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Item No. 15.1.6
Halifax Regional Council
August 22, 2023

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY:

Cathie O'Toole, Chief Administrative Officer

DATE: June 13, 2023

SUBJECT: **Case 2023-00304: Amendments to the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy and Land Use By-law to permit the development of an office building at 1274 Hammonds Plains Road.**

ORIGIN

Application by Zzap Consulting.

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 Beaver Bank, Hammonds Plains and Upper Sackville to enable the development of an office building at 1274 Hammonds Plains Road; and
2. Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.

BACKGROUND

Zzap Consulting, on behalf of Bowers Construction, is applying to amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Beaver Bank, Hammonds Plains and Upper Sackville to allow an office building at 1274 Hammonds Plains Road. The site is within the community of Hammonds Plains in Uplands Park and was formerly used as the St James Church. The site is designated Residential and is zoned P-2 (Community Facility) which does not permit the development of a commercial office building. Consequently, Zzap is requesting an amendment to the MPS and LUB to allow the proposed development.

Subject Site and Size	The property is located at 1274 Hammonds Plains Road (PID 00422279) and is approximately 2,010 square metres in area (24,636 square feet)
Location	The site is situated at the corner of Hammonds Plains Road and Crestfield Drive, across from the Village of Uplands Park. It is also situated directly across the Hammonds Plains Road from the Frenchy's on Majesty Court.
Regional Plan Designation	Rural Commuter
Community Plan Designation (Map 1)	Residential Designation
Zoning (Map 2)	P-2 (Community Facility) Zone
Street Frontage	The site has 81 metres (264 ft) of frontage on Crestfield Drive and 34 meters (112 ft) of frontage on Hammonds Plains Road.
Current Land Use(s)	The site is currently occupied by the former St James Church. The building is presently used for storage and is proposed to be torn down and replaced with the proposed office building.
Surrounding Use(s)	North – Cemetery East - Vacant lands for a 54-unit seniors housing development West – Hammonds Plains Road and Frenchy's on the opposite side of the Hammonds Plains Road South – Crestfield Drive and the Village of Uplands Park on the opposite side of Crestfield Drive

Proposal Details

Bowers Construction proposes to construct a two-storey office building at the north-east corner of Hammonds Plains Road and Crestfield Drive (Attachment A – Site Plan). The proposal is to use the building as the headquarters for Bowers Construction and to use a portion of the space as a design centre for partnering companies. The proposed access is from a shared driveway with the recently approved seniors' housing development at 9 Crestfield Drive (Case 23720). The building is proposed to be oriented toward Crestfield Drive across from the Village of Uplands Park. This site is unique from others in the area as it is serviced with central water and sewer.

SMPS and LUB Context

The property is within the Residential Designation of the Beaver Bank, Hammonds Plains, and Upper Sackville MPS. The Residential Designation was applied to suburban-style residential subdivisions that had developed in the plan area when the MPS was adopted in 1987. This included the subject property which is within the Uplands Park community which was developed with central water and a small-scale sewer system in the 1960s. The Residential Designation recognizes and supports the predominantly suburban residential character of these subdivision areas and supports their protection from non-residential land uses.

The subject property was zoned P-2 (Community Facility) in recognition of the church that was established at the corner of Hammonds Plains Road and Crestfield Drive. The P-2 Zone permits a wide variety of institutional uses including government offices and offices for public works but does not permit the development of a commercial office as proposed by Bowers Construction. Therefore, amendments to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB are necessary to consider permitting a commercial office building at this location.

History of Nearby Hammonds Plains Commercial Centre

In 2010, amendments to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB were undertaken to redesignate and rezone an area surrounding the intersection of Hammonds Plains Road, Kingswood Drive and Gatehouse Run to create a community commercial node known as the Hammonds Plains Commercial Centre. At the time, two commercial zones, C-2 (Community Commercial) and C-4 (Highway Commercial), were available for commercial development in the Hammonds Plains area. Both zones were considered inappropriate to facilitate well-designed comprehensive commercial development that was complementary to the surrounding residential community. In consultation with the community, the area was redesignated to the Hammonds Plains Commercial Designation to encourage the development of a commercial node that was designed to complement the community. The area included within the Hammonds Plains Commercial Designation is shown on Map 3. This area was rezoned to C-5 (Hammonds Plains Commercial) to permit a wide range of commercial and institutional uses through the site plan approval process.

The Hammonds Plains Commercial Designation did not include Uplands Park or the subject site since both areas were used for institutional uses. The subject site is no longer used as a church which constitutes a change in circumstances since the Hammonds Plains Commercial Centre Designation was created in 2010.

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 an MPS amendment requests to enable proposed development that is inconsistent with its policies. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. Amendments should be only considered within the broader planning context and when there is reason to believe that there has been a change to the circumstances since the MPS was adopted, or last reviewed.

Applicant Rationale

Zzap Consulting has submitted the following rationale in support of the request to amend the MPS and LUB for Beaver Bank, Hammonds Plains, and Upper Sackville:

- a) The site should be considered for commercial development since it has a long history of institutional use and was, therefore, not included in the Hammonds Plains Commercial Designation;
- b) The circumstances surrounding the designation of this site as a Residential Designation and its zoning as a P-2 (Community Facility) use have now changed since the site is no longer used as a church and is held in private ownership; and
- c) That commercial/office use is appropriate at this location for the following reasons:
 - a. Compatibility with existing land uses: the site is surrounded by recreational, residential, and commercial uses. An office use will not conflict with these uses in terms of traffic, parking or hours of operation.
 - b. It can be accommodated on an undersized lot due to its ability to be centrally serviced.
 - c. Part 4, Section 4.5 of the Beaver Bank, Hammonds Plains and Upper Sackville LUB enables development of lots that do not meet the minimum lot frontage or area requirements of the zone ,
 - d. The property at 20 Majesty Court is currently being developed under the C-5 Zone. An adjacent commercial use on the subject site is congruent with this.
 - e. A commercial use would complement the “node” concept by utilizing the four-way intersection as a logical boundary for the C-5 zone. Further, it is consistent with the land use pattern established at the Hammonds Plains Road/Kingswood Drive intersection where commercial uses on the corner properties create a concentrated retail node.

Attachment D contains the applicant’s rationale letter.

Review

Staff has reviewed the submitted rationale in the context of site circumstances and surrounding land uses. Given the site is no longer used as a church and is located at an intersection designated Hammonds Plains Commercial on the western side, there is merit in considering an amendment to MPS and LUB to allow a commercial office at 1274 Hammonds Plains Road.

The site forms a natural boundary to the Hammonds Plains Commercial Designation at a four-way intersection, directly across from the Majesty Court Frenchy's, on the opposite side of Hammonds Plains Road (Map 3). The proposed building is oriented toward the Kingswood Business Centre, and although separated from it by the Village of Uplands Park, the Hammonds Plains Commercial Designation is adjacent to the side of the site facing the Hammonds Plains Road. An office development is a good alternative use of this former church site, as it is on a corner lot and within a convenient walking distance [300 metres (984 feet)] of the Kingswood Business Centre.

