



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

Item No. 14.1.1
North West Community Council
October 6, 2025

TO: Chair and Members of North West Community Council

FROM: Erin MacIntyre, Acting Executive Director of Planning and Development

DATE: September 2, 2025

SUBJECT: **PLANAPP-2025-00132: Amendments to the Planning District 4 Land Use By-law to add self-storage facility as a permitted use in the C-2 zone and to substantively amend the existing development agreement at 2287 Prospect Road, Hatchet Lake (PID 40545626)**

ORIGIN

Application by Innovation Architects.

EXECUTIVE SUMMARY

This report recommends amendments to the Land Use By-law for Planning District 4 to add 'self-storage facility' as a permitted use in the General Business (C-2) Zone along with substantive amendments to the existing development agreement for 2287 Prospect Road in Hatchet Lake. The addition of 'self-storage facility' to the zone will allow for smaller scale storage, separate from a warehousing use, to be located on lands zoned C-2. This use is comparable to other commercial uses permitted within the C-2 Zone. The proposed amending agreement requires additional parking spaces and a loading space be provided when the self-storage facility use is located within the existing commercial building. Staff recommend North West Community Council approve the proposed amendments to the Land Use By-law for Planning District 4 to add 'self-storage facility' as a permitted use within the C-2 Zone and approve the substantive amendments to the existing development agreement at 2287 Prospect Road.

RECOMMENDATION

It is recommended that North West Community Council:

1. Give First Reading to consider the proposed amendments to the Land Use By-law for Planning District 4, as set out in Attachment A, to add 'self-storage facility' as a permitted use to the C-2 (General Business) zone and schedule a public hearing;
2. Give notice of motion to consider the proposed amending development agreement, as set out in Attachment B, and schedule a public hearing for the amending development agreement which shall be held concurrently with that indicated in Recommendation 1;
3. Adopt the amendments to the Land Use By-law for Planning District 4, as set out in Attachment A of this report;

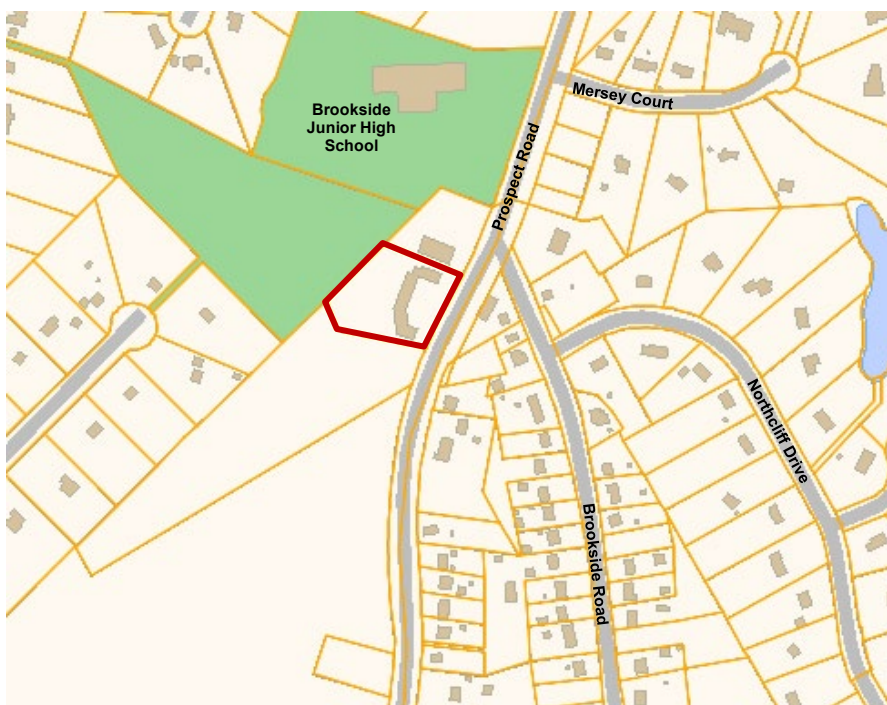
RECOMMENDATION CONTINUES ON NEXT PAGE

Contingent upon the amendment to the Planning District 4 Land Use By-law being approved by Community Council and becoming effective pursuant to the requirements of the *Halifax Regional Municipality Charter*, it is further recommended that North West Community Council:

4. Provisionally approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment B; and
5. Require the amending agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

Innovation Architects has applied to amend the General Business (C-2) Zone of the Planning District 4 Land Use By-law (LUB) to add 'self-storage facility' as a permitted use. Concurrently, the applicant has applied for a substantive amendment to the existing development agreement at 2287 Prospect Road to allow a self-storage within the existing commercial development.



Source: HRM Mapping

Subject Site	2287 Prospect Road (PID 40545626)
Location	South-west of the intersection of Prospect Road and Brookside Road, and south of Brookside Junior High School
Regional Plan Designation	RC (Rural Commuter)
Community Plan Designation (Map 1)	RB (Residential B) under the Planning District 4 Municipal Planning Strategy
Zoning (Map 2)	C-2 (General Business) under the Planning District 4 Land

	Use By-law
Size of Site	7,648.6 square metres (1.89 acres)
Street Frontage	Approximately 75 metres (246 feet) on Prospect Road
Current Land Use(s)	Commercial development including a physiotherapy clinic, bakery, and fast-food restaurant
Surrounding Use(s)	North - commercial development including a drug store, medical office and Brookside Junior High School South – vacant / undeveloped lands East - Prospect Road West - low density residential and recreation uses

Proposal Details

The applicant has indicated they wish to develop a 'self-storage facility' use within an existing commercial development located at 2287 Prospect Road in Hatchet Lake. The subject property is regulated by an existing development agreement that allows for the development of commercial land uses permitted within the General Business (C-2) zone of the Planning District 4 Land Use By-law (LUB). As a 'self-storage facility' use is not a permitted use within the C-2 zone, the applicant is proposing amendments to the Planning District 4 LUB to add 'self-storage facility' as a permitted use to this zone, which will allow the applicant to develop the use on the subject property within the existing commercial building.

