of employment, development radiated from self-contained communities, along this main road.

Historically, these communities have supported a mix of development activities which were directly related to the availability of natural resources. Within the coastal areas of Shad Bay and Bayside, the main economic source was based primarily on mixed farming and fishing and some lumbering. Within Bayside, historical accounts report that this community once supported many industries which included a bleach plant, shipbuilding yard, sawmill, tourist hotel and blacksmithing operation, as well as farming and fishing.

Within the Goodwood and Hatchet Lake communities, the economic mainstay was based primarily on farming and lumbering. Historical accounts also reveal that these communities traditionally provided services to travellers enroute to Halifax. According to the Planning District 4 Community School Directory, the "Straw House", which was located near the current day Holts Take Out, began to serve as a stage coach depot in the 1920s. Residents throughout these communities also provided refreshments and resting places for travellers.

Today these communities support a mix of land use activities, which are interspersed among low density residential uses. Within the Bayside and Shad Bay communities, non-residential development tends to be comprised primarily of commercial operations which retail goods and services to the travelling public and the local market.

The fishing industry is also evident within these communities. These sheltered bays have also supported the development of past aquaculture operations and it is expected that this form of development will continue, given recent declines in fish stocks in the Atlantic Fishery.

The land use activities within the Hatchet Lake and Goodwood communities tend to be more diverse, which is in part due to the proximity of this area to the urban market. Within these communities, numerous businesses, which include automotive service industries, manufacturing

operations, retail outlets, etc. are interspersed among residential uses. The largest concentration of non-residential development is found within the north west section of the Goodwood community, in the Gerald Mills Industrial Park. This park is approximately 42 acres in size and it accommodates a variety of storage related facilities and service industries.

These communities also have great potential for the development of tourism related industries, given the number of persons who are attracted to the natural beauty of ocean views. The most common types of tourist industries developed today are craft shops and bed and breakfast establishments. These tourism facilities are either operated in conjunction with residential dwellings or independently. In both cases, however, these uses contribute to a valued tradition of providing service to the travelling public and will, therefore, be encouraged to develop within the Residential B Designation.

A significant number of dwellings, within this designation, are also used for home business purposes. Commercial and service industrial operations located in the home or in accessory buildings are characteristic of these communities with its history of self-reliance and entrepreneurship. In some cases, these home businesses provide the sole source of income for the owner while, in others, the business is used to supplement income from other jobs or is seen primarily as a hobby. Examples of this type of activity include automotive repair establishments, appliance repair, small contractors' yards, wood yards, craft industries, small trucking and excavating services and personal service shops. These businesses are often unable to locate on residential lots in more urban areas and they contribute to a lifestyle which residents wish to protect.

Land Use Policies

While there is a desire to permit a greater diversity of land uses in the Residential B Designation, it is also recognized that this diversity increases the potential for land use conflicts. Over the past fifteen years, these communities have been transforming into more solid residential areas with the development of large scale residential subdivisions directly off of Highway No. 333. Non-residential development has also been increasing in size and intensity due to the proximity of these communities to the expanding urban market. It is, therefore, the desire of the residents to place controls on the type and scale of non-residential uses, in order to minimize future land use conflicts.

The primary intent of the Residential B Designation is to support the low density residential environment and its associated facilities, while allowing for the continued development of a variety of business uses. To achieve this objective, business uses shall be confined to small scale operations which can be conducted from a home and/or from an accessory building. Although no restrictions will be placed on the types of businesses which may develop, land use conflicts will be minimized by placing controls on size, outdoor storage and display, signage, parking and the use of mechanical equipment. The designation shall also provide for the development of fishing and aquaculture operations, since it encompasses the coastal communities of Shad Bay and Bayside.

