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Item No. 14.1.3
North West Community Council
May 12, 2025

TO: Chair and Members of North West Community Council

FROM: Jacqueline Hamilton, Executive Director of Planning and Development

DATE: April 28, 2025

SUBJECT: **PLANAPP-2024-02788: Amendment to the Land Use By-law for Planning Districts 14 & 17 to permit vehicle services use in the Fall River Business (FRB) zone**

ORIGIN

Application by Fathom Studio on behalf of Chapman Auto Body Limited.

EXECUTIVE SUMMARY

This report recommends amendments to the Planning Districts 14 and 17 Land Use By-law to add 'vehicle services' as a permitted land use within the Fall River Business (FRB) Zone. This additional land use will allow the sales and servicing of vehicles within the FRB Zone which is comparable to other commercial uses permitted within the FRB Zone. Staff recommend that North West Community Council add this use to the FRB Zone.

RECOMMENDATION

It is recommended that North West Community Council:

1. Give First Reading to consider approval of the proposed amendment to the Land Use By-law for Planning Districts 14 and 17, as set out in Attachment A, to add 'vehicle services' as a permitted use to the Fall River Business (FRB) zone and schedule a public hearing; and
2. Adopt the amendment to the text of the Land Use By-law for Planning Districts 14 and 17, as set out in Attachment A.

BACKGROUND

Fathom Studio, on behalf of Chapman Auto Body Limited, has applied to amend the Fall River Business (FRB) Zone of the Planning Districts 14 and 17 Land Use By-Law to add 'vehicle services' as a permitted use.

Subject Site	PIDs 41542879, 41542853, 41542838, 41414509 and 40165094
Location	Falls Run (Service Road HFX 118-01), south-east of the intersection of Falls Run and Perrin Drive, Fall River
Regional Plan Designation	Rural Commuter (RC)
Community Plan Designation (Map 1)	River-Lakes Village Centre (RLVC) under the Planning Districts 14 & 17 Municipal Planning Strategy
Zoning (Map 2)	Fall River Business (FRB) under the Planning Districts 14 & 17 Land Use By-law
Size of Site	Approximately 4.6 hectares (11.39 acres) combined
Street Frontage	Approximately 335 meters (1099 feet) combined on Falls Run (Service Road HFX 118-01)
Current Land Use(s)	Vacant / Forested
Surrounding Use(s)	Nova Scotia Transportation facility and Payzants fulfillment centre, communications tower, vacant / forested lands, Halifax Transit (Fall River) Park and Ride

Proposal Details

The applicant proposes to amend the FRB zone to add 'vehicle services' as a permitted use in the Planning Districts 14 and 17 Land Use By-Law (LUB). The major aspects of the proposal are as follows:

- The applicant is proposing to relocate an auto repair and body shop, 'Chapman Auto', from the north end of Halifax to the subject properties.
- Allowing 'vehicle services' as a permitted use within the FRB zone would permit the use as-of-right on the subject properties and would be subject to the requirements of the zone.

History

Chapman Auto Body Limited is currently operating at 2500 Agricola Street in Halifax. The existing use is not a permitted use within the Corridor (COR) zone as outlined in the Regional Centre LUB. The use is non-conforming in accordance with the *HRM Charter*, which allows the continuation of the existing use but restricts any expansion or intensification of the use. The applicant has indicated that Chapman Auto Body Limited intends to relocate to Fall River in order to make room for a potential mixed use residential development on the Agricola Street property in Halifax. As a result, they are requesting that 'vehicle services' be added as a permitted use under the FRB zone in the Planning Districts 14 and 17 LUB.