Concurrently, the applicant has requested substantive amendments to the existing development agreement at 2287 Prospect Road to reflect a 'self-storage facility' use. The major aspects of the proposal are as follows:

- Adding 'self-storage facility' as a permitted use to the C-2 zone of the Planning District 4 LUB;
- Require seven additional parking spaces for a 'self-storage facility' use;
- Require one loading space be provided for a 'self-storage facility' use; and
- Allow a shared entrance point for two commercial occupancies.

History of Development Agreement

2015 Development Agreement (Municipal Case 19311)

2287 Prospect Road is subject to an existing development agreement that was [approved by Halifax and West Community Council on September 15, 2015](#)¹. The development agreement permits a commercial development that exceeded the maximum building footprint of 10% of the lot area. The existing development agreement consists of:

- A commercial development that exceeds the maximum building footprint of 10% of the lot area at approximately 12%;
- Allowing commercial uses as permitted in the C-2 zone of the Planning District 4 LUB;
- Controls related to parking, building materials, landscaping, and signage; and
- Access from Prospect Road.

2019 First Amending Agreement (Municipal Case 21941)

In 2019, the applicant requested amendments to the existing development agreement to extend the dates of commencement and completion (First Amending Agreement). An extension to the commencement and completion dates allowed for additional time to complete the extensive fill required to level the site, to complete the detailed engineering drawings required, and the construction of the addition. This First Amending Agreement was [approved by Halifax and West Community Council on January 8, 2019](#)².

Enabling Policy and LUB Context

¹ <https://legacycontent.halifax.ca/Commcoun/west/documents/150915hwcc811.pdf>

² [Case 21941: Non-substantive amendments to an existing development - Halifax and West Community Council - January 8, 2019 | Halifax.ca](#)

The subject property is designated Residential B (RB) and zoned General Business (C-2) under the Planning District 4 Municipal Planning Strategy (MPS) and Land Use By-law (LUB) respectively. The Residential B designation's primary intent is to support low density residential land uses while allowing for the continued development of a variety of business uses. As the C-2 zone limits the size of a commercial building to a maximum footprint of 10% of the lot area, the applicant applied for a development agreement to allow for the construction of an addition to an existing commercial building that would exceed the 10% requirement. The proposal was considered pursuant to Policies RB-10 and IM-11 of the Planning District 4 MPS through the development agreement process.

Policy RB-9 of the Planning District 4 MPS establishes the C-2 zone within the Residential B designation. The intention of the C-2 zone is to permit the development of general commercial uses, excluding service stations, motels and entertainment uses. At the time that the Planning District 4 LUB was adopted, a 'self-storage facility' use was not contemplated. Warehousing is a permitted use within the LUB, but only within the Light Industry (I-1) zone and is defined as *a building used primarily for the storage of goods and materials*. The addition of self-storage facility as a permitted land use will allow for smaller scale storage, separate from a warehousing use, to be located on lands zoned C-2. As a 'self-storage facility' use is not currently a listed as permitted by the LUB, staff propose adoption of the definition for 'self-storage facility' from the Regional Centre LUB and propose to add that definition to Part 2 (Definitions) of the Planning District 4 LUB. If approved, the use will be defined as *'... premises in one building or a group of buildings that contain individually rented storage units.'*

DISCUSSION

Staff have reviewed the proposal relative to all relevant policies and advise that it is reasonably consistent with the intent of the MPS and LUB for Planning District 4.

Proposed Land Use By-law Amendments

Attachment A contains the proposed LUB amendments which include defining 'self-storage facility' within the definitions sections and adding it as a permitted use within the C-2 zone. In addition, the proposed amendments also include minimum requirements for parking and loading spaces for a 'self-storage facility' use.

The intention of Policy RB-9 is to establish a general business zone which permits the development of general commercial uses, excluding service stations, motels and entertainment uses, up to a maximum of ten percent of the lot area. To address compatibility concerns the C-2 zone places controls on open storage and outdoor display, location and screening of refuse containers, parking and signage. The proposed amendments align with the intent of the MPS by supporting flexible and diverse commercial development within the C-2 zone and will require the new use to meet the controls noted above. The inclusion of 'self-storage facility' is compatible with the existing permitted commercial uses, which includes building supply outlets, retail stores, offices, and light equipment sales and rentals. Allowing for smaller scale storage with the C-2 zone, separate from warehousing, is in keeping with the general intent of the C-2 zone.

If a proposal for a self-storage facility were proposed and met the proposed LUB requirements, including the limitations on the building size, it would be permitted as-of-right in the C-2 zone. The addition of 'self-storage facility' in the C-2 zone will permit the proposed use to a maximum of ten percent of the lot area where development is subject to the permit process. Where development beyond ten percent is desired through Policy RB-10, a planning application will be required and will include additional controls through the provisions of a development agreement and will be subject to a discretionary decision of Community Council.

