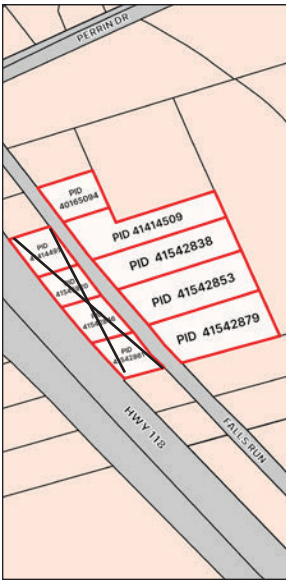


## Request for Text Amendment

Dear Jessica,

Thank you for your input so far on our original letter request back in September. We have updated our letter to focus on the following PIDS:

- 40165094
- 41414509
- 41542838
- 41542853
- 41542879



CONTEXT MAP

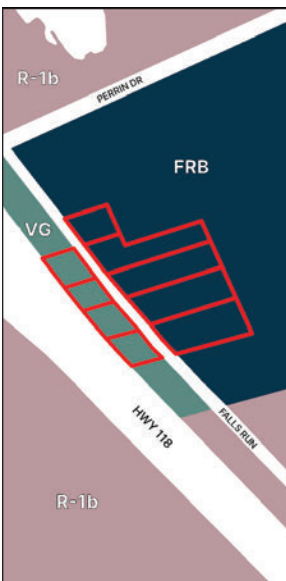
We have removed the request for changes to the other 4 pids which are part of the Chapman land assembly. The owner has potential retail use that could work within the as of right requirements of the current zone for those PIDS. This letter provides context on the remaining 5 PIDS above and outlines our request in detail to enable the development of these properties. The site comprises 5 PIDS totalling approximately 11.4 acres with each PID fronting onto Falls Run, as shown in the context map. The client hopes to construct an automotive facility on the site for autobody, repairs, warehousing and administration as they are looking to relocate some of their auto services from the Halifax peninsula further out of the city. The City is actively trying to push automotive sales and servicing uses off the peninsula to more suburban and rural areas, so it is important to accommodate some of these uses in areas along major highway corridors such as Fall River, where there is already a 30 acre TIR repair and storage facility bordering these PIDS.

## Existing Zoning and Policy Background

The site falls within one zone under the Planning Districts 14/17 Shubenacadie Lakes Land Use By-Law; Fall River Business (FRB) for PIDs 40165094, 41414509, 41542838, 41542853, and 41542879, and Village Gateway (VG) for PIDs 41414491, 41542820, 41542846, and 41542861. The existing zoning requirements of both zones are as follows:

- Minimum Lot Area: 40,000 ft<sup>2</sup> (3,716 m<sup>2</sup>)
- Minimum Frontage: 100 feet (30.4 m)
- Minimum Front or Flankage Yard: 30 feet (9.1 m)
- Minimum Side Yard: 15 feet (4.5 m)
- Minimum Rear Yard: 15 feet (4.5 m)
- Maximum Lot Coverage: 35%
- Maximum Height of Main Building: 35 feet (10.7m)

Additionally, the VG zone has a maximum impervious surface coverage requirement of 50%.



CURRENT ZONING MAP



While both zones enable a variety of commercial, residential, and community uses, the FRB zone (which covers the vast majority of the site) specifically permits light manufacturing uses and existing service stations. However, a use that would permit the construction of an autobody shop/ vehicle servicing facility is absent from either zone. Within the LUB, there already exists the “Vehicle Services” use which is defined as follows:

“The use of a building or land to provide sales of vehicles or services for vehicles, including but not limited to: autobody shops, automotive repair outlets, car dealerships, car washes, service stations, retail gasoline outlets and vehicle depots.”