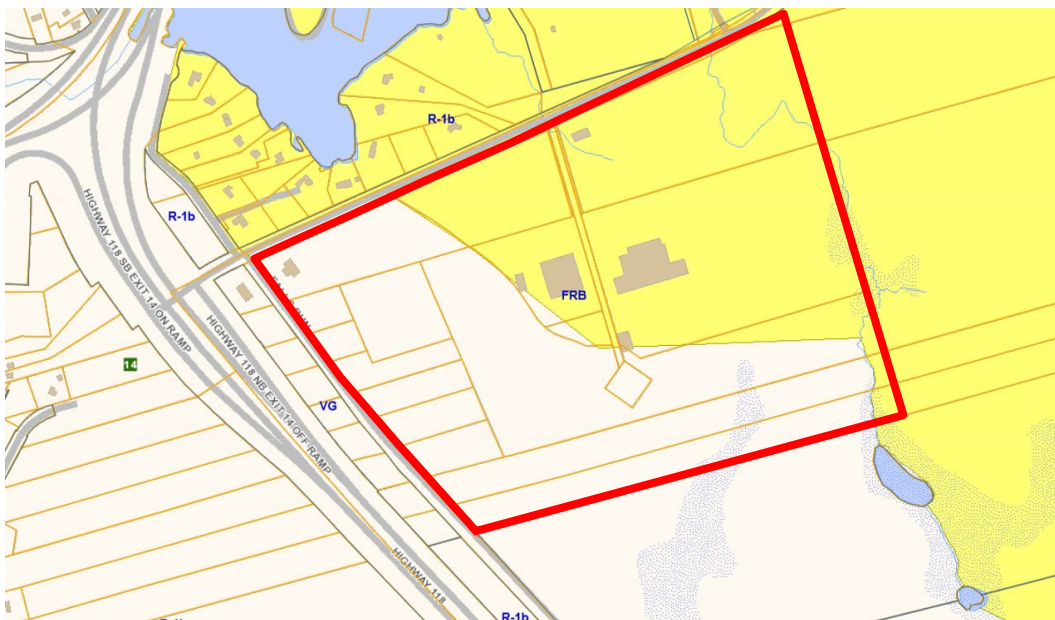
Background

The subject properties contain frontage on Falls Run which is a service road that is owned but not maintained by the Nova Scotia Department of Public Works (DPW). As part of the planning application process, feedback from DPW was requested and comment was received advising that their policy indicates that service roads are intended for existing uses such as forestry and agricultural activities, and are not designed to accommodate traffic from new development. The applicant was advised that any required upgrade to the service road for development purposes would be their responsibility. Additionally, any new driveway or modifications near the highway would require provincial Work Within Highway Right-of-Way Permit, which is a separate process facilitated by DPW. These matters will be reviewed further at the permitting stage.

Enabling Policy and LUB Context

The River-Lakes Village Centre (RLVC) designation envisions the creation of an attractive and vibrant destination, drawing people from the surrounding area for shopping, recreation, entertainment, and services.

Policy RL-9 of the Planning Districts 14 and 17 Municipal Planning Strategy (MPS) establishes the FRB zone within the RLVC designation which aims to facilitate highway-oriented commercial uses near key highway interchanges, specifically at Highways 118 and 102. The FRB zone is intended to support the growth of commercial services that cater to travelers and local residents, ensuring a well-planned and accessible area for essential services and retail. The introduction of 'vehicle service' uses, including auto repair, within this zone would allow for the continued development of highway-related commercial activities, particularly on the subject properties. As shown in the map below, the red boundary marks the only location within the Planning Districts 14 & 17 Plan Area that is zoned FRB. This zoning is ideal for vehicle services, as it is easily accessible from the highway. Allowing vehicle services in this area meets the needs of both commuters and residents.



Source: HRM Mapping

The subject properties are zoned FRB, which allows a range of commercial and industrial uses, including light manufacturing, construction storage, building supply outlets, parking lots, warehousing, and wholesaling. Prior to the submission of this planning application, staff determined that the proposed relocation of Chapman Auto Body Limited would not be permitted in the FRB zone. As such, an amendment to the FRB zone was requested.

The LUB defines 'vehicle services' but the definition is specific to the two zones that currently permit the use, being the CI (Commercial Industrial) and GI (General Industrial) zones. Staff propose to add the same definition to Part 2 (General Definitions) of the LUB and allow the use in the FRB zone. If approved, this would enable all FRB zoned properties in Planning Districts 14 and 17 (area shown above within red boundary) to permit 'vehicle services' use. The use is defined as:

Vehicle Services means 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.

