

COUNCILLOR MacDONALD - PCB'S

Councillor MacDonald advised Council respecting the Minister of Environment's decision that no PCB storage facility would be built in Sackville. Councillor MacDonald requested that a letter be forwarded to the Minister of Environment expressing Council's appreciation for the Minister's decision to not permit the Nova Scotia Power Corporation to construct a PCB storage facility in Sackville. Councillor MacDonald also requested the Minister be requested to confirm his decision in this matter in writing. Councillor MacDonald also suggested that the Municipality examine the Municipal Development Plans for the County to determine some way to address this PCB facility or other toxic chemical facilities in the County for protection in the event of future applications.

COUNCILLOR C. BAKER - SEWAGE AT HERRING COVE

It was moved by Councillor P. Baker, seconded by Councillor Walker:

"THAT Council request the Nova Scotia Department of Environment to require the City of Halifax to provide a sewage treatment plant on-site in Herring Cove before a proposed housing development of approximately 250 houses are constructed in the Kidston Lake area of Halifax."
Motion Carried.

Councillor Mont and Councillor McInroy declared a conflict of interest.

COUNCILLOR P. BAKER - NOVA SCOTIA POWER CORPORATION

Councillor P. Baker expressed concern about the number of street lights that are broken, burned out, etc., and the difficulty being experienced in replacing these lights.

It was moved by Councillor P. Baker, seconded by Councillor Fralick:

"THAT an official from the Nova Scotia Power Corporation be requested to attend the next Council Session to respond to concerns in this regard."
Motion carried.

COUNCILLOR P. BAKER - PUBLIC SERVICE COMMISSION, GOODWOOD

Councillor P. Baker expressed concern over the former playground which was taken over by the City of Halifax from the Public Service Commission. He stated that, although a letter has been sent, there has been no reply. The Community want to use the land for recreational purposes.

It was moved by Councillor P. Baker, seconded by Councillor Poirier:

"THAT another letter be forwarded to the appropriate body, the Public Service Commission or the City of Halifax, respecting our previous request to obtain a parcel of land in the Goodwood area."
Motion Carried.

ADJOURNMENT

It was moved by Councillor Walker, seconded by Councillor DeRoche:

"THAT Council adjourn."
Motion Carried.

PUBLIC HEARING

JANUARY 13, 1986

PRESENT WERE Warden MacKenzie
 Councillor Walker
 Councillor Poirier
 Councillor Fralick
 Councillor P. Baker
 Councillor C. Baker
 Councillor Deveaux
 Councillor DeRoche
 Councillor Adams
 Councillor Randall
 Councillor Bayers
 Councillor Reid
 Councillor Snow
 Councillor Merrigan
 Councillor MacKay
 Councillor McInroy
 Councillor Eisenhauer
 Councillor MacDonald
 Deputy Warden Wiseman
 Councillor Mont

ALSO PRESENT. Mr. G. J. Kelly, Municipal Clerk
 Mr. R. Cragg, Municipal Solicitor
 Mr. Michael Hanusiak, Planner
 Mr. Bill Butler, Planner
 Mr. K. Birch, Director of Planning and Development

SECRETARY. Glenda Higgins

CALL TO ORDER

Warden MacKenzie called the meeting to order at 7.10 p.m. with the Lord's Prayer.

Mr. Kelly called the Roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor DeRoche, seconded by Councillor Adams:

"THAT Glenda Higgins be appointed as Recording Secretary."
Motion Carried.

APPLICATION ZA-TLB-54-85-02

Mr. Hanusiak presented the staff report.

The application is a request by Mr. Joseph Eisner to add two properties that he owns in Greenwood Heights Subdivision in Timberlea to Appendix "C" of the Zoning By-law for Timberlea/Lakeside/Beechville. The purpose of the amendment is to permit single unit dwellings on the lots in accordance with the provisions of the P-4 (Conservation) Zone.

Mr. Hanusiak stated that this application has been advertised under the provisions of the 1983 Planning Act and the Department of Planning and Development, and to date the Planning and Development Department nor Mr. Kelly has received any correspondence either in favour of or opposed to this application.

The present Zoning By-law for Timberlea/Lakeside/Beechville has an appendix that permits a certain number of lots that have been identified by their land registration number to be developed with single family dwellings in the P-4 (Conservation) Zone, this zone being very strict in terms of the type of activities that are allowed - mainly conservation related.

The Department of Engineering and Works and the Department of Planning and Development have reviewed both of these sites. The lots in questions were given final approval by the Department of Planning and Development in 1984. Staff feel that these two lots can be developed with no harmful effects to the Nine Mile River, which is located against the rear of these properties, nor is there any danger of flooding to any home that would be developed on this site. On this basis, approval of this application is recommended.

QUESTIONS FROM COUNCIL

None.

SPEAKERS IN FAVOUR OF APPLICATION ZA-TLB-54-85-02

None.

SPEAKERS IN OPPOSITION TO APPLICATION ZA-TLB-54-85-02

None.

It was moved by Councillor Poirer, seconded by Councillor Walker

"THAT Application No. ZA-TLB-54-85-02 be approved as recommended by the Planning Department."
Motion Carried Unanimously.

APPLICATION NO. RA-CH/W-33-85-07

Councillor Mont declared a conflict a interest.

Mr. Hanusiak read the report, advising that this application is a request by Mr. Roy Cooper to rezone a portion of the lands of Roy Anthony Cooper located on the Montague Road at Westphal from R-7 (Rural Residential) Zone to R-1 (Single Unit Dwelling) Zone. This application is the first for such a change in zoning. The purpose of the application is to permit the subdivision of lots at whatever lot size the Department of Health and the Department of the Environment would require. It is the applicant's intention to create approximately 12 lots on the land in question.

Both the Department of Health and the Department of the Environment have indicated suspect water tables in terms of arsenic contamination and have outlined to Mr. Cooper specific courses of action in dealing with that - namely, the drilled vs. dug wells.

The applicant's intention is to shift development from a strip pattern to a more concentrated infilling situation - stopping development at a point and backing it up seems to be consistent with the planning strategy and is more in keeping with the development that is taking place, especially in serviced areas of the community. This would make it easier for the Municipality, in the future, to provide services such as fire and police protection.

Based on the environmental considerations and the overall settlement, the pattern is in conformity with the intent of the plan, and approval of the plan is recommended.

QUESTIONS FROM COUNCIL

Councillor DeRoche questioned Mr. Hanusiak on the amount of land and number of lots involved, advising that he had previously seen a tentative plan indicating a potential for 100 or more lots on the total acreage that Mr. Cooper owns. Mr. Hanusiak assured that we are definitely not looking at such a proposal at this time.

Councillor DeRoche wondered if Mr. Cooper intends to build on these lots and then sell them or just sell them as approved lots. Mr. Hanusiak replied that through his consultant, Mr. Cooper has not indicated his method of sale.

Councillor DeRoche inquired as to whether there is some way that notification of possible arsenic contamination could be inscribed on deeds for individual building lots so purchasers are aware of that at the outset. Mr. Cragg replied that although it is unusual, it could be done, having the grantee sign the deed as well as the grantor indicating that they would be in agreement as to what kind of system could be used and that system would be the only one to be used in the future. Mr. Birch also advised that a warning such as that in the health letter is usually placed on the plan of subdivision at the time of approval and then the plan is registered at the Registry of Deeds.

Presumably, a lawyer would notice such a warning when searching the title.

SPEAKERS IN FAVOUR OF APPLICATION NO. RA-CH/W-33-85-07

Frank Longstaff, N.S.L.S., identified himself as the surveyor for Mr. Cooper and as being associated with this property since 1961. From his dealing with Mr. Roy Cooper and Mr. Paul Cooper, who have each developed many lots in this area, he has seen no arsenic in wells both drilled and shallow. Mr. Longstaff also advised that the subdivision plans will be clearly stamped by the Planning Department along with a note on every approved plan that will state that there is a possibility of arsenic content. Mr. Cooper has always made it a point to give an approved plan or a photocopy of an approved plan to his client or his client's lawyer so purchasers will all be aware of the possibility of arsenic contamination.

QUESTIONS FROM COUNCIL

Councillor Merrigan questioned Mr. Longstaff as to why the Department of Health and the Department of the Environment have been saying there is an arsenic problem here if there has not been. Mr. Longstaff advised that these departments have to be very careful because wherever there is any rock formation, there has to be a little arsenic around. They are looking after public interest.

SPEAKERS IN OPPOSITION TO APPLICATION NO. RA-CH/W-33-85-07

None.

It was moved by Councillor DeRoche, seconded by Councillor Adams:

"THAT the staff report be accepted and the rezoning, as per application no. RA-CH/W-33-85-07, be approved as requested."
Motion Carried Unanimously.