A traffic impact statement (TIS), submitted in support of a recent proposal to develop a seniors' housing development on the adjacent site at 9 Crestfield Drive, revealed that there was residual capacity at the intersection of Hammonds Plains Road and Crestfield Drive.¹ The TIS noted that the traffic count conducted in 2021 indicated that the traffic demand along Crestfield Drive is about 550-600 vehicles per day which is substantially less than the 3,000 vehicle-per-day design capacity of this local street. The proposed entrance is via a shared driveway with the proposed entrance to 9 Crestfield Drive. A new TIS will be required for this proposed development to confirm capacity at the intersection and if there is any need for signalization or any other improvements.

The consultant has not specifically requested but has implied that the site should be redesignated and rezoned to a C-5 (Hammonds Plains Commercial) Zone. The C-5 Zone permits a wide range of uses that may not be considered appropriate for development at this location. This site is unique since it can be serviced with municipal water and sewer using the existing connection that was made to service the former St James Church. As such, the site is smaller and closer to the residential area than the lands zoned C-5 within the Hammonds Plains Commercial Designation. The site can function as part of this commercial service node but may require a site-specific amendment that can permit the proposed office building. This is an option that will be reviewed by staff, but it is premature to recommend any specific approach without having consulted with the community.

Conclusion

Staff advises that there is merit to consider the request to amend the Beaver Bank, Hammonds Plains, and Upper Sackville MPS and LUB to permit an office development at 1274 Hammonds Plains Road.

COMMUNITY ENGAGEMENT

Should Regional Council choose to initiate the MPS 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 MPS 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 Public Participation Administrative Order was approved by Regional Council on June 20, 2023. However, at the time of preparing this report, the Public Participation Administrative Order had yet to be enacted and is anticipated to be a few months out. A public information meeting and information on the Planning Application website is a reasonable approach for public engagement for this type of planning application and aligns with the Public Participation Administrative Order.

¹ Griffin Traffic Engineering/Transportation Planning. A Traffic Impact Statement for a Proposed Development at 9 Crestfield Drive. April 21, 2021

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.

The proposed amendment will potentially affect the Uplands Park Residents Association and the surrounding community residents. Consultation will have to be undertaken with the community to determine concerns and how those concerns may be addressed with any proposed amendment.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2023-2024 operating budget for Planning and Development.

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 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

No environmental implications are identified at this time.

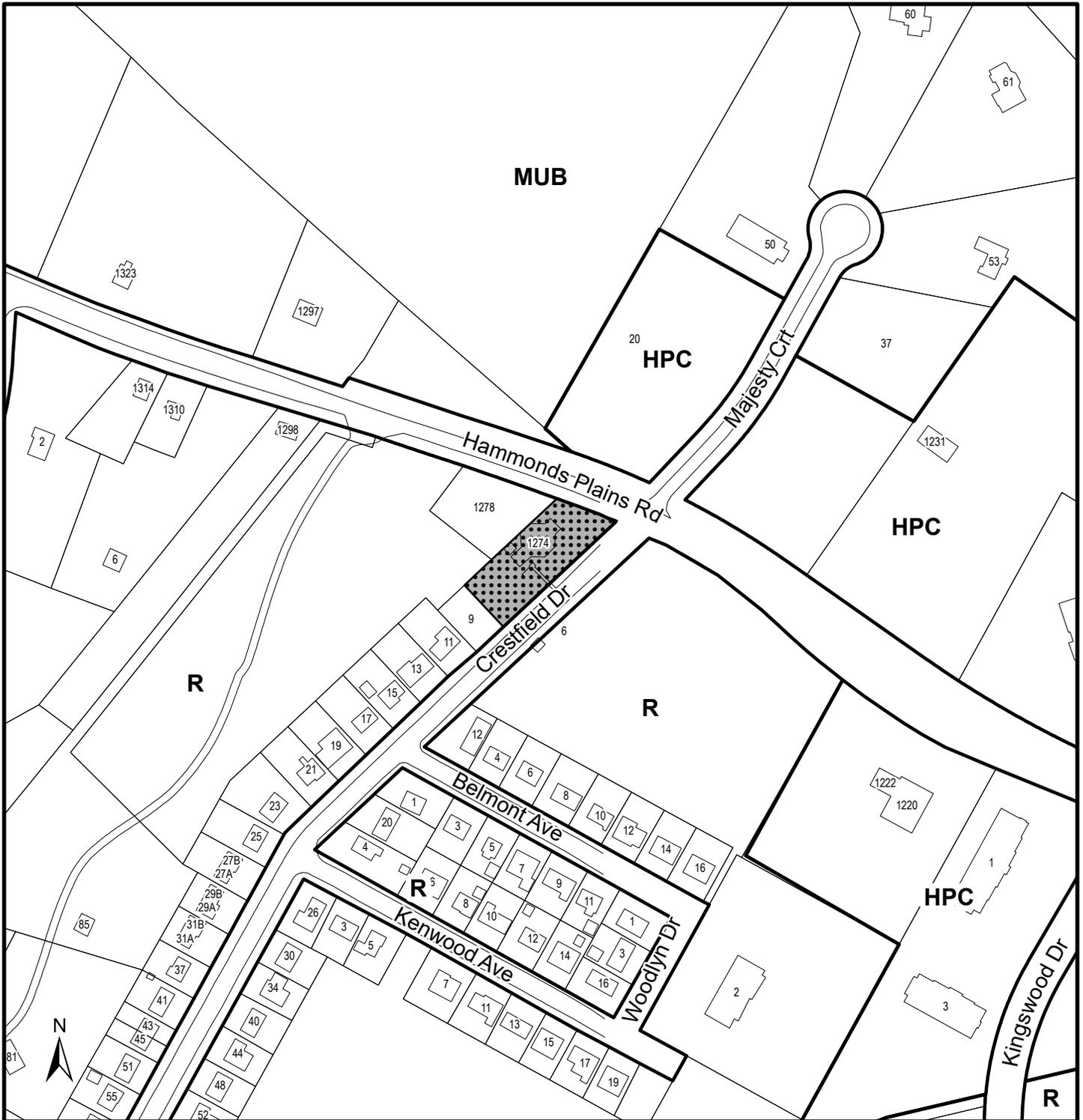
ALTERNATIVES

1. Regional Council may choose to initiate the consideration of a policy approach that would differ from the intent to consider a site-specific policy. This may require a supplementary report.
2. Regional Council may choose not to initiate the MPS amendment process. A decision of Council not to initiate a process to consider amending the MPS and LUB for Beaver Bank, Hammonds Plains, and Upper Sackville 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:	Hammonds Plains Commercial Designation Boundaries
Attachment A:	Proposed Site Plan
Attachment B:	Building Plans
Attachment C:	C-5 (Hammonds Plains Commercial) Zone under the Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville
Attachment D:	Application Rationale Letter

Report Prepared by: Maureen Ryan, Planner III, – Rural Policy and Applications, 782.640.0592