DISCUSSION

Staff have reviewed the proposal relative to all relevant policies and advise that it is consistent with the intent of the Planning Districts 14 and 17 MPS and LUB. Attachment A contains the proposed LUB amendment which includes defining 'vehicle services' within the general definitions section and adding it as a permitted use in the FRB zone.

As mentioned above, this area of Planning Districts 14 & 17 is the only location containing the FRB zone, and so the proposed vehicle services use is anticipated to have minimal impact on surrounding residential uses. The FRB zone is located near Highway 118, a major transportation corridor, which supports the goal of developing highway-related commercial activities in the zone. The inclusion of vehicle services is compatible with the existing permitted uses and the proposed site benefits from its proximity to the highway and the nearby Halifax Regional Municipality's Park and Ride. This proximity allows individuals to drop off their vehicles for servicing before easily continuing their commute via public transportation, making the daily routine more efficient and seamless. Additionally, the proposed use is located far from residential rural areas and will be near existing commercial and light industrial businesses, making it a good fit for this location. As such, it has been determined that the proposed LUB amendment to the FRB zone aligns with the intent of the MPS.

Attachment B provides an evaluation of the proposed use in relation to relevant MPS policies.

Priorities Plans

In accordance with Policy G-14A of the Halifax Regional Plan, staff considered the objectives, policies and actions of the priorities 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 proposal does not conflict with any specific policies 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. While 'vehicle services' use was not originally contemplated for the FRB zone of the Planning Districts 14 and 17 LUB, the use is as a similar use to those uses permitted in the FRB Zone. Therefore, staff recommend that the North West Community Council approve the proposed LUB amendment.

FINANCIAL IMPLICATIONS

The HRM cost associated with processing this planning application can be accommodated with 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 are 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 36 letters were mailed to property owners and tenants within the notification area (Map 2). The HRM website received a total of 55 unique pageviews over the course of the application, with an average time on page of 47 seconds. Two adjacent property owners and two residents contacted staff on the application. The public comments received included the following topics:

- Support for the LUB amendment;
- Concerns related to commercial development on the southern side of Perrin Drive; and
- Concerns related to the potential traffic, storage of damaged vehicles, noise from vehicle repair equipment and smell of grinding metal and paint associated with the work.

A public hearing must be held by North West Community Council before they can consider approval of the proposed LUB amendment. Should 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.

The proposal will potentially impact local businesses, adjacent property owners and local residents.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