This use is currently only allowed in the Commercial Industrial Zone (CI) which was created as a result of a 2022 rezoning request to enable development on quarry lands to the south of the site. The CI zone shares many of the same uses as the FRB zone with slightly more industrial uses permitted. The FRB Zone currently permits construction storage yards, parking lots, light manufacturing, warehousing and wholesaling, building supply outlets, and funeral establishments as permitted uses. These uses produce a very similar form of development from what is proposed; namely a large industrial building with parking and storage areas around it. Further, both zones were created specifically to enable commercial/industrial uses adjacent to their respective highways. The Shubenacadie Lakes MPS defines the purpose of the FRB zones in RL-9, stating:

“The intent of this Zone is to provide for the **continued development of highway-related commercial uses** to be situated near the highway interchanges of Highway 118 and Highway 102. In order to create a commercially viable area for retail and service-related commercial development within the Canal Court, Village Core, Village Mainstreet and Village Gateway Zones, permitted uses will be limited to light industrial uses that are not obnoxious or have the potential to adversely impact the receiving waters of the Shubenacadie Lakes System. This Zone will however, permit building supply stores and

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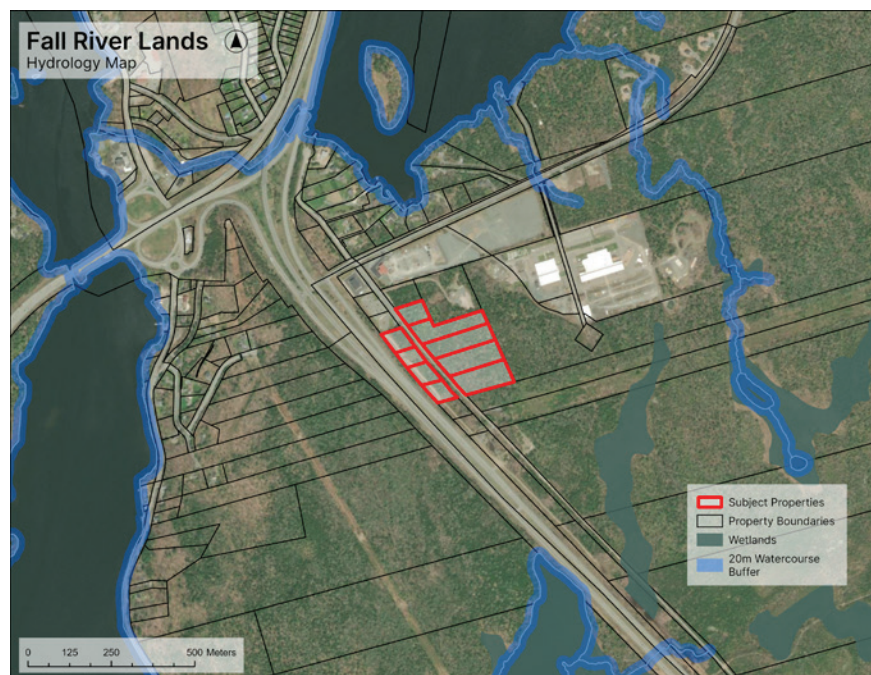
community uses and residential uses that are accessory to the permitted uses within the Zone. **The Zone will also permit highway oriented commercial uses such as warehouses, construction yards, light manufacturing uses, and other commercial uses**, as well as, institutional and open space uses.”

Given that they list light industrial uses, we believe that vehicle service uses are very much in keeping with this stated intent. This location is especially fitting for this service as it is close to Highway 118 and far enough away from the village centre to not disrupt residents. The land nearby zoned for residential uses is separated to the west of the property by a highway and to the north by distance and a road. Additionally, there is a Nova Scotia Transportation facility and the Payzants Fulfillment Centre to the North of the Property. Meaning that the area is already being used for warehousing and industrial purposes. We would request staff to add vehicle services to the list of permitted uses in the FRB zone.

While the majority of the site is zoned to FRB, the PIDs between Falls Run and Highway 118 are zoned to VG. The VG zone allows for many commercial uses similar to those of the FRB zone, such as garden centres, parking lots, retail stores, funeral establishments, greenhouses, and nurseries; it does not include warehouses, construction yards, or light manufacturing uses. The purpose, as stated in RL-6 of the MPS, is:

“The intent of this Zone is to create an attractive form of development to create a visually pleasing entry way into the community while allowing for the development of commercial activities that will benefit from the location at provincial highway interchanges.”