In terms of the additional proposed amendments to the LUB, a 'self-storage facility' use not exceeding 464.5 square meters (5,000 square feet) is proposed to require a minimum of 3.3 parking spaces per 92.9 square meters (1,000 square feet) of gross floor area, which is consistent with similar commercial uses. This ensures consistency across commercial developments and maintains a predictable development standard.

For example, the applicant is proposing a 'self-storage facility' use of approximately 178.4 square meters (1,920 square feet). Based on the calculation of 3.3 parking spaces per 92.9 square meters (1,000 square feet) of gross floor area, the proposed development would require an additional seven parking spaces. The required number of parking spaces has been reflected in the proposed amending agreement.

Proposed Amending Development Agreement

Attachment B contains the proposed second amending agreement for the subject property and the conditions under which development may occur. The proposed amending agreement addresses the following matters:

- Requires an additional seven parking spaces to be provided for a 'self-storage facility' use;
- Requires a minimum of one loading space to be provided for a 'self-storage facility' use; and
- Allows for two commercial occupancies to share an entrance, where one of the occupancies is a 'self-storage facility' use.

The attached amending agreement will continue to permit any commercial use within the C-2 zone of the Planning District 4 LUB. The proposed LUB amendments include the addition of 'self-storage facility' as a permitted use within the C-2 zone which, pending approval of the development agreement amendments, will allow for a 'self-storage facility' use on the subject property. Of the matters addressed by the proposed amending agreement to satisfy the MPS criteria, as shown in Attachment C, the following have been identified for detailed discussion.

Traffic and Site Access

Policy RB-10(d) refers to '*...the impact of the proposed use on the existing road network in terms of traffic generation and vehicular and pedestrian safety*'. The existing development agreement, Case 19311, was reviewed by Nova Scotia Department of Public Works (DPW) (former Nova Scotia Department of Transportation and Infrastructure Renewal) and determined that as the commercial development would have minimal impact on the Prospect Road, a traffic impact statement was not required. At that time, DPW required that the existing driveway be relocated to provide safer access and egress to the development. The existing development agreement included this requirement prior to the issuance of a construction permit.

As part of this application to amend the existing agreement, DPW reviewed the proposal and determined that as the commercial development was constructed, that the intention was to allow for an additional similar commercial use within the existing building, and as no change was proposed to the access, a traffic impact statement was not required.

Staff have reviewed the proposal in terms of all relevant policy criteria and advise those policies are unchanged from the time of the original approval and the development remains reasonably consistent with the intent of the MPS.

Priorities Plans

In accordance with Policy G-14A of the Halifax Regional Plan, the objectives, policies, and actions of the priority plans, inclusive of the Integrated Mobility Plan, the Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027 in making its recommendation to Council. In this case, the proposed LUB amendments and proposed amending development agreement does not directly conflict with any specific objectives, policies, or actions of the priorities plans.

Conclusion

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is reasonably consistent with the intent of the MPS and LUB. While 'self-storage facility' use was not originally contemplated for the C-2 zone of the Planning District 4 LUB, the use is similar to those permitted in the zone. This amendment will allow commercial businesses or residents to obtain smaller storage space in the Hatchet Lake area. Additionally, the amending development agreement requires additional parking and loading space requirements for a 'self-storage facility' use to reduce potential parking concerns. Therefore,

staff recommend that North West Community Council approve the proposed LUB amendments and amending development agreement.

FINANCIAL IMPLICATIONS

No financial implications at this time are imposed under or incurred in order to satisfy the terms of this proposed amending development agreement. The administration of the proposed amending development agreement and LUB amendments can be carried out within the approved 2025-2026 operating budget for Planning and Development.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Regulatory and Appeals Board. Information concerning risks and other implications of adopting the proposed LUB amendments and amending development agreement is contained within the Discussion section of this report.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the Public Participation Administrative Order (2023-002-ADM). The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, and letters mailed to property owners within the notification area.

A total of 66 letters were mailed to property owners and tenants within the notification area (Map 2). The HRM website received a total of 140 unique pageviews over the course of the application, with an average time on page of 40 seconds. One nearby commercial property owner and one resident contacted staff on the application. The comments received include the following topics:

- Concerns related to the potential traffic impacts due to the growing commercial uses in the area;
- Concerns regarding the provided number of parking spaces; and
- Concerns regarding road safety.

A public hearing must be held by North West Community Council before they can consider approval of the proposed LUB amendments and proposed amending development agreement. Should North West Community Council decide to proceed with a public hearing on this application, in addition to the advertisement on the HRM webpage, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail. The HRM website will also be updated to indicate notice of the public hearing.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