PROPOSED AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY AND LAND-USE BY-LAW FOR SACKVILLE

Mr. Butler advised that a public participation meeting with respect to this was held on November 12, 1985, and at that time the report of the Planning and Development Division as well as the report of the Industrial Commission were available for discussion. After that, Report "C" was developed as a compromise between the Planning and Development Division and the Industrial Commission.

Mr. Butler then reviewed Report "C" from the Planning and Development Division, advising that the changes to the Municipal Planning Strategy and the Zoning By-law for Sackville will attract a wider range of facilities, will introduce the concept of a commercial core, will set standards to create a viable commercial corridor, and will remove any rezoning requirements for commercial operations. The amendments will add substantially to the limited uses presently in effect.

QUESTIONS FROM COUNCIL

None.

SPEAKERS IN FAVOUR OF THE PROPOSED AMENDMENTS

Lorne Denny, Executive Director of the Halifax County Industrial Commission, spoke in favour of this application on behalf of both the Industrial Commission and Mr. Frank Letourneau, from Industrial Estates Ltd. Mr. Letourneau is also a representative from the Province of Nova Scotia's Department of Development. Mr. Denny advised that this application was turned over to the Planning Department in May, 1985 by resolution from the Industrial Commission. The Planning Department were asked to report to the Planning Advisory Committee that there was a request from Industrial Estates Ltd. regarding the zoning of the County Industrial Park. They were then to bring a report back to the Industrial Commission. This recommendation, being Report "C", was accepted by the Industrial Commission.

QUESTIONS FROM COUNCIL

None.

Sharon Adams, President, Sackville Chamber of Commerce, advised that the Sackville Chamber of Commerce had examined this new proposal at a meeting on January 8, 1986, and has determined that the Sackville Industrial Park has yet to become a viable reality. One of the overriding factors has been the restrictive nature of eligibility for prospective occupants. Ms. Adams advised that the Sackville Chamber of Commerce feels there is a need for a review of the criteria for tenancy in the industrial park. The majority of the executive on the Sackville Chamber of Commerce do support the proposed amendments to both the Municipal Development Plan and the Zoning By-law for Sackville because they believe the success of the Sackville Industrial Park requires aggressive promotion and these changes would urge the Halifax County Industrial Commission not only to continue but to also expand their efforts in this direction. There is a need for the industrial park to be able to attract a broad range of tenants to ensure full development. This development will bring about the desired objectives that everybody in the community are striving for including increased opportunities for employment and investment and services to the residents of Sackville. Also important is the construction of the proposed interchange and Sackville expressway.

QUESTIONS FROM COUNCIL

None.

Bill Davis, Davis Realities Ltd. pointed out that the changes outlined here are essential for further development in the Sackville Industrial Park and would be welcome as they would help his company to proceed at a much greater rate than they have in the past.

QUESTIONS FROM COUNCIL

None.

SPEAKERS IN OPPOSITION TO THIS APPLICATION

None.

It was moved by Councillor MacKay, seconded by Councillor MacDonald:

"THAT Council approve the recommendation to amend the By-law as circulated in Report C."

Motion Carried Unanimously.

It was moved by Councillor MacKay, seconded by Deputy Warden Wiseman:

"THAT approval be given to the request to amend the Zoning By-law for Sackville as circulated in Report C."

Motion Carried Unanimously.

ADJOURNMENT

It was moved by Councillor DeRoche, seconded by Councillor McInroy:

"THAT Council adjourn."

Motion Carried.

APPENDIX "A"

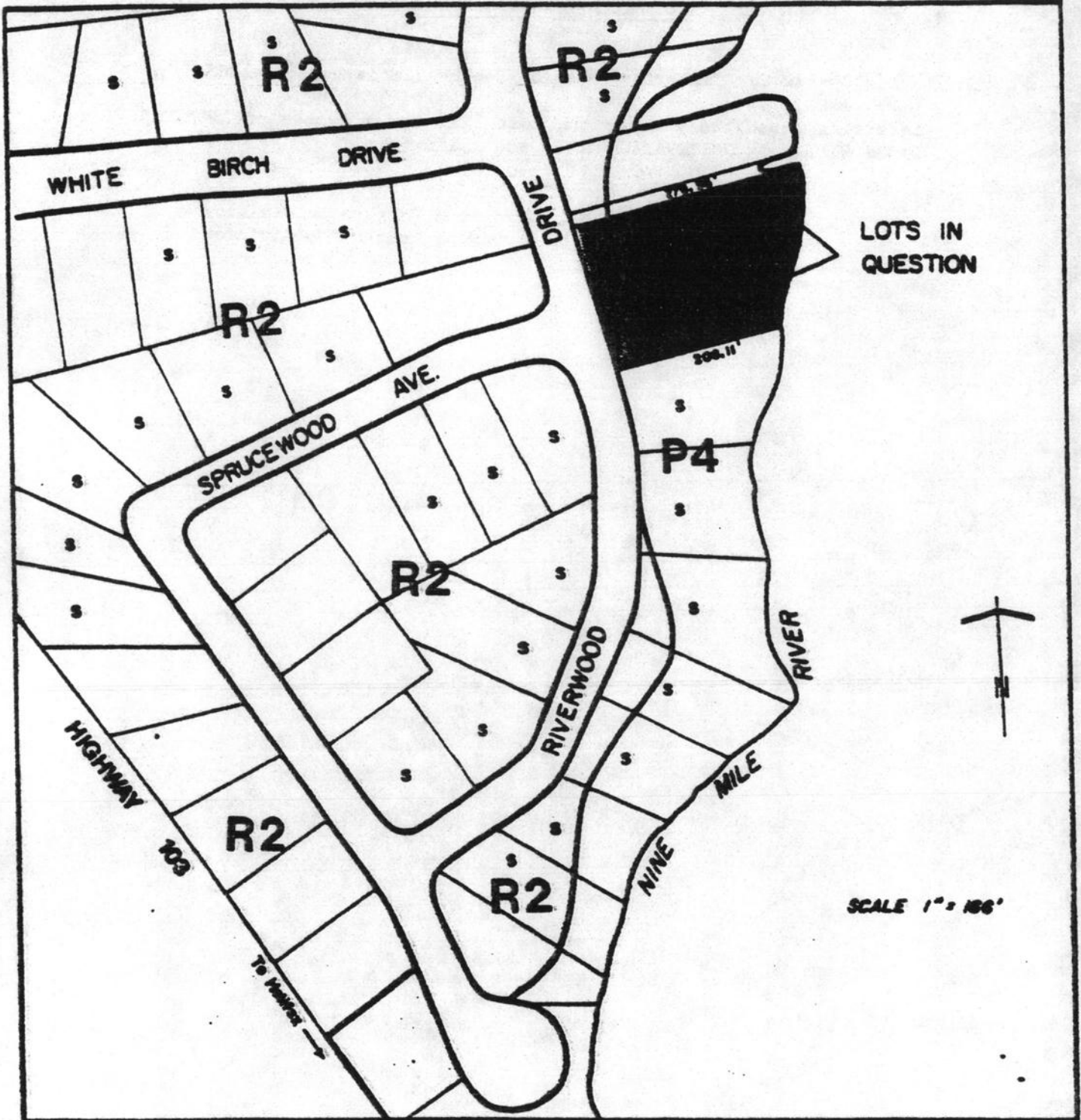
A BY-LAW TO AMEND THE ZONING BY-LAW FOR
TIMBERLEA/LAKESIDE/BEECHVILLE

The Zoning By-law for Timberlea/Lakeside/Beechville is hereby amended by:

1. inserting immediately after the last LRIS Index Number of APPENDIX "C":
LANDS WITHIN A CONSERVATION ZONE, the following:

345751 - LOT 300, Greenwood Heights Subdivision
345744 - LOT 301, Greenwood Heights Subdivision

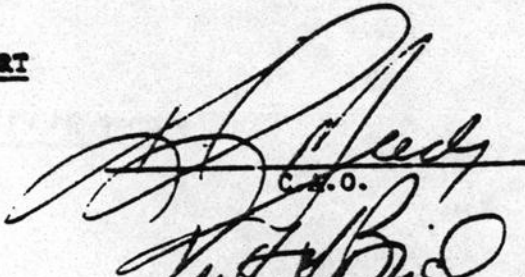
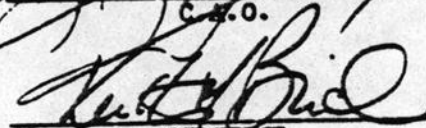
FIGURE NO. 2 - SURROUNDING USES & ZONING



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STAFF REPORT

TO: Planning Advisory Committee
BY: Dept. of Planning & Development
RE: APPLICATION NO. ZA-TLB-54-85-02
DATE: September 30, 1985


C.H.O.

DIRECTOR

RECOMMENDATION:

THAT APPENDIX "C" OF THE ZONING BY-LAW FOR TIMBERLEA/
LAKESIDE/BEECHVILLE BE AMENDED AS PER APPENDIX "A" OF THIS
REPORT.

