

North West Community Council
May 27, 2013

TO: Chair and Members of Central Community Council

Original Signed

SUBMITTED BY: Ann Merritt, Chair, North West Planning Advisory Committee

DATE: May 1, 2013

SUBJECT: Case 18304: Amendment to the Bedford Land Use By-law to permit Banks and Financial Institutions in the CGB (General Business District) Zone, Bedford

ORIGIN

North West Planning Advisory Committee Meeting – May 1, 2013.

LEGISLATIVE AUTHORITY

HRM Charter; Part VIII, Planning & Development

RECOMMENDATION

It is recommended that North West Community Council:

1. Give First Reading to the proposed amendment to the Bedford Land Use By-law, as contained in Attachment A of the staff report dated April 9, 2013 and schedule a public hearing; and
2. Approve the proposed amendment to the Bedford Land Use By-law, as contained in Attachment A of the staff report dated April 9, 2013.

BACKGROUND/DISCUSSION

At its meeting on May 1, 2013 the Committee reviewed and discussed the proposal to amendment as set out in Attachment A of the staff report dated April 9, 2013.

BUDGET IMPLICATIONS

There are no budget implications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

As per staff's report dated April 9, 2013.

ALTERNATIVES

North West Community Council may choose to:

1. Approve the proposed amendment to the Bedford LUB as provided in Attachment A of the staff report dated April 9, 2013. This is the staff recommendation. A decision of Council to approve this land use by-law amendment is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse to amend the Bedford LUB and, in doing so, must provide reasons why the LUB amendment does not reasonably carry out the intent of the MPS. This is not recommended for the reasons discussed in the staff report dated April 9, 2013. A decision of Council to reject this land use by-law amendment, with or without a public hearing, is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
3. Request alternative amendments or addition to those outlined in the staff report dated April 8, 2013. This may require an additional staff report(s) and a second Public Hearing.

ATTACHMENTS

Staff report dated April 9, 2013.

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared By: Donna Honeywell, Administration/PAC Coordinator 490-4937



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

North West Planning Advisory Committee
May 1, 2013

TO: Chair and Members of North West Planning Advisory Committee

SUBMITTED BY: Original Signed
Brad Anguish, Director of Community & Recreation Services

DATE: April 9, 2013

SUBJECT: **Case 18304: Amendment to the Bedford Land Use By-law to permit Banks and Financial Institutions in the CGB (General Business District) Zone, Bedford**

ORIGIN

Application by Forma Designers Incorporated on behalf of Micco Companies.

LEGISLATIVE AUTHORITY

HRM Charter; Part VIII, Planning & Development

RECOMMENDATION

It is recommended that the North West Planning Advisory Committee recommend that North West Community Council:

1. Give First Reading to the proposed amendment to the Bedford Land Use By-law, as contained in Attachment A, and schedule a public hearing; and
2. Approve the proposed amendment to the Bedford Land Use By-law, as contained in Attachment A.

BACKGROUND

An application has been submitted to amend the Bedford Land Use By-law (LUB) to enable banks and financial institutions as permitted uses in the CGB (General Business District) Zone. Banks and financial institutions are listed as permitted uses in other commercial zones in the Bedford Land Use By-law, such as the CSC (Shopping Centre) Zone and the Mainstreet Commercial (CMC) Zone.

The Proposal:

Forma Designers Incorporated, on behalf of Micco Companies, has requested an amendment to the Bedford LUB to permit banks and financial institutions in the CGB Zone to enable a bank to be located at 1527 Bedford Highway (Map 1). The property presently contains an existing Tim Hortons restaurant. Previously, it also housed a gas station which has since been removed. If approved, the bank and restaurant would be located on the same property. The Bedford LUB permits two main buildings to be located on the same property, provided each building satisfies all applicable requirements of the LUB.

The Property:

The subject property is generally described as follows:

- located at 1527 Bedford Highway, Bedford;
- approximately 2,926 m² (31,500 ft²) in area;
- approximately 45 m (147.6 ft) of public road frontage along the Bedford Highway;
- serviced with municipal central water and sewer;
- designated Commercial under the Bedford Municipal Planning Strategy (MPS) (Map 1); and
- zoned CGB (General Business District) and CHWY (Highway Oriented Commercial) under the Bedford LUB (Map 2).

Implication on other CGB Properties:

If approved, the proposed amendment would allow for the establishment of banks and financial institutions on the subject property as well as on any other property zoned CGB within the Bedford plan area, provided all applicable requirements of the Bedford LUB are met.