Given the service function which these communities provide to the surrounding area, provision will be made for the gradual integration of commercial development activities under controlled

conditions. Larger scale industrial operations which require numerous accessory buildings and/or extensive storage areas for industrial equipment and supplies will be prohibited from developing within the Residential B Designation. Although such operations have the potential to conflict with the future style of development which is occurring throughout these areas, it is recognized that there are numerous existing commercial and industrial operations scattered throughout the designation, which must be accommodated. Provision will, therefore, be made to permit these existing commercial and industrial operations to expand and flourish, in recognition of past investments which have been made.

RB-1 It shall be the intention of Council to establish the Residential B Designation, as shown on Map 1 - Generalized Future Land Use. Within this designation, it shall be the intention of Council to encourage the development of a low density semi-rural residential environment with its associated home business, natural resource and tourist related activities, while recognizing the service function which developments along Highway No. 333 provide.

RB-2 Within the Residential B Designation, it shall be the intention of Council to create a residential B-1 zone which generally applies to Goodwood, Hatchet Lake, Shad Bay and to the Highway No. 333 road frontage lands within the McGraths Cove and East Dover communities. This zone shall permit the development of single unit dwellings, open space uses, craft shops, bed and breakfast establishments, home businesses, limited fishery support and aquaculture support uses, limited agricultural uses and all existing business uses and all existing dwellings. In order to address compatibility concerns, provisions of this zone will place controls on the location and size of non-residential uses, as well as on signage, open storage and the use of mechanical equipment and parking for home business activities. The zone will also specify that outdoor display shall be prohibited for home business activities and that the businesses must be operated by a resident of the dwelling.

PART 10: RB-1 (RESIDENTIAL B-1) ZONE

10.1 RB-1 USES PERMITTED

No development permit shall be issued in any RB-1 (Residential B-1) Zone except for the following:

Residential Uses

Single unit dwellings
Home business uses

Community uses

Open space uses

Commercial Uses

Craft shops
Bed and breakfast outlets

Resource Uses

Fishery support uses
Aquaculture support uses
Agricultural uses

Other Uses

Existing business uses
All existing dwellings

Denominational uses at 797 Prospect Road, Goodwood (RC-Feb 26/19;E-Apr 20/19)

10.2 RB-1 ZONE REQUIREMENT

In any RB-1 Zone, where uses are permitted in accordance with Section 10.1, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	20,000 square feet (1858.1 m ²)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear Yard or Side Yard	15 feet (4.6 m)
Maximum Height of Main Building	35 feet (10.7 m)

10.3 OTHER REQUIREMENTS: HOME BUSINESS USES

Where home business uses are permitted in any RB-1 Zone the following shall apply:

- (a) Any home business shall be wholly contained within either the dwelling or an accessory building on the property which comprises the principal residence of the operator of the home business.
- (b) No more than one thousand (1,000) square feet (92.9 m²) of the combined gross floor area of any structure shall be devoted to a home business use.
- (c) No materials or mechanical equipment shall be used which is obnoxious or creates a nuisance by virtue of noise, vibration, glare, odour or dust.
- (d) All outdoor storage of materials, goods, supplies, or equipment related to the operation of the business shall not exceed ten (10) percent of the gross floor area of the home business and must be effectively screened by a vegetative cover.
- (e) No outdoor display shall be permitted.
- (f) No more than one (1) sign shall be permitted for any home business and no such sign shall exceed three (3) square feet (0.3 m²) in area.
- (g) One (1) off-street parking space other than that required for the dwelling shall be provided for every one hundred and fifty (150) square feet (13.9 m²) of floor area devoted to any home business.

10.4 OTHER REQUIREMENTS: CRAFT SHOPS

Where uses are permitted as craft shops in any RB-1 Zone, the following shall apply:

- (a) No more than two thousand (2,000) square feet (185.8 m²) of the gross floor area of all combined structures shall be used for any craft shop.
- (b) No materials or mechanical equipment shall be used which is obnoxious or creates a nuisance by virtue of noise, vibration, glare, odour or dust.
- (c) All outdoor storage or materials, goods, supplies or equipment related to the operation of a craft shop shall be limited to an area of three hundred (300) square feet (27.9 m²) and shall be screened from any adjacent residential uses.
- (d) All outdoor display shall be limited to one hundred (100) square feet (30.5 m²).
- (e) No more than one (1) sign shall be permitted for any craft shop and no such sign shall exceed sixteen (16) square feet (1.5 m²) of sign area on a single face or thirty-two (32) square feet (3.0 m²) for both faces combined.