Information:

An application has been submitted on behalf of Mr. Joseph Eisner to add Lots 300 and 301 of Greenwood Heights Subdivision to the list of properties identified in Appendix "C" of the Zoning By-law for Timberlea/Lakeside/Beechville. The purpose of the amendment is to permit single unit dwellings on the lots in accordance with the provisions of the P-4 (Conservation) Zone.

Description:

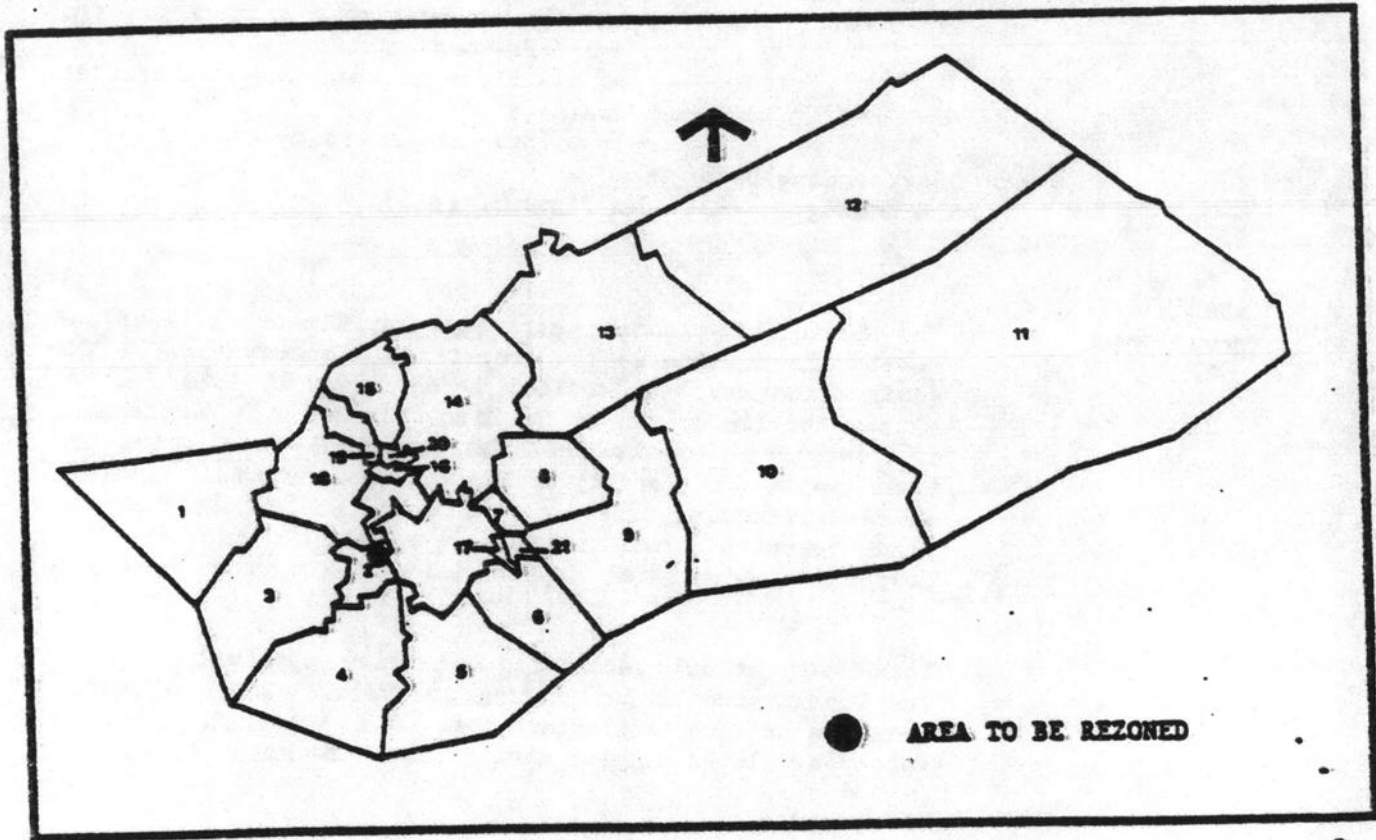
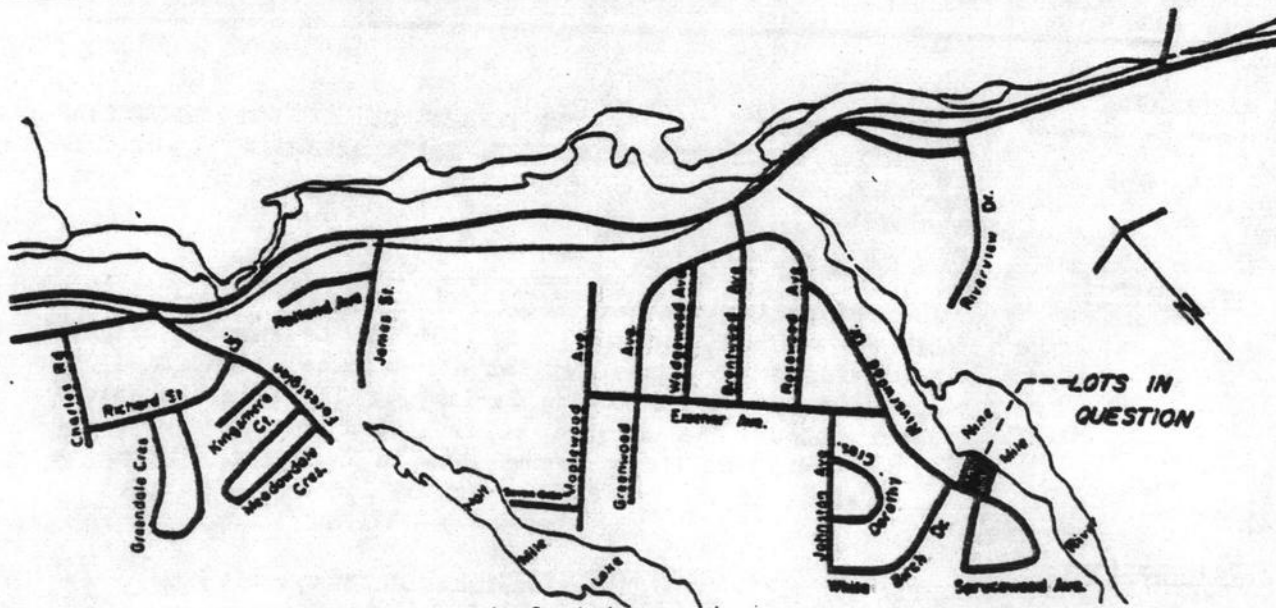
MPS: Timberlea/Lakeside/Beechville
Area & Dimensions: See Figure 2 (p 3)
Features: - heavily wooded with a mixture of hard and softwoods
- no visible signs of poor or impaired drainage
- both lots are undeveloped
Surrounding Uses & Zoning: See Figure 2 (p 3)

ANALYSIS:

The municipal planning strategy for Timberlea/Lakeside/Beechville designates the properties "Conservation". The designation has been applied to a number of lots located within the floodplain of the Nine Mile River. Development is restricted by the P-4 (Conservation) Zone which has been applied to property within the designation. However, in recognition of existing residential uses and lots, the plan permits residential development on specific properties identified in an addendum to the land use by-law.

Lots 300 and 301 received subdivision approval in 1984. The Departments of Engineering and Works and Planning and Development are satisfied that the properties can be safely developed without harm to the Nine Mile River.

FIGURE NO. 1 - KEY PLAN & DISTRICT PLAN



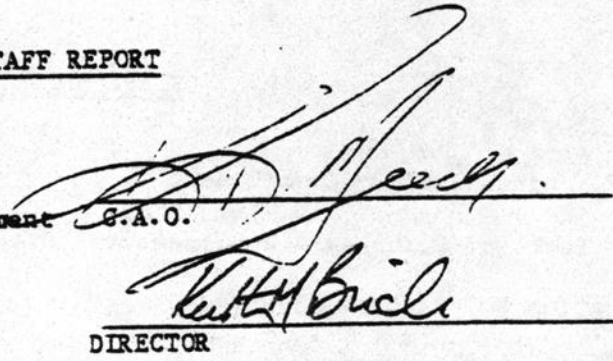
STAFF REPORT

TO: Planning Advisory Committee

FROM: Dept. of Planning & Development G.A.O.

APPLICATION NO: RA-CH/W-33-85-07

DATE: November 18, 1985



G.A.O.
DIRECTOR

RECOMMENDATION:

THAT THE REZONING OF PORTION OF THE LANDS OF ROY ANTHONY COOPER, LOCATED OFF THE MONTAGUE MINES ROAD AT WESTPHAL, FROM R-7 (RURAL RESIDENTIAL) ZONE TO R-1 (SINGLE UNIT DWELLING) ZONE BE APPROVED BY MUNICIPAL COUNCIL.