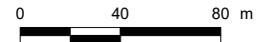
Map 1 - Generalized Future Land Use

1274 Hammonds Plains Rd,
Hammonds Plains

 Subject Property

Designation

- MUB Mixed Use B
- HPC Hammonds Plains Commercial
- R Residential

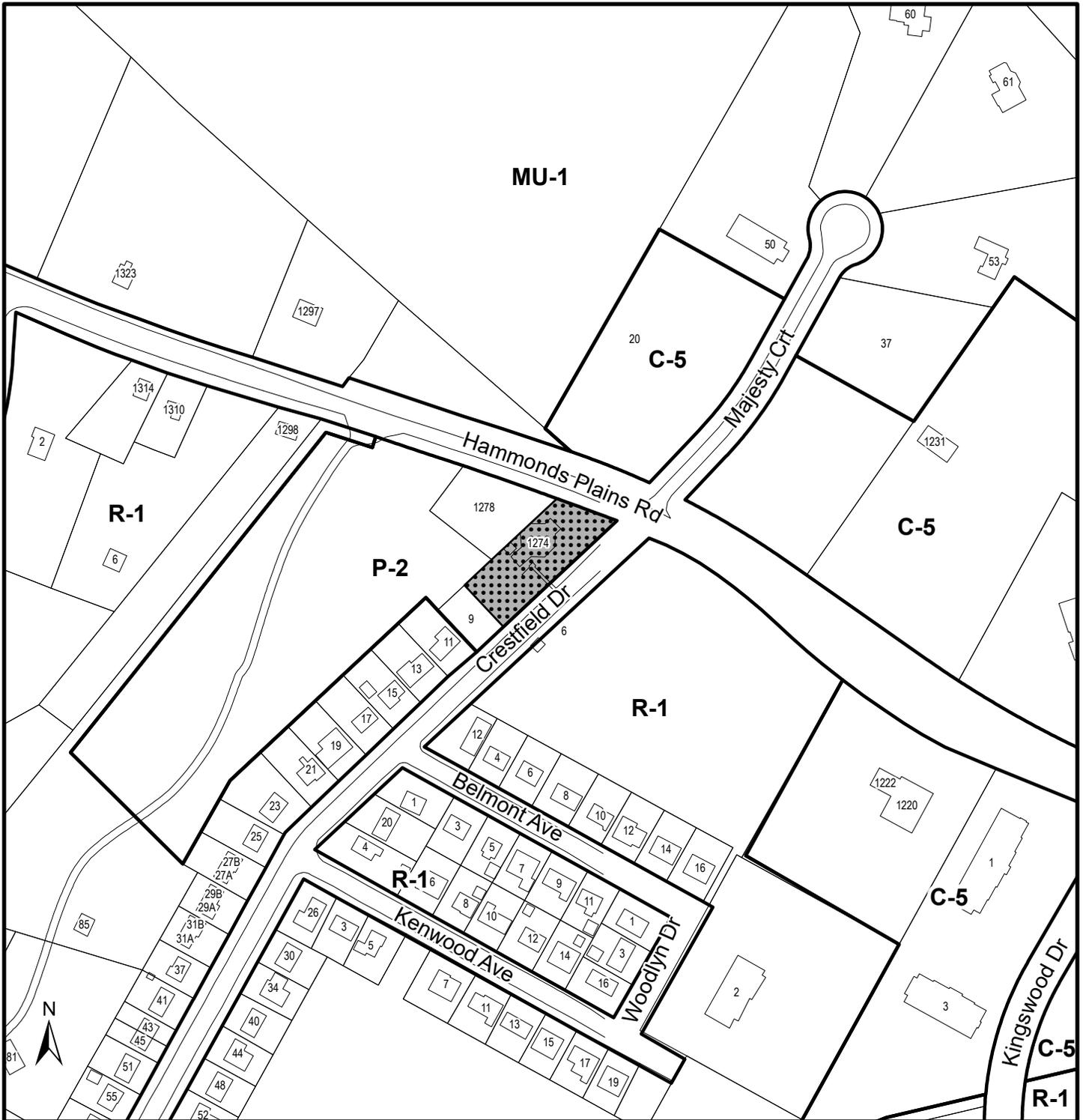


Beaver Bank, Hammonds
Plains and Upper Sackville
Plan Area

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.

HALIFAX



Map 2 - Zoning

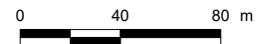
1274 Hammonds Plains Rd,
Hammonds Plains

HALIFAX

-  Subject Property
-  Area of Notification

Zone

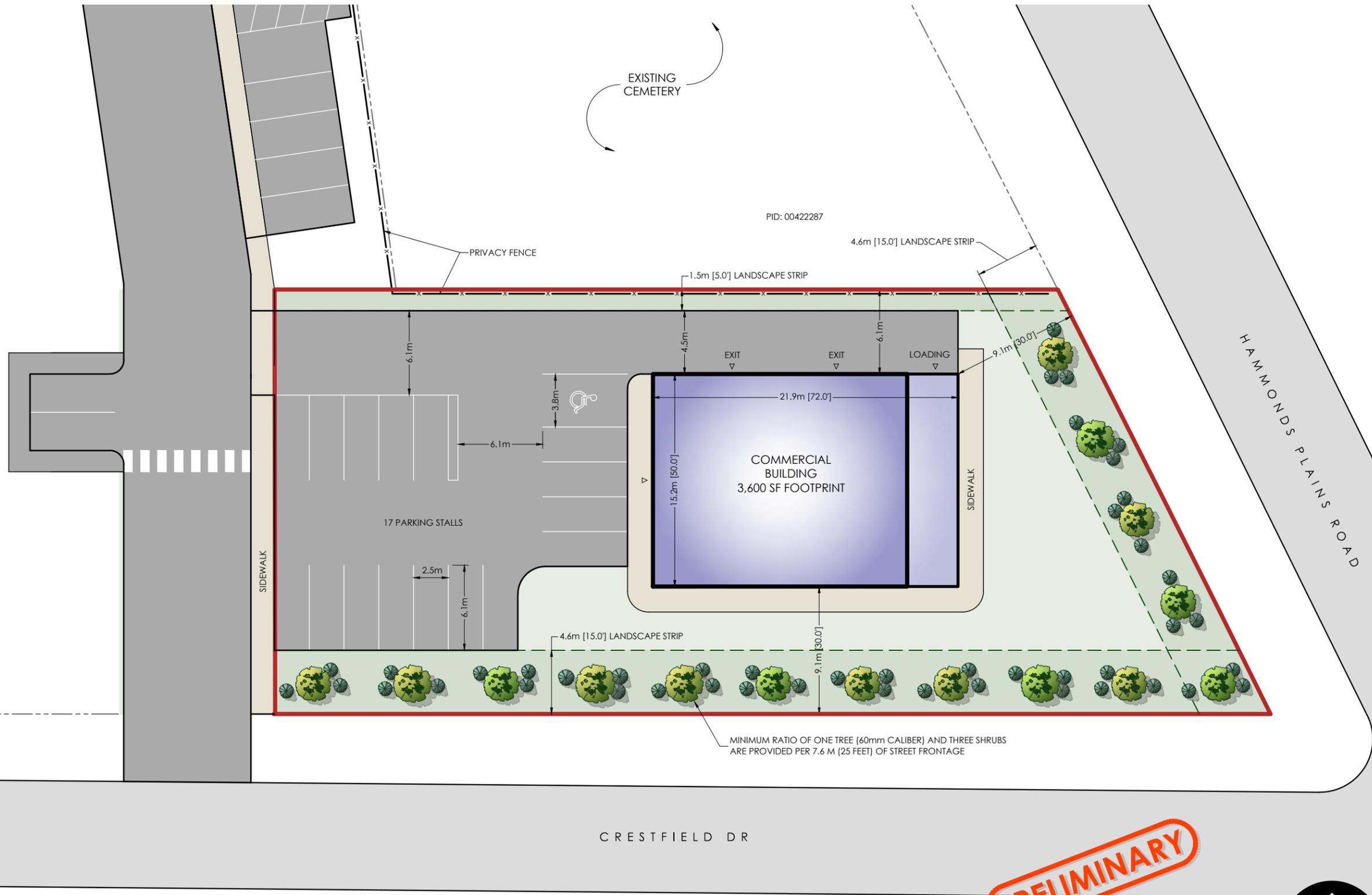
- C-5 Hammonds Plains Commercial
- P-2 Community Facility
- R-1 Single Unit Dwelling
- MU-1 Mixed Use 1



Beaver Bank, Hammonds
Plains and Upper Sackville
Plan Area

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.



