



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

Item No. 15.4.1
Halifax Regional Council
July 16, 2019

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY: _____
Councillor Zurawski, Chair, Environment & Sustainability Standing Committee

DATE: July 5, 2019

SUBJECT: **Case 22037: Options for the Elimination of Drive-Through Facilities**

ORIGIN

Motion passed at the July 4, 2019 meeting of the Environment and Sustainability Standing Committee, Item 12.1.1.

LEGISLATIVE AUTHORITY

HRM Administrative Order 1 – Schedule 5
Section 7 of the Environment and Sustainability Standing Committee - Terms of Reference:

Climate Change Mitigation and Adaptation

7. The Environment and Sustainability Standing Committee shall:

- (a) progress policy related to municipal climate change adaptation and mitigation, including the policy requirements of the Infrastructure Secretariat's Gas Tax Funding program;
- (b) promote community adoption of climate change mitigation and adaptation measures; and
- (c) provide governance oversight of the Municipality's Climate Change Risk Management Strategy

RECOMMENDATION

It is recommended that Halifax Regional Council direct the Chief Administrative Officer to review options for limiting new and expanded drive-throughs, as part of the plan and by-law simplification program.

BACKGROUND

The Environment and Sustainability Standing Committee received and considered the staff recommendation report dated May 4, 2019, at their meeting held on July 4, 2019.

For further information on the background of this item, please refer to the May 4, 2019 staff recommendation report (Attachment 1).

DISCUSSION

The Environment and Sustainability Standing Committee discussed the staff report dated May 4, 2019 at their July 4, 2019 meeting.

The Environment and Sustainability Standing Committee discussed the staff recommendation report dated May 4, 2019 at their July 4, 2019 meeting. Following the discussion, the Standing Committee approved the recommendation as outlined in the 'Recommendation' section of this report.

For further information on this item, please refer to the May 4, 2019 staff recommendation report (Attachment 1).

RISK CONSIDERATION

Not applicable.

FINANCIAL IMPLICATIONS

For further information on the financial implications of this report, please refer to the May 4, 2019 staff recommendation report (Attachment 1).

COMMUNITY ENGAGEMENT

The meetings of the Environment and Sustainability Standing Committee are open to public attendance. A live webcast is provided of the meeting, and members of the public are invited to address the Committee for up to five minutes at the end of each meeting during Public Participation. The agenda, reports, and minutes of the Environment and Sustainability Standing Committee are posted on Halifax.ca.

ENVIRONMENTAL IMPLICATIONS

Refer to the May 4, 2019 staff recommendation report (Attachment 1).

ALTERNATIVES

Refer to the May 4, 2019 staff recommendation report (Attachment 1).

ATTACHMENTS

Attachment 1 –Staff recommendation report dated May 4, 2019.

If the report is released to the public, a copy can be obtained by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Simon Ross-Siegel, Legislative Assistant, Office of the Municipal Clerk,
902.490.6519



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

Item No. 12.1.1
Environment and Sustainability Standing Committee
July 4, 2019

TO: Chair and Members of Environment and Sustainability Standing Committee

Original Signed

SUBMITTED BY:

Kelly Denty, Director, Planning and Development

Original Signed

Jacques Dubé, Chief Administrative Officer

DATE: May 4, 2019

SUBJECT: Case 22037: Options for the Elimination of Drive-Through Facilities

ORIGIN

On October 4, 2018, the following motion of the Environment and Sustainability Standing Committee was put and passed:

“THAT the Environment and Sustainability Standing Committee request a staff report looking at drive throughs and the feasibility of their elimination in HRM.”

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning and Development

RECOMMENDATION

It is recommended that the Environment and Sustainability Standing Committee recommend that Regional Council direct the Chief Administrative Officer to review options for limiting new and expanded drive-throughs, as part of the plan and by-law simplification program.

BACKGROUND

Over the past number of decades, drive-throughs have become common in nearly all North American cities, especially in suburban areas. Increasingly, in addition to traffic related issues, concerns are being raised about the environmental impact of drive-throughs, as well as impacts on neighbourhood character and community health.

For some historical background, it is helpful to distinguish between drive-through and drive-in businesses. Drive-in enterprises call to mind the approach used by some fast-food restaurants in the 1960s, where cars parked along a covered aisle and servers came to each car. Drive-in movie theatres provided another example, where cars parked for the duration of the movie. Although some idling took place for heating or air conditioning, those operations did not require the vehicles to be ready to move at a moment's notice. Over time, the fast-food industry shifted to the familiar drive-throughs of today. These require each vehicle to move in a queue. For internal combustion engines, the vehicle must typically remain running to be ready to move and avoid delaying the queue. This is a form of engine idling that contributes to increased greenhouse gas emissions and other air pollution, particularly when done in excess of one minute¹. This report focuses on discussing drive-through business.