Information:

An application has been submitted by Mr. Roy Cooper to rezone the lands identified in Figure 2 to R-1 (Single Unit Dwelling) Zone. The existing R-7 (Rural Residential) Zone requires a minimum lot size of 80,000 square feet. The applicant's purpose in rezoning is to permit the subdivision of lots at a size approved by the Departments of Health and the Environment. As a requirement for this type of rezoning, the applicant has submitted a tentative plan of subdivision for the approval of 12 lots on the lands in question.

Description:

MPS:	Cole Harbour/Westphal
Area:	Approximately 4.59 acres
Dimensions:	As illustrated in Figure 2 (p 6)
Features:	- slight incline from front of property to rear; - heavily wooded with a mixture of hard and softwoods; - no visible signs of poor or impaired drainage.
Surrounding Uses and Zoning:	As illustrated in Figure 2 (p 6)

STAFF REPORT

TO: Planning Advisory Committee

FROM: Dept. of Planning & Development G.A.O.

APPLICATION NO: RA-CH/W-33-85-07

DATE: November 18, 1985

Kathy Biele
DIRECTOR

RECOMMENDATION:

THAT THE REZONING OF PORTION OF THE LANDS OF ROY ANTHONY COOPER, LOCATED OFF THE MONTAGUE MINES ROAD AT WESTPHAL, FROM R-7 (RURAL RESIDENTIAL) ZONE TO R-1 (SINGLE UNIT DWELLING) ZONE BE APPROVED BY MUNICIPAL COUNCIL.

Information:

An application has been submitted by Mr. Roy Cooper to rezone the lands identified in Figure 2 to R-1 (Single Unit Dwelling) Zone. The existing R-7 (Rural Residential) Zone requires a minimum lot size of 80,000 square feet. The applicant's purpose in rezoning is to permit the subdivision of lots at a size approved by the Departments of Health and the Environment. As a requirement for this type of rezoning, the applicant has submitted a tentative plan of subdivision for the approval of 12 lots on the lands in question.

Description:

MPS:	Cole Harbour/Westphal
Area:	Approximately 4.59 acres
Dimensions:	As illustrated in Figure 2 (p 6)
Features:	<ul style="list-style-type: none"> - slight incline from front of property to rear; - heavily wooded with a mixture of hard and softwoods; - no visible signs of poor or impaired drainage.
Surrounding Uses and Zoning:	As illustrated in Figure 2 (p 6)

The Department of Transportation has approved the applicant's tentative road layout. The street network has been designed to provide future access to abutting lands, a portion of which are owned by the applicant.

CONCLUSION

While the general intent of the Residential B designation is to keep the density of new developments relatively low, it also functions to provide an opportunity to evaluate the physical, social and environmental effects of new developments on the existing community. The plan has anticipated the eventual demand for housing within the designation and requires careful consideration of the issues forming Appendix "A" of this report.

The Department of Planning and Development has based its review of the proposed subdivision on these issues and has concluded that the development conforms with the intent of the planning strategy.

FIGURE 2 - SURROUNDING USES AND ZONING

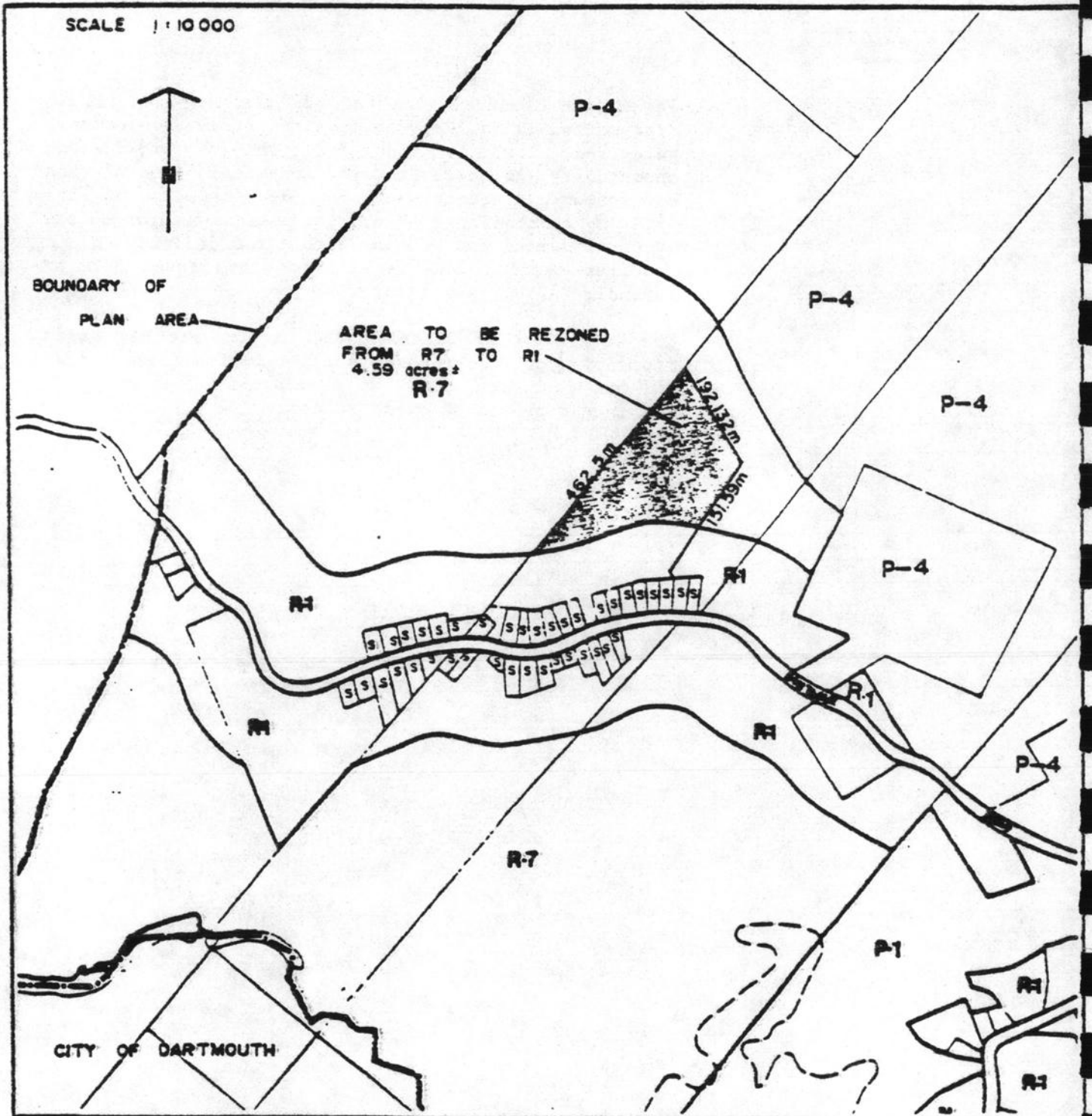
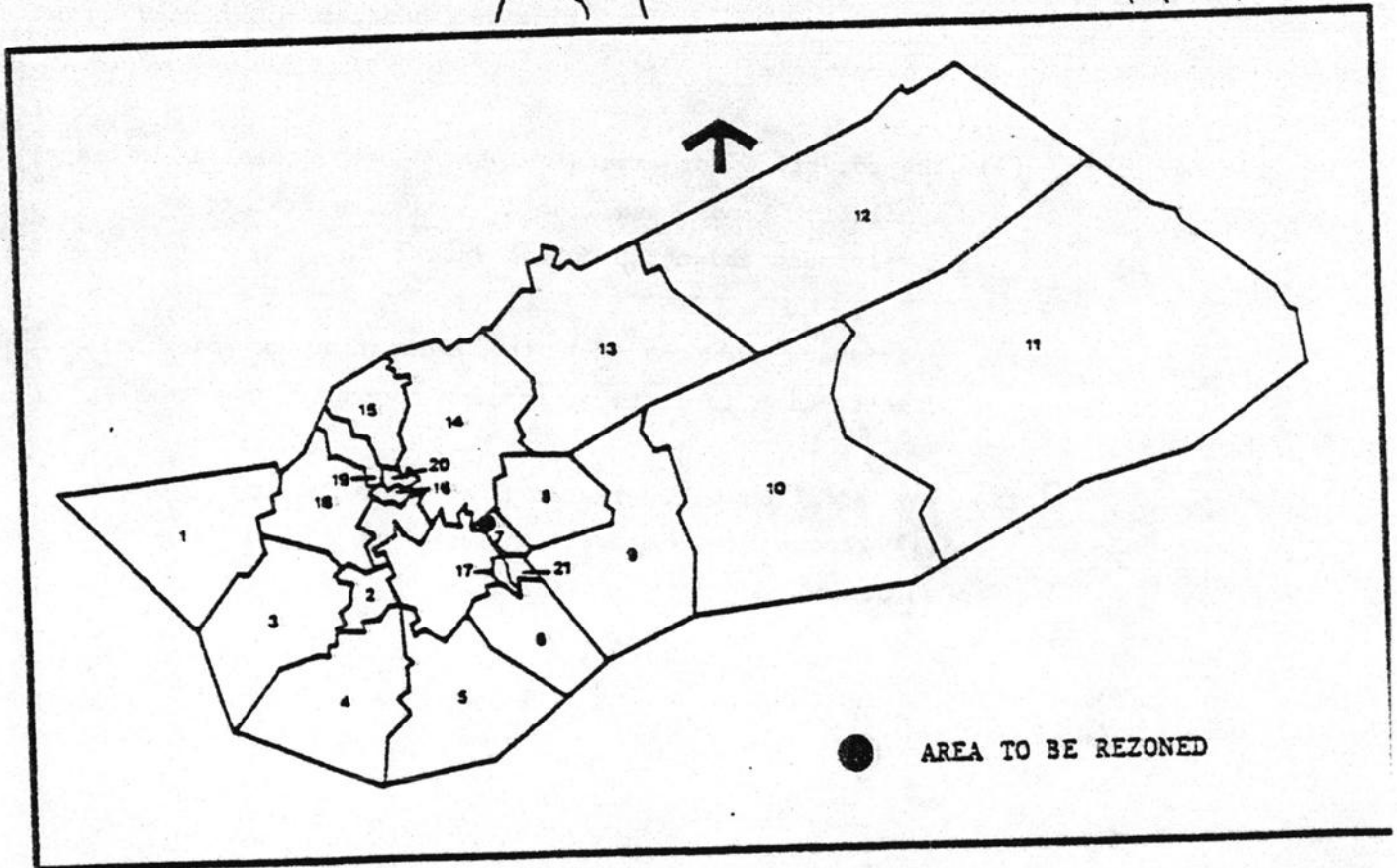
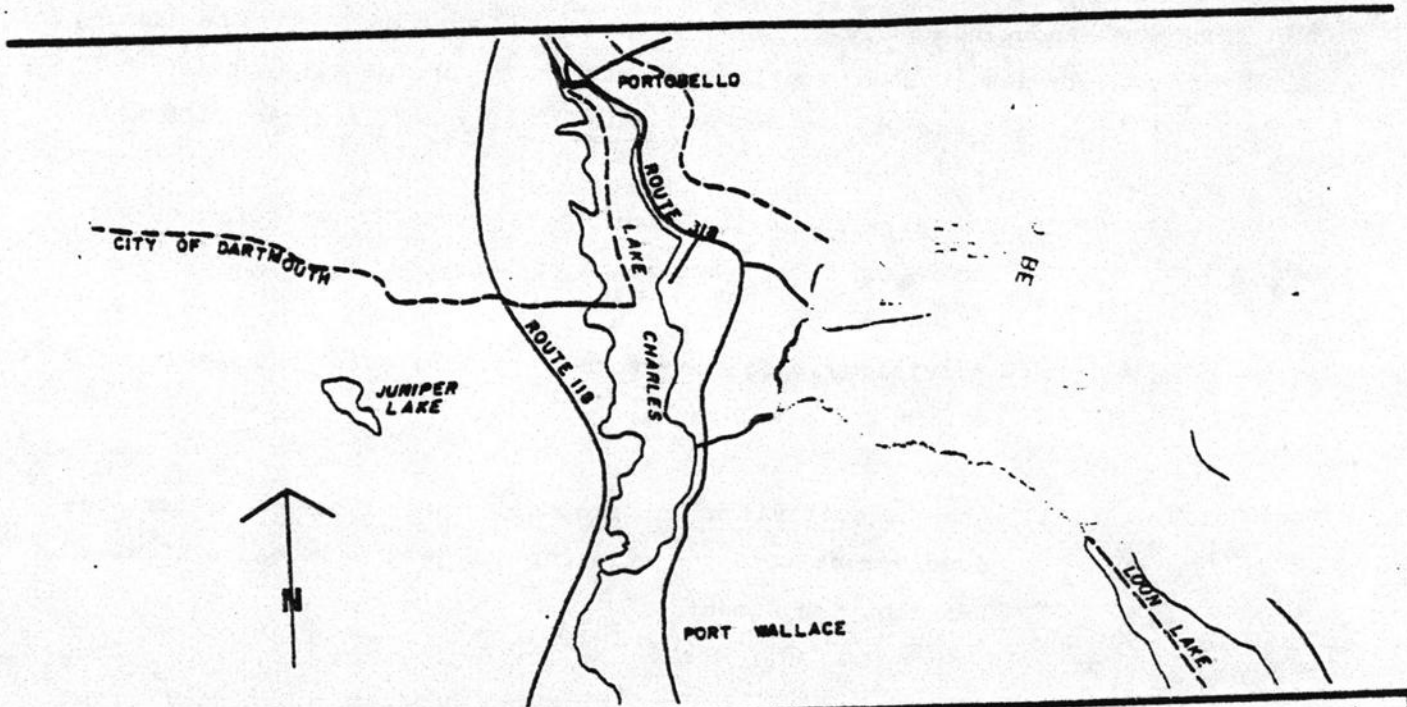