10.5 OTHER REQUIREMENTS: FISHERY SUPPORT USES

Notwithstanding the rear and side yard set back requirements of Section 10.2, where fishery support uses are permitted in any RB-1 Zone, the following shall apply:

- (a) The combined gross floor area of all buildings directly related to the fishery support use shall not exceed three thousand (3,000) square feet (278.7 m²).
- (b) All fish and boat sheds shall be set back a minimum of eight (8) feet (2.4 m) from the rear and side lot lines, unless the lot line corresponds to the high water mark.
- (c) All fish and boat sheds may be built to the lot line which corresponds to the high water mark.

10.6 OTHER REQUIREMENTS: AQUACULTURE SUPPORT USES

Notwithstanding the rear and side yard set back requirements of Section 10.2, where aquaculture support uses are permitted in any RB-1 Zone, the following shall apply:

- (a) The combined gross floor area of all fish sheds, boat sheds, hatcheries, tanks, vats and pounds directly related to the aquaculture support use shall not exceed three thousand (3,000) square feet (278.7 m²).
- (b) All fish sheds, boat sheds, hatcheries, tanks, vats and pounds shall be set back a minimum of eight (8) feet (2.4 m) from the rear and side lot lines, unless the lot line corresponds to the high water mark.
- (c) All fish sheds, boat sheds, hatcheries, tanks, vats and pounds may be built to the lot line which corresponds to the high water mark.

10.7 OTHER REQUIREMENTS: AGRICULTURAL USES (Goodwood, Hatchet Lake, Shad Bay)

In any RB-1 Zone, in the Communities of Goodwood, Hatchet Lake and Shad Bay where agricultural uses are permitted, and where any barn, stable or other building intended for the keeping of more than fifty (50) domestic fowl or ten (10) other animals is erected, no such structure shall:

- (a) Be erected on any lot having less than twenty-five thousand (25,000) square feet (2322.6 m²);
- (b) Exceed five hundred (500) square feet (46.4 m²);
- (c) Be less than eight (8) feet (2.4 m) from any lot line;
- (d) Be less than one hundred (100) feet (30.5 m) from a potable water supply except a supply on the same lot or directly related to the agricultural use;
- (e) Be less than sixteen (16) feet (4.9 m) from any dwelling except a dwelling on the same lot or directly related to the agricultural use; or
- (f) Be less than twenty-five (25) feet (7.6 m) from any watercourse or water body.

10.8 OTHER REQUIREMENTS: AGRICULTURAL USES (McGraths Cove, East Dover)

In any RB-1 Zone, in the Communities of McGraths Cove and East Dover, where agricultural uses are permitted, and where any barn, stable or other building intended for the keeping of more than 20 domestic fowl or 10 other animals is erected, no such structure shall:

- (a) Be erected on any lot having less than 20,000 square feet (1858.1 m²);
- (b) Exceed 800 square feet (74.3 m²);
- (c) Be less than 8 feet (2.4 m) from any side lot line;
- (d) Be less than 100 feet (30.5 m) from a potable water supply except a supply on the same lot or directly related to the agricultural use;
- (e) Be less than 32 feet (9.7 m) from any dwelling except a dwelling on the same lot or directly related to the agricultural use; or

(f) Be less than 25 feet (7.6 m) from any watercourse or water body.