LEGISLATIVE AUTHORITY

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

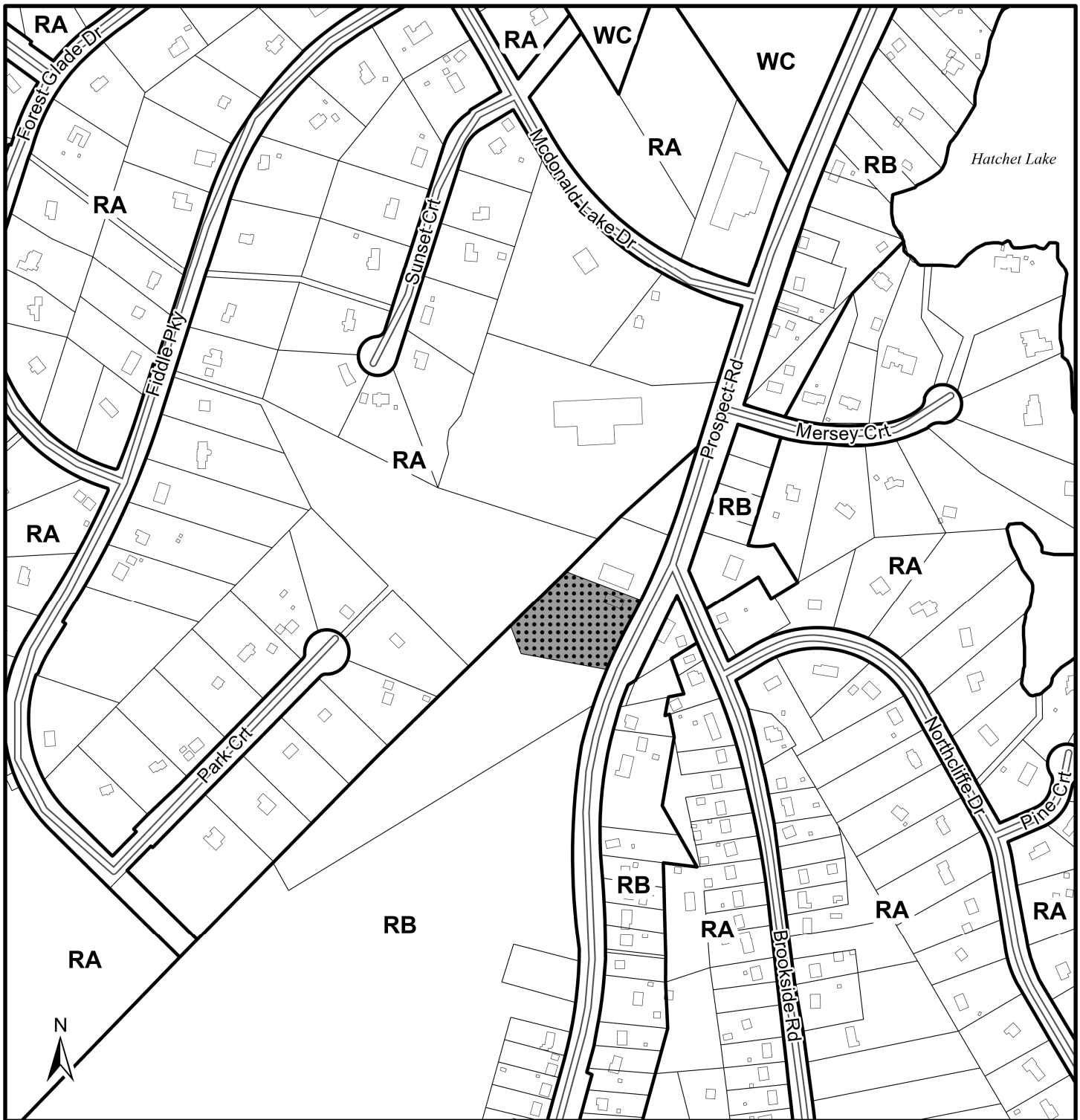
ALTERNATIVES

1. North West Community Council may choose to approve the proposed amendments to the Planning District 4 LUB and the proposed amending development agreement subject to modifications. Such modifications may require further negotiation with the applicant and may require a supplementary report or another public hearing. A decision of Council to approve the proposed LUB Amendment or proposed amending development agreement is appealable to the N.S. Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.
2. North West Community Council may choose to refuse the proposed amendments to the Planning District 4 LUB and proposed amending development agreement, and in doing so, must provide reasons why either or both do not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed LUB amendment or amending development agreement is appealable to the N.S. Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1:	Generalized Future Land Use
Map 2:	Zoning and Notification Area
Attachment A:	Proposed Land Use By-law Amendments
Attachment B:	Proposed Second Amending Agreement
Attachment C:	Review of Relevant MPS Policies

Report Prepared by: Sahar Ghasemshahi, Planner II – Planning & Development, 902.476.1747