FIGURE 1 - KEY PLAN AND DISTRICT PLAN



APPENDIX "A"

P-42 Notwithstanding Policy P-41, Council may consider permitting development on lots which have an area of less than eighty thousand (80,000) square feet, by amendment to the zoning by-law. When considering any such amendment, Council shall have regard to the provisions of Policy P-93 and the following:

- (i) the effects of the development upon the existing on-site sewer and water facilities of neighbouring lands;
- (ii) provisions made to ensure a potable water supply to uses within the development;
- (iii) the co-ordination of proposed road systems within the development with the existing and proposed road systems of neighbouring lands;
- (iv) provisions made to provide adequate setbacks from watercourses;
- (v) the potential for expansion of the development in terms of available lands and their locations relative to the development and neighbouring lands;
- (vi) provisions intended for the dedication of parklands or cash-in-lieu in terms of optimum community use; and
- (vii) any additional information, and information relating to (i) through (vi) above, as shown on a tentative plan of subdivision.

APPENDIX "B"

P-93 In considering amendments to the zoning by-law or development agreements, in addition to all other criteria as set out in various policies of this Plan, Council shall have regard to the following matters:

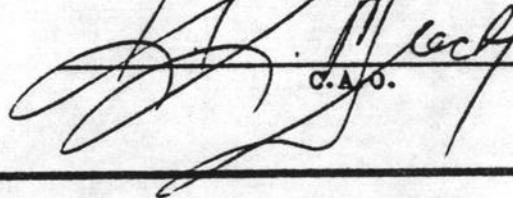
- (i) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
- (ii) that the proposal is not premature or inappropriate by reason of:
 - (a) the financial capability of the Municipality to absorb any costs relating to the development;
 - (b) the adequacy of sewer and water services;
 - (c) the adequacy or proximity of school, recreation and other community facilities;
 - (d) the adequacy of road networks leading or adjacent to or within the development; and
 - (e) the potential for damage to or destruction of designated historic buildings and sites.

PROPOSED AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY AND
LAND USE BY-LAW FOR SACKVILLE

TO: The Planning Advisory Committee
FROM: Planning and Development
DATE: December 2, 1985



DIRECTOR



G.A.O.

BACKGROUND

Planning Advisory Committee previously received Report 'A' (Planning Department recommendation) and Report 'B' (Industrial Commission recommendation), which presented divergent views on future development of the Sackville Industrial Park.

The Chief Administrative Officer has determined a compromise, outlined below. It removes some of the uses specifically included in the Commission's request, on the understanding that they are otherwise permitted by the by-law. It also deletes some uses, notably retail, entertainment and institutional uses, entirely. It does, however, add substantially to the limited amendment presented by Planning staff and removes any rezoning requirements for commercial operations.

A BY-LAW TO AMEND THE ZONING BY-LAW FOR SACKVILLE

The Zoning By-law for Sackville is hereby amended by:

(a) inserting immediately following Part 2.60 (Definition of Structure) the following:

2.60 (a) **SUPPORT SERVICE** means a building or part of a building in which the primary function is to provide services to industry or to businesses located in an industrial park, and without limiting the generality of the foregoing shall include copying, printing and micro-filming establishments, the offices of an industry or of engineering, architectural, design and like consultants, business management, marketing and similar firms and manufacturer's agents, and building, equipment and grounds maintenance companies.

(b) and by deleting from Part 15.1 the list of uses permitted as "Industrial Uses" and inserting therefor the following:

Commercial Uses

- Banks and financial institutions;
- Restaurants and drive-in and take-out restaurants;
- Greenhouses and nurseries;
- Support services;
- Machinery sales and service;
- Vehicle sales;
- Office and retail uses accessory to Industrial Uses permitted.