The developer intends to build a smaller well-designed vehicle parts retail shop on this site with high visibility from the highway and right next to the HRM park and Ride facility so that vehicles could be dropped off for repair across the street close to the bus terminal. We think the retail use will fit the VR zone so we are not asking for any zoning changes on that parcel. No GFLUM change would be necessary for the FRB rezoning as both zones fall in the RLVC designation. Given that the subject site is further away from the entrance to the village centre, developing the site as FRB should not create a considerable change to the surrounding area. Additionally, the FRB zone

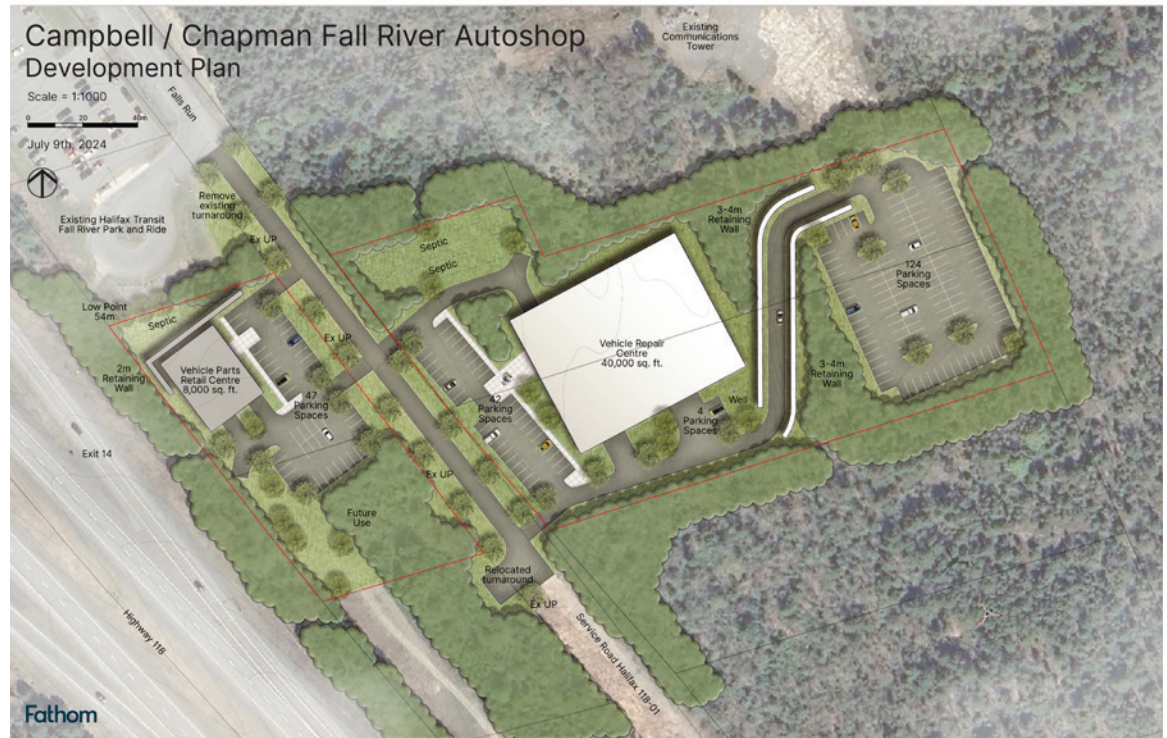


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includes requirements for buffers when the site is located abutting a highway, so any development would require a landscaped buffer along the highway, which would conceal the parking from the highway. Chapman's is high-end auto certified repair shop that represents Tesla, BMW, Porsche, and Infiniti, so the quality of the repair facility and grounds must be built to the highest standards. This is not a typical mom and pop or low-end repair facility.

Additionally, the conceptual vehicle services facility will act as a replacement for the existing location on Agricola Street on the Halifax Peninsula. This current autobody stop sits within a heavily trafficked pedestrian area full of small-scale businesses and residences. The autobody shop would not be able to be built under the current zoning rules and is considered a non-conforming use. Moving this location off of the peninsula to the Fall River site would reduce vehicle traffic to the site, eliminate a potentially disturbing use, and free up a very large site for much-needed housing development in Halifax's regional centre. We have recently undertaken a Yield Study for redeveloping this Chapman Auto Agricola property as a mixed use development and we can achieve almost 100 units and 300 m<sup>2</sup> of commercial space. This cannot happen without a new site to move to.