Map 1 - Generalized Future Land Use


2287 Prospect Road
Hatchet Lake

HALIFAX

 Subject Property

Designation

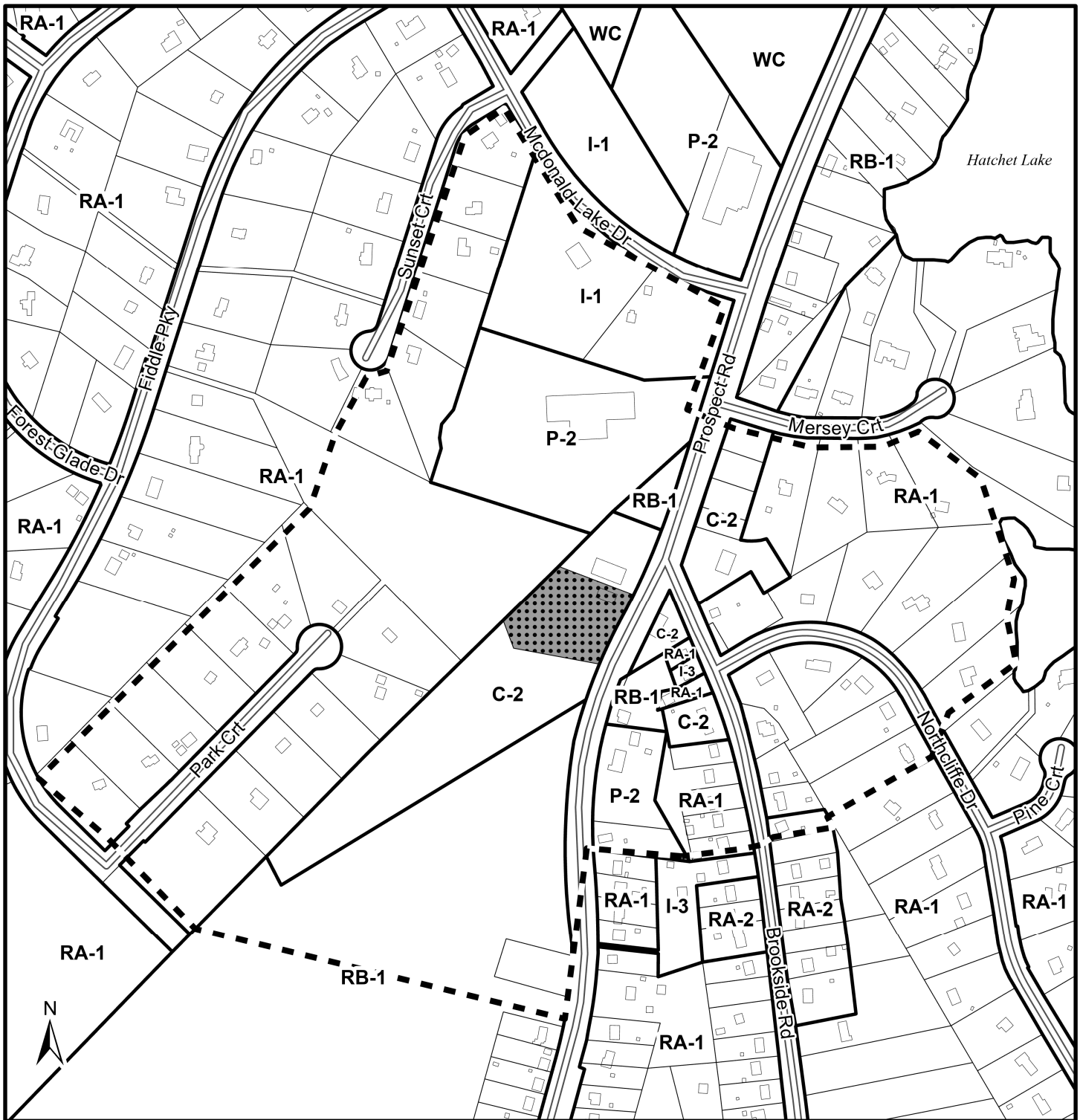
RA Residential A
RB Residential B
WC Western Common

0 40 80 120 160 m


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.

Planning District 4
Plan Area



Map 2 - Zoning and Notification Area

2287 Prospect Road
Hatchet Lake

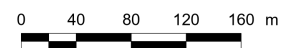
-  Subject Property
-  Area of Notification

Planning District 4
Land Use By-Law Area

Zone

C-2	General Business
I-1	Light Industry
I-3	Local Service
P-2	Community Facility
RA-1	Residential A-1
RA-2	Residential A-2
RB-1	Residential B-2
WC	Western Common

HALIFAX



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

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

ATTACHMENT A

Proposed Amendments to the Land Use By-law for the Planning District 4

BE IT ENACTED by the North West Community Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 4 (Prospect) is hereby further amended as follows:

1. Amending Part 2: DEFINITIONS by inserting Subsection 2.79A , as shown below in bold, immediately following Subsection 2.79:

2.79A SELF-STORAGE FACILITY means premises in one building or a group of buildings that contain individually rented storage units.

2. Amending Subsection 4.25(a) of Part 4:GENERAL PROVISIONS FOR ALL ZONES, by adding the text “and self-storage facility” immediately after the text “Retail stores, service and person service shops”, as shown below in bold:

USE

PARKING REQUIREMENT

Retail stores, service and person service shops
and self-storage facility:

(i) exceeding 5,000 square feet (465.5 m ²) of gross floor area	5.5 spaces per 1,000 square feet (92.9 m ²) of gross floor area
(ii) not exceeding 5,000 square feet (465.5 m ²) of gross floor area	3.3 spaces per 1,000 square feet (92.9 m ²) of gross floor area

3. Amending Section 4.28 LOADING SPACE REQUIREMENTS of Part 4: GENERAL PROVISIONS FOR ALL ZONES, by inserting subsection (d) immediately following subsection (c), as shown below in bold:

(d) In any zone, no person shall erect or use any building or structure for a self-storage facility, unless there is maintained on the same premises a loading space(s) with every such use:

GROSS FLOOR AREA

NO. OF SPACES

Less than 4,999 sq.ft. (464.4 m ²)	1
5,000 - 14,999 sq.ft. (464.5 - 1393.5 m ²)	2
15,000 - 34,999 (1393.6 - 3251.5 m ²)	3
More than 35,000 (3251.6 m ²)	4

4. Amending Section 26.1 of Part 26: C-2 (GENERAL BUSINESS) ZONE by adding the text “Self-Storage Facility” immediately following “Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms”, as shown below in bold:

26.1 C-2 USES PERMITTED

No development permit shall be issued in any C-2 (General Business) Zone except for the following:

Commercial Uses

Banks and financial institutions
Retail stores

Personal service shops
Offices
Commercial schools
Restaurants, drive-inns, take-outs and mobile canteens
Parking lots
Funeral parlours
Medical, dental, and veterinary clinics
Service shops
Automotive repair outlets
Athletic, sports, and health clubs
Greenhouses and nurseries
Outdoor display courts
Building supply outlets
Light equipment sales and rentals
Marinas and boat yards
Marine service industries (WRCC-Sep 27/95;E-Oct21/95)
Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms (RC-Feb 21/23;E-Sep 1/23)
Self-Storage Facility

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the North West Community Council held on [DATE], 2025.