There are several different kinds of drive-throughs, ranging from long-established operations to some new concepts as described below.

- The most familiar type of drive-through is for fast food or coffee, and normally requires two serving points, one of which features a loudspeaker for ordering, while the other features one or more windows through which payment is made and food is served. Long queueing lanes are usually needed to enable time for the food to be ordered and packaged. Recently, some retailers have added parallel ordering lanes to permit twice as many vehicles to use the drive-through at one time.
- Drive-through banks typically involve a single, automated serving point per lane, and there is less need for queueing.
- Other types of drive-throughs allow for dropping off mail, hazardous waste or donations. Some may be permanent and normally involve short line-ups, while others may be “pop-ups” associated with programs or charity events, potentially involving longer queues but operating only a few days each year.
- Some drive-throughs are meant to service the vehicle itself. These include service stations, recharging stations and carwashes. For safety reasons, refuelling does not involve idling, except for vehicles waiting for a fuel pump.

On January 29, 2019, Halifax Regional Council passed a motion to request staff to prepare recommendations within one year with respect to Council's recognition that the breakdown of the stable climate and sea levels constitutes an emergency, including incorporation into the Municipality's climate targets and actions, and the need to achieve net zero carbon emissions before 2050 and net negative carbon emissions in the second half of the century. Among the Municipality's many efforts toward mitigating greenhouse gas emissions, HalifACT 2050 (formerly the Community Energy and Climate Action Plan) is also underway, to update two existing Priority Plans: the Community Energy Plan (2007), and the Corporate Plan to Reduce GHG Emissions 2012-2020 (2011) with long-term mitigation and adaptation targets out to 2050. In addition, the Regional Plan and Integrated Mobility Plan aim to reduce automobile dependency by achieving at least a 30% modal share for public transit and active transportation.

¹ The 1-minute or “60-second” rule is recommended by Natural Resources Canada as the threshold at which the emissions, fuel expense and component wear resulting from engine idling exceed those of turning off the ignition and restarting the vehicle when necessary.

Standing Committee Terms of Reference

While one of the mandates of the Environment and Sustainability Standing Committee (ESSC) is to provide advice to Regional Council on promoting appropriate policies to protect the Municipality's green environment, staff's recommendation in the report aligns with the mandate of the Community Planning and Economic Development Standing Committee (CPED) to make recommendations concerning community planning programs. Accordingly, any future reports on this issue would be routed through the Community Planning and Economic Development Standing Committee or Regional Council as appropriate.

DISCUSSION

If, where and how the Municipality permits new drive-through developments is at the discretion of Council through the policies and regulations adopted in official planning documents. Staff advise that specific policies and regulations related to drive-throughs should be reviewed through on-going project work, specifically the plan and by-law simplification program. The following paragraphs discuss the benefits, impacts, trends, planning tools and related initiatives that should inform future Municipal decisions affecting drive-throughs.

Benefits

Convenience is the most obvious benefit ascribed to drive-throughs. In addition to real and perceived time savings, drive-throughs enable automobile users to avoid the logistics of parking, locking their vehicle, hiding valuables and unbuckling and reseating children. Occupants wait their turn in climate-controlled comfort, sheltered from the weather. Parents with children, as well as suburban and rural residents in general, especially appreciate the convenience and simplicity of using a drive-through.

Automobile users also appreciate the personal security offered by their own vehicle, especially late at night or in isolated locations. Some users may feel less exposed to disease, especially parents and people with weakened immune systems. Ease of access to goods and services is especially important for people with limited personal mobility, who may be able to drive but have difficulty walking or getting in and out of the vehicle.

The ability to include a drive-through facility can be a decisive factor in determining the viability of a business. In addition to attracting more customers, including a drive-through may reduce the cost of building and maintaining public indoor amenities.

Some have argued that drive-throughs bring an environmental benefit, by reducing the amount of asphalt needed for onsite parking. This must, however, be compared with the amount of additional pavement needed for queueing lanes.