Given concerns about the local watercourses, it is important to note that all zones within Planning Districts 14/17 must adhere to the watercourse setbacks and buffer policies in section 4.17 of the LUB. This section includes policies that restrict development within 20m of the ordinary high-water mark of watercourses. While this site is not situated within the 20m buffer of the surrounding water courses, the site's position in relation to the surrounding water courses was considered in the site design process. Above is a map of the subject site and the surrounding watercourses, watercourse buffers, and wetlands. Note that the wetlands are consistent with those in Schedule D of the Planning Districts 14 and 17 LUB. While this site is not within any watercourse buffers, it is important in the final site design to address storm and wastewater concerns as it is within the Bomont-Shubenacadie River and Collin's Park Water source protection areas. A stormwater management plan would be prepared as part of the eventual DP submission if these rezoning requests are adopted. We believe that the intended use would not be any more detrimental to the environment

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as the other permitted uses in the FRB zone. Collision Centres are highly regulated uses by the Department of Environment, and they are no more likely to create environmental impacts than the other permitted uses in this zone.

In the past, there have been amendments to the LUB for Vehicle Services through development agreements in other similar planning areas, such as Keizer's Autobody shop on Sackville Drive and the automobile repair outlet at 782 Main Street in Westphal. When Keizer's Autobody shop development agreement was accepted by the council, stormwater treatment concerns were addressed by Senior Planner Andrew Bone, who noted that the development would have an onsite oil and grit separator to mitigate the risk of runoff. We predict that there would be similar provisions to mitigate the environmental effects of the site usage on the surrounding area.

### Conceptual Site Plan

Our team has put together a conceptual site plan to demonstrate how the site may be developed if the re-zoning and text amendment were accepted. This plan includes two buildings: a smaller building with a footprint of 8,000 ft<sup>2</sup> on the western side of the Falls Run intended for vehicle parts retail sales and a larger vehicle repair facility on the land to the eastern side of the Falls Run. In this concept, the larger building will be used for vehicle services, including warehouse, repairs, autobody and administration. The Halifax transit park and ride abutting the property is an asset to the site and its services as it makes the site more accessible to the rest of HRM. Often, when with vehicle autobody facilities, people drop off a vehicle for repairs, so having a connection to the transit system is important as people may not have a vehicle to travel to and from the site. Given that autobody services are slowly being relocated away from the city centre, it is important that they remain accessible to people through HRM by public transit.

This concept design retains much of the site's permeable green space while adding two buildings and surface parking. The perimeter of the site includes landscaped space to provide a buffer to the abutting land, which is currently mostly forested. The buildings have a combined footprint of 4,460m<sup>2</sup> (48,000ft<sup>2</sup>) with 105 parking spaces.

### The Request

We are requesting 1 zoning change be considered:

1. "Vehicle Services" be added to the list of permitted uses in the FRB zone

In reviewing the RIVER-LAKES SECONDARY PLANNING STRATEGY that is part of the MPS, we do not believe there are any plan amendments needed in making these requests and that the addition of "vehicle Services" is in keeping with the nature of the existing light industrial permitted uses in the FRB zone. We have ensured that in the site plan, most of the parking is either located on the side of the new buildings or to the rear of the new buildings consistent with the Secondary Plan recommendations.

### Conclusion

This proposal seeks a relatively minor text amendment to the planning documents to enable a use that is very similar to what is already permitted as-of-right. Doing so would allow for the development of a new vehicle services facility that would draw cars and other personal vehicles away from the urban core of Halifax while also opening up key land in the Regional Centre for housing. Similar text amendments and rezonings have been previously approved in the other areas of HRM and multiple mitigation strategies exist to prevent the contamination or degradation of nearby hydrological features. This is a highly regulated

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industry in the Province. We hope that we have sufficiently shown the rationale behind the request but if you have any questions or concerns, please feel free to reach out at any time.