10.9 OTHER REQUIREMENTS: DENOMINATIONAL USES at 797 Prospect Road, Goodwood (RC-Feb 26/19;E-Apr 20/19)

Where denominational uses are permitted at 797 Prospect Road, Goodwood, no development permit shall be issued except in conformity with the requirements under Section 30.2 except for minimum lot area and frontage requirements.

ATTACHMENT C

Planning District 4 MPS Policies and LUB Regulations pertaining to Industrial Land Uses

EXISTING INDUSTRIAL USES

As previously mentioned, there are numerous industrial operations scattered throughout the Plan Area, along the collector highway systems. These include a wide range of operations which include manufacturing operations, warehousing, trucking and excavating companies, general contractors construction storage yards, salvage yards and numerous industries involving a specialized trade which may be conducted from a residential property. In many instances, these industrial operations have grown from a home business activity into a larger scale establishment which provides industrial services to consumers throughout the Halifax-Dartmouth Metropolitan Area and beyond. Since these operations have grown beyond what can be considered a home business activity in most designations, industrial zoning shall be created for application to existing industrial operations located within all residentially designated areas and within the Mixed Use Designation. In order to minimize future land use conflicts, these industrial operations shall be either zoned light industrial or local service industrial, depending on the type and size of the existing establishment.

...

IU-2 Notwithstanding Policies RA-2, RB-2, RB-3, RRA-2, RRB-2, RRC-2, RRD-2, RRE-2, MU-2, within any rural residential, or the Mixed Use designation, it shall be the intention of Council to create a light industrial zone. This zone shall be applied to existing industrial uses which involve manufacturing, warehousing, wholesaling and research activities as well as postal and courier outlets, recycling and transportation depots, maintenance yards, parking lots, general contracting and storage yards and communication stations. In order to address compatibility concerns, provisions within the zone will establish controls to require screening from existing and future residential uses, approval from senior government agencies for expansion, or changes in use to any other light industrial use. This zoning shall also specify that the use shall not be obnoxious. It shall not be the intention of Council to permit the extension of this zone to additional lands.

While it is the intention of this Planning Strategy to make provision to accommodate existing industrial operations, new industrial ventures shall be prohibited from developing within most residential, resource, islands, conservation and park designations. These designations are generally intended to either support the low density residential environment or to preserve the natural environment. Large scale industrial operations which generate heavy truck traffic, require numerous accessory buildings, extensive outdoor storage areas for bulk equipment and may require waste facilities for lubricants, resins and oils, are generally viewed as being incompatible with the environments these designations are intended to support.

Given the vast amounts of vacant land situated within these designations, it is conceivable that industrial operations could be developed with minimal impact on the surrounding environment. Without a specific development proposal, however, it is difficult to identify specific areas where

industry may be accommodated. It is also the desire of area residents to have input at a local public meeting, when such proposals are advanced. It shall, therefore, be the intention of Council to consider amending the Planning Strategy to permit the future development of industry by development agreement when more specific development proposals are submitted.

IU-3 It shall not be the intention of Council to designate any particular area for future industrial development on Map 1 - Generalized Future land Use.

IU-4 Council may consider amending the planning strategy to permit new industrial uses by development agreement and the following conditions shall be considered by Council for inclusion in any such plan amendment:

- (a) that the proposal will not adversely affect nearby land uses by virtue of noise, traffic generation, dust, smoke, odour, and/or vibration;
- (b) that the use is adequately separated and screened from any nearby residential and community facility uses or lands which could become potentially developed for residential or community facility purposes;
- (c) that the scale and appearance of the development be consistent with the surrounding area;
- (d) that the industrial operation shall not require access through a residential area;
- (e) that the use can be serviced with an on-site sewage disposal system and does not involve the use of dangerous chemicals or produce wastes that can contaminate soils, watercourses or ground water resources;
- (f) the impact of the industrial use on the existing road network in terms of traffic generation and vehicular and pedestrian safety;
- (g) the hours of operation of the facility; and
- (h) the provisions of Policy IM-11.