Negative Impacts

The environmental concerns which gave rise to this report focus on Greenhouse Gas (GHG) emissions due to idling. The Municipality's own internal Vehicle Anti-Idling Policy recognizes this and prohibits employees from using drive-through services in municipal vehicles while on duty. An update on that policy was provided in a March 26, 2019 staff report to Regional Council (via the Transportation Standing Committee). Natural Resources Canada (NRCan) notes that idling for 60 seconds consumes more fuel and emits more GHGs than restarting a car's engine.² Beyond the immediate GHG impacts of drive-throughs, their convenience and general proliferation may also encourage automobile dependent lifestyles and dispersed land use patterns typically associated with higher GHG emissions.

² See Natural Resources Canada, "Idling – Frequently Asked Questions," (date modified 2017-02-23), <https://www.nrcan.gc.ca/energy/efficiency/communities-infrastructure/transportation/idling/4463>

In addition to global environmental concerns, drive-throughs can affect local health and safety. Vehicle exhausts emit poisonous gases and particulates which may increase risk of lung disease in cases of prolonged exposure. Bright lighting and noise from loudspeakers may affect sleep patterns of nearby residents, potentially affecting long-term health. Local flora and fauna may also be negatively impacted by this light and noise pollution. The site layout of drive-throughs typically discourages walking, and pedestrians may have to cross driving aisles to reach the door. Beyond these immediate impacts, the convenience and popularity of drive-throughs supports sedentary lifestyles which increase the risk of heart disease.

Where businesses cater only to automobile users by providing drive-through facilities with no indoor accommodation, equity issues arise because pedestrians, cyclists and transit users have no access. In some locations, drive-throughs can affect traffic congestion on public roadways. This is due to turning movements entering and exiting the business, as well as any situations arising from inadequate queueing capacity on the site itself. Impacts on public roadways are significant enough to be included in traffic modelling.

Trends

The scope of drive-through enterprises has been growing, especially in the United States, and Canada typically follows American retail innovations. South of the border, drive-through retail has already grown to include pharmacies and grocery stores, and drive-through alcohol sales were common in Nova Scotia several years ago. Drive-through pick-up of parcels ordered online is likely to emerge, and in the U.S., simple medical procedures such as flu shots can be obtained without leaving the car.

Several technical innovations may affect the popularity and impacts of drive-through enterprises in the future. For example, pre-ordering online may reduce queueing and could eventually eliminate the need for an ordering window or loudspeaker/microphone in the fast food realm. App-based ordering for delivery to the home or workplace may reduce the demand for drive-throughs as a whole.

Considering vehicle technology, electric and hybrid vehicles do not have to idle while queueing, offering the potential to reduce or all but eliminate associated carbon dioxide (CO₂) emissions once those technologies become commonplace. It is even conceivable that drive-throughs could be used as fast recharging sites for electric vehicles equipped with wireless inductive charging technology. In the meantime, some recent internal combustion vehicle models already feature an automatic shut-down and re-start function.

Innovative site planning and design have potential to reduce the impacts of drive-throughs on pedestrians and nearby residents. Important aspects to consider include direct pedestrian routes between the sidewalk and main doors, the location of stacking lanes, the orientation of loudspeakers, and the effects of building siting and architecture on the streetscape.

Other Cities

A recent study³ at the University of Alberta identified 22 Canadian municipalities which adopted a partial ban on new drive-through fast-food establishments from 2002 to 2016 (including Halifax downtown and comparable cities such as Fredericton, Windsor, ON and London, ON), and five others which adopted a full ban (four in British Columbia and one in Quebec). Partial bans prohibit drive-throughs in some commercial zones while continuing to allow them in others. Reasons cited for banning fast-food drive-throughs include health promotion, environmental concerns from idling, community character and aesthetics, traffic concerns, and walkability.⁴

³ Nykiforuk, C., Campbell, E. J., Macridis, S., McKennitt, D., Atkey, K., & Raine, K. D. (2018). "Adoption and diffusion of zoning bylaws banning fast food drive-through services across Canadian municipalities." *BMC public health*, 18(1), 137. doi:10.1186/s12889-018-5061-1

⁴ Ibid.

Other cities follow a more nuanced approach to drive-throughs by requiring separation distances, invoking discretionary approval processes, and/or providing design guidelines. For example, the city of St. John's, NL requires discretionary approval for proposals within 150 m of residential zones/uses and certain institutional uses, specifies minimum stacking lanes, and requires sound barriers when abutting residential zones/uses.⁵ In Ontario, Ottawa⁶ and Brampton⁷ are examples of cities with design guidelines specifically addressing drive-throughs.

Beyond zoning, some types of businesses are typically regulated through licensing, notably where food preparation, pharmaceuticals or other safety related products and services are involved. This approach does not appear to be used by other municipalities specifically to regulate or limit drive-through businesses, though licenses may be required for reasons unrelated to the drive-through component itself.