Iain MacLean
Municipal Clerk

Attachment B: Proposed Second Amending Agreement

THIS SECOND AMENDING AGREEMENT made this day of **[Insert Month]**, 20__,

BETWEEN:

[Insert Name of Corporation/Business LTD.]

a body corporate, in the Province of Nova Scotia
(hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY

a municipal body corporate, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at 2287 Prospect Road, Hatchet Lake (PID 40545626), and which said lands are more particularly described in **Schedule A** hereto (hereinafter called the "Lands");

AND WHEREAS on September 15, 2015, Halifax and West Community Council approved an application to enter into a Development Agreement to allow an addition to an existing commercial building and commercial uses on the Lands (Municipal Case 19311), and which said Development Agreement was registered at the Land Registration Office in Halifax on November 30, 2015 as Document Number 108179582 (hereinafter called the "Original Agreement");

AND WHEREAS on January 8, 2019, the Halifax and West Community Council approved an application to amend the Original Agreement to allow for a three (3) year extension to the Commencement of the Development date and a five (5) year extension to the Completion of the Development date for development on the Lands (Municipal Case 21941), and which said First Amending Agreement was registered at the Land Registration Office in Halifax on May 23, 2019 as Document Number 114497374 (hereinafter called the "First Amending Agreement"), and which does apply to the Lands;

AND WHEREAS the Original Agreement and the First Amending Agreement together comprise the Existing Development Agreement (hereinafter called "the Existing Agreement");

AND WHEREAS the Developer has requested that further amendments to the Existing Agreement to allow for addition parking spaces and loading space requirements for the proposed self-storage facility use, which has been added to the permitted commercial uses within the C-2 zone through an amendment to the Planning District 4 Land Use By-law on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to Policy RB-10 of the Planning District 4 Municipal Planning Strategy and Section 3.16(b)(v) of the Planning District 4 Land Use By-law;

AND WHEREAS the North West Community Council approved this request on **[Insert – Date]** referenced as PLANAPP-2025-00132;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

1. Except where specifically varied by this Second Amending Agreement, all other conditions and provisions of the Existing Agreement as amended shall remain in effect.
2. The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Second Amending Agreement and the Existing Agreement.
3. Section 3.1 of the Existing Agreement shall be amended by deleting the text shown in ~~strikeout~~, and inserting the text shown in bold as follows:

Schedule A	Legal Description of the Lands
Schedule B	Site Plan and Landscape Plan
Schedule B-1	Site Plan and Landscape Plan
Schedule C	Elevations

4. The Existing Agreement shall be amended by deleting the following Schedule shown in ~~strikeout~~:

~~Schedule B~~ ~~Site Plan and Landscape Plan~~

5. The Existing Agreement shall be amended by inserting the following Schedule:

Schedule B-1 Site Plan and Landscape Plan

6. The Existing Agreement shall be amended by deleting all text references to Schedule B and replacing them with the respective reference to Schedule B-1.

7. Section 3.4.5 of the Existing Agreement shall be amended by inserting the text shown in bold, as follows:

3.4.5 Each commercial occupancy shall have its own separate entrance from the front of the building **except two (2) commercial occupancies, where one of the occupancies is a Self-Storage Facility use, are permitted to share an entrance where both commercial occupancies enter and exit into a vestibule that has direct access to the front of the building.** Changes to the location of each entrance, as shown on the schedules, is permitted to accommodate this as determined by the Development Officer.

8. Section 3.6.2 of the Existing Agreement shall be amended by deleting the text shown in ~~strikeout~~, and inserting the text shown in bold, as follows:

3.6.2 The parking areas shall provide a minimum of 26 parking spaces. **An**

additional seven (7) parking spaces shall be required for a Self-Storage Facility use.

9. Section 3.6 of the Existing Agreement shall be amended by inserting the text immediately following Section 3.6.3, as shown in bold as follows:

3.6.4 A minimum of 1 loading space shall be provided for a Self-Storage Facility use as generally shown on Schedule B-1.

IN WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

Per: _____

Print Name: _____

Position/Title: _____

Date Signed: _____

=====

SIGNED, DELIVERED AND ATTESTED to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

=====

HALIFAX REGIONAL MUNICIPALITY

Witness

Per: _____

MAYOR

Date Signed: _____

Witness

Per: _____

MUNICIPAL CLERK

Date Signed: _____

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, personally came and appeared _____, the subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that _____ of the parties thereto, signed, sealed and delivered the same in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, personally came and appeared _____, the subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that Andy Fillmore, Mayor and Iain MacLean Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

[illegible]

PROJECT: 2287 PROSPECT ROAD		DRAWN: WML	CHECKED: KJ GANDHI	REVISIONS			INNOVATION ARCHITECTS TEL: 832-9400 FAX: 445-2634 CELL: 209-1101
TITLE: SCHEDULE B-1: SITE PLAN AND LANDSCAPING PLAN			APPROVED: KJ GANDHI				
DWG. NO. A-101		SCALE: 1" = 40'-0"	PROJECT NO.	JUN 24 2025	FOR REVIEW	01	
				DATE	DESCRIPTION	NO.	