PART 27: I-1 (LIGHT INDUSTRY) ZONE

27.1 **I-1 USES PERMITTED**

No development permit shall be issued in any I-1 (Light Industry) Zone except for the following:

Industrial Uses Permitted

Manufacturing operations
Warehouse operations
Wholesale operations
Research facilities
Postal and courier depots
Recycling depots
Transport facilities and maintenance yards
Taxi and bus depots
Parking lots
General contracting and storage yards
Communication stations
Mobiles and offices accessory to any permitted use
Cannabis production facilities (RC-Sep18/18; E-Nov 3/18)

Commercial Uses

All C-2 uses

Other Uses

Composting operations (see section 4.29) (MC-Feb 26/96;E-Mar 28/96)

27.2 **I-1 ZONE REQUIREMENTS**

In any I-1 Zone where uses are permitted in accordance with Section 27.1, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	20,000 square feet (1858.1 m ²)
Minimum Frontage	100 feet (30.9 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)
Maximum Lot Coverage All Buildings	50 percent

27.3 **OTHER REQUIREMENTS: INDUSTRIAL USES**

Where uses are permitted as an industrial use in an I-1 Zone, the following shall apply:

- (a) The use shall not be obnoxious or create a nuisance.
- (b) The Development Officer shall obtain approval from the Nova Scotia Departments of the Environment, Health and Fitness and Transportation and Communications before issuing a development permit for manufacturing operations.
- (c) Notwithstanding Section 27.2, the minimum side yard for any I-1 zone lot which abuts residential use(s) and/or vacant lot(s) shall consist of the greater of fifteen (15) feet (4.6 m) or five (5) percent of the lot frontage;
- (d) Notwithstanding Section 27.2, the rear yard which abuts residential use(s) and/or vacant lot(s) shall consist of the greater of fifteen (15) feet (4.6 m) or five (5) percent of the minimum lot depth.
- (e) No parking or driving aisles shall be permitted within the required side and/or rear yard which abuts a residential use(s) and/or vacant lot(s).
- (f) Any storage associated with the light industrial use, with the exception of mobile equipment, shall be contained within a building or otherwise enclosed by vegetation or other means which provide an effective visual barrier.

27.4 OTHER REQUIREMENTS: RECYCLING DEPOTS

Where recycling depots are permitted as light industrial uses in an I-1 Zone, any materials associated with the recycling depot shall be wholly contained within a building.

27.5 OTHER REQUIREMENTS: COMMERCIAL USES

Where commercial uses are permitted in the I-1 zone, no development permit shall be issued except in conformity with the provisions of the C-2 (General Business) Zone.

27.6 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES (RC-Sep18/18; E-Nov 3/18)

- (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.

ATTACHMENT D

Planning District 4 MPS Policies and LUB Regulations pertaining to the Western Commons

WESTERN COMMON DESIGNATION (RC-Jul 4/00;E-Aug 5/00)

The Western Common Designation encompasses significant lands acquired by the Municipality which extend westward from the Prospect Road in the vicinity of Big Indian and Nichols Lakes to the Nine Mile River. Municipal lands also extend beyond this plan area into the abutting plan areas of Halifax and Timberlea/lakeside/ Beechville. A planning study undertaken by the Municipality forms the basis for planning decisions within this designation.

- WC-1 The Western Common Conceptual Land Use Plan, presented as Map 2, shall be adopted by Council as the framework for planning and regulatory decisions within the Western Common Designation.

- WC-2 The Western Common Zone shall be established under the Land Use By-law and initially applied to all lands within the Western Common Designation. The Zone shall permit the following uses: conservation related uses, trails, picnic areas, wilderness campsites, public and private parks and playgrounds, historic sites and monuments, recreation uses (excepting commercial recreation uses), cemeteries and churches. Related uses may be considered by an amendment to the zone provisions but no provisions shall be made to consider a rezoning or development agreement application in areas designated as Wilderness Common or Park on Map 2.