DISCUSSION

Policy Intent:

The subject property is zoned CGB under the Bedford LUB. The intent of the CGB Zone is to encourage a range of small to large scale commercial retail, service, and office uses to serve the community of Bedford and the outlying region. Properties zoned CGB are situated within the Commercial designation. There is no specific MPS policy to consider banks and financial institutions on the subject property, nor is there specific policy to preclude Council from considering amending the CGB Zone to permit such a land use.

Amendments to the LUB may be considered through a review of Implementation Policy Z-3 of the Bedford MPS. It is the opinion of staff that the proposed LUB amendment, provided in

Attachment A, satisfies Policy Z-3 (Attachment B) of the Bedford MPS. While the proposed amendment is consistent with the intent of the MPS, staff has identified the following items for discussion.

Impact on CGB Zoned properties and surrounding community:

Although not listed as a permitted land use, it is staff's opinion that banks and financial institutions do not increase the potential for land use conflict between CGB Zoned properties and the surrounding community. Further, other uses currently permitted within the CGB Zone such as: recycling depots; lounges and taverns and dry-cleaning depots, pose a higher risk of generating potential land use conflict and increased traffic generation than do banks and financial institutions.

Impact of development on the subject site and surrounding properties:

As referenced on the proposed site plan (Attachment C), the proposed bank is to be generally sited in the same location as a gas station that formerly occupied the site. Surrounding land uses to the east, west and north include a variety of full service restaurants, drive-in and takeout restaurants, taverns, retail uses and office uses. Existing uses located south of the subject site include an existing rail line and single unit residential dwellings located along Stone Terrace. The existing residential development is buffered by a substantially mature tree buffer located along portions of the Canadian National Railway Company property. It is the opinion of staff that the proposed use of a bank will have minimal impact on the subject site and surrounding properties.

Although a site plan has been provided for the purpose of evaluating the proposed use and its relationship with the subject site, this site plan represents a conceptual rendering of how a bank may be sited on the subject site. Provided the proposed amendment is approved by Council and banks are listed as a permitted land use within the CGB Zone, any proposal for future development of this land use will be required to meet all applicable provisions and requirements of the Bedford LUB (Attachment D).

Traffic Impact:

A traffic impact study was provided as part of this application. In brief, the findings of the study indicate that the proposed bank at 1527 Bedford Highway can be introduced safely and efficiently to the existing transportation network. Further, the study concludes that the proposed site plan is designed with separate dedicated entrance-only and exit-only driveways along with a relocated Tim Hortons drive-thru. This design will ensure efficient circulation on site with minimal impact to the traffic on the Bedford Highway. HRM staff has reviewed and concur with the findings of the traffic impact study.

Further, other uses currently permitted within the CGB Zone have the potential to generate more traffic than banks and financial institutions; therefore, including this land use in the CGB Zone is not a concern from a traffic impact perspective.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the proposed 2013/14 operating budget for C310 Planning & Applications.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy.

The level of community engagement was consultation, achieved through a Public Information Meeting held on February 27, 2013. For the Public Information Meeting, notices were posted on the HRM website, in the newspaper and mailed to property owners within the notification area as shown on Map 2. Attachment C contains a copy of the minutes from the meeting.

A public hearing must be held by Council before they can consider approval of this application. Should Council decide to proceed with a Public Hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area will be notified as shown on Map 2.

The proposed development agreement will potentially impact (but not be limited to) the following stakeholders: local residents and property owners.

ENVIRONMENTAL IMPLICATIONS

The proposal meets all relevant, environmental policies contained in the Bedford MPS and LUB.

ALTERNATIVES

North West Planning Advisory Committee may recommend that North West Community Council:

1. Approve the proposed amendment to the Bedford LUB as provided in Attachment A of this report. This is the staff recommendation. A decision of Council to approve this land use by-law amendment is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Refuse to amend the Bedford LUB and, in doing so, must provide reasons why the LUB amendment does not reasonably carry out the intent of the MPS. This is not recommended for the reasons discussed above. A decision of Council to reject this land use by-law amendment, with or without a public hearing, is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
3. Request alternative amendments or addition to those outlined in this report. This may require an additional staff report(s) and a second Public Hearing.