LEGISLATIVE AUTHORITY

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

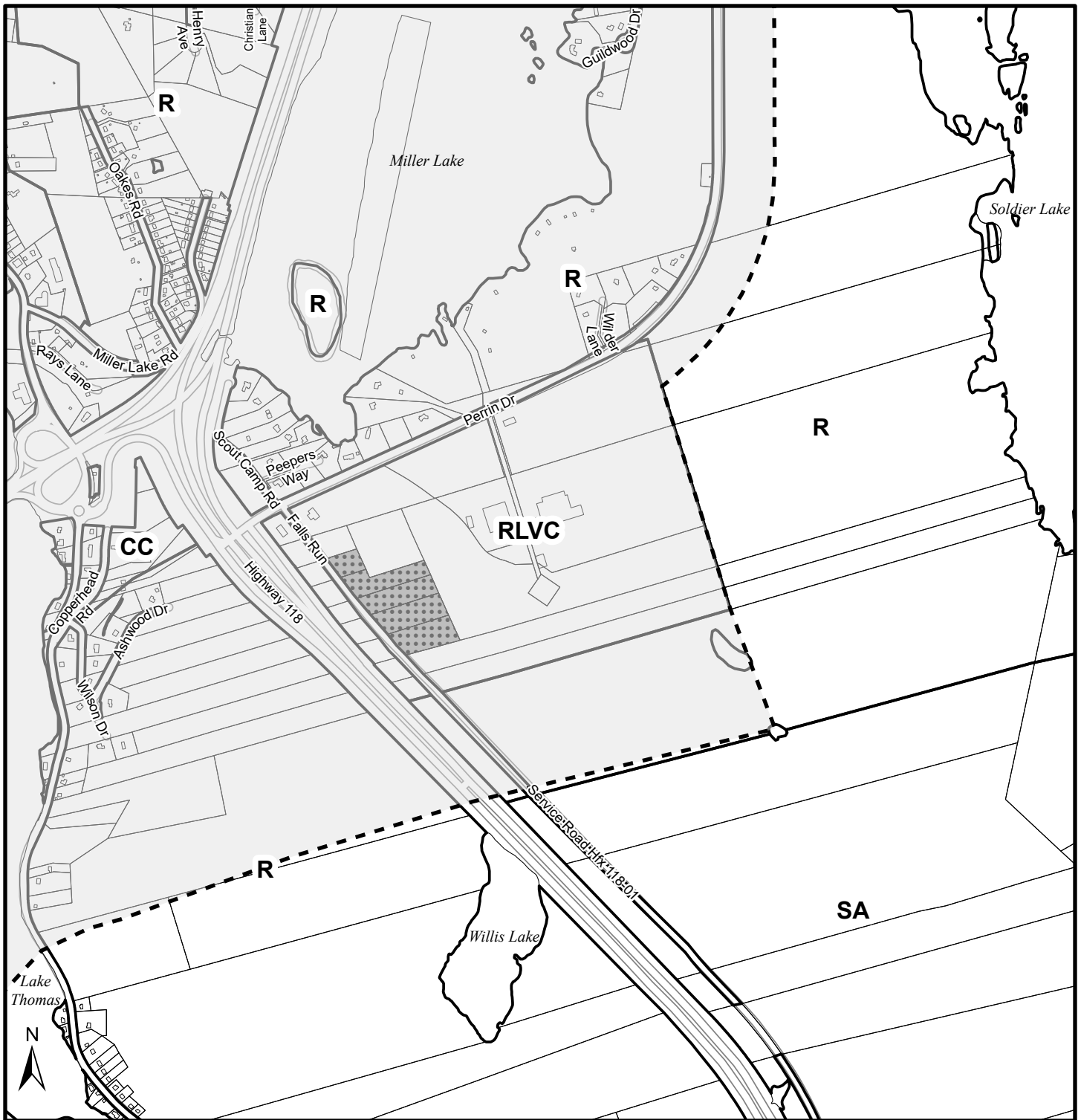
ALTERNATIVES

1. North West Community Council may choose to approve the proposed LUB amendment subject to modifications. Such modifications may require further discussion with the applicant and may require a supplementary report or another public hearing. A decision of Council to approve this proposed LUB amendment 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 LUB amendment, and in doing so, must provide reasons why the proposed amendment does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed LUB amendment 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 LUB Amendment
Attachment B:	Review of Relevant MPS Policies

Report Prepared by: Aastha Patel, Planner II – Planning and Development, 902.497.3622