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ATTACHMENT E

Application Rational Letter

Ms. Thea Langille
Principal Planner-Rural Policy and Applications
Current Planning/Planning and Development
PO Box 1749 Halifax NS B3J 3A5

Via email: langilt@halifax.ca

Dear Ms. Langille:

We have been retained by MLP Developments Limited (MLP) for the preparation of this Planning Application. MLP own 309 (+/-) acres of land in Goodwood in the vicinity of their business, Coastal Restoration and Masonry (CRM), at 8 Mills Drive. The Directors of this company are Brice Morash, Bradley Lanteigne, and Shawn Power. They are the owners of four established businesses (CRM, Gil-Son, Schooner Excavation, and Schooner General Contracting) in the Goodwood community, and employ close to 500 individuals. CRM was established in 1991 as a small commercial maintenance and masonry restoration business and has since grown into a well known local firm dealing with various large-scale building restoration projects. CRM offers a range of services closely linked to the growth and redevelopment of the municipality, including:

- Stone Supply, Fabrication & Installation
- Custom Work & Repairs
- Re-pointing
- Cleaning
- Monument Work
- Exterior Building & Restoration
- Waterproofing & Sealants
- Caulking
- Sandblasting & Chemical Cleaning
- Concrete Restoration & Epoxy Injections
- Stainless Steel Chimneys

CRM has been located at their site on Mills Drive for 26 years, and have established themselves as leaders in the masonry business. Recent projects include:

- HRM City Hall
- Dalhousie Forrest Building
- Keith Hall
- St. Matthews United Church



- University of Kings College

Business success has brought growth. In recent years, the company has outgrown their Mills Drive premises and have had to utilize property in East Dover for storage of equipment and materials. The East Dover property is of sufficient size for CRM, but it has introduced logistical problems caused by the split of business operations. Moving equipment between the two properties creates unnecessary truck traffic. Prospect Road is a provincially maintained road with weight restrictions introduced every Spring. This restriction limits the movement of goods and services at key times of the year, impacting CRM projects, budgets, schedules and general growth of the company. Consolidating all the CRM and associated business equipment and supplies in one location at a location near Mills Drive is key to the success of CRM. Without this consolidation, the business will be forced to look elsewhere for a new site large enough to meet their needs. This could mean moving out of the Goodwood community and possibly the HRM.

There has been a change in circumstance since the adoption of the Planning District 4 Municipal Planning Strategy. The needs of rural businesses have changed, and the consolidation of light industrial uses is pertinent to the continued success of this rural economy. However, we understand the impact of any industrial use on the surrounding ecosystem and in response, our request is two-fold. The details of our request are outlined in the following section.

Details of the request

As mentioned above, CRM have outgrown their current property at 8 Mills Drive. With the current population and development boom in Halifax, there is a need for the associated masonry and repair services offered by CRM. The requests outlined in this application are threefold:

1. Redesignate and rezone PID's identified in table below from RB-1 to WC.

PID	Current zone	Proposed Zone	Area (acres)
41018219	RB-1	WC	30a
41032814	RB-1	WC	68a
40271603	RB-1	WC	79a
40271611	RB-1	WC	12a
		Total	189a

2. Redesignate and rezone PID's identified below from RB-1 to I-1

PID	Current Zone	Proposed Zone	Area (acres)
41197385	RB-1	I-1	45a
40271629	RB-1	I-1	75a
		Total	120a

3. ****Contingent on the above zoning changes, 189 + acres of the newly created WC lands would be donated to HRM for addition to the Western Commons Park.****

Alignment with Regional Municipal Plan

The Regional Plan speaks to the two components of this application. First, section 5.3.5 discusses supporting rural communities in HRM through ensuring the economic viability of rural communities. In doing so, the Municipality shall give consideration to supporting rural resource industries such as forestry, fishing, and resource extraction (Policy EC-15).