Industrial Uses

- Warehousing and warehouse sales;
- Wholesaling and wholesale sales;
- Service industries;
- Service shops;
- Industrial training facilities;
- Research facilities;
- Postal and commercial courier distribution facilities;
- Light manufacturing operations;
- Food and beverage processing and packaging;
- Assembly operations;
- Recycling depots within wholly enclosed buildings;
- Transport facilities and maintenance yards;
- Taxi and bus depots;
- Parking lots.

(c) and by inserting immediately following the words "I-1 ZONE REQUIREMENTS: INDUSTRIAL USES" and again, immediately following the words "as Industrial Uses" of Part 15.2 the words " and Commercial Uses ".

A BY-LAW TO AMEND THE
MUNICIPAL DEVELOPMENT PLAN FOR SACKVILLE

The Municipal Development Plan for Sackville is hereby amended by:

- (a) deleting paragraph 2 from page 8 (Community Profile: Industrial Development) and inserting therefor the following:

In 1980, Industrial Estates Limited began work on the 150 acre Sackville Industrial Park, situated to the south of the Cobequid Road. During the park's first years of operation, IEL determined that, to be successful, the park should be marketed for a wider range of developments than restricted manufacturing and warehousing. It is anticipated that future promotional efforts will follow the lead of other parks in the region, notably Dartmouth's Burnside, in attracting a wide range of wholesale, service, transport and research facilities.

- (b) and by deleting paragraph 4 from page 28 (Land Use Intent: Industrial Designation) and inserting therefor the following:

The Industrial Designation is intended to promote the development of the Sackville industrial park. The Designation shall permit all forms of light industry, wholesaling and services to industry. In addition, accessory office and retail operations and a limited range of commercial developments which serve park employees or are appropriate to industrial locations shall be permitted.

- (c) and by deleting paragraph 3 from page 44 (Commercial Designations) and inserting therefor the following:

Although it is anticipated that these events will continue to influence the form of development in Sackville for years to come, the objectives of the Plan are: to introduce the concept of a commercial core; to recognize the inevitability of strip development and to set standards to create a viable commercial corridor; to provide appropriate locations for heavy commercial development through commercial and industrial policies.

- (d) any by inserting as a new paragraph immediately preceding Policy P-65 (Industrial Designation) the following:

Regardless of limits placed on other industrial developments in the community, it is recognized that the ability to compete is affected by established industrial locations outside the Plan Area, and the success of the Sackville park will require aggressive promotion. The attractiveness of the park to investors will depend to some extent on its ability to provide a full range of support services to tenants, whether these be financial and food services or consulting and maintenance operations. In addition, province-wide limitations in the manufacturing sector demand that opportunities be available to capture a diversity of business, including wholesale and service industries, packaging and transportation firms, and research and training facilities.

- (e) and by deleting Policy P-66 (Industrial Designation) and inserting therefor the following:

P-66 Within the Industrial Designation, it shall be the intention of Council to establish a light industrial zone, which permits a broad range of manufacturing, processing, warehousing, wholesaling, transportation and service industries, heavy commercial activities and a variety of support services to park tenants and users.

- (f) and by deleting Policy P-99(ii) (Amendments concerning the Sackville Industrial Park) and inserting therefor the following:

- (ii) In keeping with the Plan's objectives of increasing opportunities for employment, investment and services to residents, a considerable amount of land has been designated for commercial and industrial purposes along Highway No. 1 and in the Sackville Industrial Park. Development of these areas should be carefully monitored. In particular, the development of Phases I and II of the park may result in Council's review and amendment of the policies of this Plan.

Continuing commercial development of the park should be assessed in terms of potential effects upon commercial land in the core and along Highway No. 1. It is not the intention that continuing park development be to the detriment of these business areas. Similarly, should the park reach substantial industrial occupancy, a review shall occur to determine if the land use designation for the area northeast of the Industrial Designation is still appropriate, or if this area should be designated to provide additional industrial land.

PROPOSED AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY AND
LAND USE BY-LAW FOR SACKVILLE

TO: The Planning Advisory Committee
FROM: Planning and Development
DATE: August 15, 1985


DIRECTOR

C.A.O.

RECOMMENDATION

THAT THE SACKVILLE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW BE AMENDED TO PERMIT ADDITIONAL BUSINESS USES WITHIN SACKVILLE INDUSTRIAL PARK.

BACKGROUND

The Report on Industrial Parks in the Municipality of the County of Halifax was written in response to concerns expressed by Halifax County Industrial Commission that zoning restrictions with respect to uses permitted was hindering development of county parks. The report concluded that the uses presently permitted be extended to include park support services and some commercial uses which would specifically benefit from locating in a particular park. Implementation of these recommendations requires amendments to the municipal planning and/or land use by-laws in planned areas and policy development in the unplanned areas.

Two parks, Lakeside and Sackville, are located in planned areas and thus any changes in permitted uses must conform to the municipal planning strategy. The remaining parks are in unplanned areas and are controlled under Zoning By-law No. 24 which may be amended without reference to a plan. All but two of these parks are in areas which are currently involved in a planning process. This process includes discussion on the role of industrial/business parks. One outcome of the process should be appropriate land use controls for parks in the context of both plan area and municipal needs.

A BY-LAW TO AMEND THE
MUNICIPAL DEVELOPMENT PLAN FOR SACKVILLE

The Municipal Development Plan for Sackville is hereby amended by:

(a) deleting from paragraph 4 on page 28 (Land Use Intent - Industrial Designation) the words "and limited accessory commercial and office uses shall be permitted" and inserting therefor the words: ", warehousing, wholesaling and a broad range of complementary commercial services to industry."

(b) and by inserting as a new paragraph immediately preceding Policy P-65 (Industrial Designation) the following:

In support of development of the commercial core and in keeping with the objective of concentrating industry in the Sackville area, it is the intention that the park shall be promoted for industry, as opposed to general business purposes. However, the attractiveness of the park to investors will depend to some extent on its ability to provide the full range of supporting services to tenants. Some of these, such as consulting firms, printing services, or building and grounds maintenance operations, are appropriate from the initial stages of park development. Others, such as restaurants, depend on a certain number of industrial uses having located in the park before they are serving park employees as opposed to the general community. As it is not the intention to promote these developments prematurely and thus detract from the core, such uses will only be considered by rezoning, at which time the relationship of the proposed use will be determined relative to the level of park development.

(c) and by deleting Policy P-66 (Industrial Designation) and inserting therefor the following:

P-66 Within the Industrial Designation, it shall be the intention of Council to establish a light industrial zone, which permits light manufacturing, warehousing, transportation and service industries, as well as wholesale and limited retail uses and a broad range of support services to industry.

P-66(a) Notwithstanding Policy P-66, Council may consider permitting certain commercial uses within the Industrial Designation, where such uses are complementary to industrial uses or serve industrial park employees. In this regard, Council shall establish a commercial zone which shall only be considered within the Industrial Designation and in considering amendments to the zoning by-law, Council shall have regard to the provisions of Policy P-104 and the demonstrated or reasonable relationship of the proposed use to industry or industrial employees in terms of the size, activity, hours of operation and clientele of the proposed use.

REPORT TO THE PLANNING ADVISORY COMMITTEE

Policy Division
28 August 1985

Introduction

Prior to tabling proposed amendments with PAC, a staff report was forwarded to the Industrial Commission. The report included recommended changes to the Sackville plan and by-law to broaden the uses permitted in the Sackville industrial park. These were prepared in response to a request from Industrial Estates Limited and the Commission.

Staff recommendations were unacceptable to the Commission, which then prepared its own amendment package for PAC consideration.

The Planning Department's recommendations are attached as Report A. Those of the Industrial Commission are attached as Report B. The two are so widely divergent that direction is required before a final amendment package can be prepared for Council.

Planning Report

The staff report permits commercial development of a type which would not detract from the plan's designated commercial areas and allows for a number of support services to industry. In addition, it is recognized that park employees require some direct services, although given the presently low level of development/employment in the park, this is approached with caution.

The amendments affect only the plan's Industrial Designation and include an explanation of the intention in promoting "industry first" and supporting general commercial development elsewhere in Sackville.

Commission Report

The Industrial Commission requests that virtually any non-residential use be permitted. Institutional and general commercial development is supported. In essence, the Commission is recommending a "free zone" for the park.

The amendments are made primarily to the land use by-law, with few explanatory or other changes to the plan. If it is PAC's intention to recommend Commission amendments to Council, it is suggested that the package be revised to clarify the intention in developing the park and to support by-law amendments.

For Discussion

Staff can appreciate the desire of Industrial Estates Limited or any other landowner to make way for unlimited sales and development opportunities. However, it is suggested that the amendments requested go beyond effecting any industrial strategy, to affecting commercial and community development policies across the board.