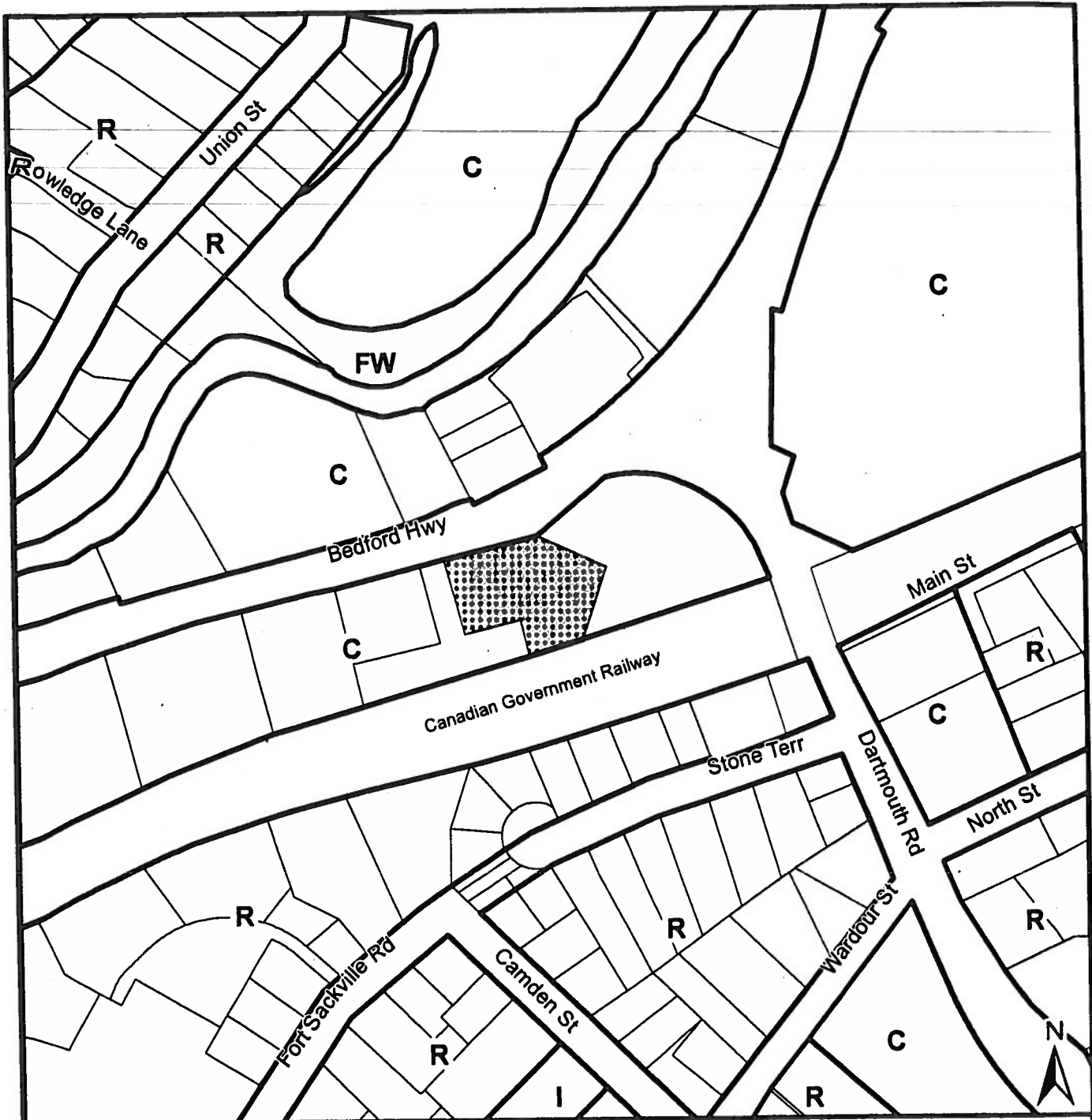
ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Zoning and Notification
Attachment A	Proposed Amendments to the Land Use By-law
Attachment B	Excerpts of Bedford MPS and Policy Review
Attachment C	Proposed Site Plan (Concept)
Attachment D	Excerpts from the Bedford Land Use By-law
Attachment E	Public Information Meeting Minutes

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Tyson Simms, Planner, 869-4747

Report Approved by: Original Signed
Kelly Dent, Manager of Development Approvals, 490-4800