Additionally, the Regional Plan speaks to the desire to maintain natural corridors. Policy E-9 contemplates the consideration of natural corridors that are consistent with the “Greenbelting and Public Open Space Priorities Plan” approach, when considering amendments to existing secondary planning strategies to allow new development. It is my understanding that the “Greenbelting and Public Open Space Priorities Plan” was replaced with the “Green Network Plan” in 2018.

Map 6 of the “Green Network Plan” highlights the ecological importance of a portion of the subject properties (Figure 1). Additionally, the portion of the subject site that is being requested to be rezoned to I-1 is not considered to have value to the Regional Green Network (as indicated on Figure 1).

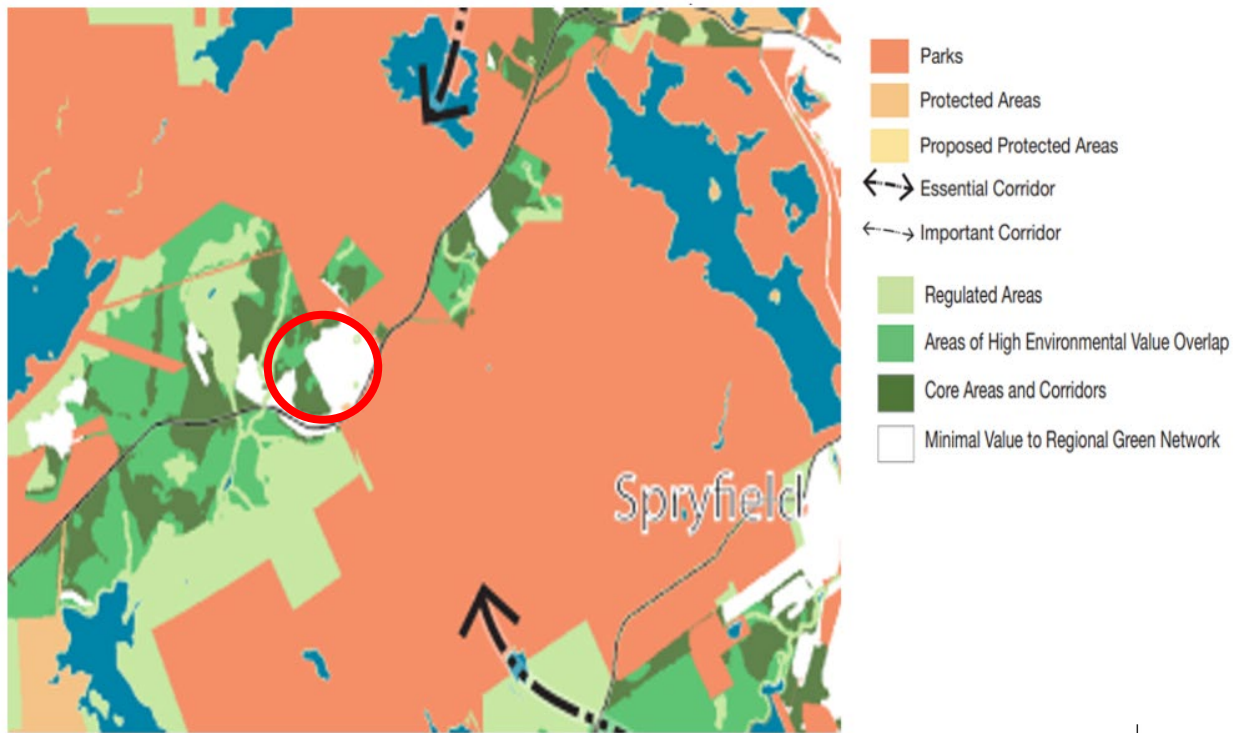


Figure 1: Map 6 Green Network Plan

While the policies in the Regional Plan do not speak directly to the subject properties, the intent of those policies aligns with the requested amendments to the Planning District 4 Municipal Planning Strategy.