LEGEND

- Site Boundary
- - - Adjacent Property Boundary

SITE SUMMARY:

- PID: 00422279
- Total Land Area: 21,656 SF
- Existing Zone: P-2

NOTES:

- Subject to survey. Property lines and topographic features are approximate only.
- Site subject to by-law review and regulations.

SOURCES:

- Plan based on BOWERS CONSTRUCTION Site Plan Rev 2 dated 01.07.2022 CAD file: 'A001.dwg'

SCALE:

0 1.5 3 7.5 15m

1 : 300

PRELIMINARY



CLIENT
BOWERS CONSTRUCTION

PROJECT
CRESTFIELD PROFESSIONAL OFFICES
Crestfield Drive, Hammonds Plains, Nova Scotia

DRAWING
SITE PLAN

PROJECT NO. **22-057** DRAWING NUMBER
DRAWN BY: KJW
100
DATE: JUNE 28, 2022

CRESTFIELD PROFESSIONAL OFFICES

REISSUED FOR REVIEW 07.21.2022

BOWERS
CONSTRUCTION



**Attachment C
Beaver Bank, Hammonds Plains, and Upper Sackville C-5 Zone**

PART 17A: C-5 (HAMMONDS PLAINS COMMERCIAL) ZONE (RC-Feb 9/10;E-Apr 3/10)

17A.1 C-5 USES PERMITTED

No development permit shall be issued in any C-5 (Hammonds Plains Commercial) Zone except for the following, pursuant to the Site Plan Approval process:

Commercial Uses

Food Stores

Service and Personal Service Shops

Full Service Restaurants

Take-Out Restaurants

Retail Stores

Banks and Financial Institutions

Offices

Bakeries

Veterinary Clinics and the associated boarding of animals

Greenhouses and Nurseries

Service Stations, including an accessory drive-up window on PID 41185133, and associated vehicles washing facilities

Theatres and Cinemas, except drive in theatres

Commercial Schools

Private Clubs not exceeding 418.1 m² (4,500 ft²) of gross floor area

Commercial Entertainment Uses in conjunction with Full Service Restaurants, not exceeding 232.3 m² (2,500 ft²) devoted to public use

Other Uses

Institutional Uses, excluding cemeteries

A maximum of four (4) dwelling units within a commercial use building

Public Utilities/Works Uses

Public Transit Terminals

Uses Accessory to Permitted Uses

17A.2 Site Plan Approval shall not be required for a change in use or occupancy within a building, internal renovations with no external renovation or modifications to a building, accessory buildings (not including vehicle washing facilities), or any signage.

17A.3 C-5 ZONE REQUIREMENTS

In any C-5 (Hammonds Plains Commercial) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	2,787 m² (30,000 ft²)
Minimum Lot Frontage on Hammonds Plains Road	61.0 m (200 ft)

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Beaver Bank, Hammonds Plains, and Upper Sackville C-5 Zone

Minimum Lot Frontage	30.5 m (100 ft)
Minimum Front/Flankage Yard Setback	9.1 m (30 ft)
Minimum Rear and Side Yard Setback	4.6 m (15 ft)
Minimum Setback from an abutting residential zone or use	9.1 m (30 ft)
Maximum Height of Building	10.7 m (35 ft)
Maximum Height of Institutional Building	15.2 m (50 ft)
Maximum Lot Coverage	50 %
Maximum Impervious Surface Coverage	75%
Minimum Landscaped Area	25%

17A.4 OTHER REQUIREMENTS: FLOOR AREA

- (a) The gross floor area of all buildings (including accessory buildings) on a lot in any C-5 (Hammonds Plains Commercial) Zone, including indoor parking at or above established grade, shall not exceed 2,787 m² (30,000 ft²). In addition, no building footprint shall exceed 1,393.5 m² (15,000 ft²).
- (b) Notwithstanding Section 17A.4 (a), where institutional uses are permitted in any C-5 (Hammonds Plains Commercial) Zone, the maximum footprint of an institutional building shall not exceed 1,858 m² (20,000 ft²).

17A.5 OTHER REQUIREMENTS: PUBLIC UTILITIES/WORKS USES AND PUBLIC TRANSIT TERMINALS

Where public utility/works uses and public transit terminals are permitted in any C-5 (Hammonds Plains Commercial) Zone, the following shall apply:

- (a) No development permit shall be issued for a public utility/works use or a public transit terminal except in conformity with the provisions of Part 22; and
- (b) Notwithstanding Section 17A.5(a), a public utility/works use or public transit terminal shall also conform, where applicable, with the Site Plan Approval provisions of the C-5 Zone, as required by Section 17A.14.

17A.6 OTHER REQUIREMENTS: SERVICE STATIONS

Where service stations are permitted in any C-5 (Hammonds Plains Commercial) Zone, the following shall apply:

- (a) The lot shall have a minimum area of 3,716 m² (40,000 ft²);
- (b) The lot shall have a minimum of 60 m (200 ft) of contiguous frontage on Hammonds Plains Road;
- (c) No building associated with a service station shall exceed 185.8 m² (2,000 ft²) of gross floor area;
- (d) No portion of pump island canopy shall be illuminated. Notwithstanding, a pump island canopy may be used as an anchor to direct light immediately beneath the canopy;
- (e) A pump island canopy associated with a service station may include one (1) sign, provided the sign is no larger than thirty (30) square feet and not backlit;

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Beaver Bank, Hammonds Plains, and Upper Sackville C-5 Zone

- (f) A pump island canopy associated with a service station shall include no less than two of the following architectural elements:
 - (i) recesses/projections;
 - (ii) cornices and parapets;
 - (iii) peaked roof forms;
 - (iv) architectural details such as tile or stone work, and decorative mouldings; and
 - (v) or any other similar architectural treatment deemed to be an acceptable equivalent;
- (g) No portion of any pump island, including a pump island canopy, shall be located closer than 6.1 m (20 ft) from any street line;
- (h) No more than four (4) fuel pumps shall be permitted on a lot;
- (i) No servicing or general repair of motorized vehicles shall be permitted;
- (j) Vehicle washing facilities (car wash) must be accessory to a service station and shall not exceed 185.8 m² (2,000 ft²) of gross floor area;
- (k) All architectural requirements applicable to the C-5 (Hammonds Plains Commercial) Zone shall apply to vehicle washing facilities;
- (l) No more than one (1) accessory drive-up window shall be permitted on a lot;
- (m) The accessory drive-up window shall be subordinate, normally incidental, and exclusively devoted to the service station;
- (n) The accessory drive-up window shall not be located on any facade facing a public street; and
- (o) No residential uses shall be permitted on the same lot.