Regulatory tools

In the Halifax Region, only downtown Halifax currently prohibits drive-throughs in all areas. This affects only new development, as planning authority is inherently future looking and existing uses that do not meet current land use controls are protected as non-conforming uses. Outside of downtown Halifax, the Municipality could amend planning documents to either prohibit or further control the location and design of new or expanded drive-throughs. Options to consider include:

- outright prohibiting the development of new drive-throughs in all secondary plan areas;
- prohibiting new drive-throughs in selected areas, such as main streets, or residential areas;
- adopting new controls related to the design of drive-throughs, such as specific requirements on the location of pedestrian pathways, buffering and queue lengths; and
- discretionary approvals that enable Community Council to consider specific drive-through development proposals on a case by case basis through rezoning or development agreement applications.

Related Projects

Several current and upcoming municipal projects offer opportunities for analysis and policy development on drive-throughs:

- **Update on HRM's 2008 Vehicle Anti-Idling Policy:** Provided to Regional Council on March 26, 2019, via the Transportation Standing Committee. This policy applies only to Municipal fleet vehicles.
- **HalifACT 2050 (formerly the Community Energy and Climate Action Plan):** This project includes consultation with a wide range of internal and external stakeholders, to update two existing Priority Plans: the Community Energy Plan (2007), and the Corporate Plan to Reduce GHG Emissions 2012-2020 (2011). The work will develop a roadmap for HRM's long-term mitigation targets for improving energy conservation and efficiency, and for reducing GHG emissions related to transportation, fuel consumption and unnecessary idling (both corporate and community-wide).
- **Centre Plan:** The tentative Centre Plan direction would permit drive-throughs only in the proposed LI (Light Industrial) and HRI (Harbour Related Industry) zones within "Package B" areas. Drive-throughs would not be permitted in the Corridor, Centres, Higher-Order Residential, or Downtown zones within "Package A" areas. As with all plans and land use by-laws, existing drive-throughs would continue to be allowed as non-conforming uses as per the provisions of the HRM Charter.

⁵ *St. John's Development Regulations, Gazetted 1994 06 03; Last Revised November 2018, Section 7.30;* <http://www.stjohns.ca/sites/default/files/files/publication/Development%20Regulations%20November%207%202018.pdf>

⁶ Ottawa, ON: (Urban Design Guidelines for Drive-Through Facilities, May 2006)

⁷ Brampton: April 2011

- **Plan and By-Law Simplification:** This program aims to reduce the overall number of land use by-laws, consolidate and simplify zones and definitions, and modernize processes, uses, and other land use by-law regulation. As the Municipality turns its attention to suburban and rural areas after completing Centre Plan, this project will provide an opportunity to consider new regulations for drive-through facilities in a rapidly changing environmental, economic and technological context.

Conclusion

Drive-through facilities cover a wide and expanding range of services, involve different configurations tailored to each service, and entail both benefits and impacts. The issues raised are complex and are likely to change due to technological innovations. Given that the Municipality can only regulate new drive-throughs, and additionally that the use of electric vehicles will continue to increase and potentially dominate the automobile market, the benefit of banning drive throughs may be limited. The Municipality has already embarked on projects which offer opportunities to address these issues, and staff recommend that the topic of drive-throughs be specifically identified for consultation, analysis and regulatory reform through the plan and by-law simplification program.

FINANCIAL IMPLICATIONS

No financial implications have been identified, as the work described in this report can be undertaken through existing projects with existing resources and budget.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained in this report.

COMMUNITY ENGAGEMENT

The plan and by-law simplification program will include opportunities for consultation with the public and other stakeholders, including commercial owners and operators.

ENVIRONMENTAL IMPLICATIONS

No additional concerns were identified beyond those raised in the Discussion section of this report.

ALTERNATIVES

The Environment and Sustainability Standing Committee may choose to recommend that the Community Planning and Development Standing Committee recommend that Regional Council:

1. Direct the Chief Administrative Officer to a process to amend the Secondary Planning Strategies and Land Use By-laws for some or all Plan Areas to prohibit drive-throughs in some or all zones. In doing so, staff would return to Regional Council with a supplementary staff report to clarify the scope of work and establish an appropriate public participation program for the exercise.
2. Table this report for information purposes. Staff are aware of the issues related to drive-throughs as set forth in this report, and intend to consider them further as part of the by-law simplification program.

ATTACHMENTS

None

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Marcus Garnet, Planner III, 902.490.4481