Impact of the request

The zoning changes outlined above will result in an increase of Western Common zoned land of 189 + acres, thereby providing a legislated level of protection for the Drysdale Bog. This area has been part of zoning and land use discussions for several years. In 2011, portions of the subject lands were rezoned from I-3 to RB-1 and moved into the District 4 Planning area to provide some level of protection for the bog. A previous landowner was proposing heavier Industrial uses on the lands. Redesignating and rezoning these lands to UR finally provides the desired level of protection the community has been looking for while providing an access point from Prospect Rd.

The zone change from RB-1 to I-1 is will add to the community in several ways:

1. CRM can continue to operate in the community.
2. Longstanding employment opportunities will stay in Goodwood.
3. CRM can consolidate business activities in one location, thereby reducing trucking needs on Prospect Road.

Urgency of the request

CRM is a proven business leader and has enjoyed recent success as HRM densifies and re-establishes the urban core. To properly operate a business of this size in Goodwood, CRM needs to consolidate their business activities in the vicinity of Mills Road. Time and cost associated with moving goods between two locations has proven inefficient and is impacting CRM’s ability to operate. One consolidated location will allow CRM to stay at this location and respond to the development needs associated with the growth of HRM and the Province of NS. We understand the timing for a community planning exercise in the Goodwood area is years away and exceeds the business needs of CRM. Successful continuation of the business at within Goodwood is the reason for the request to come forward at this time.

Policy Review Table

The Municipal Planning Strategy for District 4 (Prospect) allows for consideration of amendments like this one through Policy IU-4. The table below provides an analysis of this request against the enabling policy. It’s our understanding a Development Agreement can be used to introduce the controls outlined in the WC and I-1 zones.

Policy IU-4

Council may consider amending the planning strategy to permit new industrial uses by development agreement and the following conditions shall be considered by Council for inclusion in any such plan amendment:

Policy section IU-4	
(a) that the proposal will not adversely affect nearby land uses by virtue of noise, traffic generation, dust, smoke, odour, and/or vibration;	The change from RB-1 to WC will protect 189 + acres of these lands, while the RB-1 to I-1 change will enable limited industrial uses in an area similar in



	size and scale with what currently exists in the community.
(b) that the use is adequately separated and screened from any nearby residential and community facility uses or lands which could become potentially developed for residential or community facility purposes;	Once rezoned, the majority of the property will abut UR zoned lands. The southeastern edge of the subject site does abut an RB-2 zoned property. The required setbacks outlined in the I-1 zone will be respected in this area.
(c) that the scale and appearance of the development be consistent with the surrounding area;	The proposed development area is off of the main road in an area buffered by trees or existing Industrial development. The requested WC zone for the Drysdale Bog is consistent with the abutting UR zoned lands of the Western Mainland Park.
(d) that the industrial operation shall not require access through a residential area;	Direct access to Prospect Rd. is available through PID's 41032814 and 41018219.
(e) that the use can be serviced with an on-site sewage disposal system and does not involve the use of dangerous chemicals or produce wastes that can contaminate soils, watercourses or ground water resources;	The Light Industrial uses have low water and wastewater requirements. The proposed I-1 lands are of a size sufficient to accommodate onsite servicing.
(f) the impact of the industrial use on the existing road network in terms of traffic generation and vehicular and pedestrian safety;	Consolidating the business into one location will reduce the need for daily truck traffic between the Mills Dr. site and the East Dover location.
(g) the hours of operation of the facility; and	Hours of operation will be similar to the existing business at Mills Rd.
(h) the provisions of Policy IM-11	

Forming part of this this application package you will find the following documents attached to this email:

- Completed application form
- Site Location Map
- Concept plan illustrating the lands to be rezoned
- Application fee will be forwarded upon request

If you require any further information or have any questions, please call. Thank you,

Greg Zwicker, MCIP, LPP

zzap Consulting Inc.

c.c. Stephen Adams