17A.7 OTHER REQUIREMENTS: DWELLING UNIT USES

Where dwelling units are permitted in any C-5 (Hammonds Plains Commercial) Zone, the following shall apply:

- (a) Where a commercial use building contains residential units, the dwelling units shall not exceed 50 percent of the gross floor area of the commercial use building, nor be located at or below the ground floor;
- (b) No more than four (4) dwelling units shall be permitted within a commercial use building, and no more than eight (8) dwelling units shall be permitted on a lot; and
- (c) Amenity space shall be set aside for recreational purposes such as, but not limited to, common recreational areas, play areas, recreational rooms, roof decks, balconies, swimming pools, courtyards, gardens, patios and tennis courts and clearly identified on plans submitted for a Development Permit. The minimum amenity space shall be provided based on the type of residential unit as follows:
 - (i) One Bedroom/Bachelor: 18.6 m² (200 ft²)
 - (ii) Two Bedroom: 32.5 m² (350 ft²)
 - (iii) Three Bedroom: 46.5 m² (500 ft²)
 - (iv) Four or more Bedroom: 55.7 m² (600 ft²)

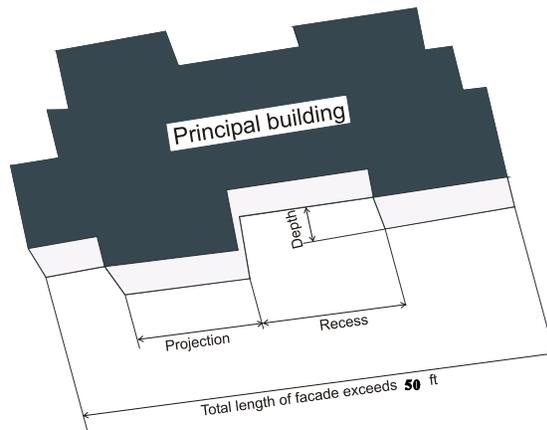
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For the purposes of determining amenity space requirements, one bedroom plus den/office units shall be considered to be a two-bedroom unit, two bedroom plus den/office units shall be considered to be a three-bedroom unit and so on.

17A.8 OTHER REQUIREMENTS: ARCHITECTURAL DETAIL

In any C-5 (Hammonds Plains Commercial) Zone, the following architectural requirements shall apply:

- (a) A combination of arcades, display windows, entry areas, permanent awnings or other such features shall be incorporated into all building facades along not less than 60 percent of their horizontal length facing a public street;



- (b) The predominant roof slope shall be pitched with a minimum slope of ten (10) degrees. The upper floor of any structure shall be articulated with a roof design that incorporates features such as dormers, parapets, peak roof forms, or other architectural treatment considered to be acceptable;
- (c) With the exception of corner lots, building lines shall be generally parallel or perpendicular to the public street;
- (d) No uninterrupted length of any facade facing a public street shall exceed 15.2 horizontal metres (50 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 15.2 horizontal metres (50 feet) in length, measured horizontally, having a depth of at least three (3) percent of the length of the facade and extending at least 20 percent of the length of the facade;
- (e) Building materials shall not include vinyl siding;
- (f) A minimum of one clearly defined, visible entrance way shall be provided on each facade oriented to the public street. All entrance ways required to be clearly defined shall include no less than three of the following elements:
- (i) canopies or porticos;
 - (ii) overhangs;
 - (iii) recesses/projections;
 - (iv) arcades;
 - (v) raised corniced parapets over the door;
 - (vi) peaked roof forms;

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Beaver Bank, Hammonds Plains, and Upper Sackville C-5 Zone

- (vii) display windows;
- (viii) architectural details such as tile or stone work, and decorative mouldings which are integrated into the building;
- (ix) integral planters or wing walls that incorporate landscaped areas and sitting places; and
- (x) or any other similar architectural treatment considered to be an acceptable equivalent;
- (g) The total window area per building facade shall not exceed 50 percent. Windows shall be accentuated by design details (i.e. arches, hoods, mouldings, decorative lintels, pediments, sills);
- (h) Rooftop equipment, including, but not limited to, satellite and other telecommunication equipment, air handling units, elevator equipment, cooling towers and exhaust fans shall be screened (visually) from the public street and adjacent properties. The screening shall include but not limited to parapets and enclosures. Building screens shall be part of the architectural design with similar detailing and materials and not appear as add-ons.

17A.9 OTHER REQUIREMENTS: LANDSCAPING

- (a) A 4.6 m (15 ft) wide landscape strip shall be provided along all street property lines, exclusive of driveways and walkways. The required landscape strip shall incorporate a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) shrubs per 7.6 m (25 feet) of street frontage. The incorporation of trees and shrubs into the required landscape strip may be provided in the form of groupings, provided a minimum ratio of one (1) tree and three (3) shrubs are provided per 7.6 m (25 feet) of street frontage;
- (b) Notwithstanding Section 17A.9(a), existing trees may be substituted where trees and shrubs are required; and
- (c) All other landscaped areas shall be grassed, or alternatively, natural ground covers such as water features, stone (washed or flat), mulch, perennials, and annuals may be utilized.

17A.10 OTHER REQUIREMENTS: DRIVEWAY ACCESS

- (a) No lot with less than 200 feet of contiguous frontage on Hammonds Plains Road shall be permitted driveway access onto Hammonds Plains Road;
- (b) Where a lot has a minimum of 200 feet of contiguous frontage on Hammonds Plains Road, a maximum of one (1) driveway access onto Hammonds Plains Road shall be permitted; and
- (c) A lot with more than 300 feet of contiguous frontage on Hammonds Plains Road may be permitted a maximum of two (2) driveway accesses onto Hammonds Plains Road.

17A.11 OTHER REQUIREMENTS: PARKING

- (a) Minimum parking requirements established in Section 4.26(a) shall be reduced by 20 percent in the C-5 (Hammonds Plains Commercial) Zone; and

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Beaver Bank, Hammonds Plains, and Upper Sackville C-5 Zone

- (b) All lots with more than twenty (20) required parking spaces shall have ten (10) percent of their parking area landscaped with vegetation such that the parking lots do not have groups of parking stalls greater than twenty (20) in an uninterrupted area. Landscape areas designed to separate a bank of parking stalls shall be a minimum of six (6) feet in width and may be calculated as pervious surface where applicable. Required landscaped areas associated with required parking shall have a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) shrubs.

17A.12 OTHER REQUIREMENTS: BICYCLE PARKING

- (a) Bicycle parking which permits the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact (bicycle racks - including wall mounted varieties) shall be provided at a rate of one (1) per 250 m² (2,691 ft²) of gross floor area, excluding residential units; and
- (b) Bicycle parking that secures an entire bicycle and protects it from inclement weather, which includes any key secured areas such as lockers, bicycle rooms, and bicycle cages shall be provided at a rate of one (1) per dwelling unit.