The Commission's request is viewed by the Planning Department as a major amendment which will functionally alter the development strategy for Sackville and which, therefore should be the subject of expanded public participation and discussion.

A BY-LAW TO AMEND THE
ZONING BY-LAW FOR SACKVILLE

The Zoning By-law for Sackville is hereby amended by:

- (a) inserting immediately following Part 2.60 (Definition of Structure) the following:

2.60 (a) **SUPPORT SERVICE** means a building or part of a building in which the primary function is to provide services to industry or to businesses located in an industrial park, and without limiting the generality of the foregoing shall include copying, printing and microfilming establishments, the offices of engineering, architectural, design and like consultants, business management, marketing and similar firms and manufacturer's agents, and building, equipment and grounds maintenance companies.

- (b) and by deleting from Part 15.1 the list of uses permitted as "Industrial Uses" and inserting therefor the following:

Industrial Uses

- Machinery sales and service;
- Light manufacturing operations;
- Service industries;
- Support services;
- Transport facilities and maintenance yards;
- Vehicle sales which are wholly enclosed within a building;
- Warehousing;
- Wholesaling;
- Office and retail uses accessory to permitted industrial uses.

- (c) and by adding to the Table of Contents the words "Part 14A: C-4 (SPECIAL COMMERCIAL) ZONE" and by inserting immediately following Part 14 the following:

PART 14A: C-4 (SPECIAL COMMERCIAL) ZONE

14A.1 C-4 USES PERMITTED

No development permit shall be issued in any C-4 (Special Commercial) Zone except for the following:

Commercial Uses

- Restaurants and take-out restaurants;
- Banks and financial institutions.

14A.2 C-4 ZONE REQUIREMENTS: COMMERCIAL USES

In any C-4 Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the provisions of Part 13.

(d) and by inserting immediately following Policy P-103 (ii) (Uses Considered by Amendment to the By-law) the following:

(iii) within the Industrial Designation:

(a) commercial uses complementary to industrial activities according to Policy P-66 (a).

Of the two parks in areas not involved in a planning process, one will be involved in such a process in the near future while the other is located well outside the metropolitan area and therefore need not be subject to restrictions regarding permitted uses at this stage of its development.

In concordance with the specific request at hand, this report deals only with the Sackville area.

Sackville Municipal Planning Strategy

The intent of the Industrial Designation is to encourage the location of light industry in Sackville Industrial Park. Policy P-66 authorizes light manufacturing, warehousing, transportation and associated office and commercial uses within the Designation. Support is given for the location of retail and comparison shopping, government and general offices and supportive financial entertainment and cultural facilities in the commercial core.

There are some commercial and office uses which would benefit the industrial park without detracting from the retail and community-serving nature of a developed core business district. Consultants and manufacturer's agents are commonly found in close proximity to the businesses they serve. In the sales sector, wholesaling should be encouraged and accessory retail outlets should be unhindered by current floor area restrictions.

In addition to park-directed services, the park could accept food and financial services which also serve the broader community. However, there is a concern that permitting banks and restaurants may be premature inasmuch as the park is not developed enough to support these uses by park employee business. It is acknowledged that employee business will never be the sole support of these uses, even in a fully developed park. However, until such time as the employment level substantially contributes to the financial or restaurant clientele, providing a park location will only serve to take these businesses away from community-serving core locations. A specific rezoning is therefore recommended, in which primary consideration will be given to the relationship of the proposed use to the park and in which Council can determine its satisfaction with the need for the service at various stages in park development.

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(b) and by deleting from Part 15.1 the list of uses permitted as "Industrial Uses" and inserting therefor the following:

Industrial Uses

- Machinery sales and service;
- Light manufacturing operations;
- Transport facilities and maintenance yards;
- Vehicle sales;
- Warehousing and Warehouse Sales;
- Wholesaling and Wholesale Sales;
- Office and retail uses;
- 2.13 Day-Care Facility;
- 2.16 Entertainment use;
- 2.25 Institutional use;
- 2.40 Office uses;
- 2.42 Outdoor Display Court;
- 2.47 Personal Service Shop;
- 2.52 Retail Store uses;
- 2.54 Service Industry;
- 2.55 Service Shops;
- 2.60A Support Services;
- Food Store;
- Commercial Schools;
- Banks & Financial Institutions;
- Restaurants;
- Commercial Recreational uses;
- Service Stations;
- Taxi & Bus Depots;
- Parking Lots;
- Greenhouses & Nurseries;
- Medical Facilities;
- Research Facilities;
- Automotive Repair;
- Recycling Depots within wholly enclosed buildings;
- Fuel Distribution Facilities;
- Veterinary Hospital & Kennels;
- Crematoriums & Funeral Homes;
- Food Packaging & Processing;
- Assembly Plants;
- Liquor Manufacturing & Processing Plants;
- Other related uses which do not fall under Section 2.39.

REPORT OF THE INDUSTRIAL COMMISSIONPROPOSED AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY ANDLAND USE BY-LAW FOR SACKVILLE

A meeting of the Industrial Commission was held August 21, 1985 and the following motion was passed:

"THAT THE PROPOSED AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR SACKVILLE (AS REVISED) BE RECOMMENDED TO THE PLANNING ADVISORY COMMITTEE."

RECOMMENDATION

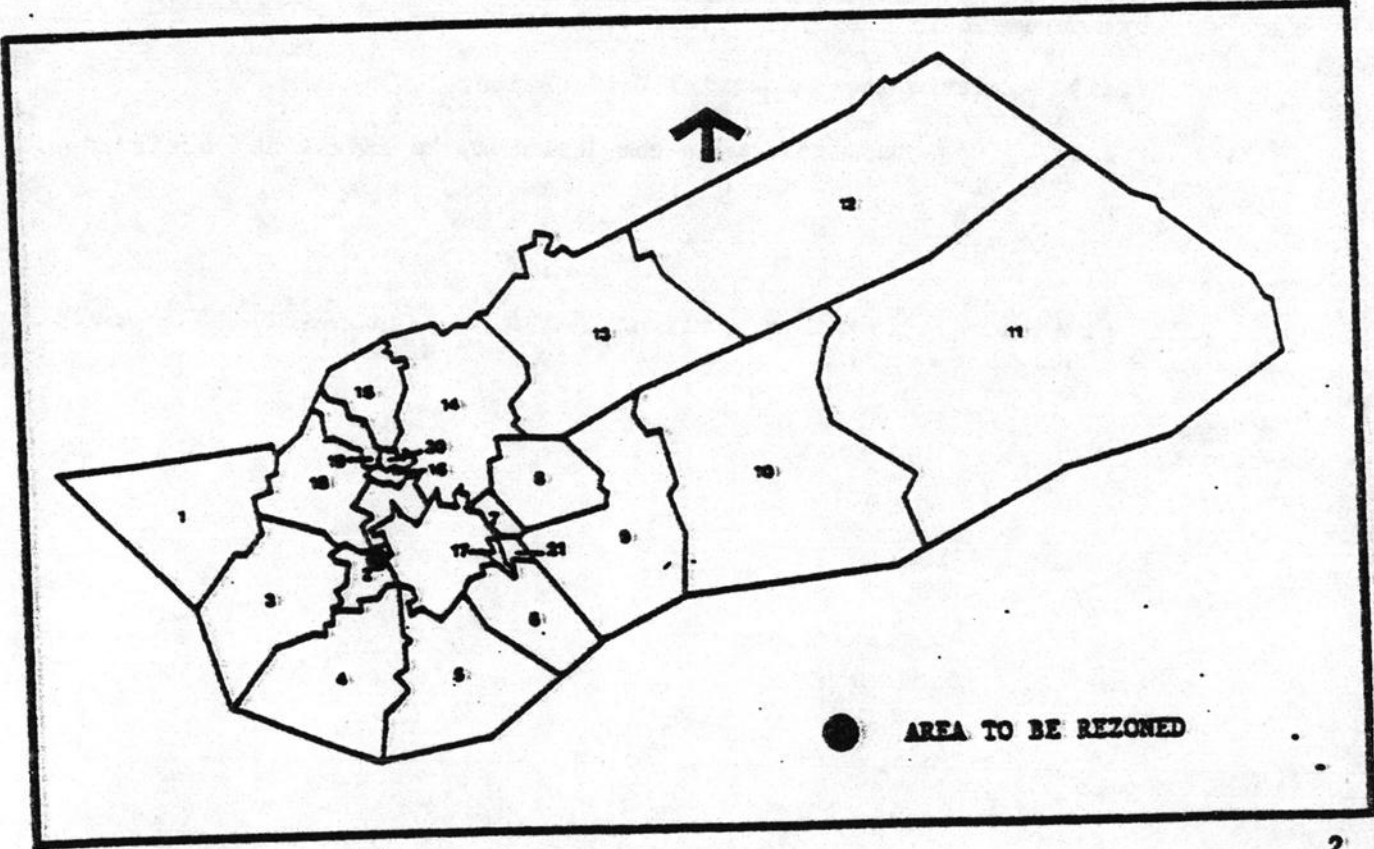
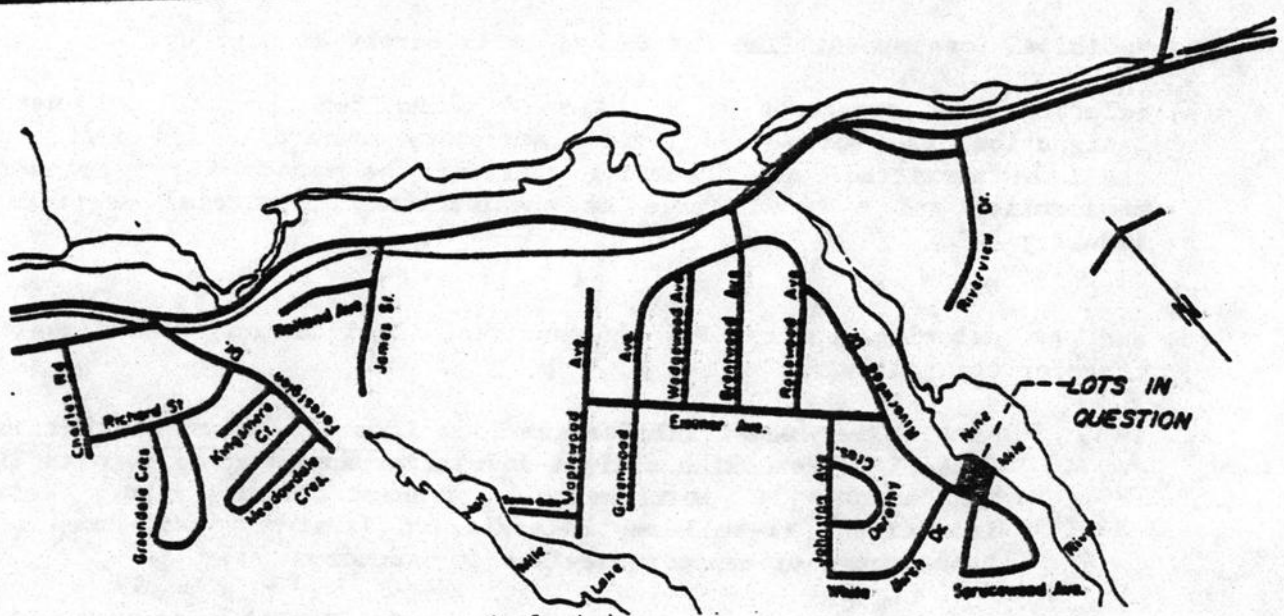
THAT THE SACKVILLE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW BE AMENDED TO PERMIT ADDITIONAL BUSINESS USES WITHIN SACKVILLE INDUSTRIAL PARK.