Map 1 - Generalized Future Land Use

PIDs 41542879, 41542853, 41542838, 4141509 and 40165094,
Fall River

HALIFAX

 Subject Properties

 River-Lakes Secondary Plan

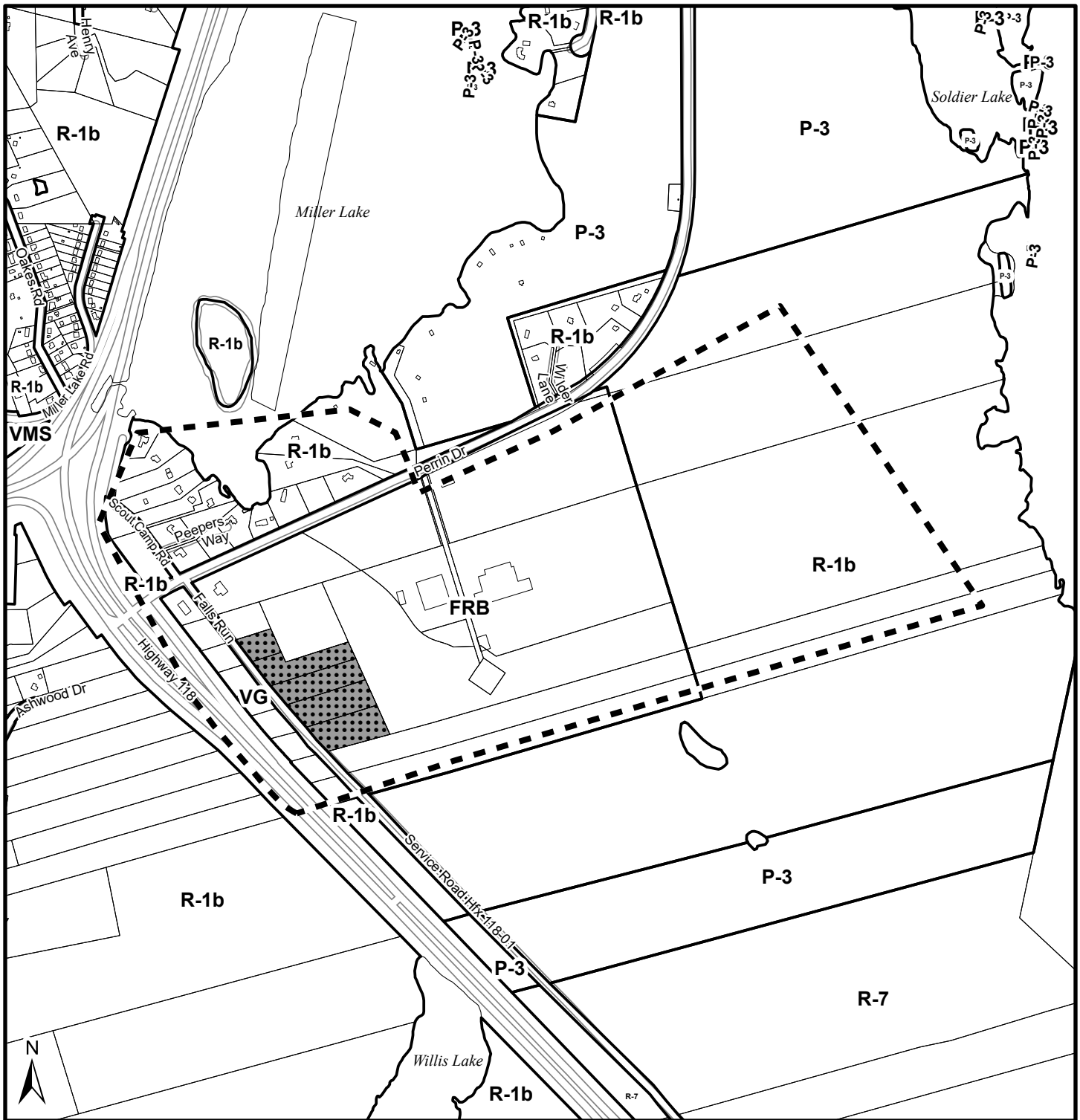
Planning Districts 14 & 17
(Shubenacadie Lakes) Plan Area

R Residential
RLVC River-Lakes Village Centre
SA Special Area

0 100 200 300 400 500
Meters

This map is an unofficial reproduction of
a portion of the Generalized Future Land
Use Map for the plan area indicated.