17A.13 OTHER REQUIREMENTS: OUTDOOR STORAGE AND DISPLAY

- (a) No outdoor storage is permitted in the C-5 (Hammonds Plains Commercial) Zone;
- (b) Outdoor display of goods and wares shall be permitted, provided the outdoor display is associated with a retail use, food store, bakery, greenhouse and nursery use, or institutional use; and
- (c) No outdoor display shall be permitted in any required parking area, required landscaped area, or any area required for pedestrian and vehicular movement.

17A.14 OTHER REQUIREMENTS: SITE PLAN APPROVAL

- (a) No development permit shall be issued for any use permitted in the C-5 (Hammonds Plains Commercial) Zone, prior to the Development Officer granting Site Plan Approval. Applications for Site Plan Approval shall be in the form specified in Appendix D. All applications for Site Plan Approval shall be accompanied by a site plan properly drawn to scale and of sufficient detail to address all of matters identified in this Section.
- (b) Notwithstanding the Site Plan Approval notification distance required by the Halifax Regional Municipality Charter, the Development Officer shall give notice in writing of an approved site plan, or the appealed refusal of a site plan, to every assessed owner whose property is within the greater of 200 m (656.2 ft) of the applicant's property.
- (c) Where Site Plan Approval provisions conflict with Part 4 and Part 5, the Site Plan Approval provisions shall prevail.

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- (d) The Development Officer shall approve a Site Plan where the following matters have been addressed:
- (i) landscaping required by the C-5 Zone includes the retention of existing natural vegetation, where feasible;
 - (ii) designated walkways, sidewalks, and other pedestrian connections incorporate a change in colour, texture, or material;
 - (iii) sidewalks are incorporated along the entire front facade of a commercial use building which contains three or more commercial occupancy spaces;
 - (iv) landscape elements such as but not limited to small shrubs, trees, benches, lighting, and planters are provided along the entire front facade of a commercial use building which contains three or more commercial occupancy spaces;
 - (v) designated walkways extend from building entrances to a public street and to any public park or trail system abutting the property, and unless otherwise not possible, do not cross any driveways or parking areas;
 - (vi) a storm water management plan is prepared by a Professional Engineer, which includes consideration of both upstream and downstream properties;
 - (vii) driveway access is located and designed to minimize impacts on adjacent properties;
 - (viii) required non-residential bicycle storage facilities are provided near the main entrances to buildings;
 - (ix) within any required side or rear yard, existing vegetation be retained unless it does not provide for adequate screening from abutting properties or where the existing vegetation conflicts with required parking and loading areas;
 - (x) where parking areas are located within any required side or rear yard abutting a residentially used or zoned property, screening is provided;
 - (xi) loading facilities are only located at the rear or side of the building and screened from any abutting residentially used or zoned property;
 - (xii) all refuse is screened from abutting properties and public streets;
 - (xiii) the Site Plan includes a lighting plan prepared by a lighting specialist, which identifies measures to ensure outdoor lighting is positioned and directed away from adjacent properties;
 - (xiv) a qualified professional has identified how all applicable landscaping requirements will be satisfied;
 - (xv) an active transportation corridor connecting the Uplands Park subdivision and Kingswood Drive that is designed to a standard acceptable by the Municipality, including a travel surface within the corridor that is clearly marked with a paved treatment such as concrete, asphalt, or interlocking brick. The corridor only applies to PID 41185539, but may be incorporated into PID 00422493, and may require the use of fencing or vegetation to clearly identify the corridor and assist in directing movement. Where the corridor is required, a public access easement in favour of the Municipality shall be

Attachment C
Beaver Bank, Hammonds Plains, and Upper Sackville C-5 Zone

established. The minimum width of the public access easement shall be six (6) m (19.7 ft). In the event the corridor is unable to connect to Municipal land, or to a public access easement in favour of the Municipality, development on PID 41185539 shall be designed to facilitate a potential corridor from PID 41185539, across the northern portion of PID 00420927 to Municipal land;

- (xvi) Residential units are connected, where applicable, to commercial buildings on the same lot, public parkland and open space, pedestrian trails and walkways, parking lots, the public right of way, and the intersection of Hammonds Plains Road and Gatehouse Run/Kingswood Drive. Pedestrian connections may be a combination of on-site crosswalks, walkways and sidewalks, or other forms acceptable by the Municipality;
- (xvii) queuing areas for accessory drive-up windows are not located between a building and the public street, and where visible from the public street, screening is provided. Queuing areas are clearly delineated and well integrated into the site, while all features associated with the drive-up window, including exit areas from the queue and the call-box, are located and designed to minimize impacts with driveway accesses; and
- (xviii) all matters required by site plan approval shall be maintained.

May 16, 2023

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

Re: Application for Municipal Planning Strategy Amendment, 1274 Hammonds Plains Road (PID 00422279)

On behalf of our client, Bowers Construction Inc., Zzap Consulting Inc. (Zzap) is pleased to submit a site-specific Municipal Planning Strategy (MPS) amendment application for a commercial office building located within the Beaver Bank, Hammonds Plains, and Upper Sackville Plan Area at 1274 Hammonds Plains Road (PIDs: 00422279). To support this application submission, the following materials are included as appendices:

- Completed Planning Application Form
- Appendix A: Plan Amendment Rationale
- Appendix B: Conceptual Building Drawings and Site Plan

We remain open to further revisions and improvements to the development plan as we move forward with a more detailed design in a collaborative manner with you and your colleagues.

We respectfully request that you provide us with an anticipated schedule for the plan amendment and development agreement process.

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

Kind Regards,



Connor Wallace, MCIP, LPP
Principal
ZZap Consulting

Plan Amendment Rationale

1.0 Site Description and Location

The subject site (Figure 1) is comprised of one 21,656 ft² lot on the corner of Hammonds Plains Road and Crestfield Drive.

The site is designated 'Residential' and lies within the Beaver Bank, Hammonds Plains, and Upper Sackville Municipal Planning Strategy (MPS) Area and is zoned P-2 Community Facility within the Land Use Bylaw (LUB). This zone allows for a range of institutional, limited residential and recreational uses. A vacant church currently occupies the site.