Attachment C - Review of Relevant MPS Policies

Planning District 4 (Municipal Planning Strategy)	
RESIDENTIAL B DESIGNATION	
Policy	Staff Comments
<p>Policy RB-9 <i>Notwithstanding Policy RB-2 or Policy RB-4, within the Residential B Designation, it shall be the intention of Council to establish a general business zone which permits the development of general commercial uses, excluding service stations, motels and entertainment uses, up to a maximum floor area of ten (10) percent of the lot area. In order to address compatibility concerns, this zone shall place controls on open storage and outdoor display, the location and screening of refuse containers, parking and signage and require screening from existing and future residential developments. This zone shall be applied to existing commercial uses located throughout all of Planning District 4 and special provisions will be made to permit the increased use of existing structures located on lots listed in Sections 26.5 and 26.6 of the land use by-law. In considering amendments to the land use by-law, for new commercial uses, within the Residential B Designation, Council shall have regard to the following:</i></p>	
<p><i>(a) that the architectural design (external appearance) and scale of any building is compatible with nearby land uses;</i></p>	<p>The architectural design and scale of the commercial development was reviewed under Municipal Case 19311, approved by the Halifax and West Community Council on September 15, 2015. Through this application, no changes are proposed to the architectural design or scale of the building. The proposed self-storage facility use would be located within the already constructed commercial development.</p>
<p><i>(b) the impact of the proposed use on the existing road network in terms of traffic generation and vehicular and pedestrian safety; and</i></p>	<p>It was determined by Nova Scotia Department of Public Works (formerly Nova Scotia Department of Transportation and Infrastructure) that a traffic impact statement was not required under Municipal Case 19311. It was further determined by NS Department of Public Works that a traffic impact statement was not required for this application as the intention is to allow for a new use in an already constructed commercial development.</p>
<p><i>(c) the provisions of Policy IM-11.</i></p>	<p>See below.</p>
<p>Policy RB-10 <i>Notwithstanding Policy RB-2 or Policy RB-4, within the Residential B Designation, Council may consider permitting uses permitted in the general business zone, which are in excess of ten (10) percent of lot area, service stations, motels and entertainment uses in accordance with the development agreement provisions of the Planning Act. In considering such agreements, Council shall have regard to the following:</i></p>	

<i>(a) that the architectural design (external appearance) and scale of any structures are compatible with nearby land uses;</i>	The architectural design and scale of the commercial development was reviewed under Municipal Case 19311, approved by the Halifax and West Community Council on September 15, 2015. Through this application, no changes are proposed to the architectural design or scale of the building. The proposed self-storage facility use would be located within the already constructed commercial development.
<i>(b) that adequate separation distances are maintained from low density residential developments;</i>	The subject property is not adjacent to any low-density residential properties.
<i>(c) the provision of landscaping and screening from any adjacent residential development;</i>	Landscaping and screening of the existing commercial development was reviewed under Municipal Case 19311. The existing development agreement includes controls related to landscaping and screening and no changes are proposed to these requirements are proposed through this application.
<i>(d) the impact of the proposed use on the existing road network in terms of traffic generation and vehicular and pedestrian safety;</i>	It was determined by Nova Scotia Department of Public Works (formerly Nova Scotia Department of Transportation and Infrastructure) that a traffic impact statement was not required under Municipal Case 19311. It was further determined by NS Department of Public Works that a traffic impact statement was not required for this application as the intention is to allow for a new use in an already constructed commercial development.
<i>(e) the means by which solid and liquid waste will be treated;</i>	<p>Servicing requirements were reviewed under Municipal Case 19311. The existing development agreement requires solid waste to be stored either in the main building or in a separate building which is screened from Prospect Road. No changes to these requirements are proposed as part of this application.</p> <p>The existing commercial development is serviced by an on-site septic system. No changes are proposed as part of this application.</p>
<i>(f) the effects of the development on the natural environment and the means for handling stormwater runoff;</i>	A preliminary stormwater management plan was reviewed and accepted by Nova Scotia Department of Public Works (formerly Nova Scotia Department of Transportation and Infrastructure Renewal) as part of Municipal Case

	19311. No changes to stormwater management are proposed as part of this application.
<i>(g) the general maintenance of the development;</i>	Site maintenance was reviewed under Municipal Case 19311 and is regulated by the existing development agreement. The existing agreement requires the developer to maintain and keep in good repair all portions of the development on the Lands, including but not limited to, the exterior of the building(s), fencing, walkways, parking areas and driveways, and the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow removal/salting/sanding of walkways and driveways. No changes are proposed to the maintenance of the development as part of this application.
<i>(h) the hours of operation; and</i>	Under Municipal Case 19311 it was determined that due to the commercial nature of the surrounding uses, staff did not find any need to control the hours of operation for any of the permitted uses. The existing agreement does however limit the hours for deliveries and the collection of refuse, recycling, and composting materials. The intent of this application is to allow for an additional commercial use and no changes are proposed to the hours of deliveries and garbage collection as part of this application.
<i>(i) the provisions of Policy IM-11.</i>	See below.
IMPLEMENTATION	
Policy IM-11 <i>In considering development agreements or amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Planning Strategy, Council shall have appropriate regard to the following matters:</i>	
<i>(a) that the proposal is in conformity with the intent of this planning strategy and with the requirements of all other municipal by-laws and regulations;</i>	<p>The subject property contains an existing commercial development regulated by an existing development agreement, approved under Municipal Case 19311. Policy RB-10 (see above) supports commercial development within the Residential B (RB) designation.</p> <p>This application proposes to amend the General Business (C-2) zone of the Planning District 4 Land Use By-law to add self-storage facility as a</p>