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




Map 2 - Zoning and Notification Area

PIDs 41542879, 41542853, 41542838, 4141509 and 40165094,
Fall River

HALIFAX

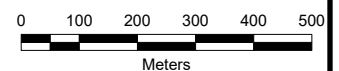
 Subject Properties

 Area of Notification

Planning Districts 14 & 17
Land Use By-Law

Zone

FRB	Fall River Business
P-3	Park
R-1b	Suburban Residential
R-7	Rural Estate
VG	Village Gateway
VMS	Village Main Street



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 Planning District 14 and 17 Land Use By-law

BE IT ENACTED by the North West Community Council of the Halifax Regional Municipality that the Planning District 14 and 17 (Shubenacadie Lakes) Land Use By-law is hereby further amended as follows:

1. Adding the definition, as shown below in bold, "Vehicle Services" immediately following "Used Building Material Retail Outlet" in Part 2: DEFINITIONS:

2.78.1 VEHICLE SERVICES means 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.

2. Amending Section 14E.1 of Part 14E: FRB (FALL RIVER BUSINESS) ZONE by adding the text "Vehicle Services" immediately following "Short-term bedroom rentals", as shown below in bold:

14E.1 USES PERMITTED

No development permit shall be issued in any FRB (Fall River Business) Zone except for the following:

Commercial Uses

Light Manufacturing (including a cannabis production facility (RC-Sep 18/18;ENov 3/18)) that is not obnoxious and is wholly contained and conducted within a building

Offices

Health and Wellness Centres

Banks and Financial Institutions

Greenhouses and Nurseries

Commercial recreation uses

Funeral Establishments

Medical, Dental and Veterinarian Clinics

Existing Service Stations pursuant to Section 4.6 (j)

Building supply outlets

Pub, Tavern, lounge

Hotels, motels and motor-inns

Parking lots

Transportation terminals

Construction storage yards

Warehousing and wholesaling

Short-term rentals (RC-Feb 21/23;E-Sep 1/23)

Short-term bedroom rentals (RC-Feb 21/23;E-Sep 1/23)

Vehicle Services

Residential Uses

Single unit dwellings accessory to any permitted use

Shared housing use with 10 or fewer bedrooms accessory to any permitted use (RC- Aug 9/22;E-Sep 15/22)

Community Uses

Open space uses

Institutional uses

Fraternal Halls and Centres

Transit Facilities

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 – Review of Relevant MPS Policies

Planning Districts 14 & 17	
Municipal Planning Strategy	
RIVER-LAKES SECONDARY PLANNING STRATEGY	
Policy	Staff Comments
<i>The Plan envisions that the River-lakes Village Centre Designation will become an attractive and vibrant place, drawing people from the surrounding area for shopping, recreation, entertainment and service.</i>	The proposed land use conforms with the intent of the River-lakes Village Centre Designation. Adding vehicle service use to the Fall River Business (FRB) zone would permit auto repair in the Fall River area near Highway 118.
<i>RL-9 Within the River-lakes Village Centre Designation, the Fall River Business Zone shall be created under the schedules of Land Use By-law. 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.</i>	The proposed land use conforms with the intent of this policy. The vehicle services use is proposed to be situated near Highway 118, a major transportation corridor, which would support the goal of developing highway-related commercial uses in the zone. The Fall River Business (FRB) zone is designed to accommodate a range of commercial and industrial activities, including light manufacturing, construction storage, and warehousing. The addition of vehicle services, such as auto repair and autobody work, is compatible with these permitted uses and benefit from highway proximity. Throughout HRM vehicles service uses are located within highway-commercial zones similar to that of the FRB Zone.
Halifax Regional Municipal Planning Strategy (Regional Plan)	
<p><i>3.2.3.1 Rural Commuter designation</i></p> <p><i>S-5 The intent for this designation is to protect the character of rural communities and conserve open space and natural resources by focusing growth within a series of centres.</i></p>	The FRB zone is located in the River-Lakes/Fall River growth centre area and the Rural Commuter Designation. Growth that preserves the rural character is encouraged. The proposed use on lands zoned FRB will be located away from residential rural areas and close to existing commercial and light industrial uses.
Halifax's Inclusive Economic Strategy 2022-2027	
<i>Promote and maximize inclusive and sustainable growth by fostering a diverse and</i>	Including vehicle services in the FRB zone will diversify local economic activities,

<i>inclusive economy that enables businesses to grow, innovate, and create economic opportunities for all.</i>	enhance access to essential services, and contribute to community growth.
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