Figure 1 Subject Site

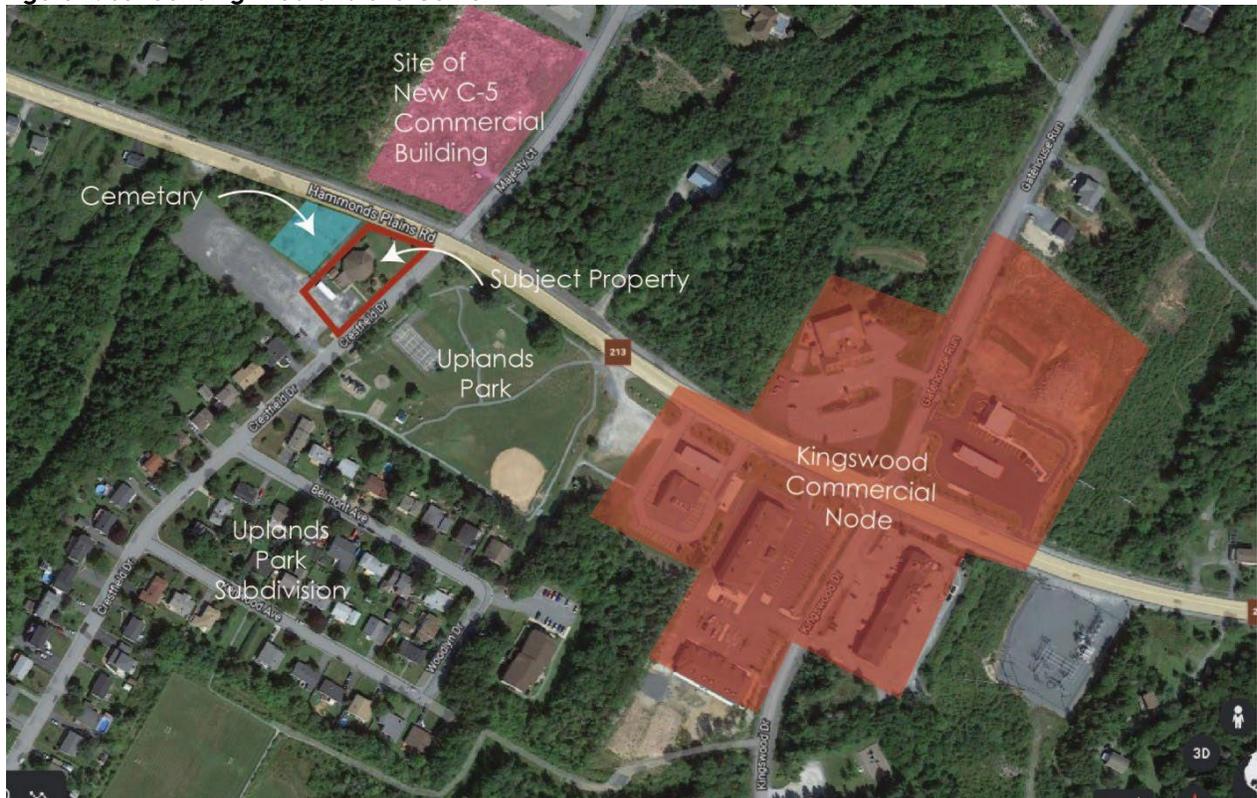


1.1 Site Context

The site is located approximately 300 metres west of the Kingswood commercial node at the intersection of Kingswood Drive/Gatehouse Run and Hammonds Plains Road. Adjacent land uses include: Uplands Park to the east, single-unit dwellings to the

south, a cemetery to the west and a lot under development to the north. Crestfield Drive leads to the Uplands Park subdivision and the road terminates within approximately 730 metres of the Hammonds Plains intersection. A range of land uses are found on the either side of Hammonds Plains Road including, residential, commercial, institutional, agricultural, office, and public services. A new one-storey commercial building is being constructed directly across Hammonds Plains Road (20 Majesty Court) under the C-5 Hammonds Plains Commercial zone. The surrounding zoning is a mix of R-1 (Single-Unit Dwelling), C-5 (Hammonds Plains Commercial), and P-2 (Community Facility).

Figure 2: Surrounding Area and Site Context



2.0 Summary of Development Proposal

Bowers Construction Inc. is seeking to develop a new two-storey 5,915 ft² (549.5 m²) office building on the lot. The proposed development would include seventeen parking stalls (including one reserved space for mobility disabled) and one loading bay (Appendix B). Access is from Crestfield Drive through a proposed shared driveway with the neighbouring property. The driveway provides access to the subject site as well as a recently approved seniors housing development, as

illustrated on Appendix B. The building would be located in the southeastern portion of the lot with the main entrance from the south elevation (i.e. facing the parking lot) The high level of glazing and high-quality exterior cladding on all street-facing elevations works to increase the transparency and visual interest from the street. The eastern elevation (facing Crestfield Drive) includes an articulated building face with two-storeys of continuous glazing at the northeast corner of the building. The building is designed to comply with the LUB architectural design requirements including (Appendix B):

- A predominant minimum roof slope of 10 degrees,
- Roof design features including parapets or other architectural treatments,
- Wall plane projections and recesses facing all public streets,
- High quality exterior cladding materials including dark tone brick and wood grain composite siding (no vinyl siding),
- A clearly defined entrance on every street-face which include:
 - Canopies
 - Overhangs
 - Recesses/projections
 - Display windows
- Windows with decorative design details
- Rooftop equipment that is clad with similar detailing and materials

Currently, the site is connected to the municipal sanitary system and we have been advised that the proposed light commercial office complex would be permitted to be serviced municipally.

3.0 Planning Background

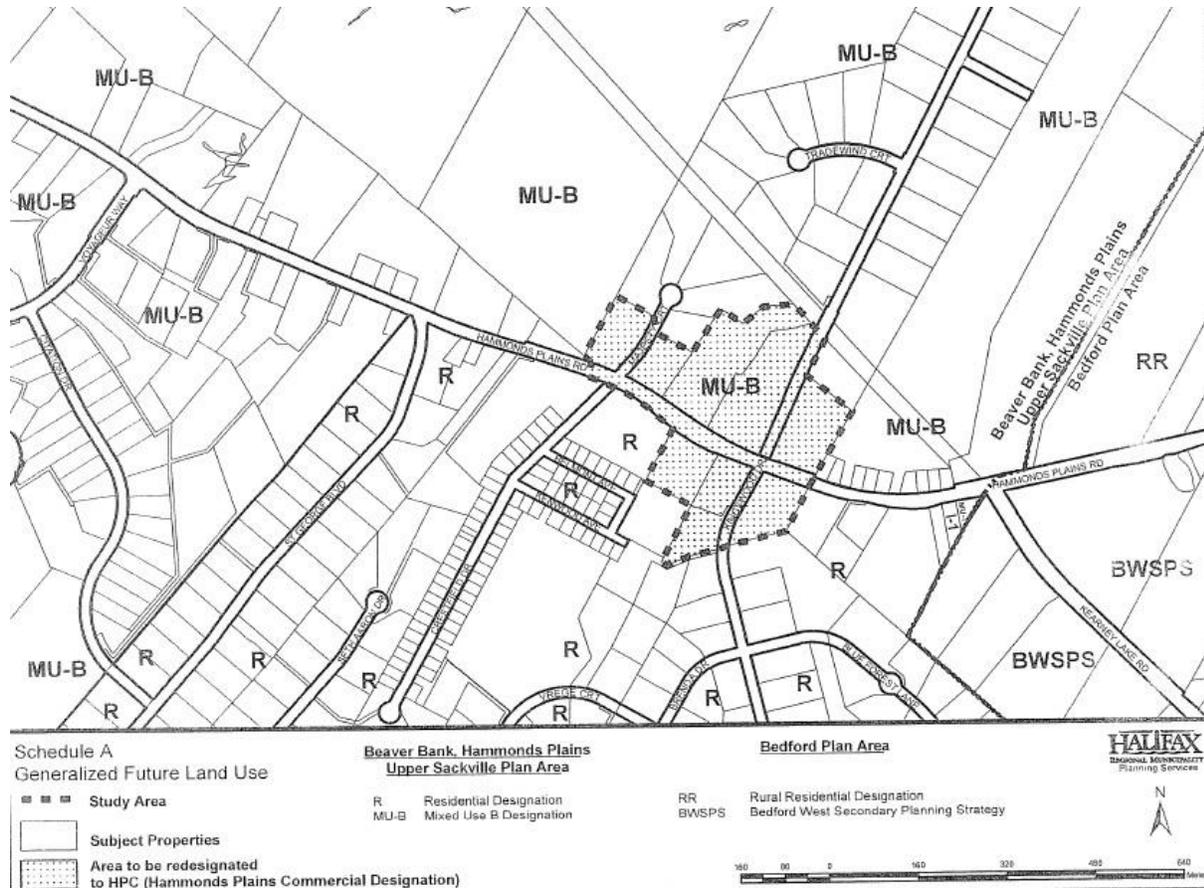
The Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS) was adopted over twenty years ago at a time when there was limited commercial growth in Hammonds Plains. However, Hammonds Plains was undergoing rapid population growth. Between 1991 and 1996 there was a 72.9% percent increase in the Hammonds Plains population. This population growth was largely a result of redevelopment through residential subdivision. During this same period Beaver Bank's population increased by 3.9%, Upper Sackville's population increased by 8.1% and HRM saw a 3.7% population increase. It is significant to note that during the 1990s the pattern of development within the Hammonds Plains community saw a considerable transition from rural to suburban and this pattern persists today.