	<p>permitted use within the zone which will allow for the use to be located within the existing commercial development. The development will continue to be regulated through the provisions of the existing agreement and the proposed amending agreement which includes parking and loading space requirements for a Self-Storage Facility use.</p>
<p><i>(b) that the proposal is not premature or inappropriate by reason of:</i></p> <p><i>(i) the financial capability of the Municipality to absorb any costs relating to the development;</i></p> <p><i>(ii) the adequacy of on-site sewage and water services;</i></p> <p><i>(iii) the proximity of the proposed development to schools, recreation or other community facilities and the capability of these services to absorb any additional demands;</i></p> <p><i>(iv) the adequacy of road networks leading to or within the development; and</i></p> <p><i>(v) the potential for damage to or for destruction of designated historic buildings and sites.</i></p>	<p>(i) Costs to the Municipality are not expected. The developer will be responsible for all costs associated with the development.</p> <p>(ii) The existing commercial development is serviced by an on-site well and septic system. No changes to services are proposed as part of this application.</p> <p>(iii) The existing development is a commercial use and it is not anticipated that the addition of a self-storage facility will increase the demand for nearby schools, recreation or other community facilities in the area.</p> <p>(iv) It was determined by Nova Scotia Department of Public Works (formerly Nova Scotia Department of Transportation and Infrastructure) that a traffic impact statement was not required under Municipal Case 19311. It was further determined by NS Department of Public Works that a traffic impact statement was not required for this application as the intention is to allow for a new use to an already constructed commercial development.</p> <p>(v) No designated historic buildings or sites have been identified.</p>
<p><i>(c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:</i></p> <p><i>(i) type of use;</i></p> <p><i>(ii) height, bulk and lot coverage of any proposed building;</i></p> <p><i>(iii) traffic generation, access to and egress from the site, and parking;</i></p> <p><i>(iv) open storage;</i></p> <p><i>(v) signs; and</i></p>	<p>(i) The existing development agreement regulates the permitted uses under Section 3.3 which includes any commercial uses permitted within the C-2 zone of the Planning District 4 LUB. This application intends to add self-storage facility as a permitted use to the C-2 zone, which would in turn permit the use within the existing commercial development. A self-storage facility use is consistent with the permitted uses in the C-2 zone and would allow for smaller scale storage, separate from warehousing, on lands zoned C-2.</p>

<p><i>(vi) any other relevant matter of planning concern.</i></p>	<p>(ii) The existing development agreement regulates the height, bulk and lot coverage for the existing commercial development under Sections 3.4 and 3.5. No changes are proposed to the height, bulk or lot coverage as part of this application.</p> <p>(iii) It was determined by Nova Scotia Department of Public Works (formerly Nova Scotia Department of Transportation and Infrastructure) that a traffic impact statement was not required under Municipal Case 19311. It was further determined by NS Department of Public Works that a traffic impact statement was not required for this application as the intention is to allow for a new use to an already constructed commercial development.</p> <p>The amending agreement requires an additional seven parking spaces and one loading space to be provided for a self-storage facility use within the existing commercial development. Access is not proposed to change as part of this application.</p> <p>(iv) There is no open storage proposed as a part of this application.</p> <p>(v) Signage is regulated through the existing development agreement and the provisions of Part 5 of the Land Use By-law.</p> <p>(vi) No other matters of planning concern have been identified at this time.</p>
<p><i>(d) that the proposed development is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.</i></p>	<p>The suitability of the subject property was reviewed under Municipal Case 19311. The previously approved commercial development has already been developed; the intent of this application is to allow for an additional use within the existing building. No watercourses, marshes, or bogs have been identified on the property.</p>
<p><i>(e) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with</i></p>	<p>N/A. The subject property is not located within a holding zone.</p>

<p><i>the development agreement provisions of the MGA and the “Infrastructure Charges” Policies of this MPS.</i></p>	
<p>9.6 PRIORITIES PLANS</p>	
<p><i>Since the adoption of this Plan in 2014, Regional Council has approved several priority plans, including the Integrated Mobility Plan, Halifax Green Network Plan, HalifACT, and Halifax’s Inclusive Economic Strategy 2022-2027. The second review of this Plan began in 2020 and is expected to be readopted by the Regional Council in 2023. The review will revise the policies of this Plan to ensure they are consistent with the priorities plans as approved. In the interim, this Plan supports the priority plans that are actively used by staff to guide ongoing work.</i></p>	
<p>G-14A <i>In considering development agreements or amendments to development agreements, or any proposed amendments to the Regional Plan, secondary planning strategies, or land use by-laws, in addition to the policies of this Plan, HRM shall consider the objectives, policies and actions of the priorities plans approved by Regional Council since 2014, including:</i></p> <ul style="list-style-type: none"> <i>(a) The Integrated Mobility Plan;</i> <i>(b) Halifax Green Network Plan;</i> <i>(c) HalifACT;</i> <i>(d) Halifax’s Inclusive Economic Strategy 2022-2027; and</i> <i>(e) any other priority plan approved by Regional Council while this policy is in Effect</i> 	<p>The objectives, policies and actions in the Priorities Plans outlined in G-14A do not appear to impact or be affected by this proposal.</p>