BACKGROUND

The Report on Industrial Parks in the Municipality of the County of Halifax was written in response to concerns expressed by Halifax County Industrial Commission that zoning restrictions with respect to uses permitted was hindering development of county parks. The report concluded that the uses presently permitted be extended to include park support services and some commercial uses which would specifically benefit from locating in a particular park. Implementation of these recommendations requires amendments to the municipal planning and/or land use by-laws in planned areas and policy development in the unplanned areas.

Two parks, Lakeside and Sackville, are located in planned areas and thus any changes in permitted uses must conform to the municipal planning strategy. The remaining parks are in unplanned areas and are controlled under Zoning By-law No. 24 which may be amended without reference to a plan. All but two of these parks are in areas which are currently involved in a planning process. This process includes discussion on the role of industrial/business parks. One outcome of the process should be appropriate land use controls for parks in the context of both plan area and municipal needs.

FIGURE NO. 1 - KEY PLAN & DISTRICT PLAN



A BY-LAW TO AMEND THE
MUNICIPAL DEVELOPMENT PLAN FOR SACKVILLE

The Municipal Development Plan for Sackville is hereby amended by:

(a) deleting from paragraph 4 on page 28 (Land Use Intent - Industrial Designation) the words "and limited accessory commercial and office uses shall be permitted" and inserting therefor the words: ", warehousing, wholesaling and a broad range of complementary commercial services to industry."

(b) and by deleting Policy P-66 (Industrial Designation) and inserting therefor the following:

P-66 Within the Industrial Designation, it shall be the intention of Council to establish a light industrial zone, which permits light manufacturing, warehousing, transportation and service industries, as well as wholesale and limited retail uses and a broad range of support services to industry.

(c) any by inserting immediately following Policy P-103 (ii) (Uses Considered by Amendment to the By-law) the following:

(iii) within the Industrial Designation:

(a) commercial uses complementary to industrial activities.

COUNCIL SESSION

JANUARY 21, 1986

PRESENT WERE: Warden MacKenzie
Councillor Walker
Councillor Poirier
Councillor Fralick
Councillor P. Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Randall
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Merrigan
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Deputy Warden Wiseman
Councillor Mont

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. R. Cragg, Municipal Solicitor
Mr. G.J. Kelly, Municipal Clerk

SECRETARY: Glenda Higgins

CALL TO ORDER

Warden MacKenzie called the meeting to order at 6 p.m. with the Lord's Prayer.

ROLL CALL

Mr. Kelly called the Roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor DeRoche, seconded by Councillor Poirier:

"THAT Glenda Higgins be appointed as Recording Secretary."
Motion Carried.

APPROVAL OF MINUTES

It was moved by Councillor Snow, seconded by Councillor Walker:

"THAT the minutes of the December 3, 1985 Regular Session of Council be approved as circulated."
Motion Carried.

It was moved by Councillor DeRoche, seconded by Councillor Snow:

THAT the minutes of December 5, 1985 Public Hearing be approved as circulated."
Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Deveaux:

"THAT the minutes of December 9, 1985 Public Hearing be approved as circulated."
Motion Carried.

It was moved by Councillor DeRoche, seconded by Councillor Adams:

THAT the minutes of December 17, 1985 Council Session be approved as circulated."
Motion Carried.

AGENDA ITEMS

Councillor Mont - Sunday Store Hours
Councillor P. Baker - Lakeside Treatment Plant
Councillor Lichter - Meagher's Grant Post Office
Councillor Deveaux - Mail Delivery

LETTERS AND CORRESPONDENCE

Herring Cove Sewer Outfall

Mr. Kelly briefed a letter addressed to Mr. Reinhardt from the Mayor of the City of Halifax respecting the Herring Cove Sewer Outfall. The letter was a response to one sent to the Mayor on December 20, 1985. The letter stated that there are presently no developments from the city dumping sanitary sewer in the Herring Cove sewer - only a Provincial project, and perhaps County concerns should be addressed to the province.

It was moved by Councillor Walker, seconded by Councillor DeRoche:

"THAT this item of correspondence be deferred."
Motion Carried.

Family Public Housing

Mr. Kelly read a letter which was received from the Nova Scotia Department of Housing regarding Family Public Housing in the County of Halifax. The letter identifies a number of projects that have either been completed or are in the process of completion, and it also identified projects in Sackville and Hubbards areas included in their 1986 budget.

Councillor McInroy and Councillor Mont declared conflicts of interest.

It was moved by Councillor DeRoche, seconded by Councillor Adams:

"THAT this letter from the Nova Scotia Department of Housing be received."

Motion Carried.

Councillor MacKay pointed out that some action may be required on this regarding approval by Council of the seven units to be constructed by the Department of Housing in the Municipality.

It was moved by Councillor MacKay, seconded by Councillor Walker:

"THAT Council approve the family housing units as per the correspondence from the Nova Scotia Department of Housing for the 1986 year."

Motion Carried.

Councillor Deveaux inquired of what the procedure is for getting more housing units constructed in the next few years. Warden MacKenzie advised that we can make inquiries to see if the Department of Housing has any intentions of making more units available.

Infilling of Fletcher's Run

Mr. Kelly read a letter from the Nova Scotia Department of the Environment in response to our letter of November 15, 1985. Hon. LeBlanc advised in this letter that Mr. Boyd has been advised by the Department of the Environment that infilling of the watercourse will not be permitted. Since that time, the Department of the Environment is not aware of any further infilling and will ensure that no infilling takes place in this area.

It was moved by Councillor Snow, seconded by Councillor Deveaux:

"THAT this letter from the Nova Scotia Department of the Environment be received."

Motion Carried.

PLANNING ADVISORY COMMITTEE REPORT

Application No. DA-LM-35-85-08 - Development Agreement between the Municipality of the County of Halifax and Merlin R. Dorey to Permit an Expanded Automobile Repair Outlet on Lot L3 of the Subdivision of the Lands of Shirley M. Dorey, East Preston