Relevant to this amendment proposal is a 2008 development application (Case 01186) submitted to the municipality to redesignate and rezone two properties at the intersection of Hammonds Plains Road and Kingswood Drive/Gatehouse Run. These

applications prompted a more holistic review of land uses in the area. At that time, HRM staff recognized that the legacy of rapid residential subdivision had left the Hammonds Plains community without a distinct commercial node to serve the growing population. Staff, therefore, recommended that a new land use designation (Hammonds Plains Commercial “HPC”) and zone (C-5 Hammonds Plains Commercial) be applied to several properties surrounding Hammonds Plains Road (Figure 3) to address this shortage of commercial land. The rationale provided to Council that enabled consideration of the amendments centred on a “change in circumstance” or “significantly different situation” than that contemplated in original plan policies. An October 2009 staff report outlined these new circumstances as follows:

1. **New Streets:** Prior to the early 1990s the intersection at Hammonds Plains Road and Kingswood Drive did not exist. As subdivision occurred in the surrounding areas a new four-way intersection was built at Kingswood Drive/Gatehouse Run and Hammonds Plains Road. Further, in conjunction with the Kingswood North subdivision a second four-way intersection was created and aligned with the existing three-way intersection at Hammonds Plains Road and Crestfield Drive.
2. **Residential Growth:** At the time the 2009 Council report was written 1,500 new residential lots had been created through subdivision in the areas surrounding the four-way intersection.
3. **Limited Commercial Growth:** In 2009 there was no clearly defined commercial node despite significant increases in residential growth. Commercial development was occurring intermittently along Hammonds Plains Road.
4. **Upgrades to the Intersection:** changes to the intersection and Hammonds Plains Road and Kingswood Drive/Gatehouse Run were necessary to facilitate traffic flow.

Figure 3 Properties Included in 2009 Study Areas (Source: Halifax Regional Municipality)



Staff, in the October 2009 report, also identified a need to apply a more comprehensive planning approach to the lands around the Hammonds Plains/Gatehouse Run intersection as the north and south sides were regulated in the MPS and LUB quite differently. Land north of the intersection was designated as Mixed Use-B which enabled rezonings for residential and commercial uses while lands south of the intersection were designated Residential and therefore did not have a comparable commercial rezoning potential.

Council adopted the amendments to the MPS and LUB in February 2010 and the new Hammonds Plains Commercial (HPC) land use designation and zone (C-5 Hammonds Plains Commercial) were applied to the properties included in the study area. The intent of the new designation and zone was to, “encourage a commercially focussed node that is comprehensive, cohesive, and designed to compliment the community.” (Policy P-47(a)). At the time the MPS and LUB

amendments were adopted the St. James Catholic Church owned and operated a church on the subject property and, it was, therefore, not included in the initial study area. The existing land use designation (Residential) and zoning (P-2) was maintained. The property was recently sold and is now vacant.

Notably, 20 Majesty Court, on the opposite side of Hammonds Plains Road was included in the amendment and is currently being redeveloped under the C-5 Hammonds Plains Commercial Zone.

4.0 Rationale for Application Request

As discussed in Section 3.0 of this application, HRM staff, in their 2009 report, identified a demand for more commercial land uses in this immediate area. Staff stated that amendments to the MPS and LUB are warranted when a “change in circumstance” or “significantly different situation” arises than those contemplated in existing planning documents. In keeping with this rationale Bower Inc, in consultation with zzap, believe that a similar circumstance exists in today's context. The subject property was excluded from the MPS amendments due to the site's long-standing institutional use (property records indicate that the Roman Catholic Episcopal Corporation of Halifax had owned the property since 1961) and that use no longer exists at the site. The applicant, therefore, contends that this new circumstance justifies a reconsideration of the suitable land uses for this property.

The current P-2 zoning would allow for a range of community facility uses while the Residential land use designation limits the rezoning potential to single-unit dwellings (PolicyP-34). This highly visible corner is not well-suited to low density residential (i.e. single-unit) development. Current planning approaches to land use at intersections favour commercial or multi-unit residential land uses as they are more compatible with higher traffic locations. In this case, the applicant seeks to develop a commercial office space.

A commercial/office use at this location is appropriate for the following reasons:

- Compatibility with existing land uses: the site is surrounded by recreational, residential and commercial land uses. An office use will not conflict with these surrounding uses in terms of traffic, parking or operating hours.
- It can be accommodated on the undersized lot due to its ability to hook into central services.
- Part 4, Section 4.5 of the Beaver Bank, Hammonds Plains, and Upper Sackville LUB enable development on lots that do not meet the minimum lot frontage

or area requirements of the zone (Existing Undersized Lots).

- The property at 20 Majesty Court is currently being developed under the C-5 zone. An adjacent commercial use on the subject site is congruent with this.
- A commercial use would compliment the "node" as it is consistent with the land use pattern established at the Hammonds Plains/Kingswood Drive intersection where commercial uses on the corner properties create a concentrated retail node.

5.0 Impact on local community and broader region

Not only will the amendments have a minimal impact on the local community, but we believe that the development will enhance the community through both a high level of attention to building design and the economic benefit of employment land uses being added to the area. Bowers Inc. intends to utilize the buildings for their company headquarters and therefore, is committed to a long-term investment in the area.

5.1 Why this consideration cannot wait until the next HRM initiated MPS review

The applicant recognizes that HRM staff are mid-way through a Regional Municipal Planning Strategy Review process and development of a Suburban Plan and changes to future land use designations and zoning may be proposed for this area. However, given the uncertain timeline of the completion of the next phase of Municipal Plan review and specifically the adoption of the Suburban Plan, Bowers Construction Inc. requests that Regional Council consider changes to the Beaver Bank, Hammonds Plains, and Upper Sackville MPS to allow the development of the property under the C-5 Hammonds Plains Commercial zone.

6.0 Conclusion

Based on the change in circumstance on this and the commercial node concept developed in close proximity to this site, the amendments requested for this property are in keeping with Plan policy. Approving the proposed amendments would assist in expanding the commercial and employment generating lands in Hammonds Plains.