Map 1 - Generalized Future Land Use

1527 Bedford Highway
Bedford

HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS

 Subject Property

Designations

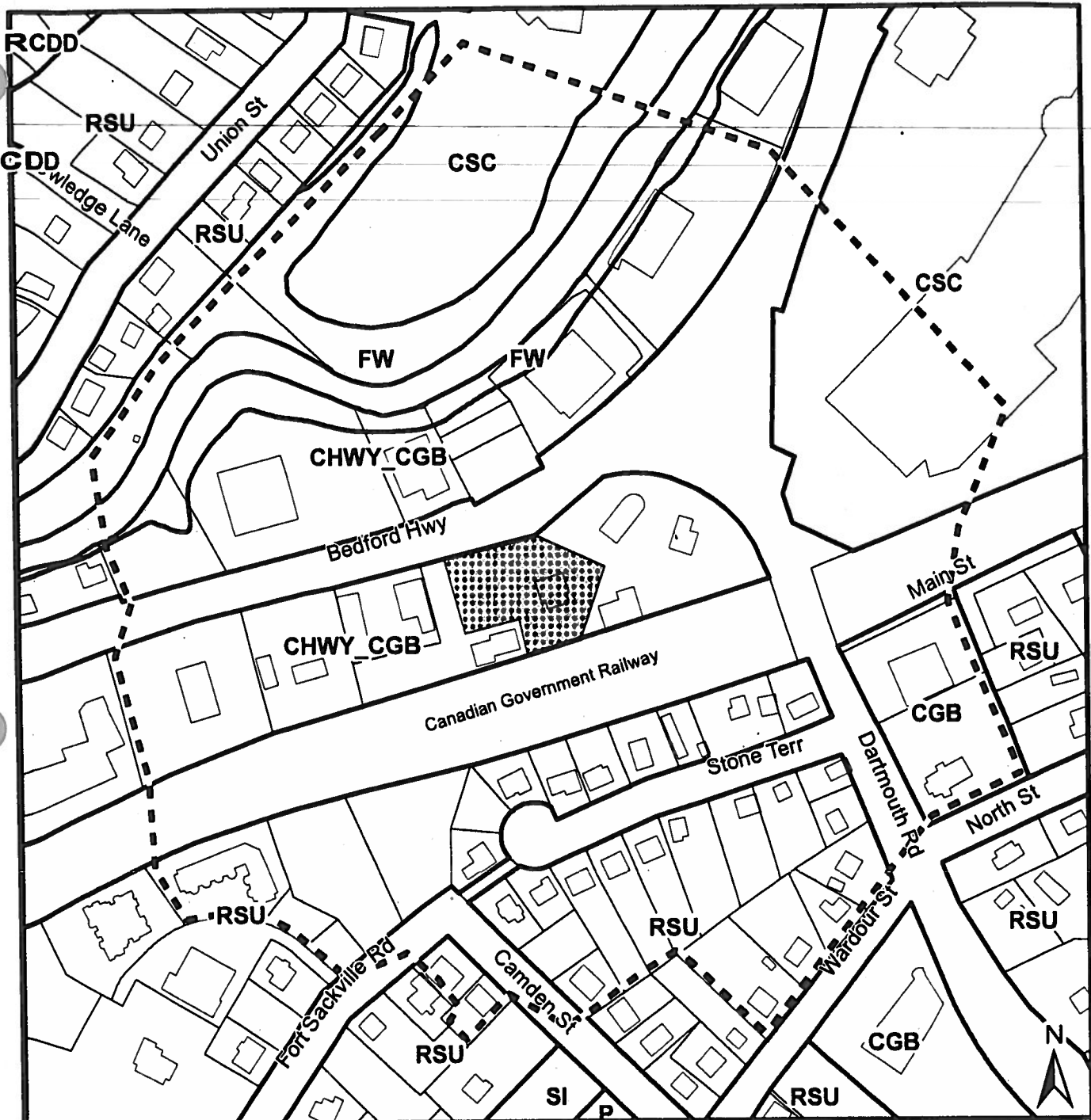
- R Residential
- C Commercial
- FW Floodway
- I Institutional

Bedford
Plan Area



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

HRM does not guarantee the accuracy of any representation on this plan.



Map 2 - Zoning and Notification

1527 Bedford Highway
Bedford

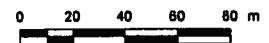
 Subject Property

 Area of notification

Bedford
Land Use By-Law

Zone

- RSU Single Dwelling Unit
- CGB General Business District
- CSC Shopping Centre
- CHWY Highway Oriented Commercial
- RCDD Residential Comprehensive Development District
- FW Floodway
- SI Institutional
- P Park



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

HRM does not guarantee the accuracy of any representation on this plan.

Attachment A

Proposed Amendments to the Bedford Land Use By-law

BE IT ENACTED by the North West Community Council of the Halifax Regional Municipality that the Bedford Land Use By-law, which was adopted by the former Town of Bedford on the 26th day of March, 1996 and approved by the Minister of Municipal Affairs on the 17th day of May, 1996, as amended, is hereby further amended as follows:

- I. Amend Part 12 (CGB Zone) by deleting the text “s) Uses accessory to the foregoing uses” under the list of permitted uses and adding the following text following item r)
Veterinary clinics:

“s) Banks and Financial Institutions

t) Uses accessory to the foregoing uses”

I HEREBY CERTIFY that the amendments to the Land Use By-law for Bedford as set out above, was passed by a majority vote of the North West Community Council of the Halifax Regional Municipality at a meeting held on the _____ day of _____, 2013.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2013.

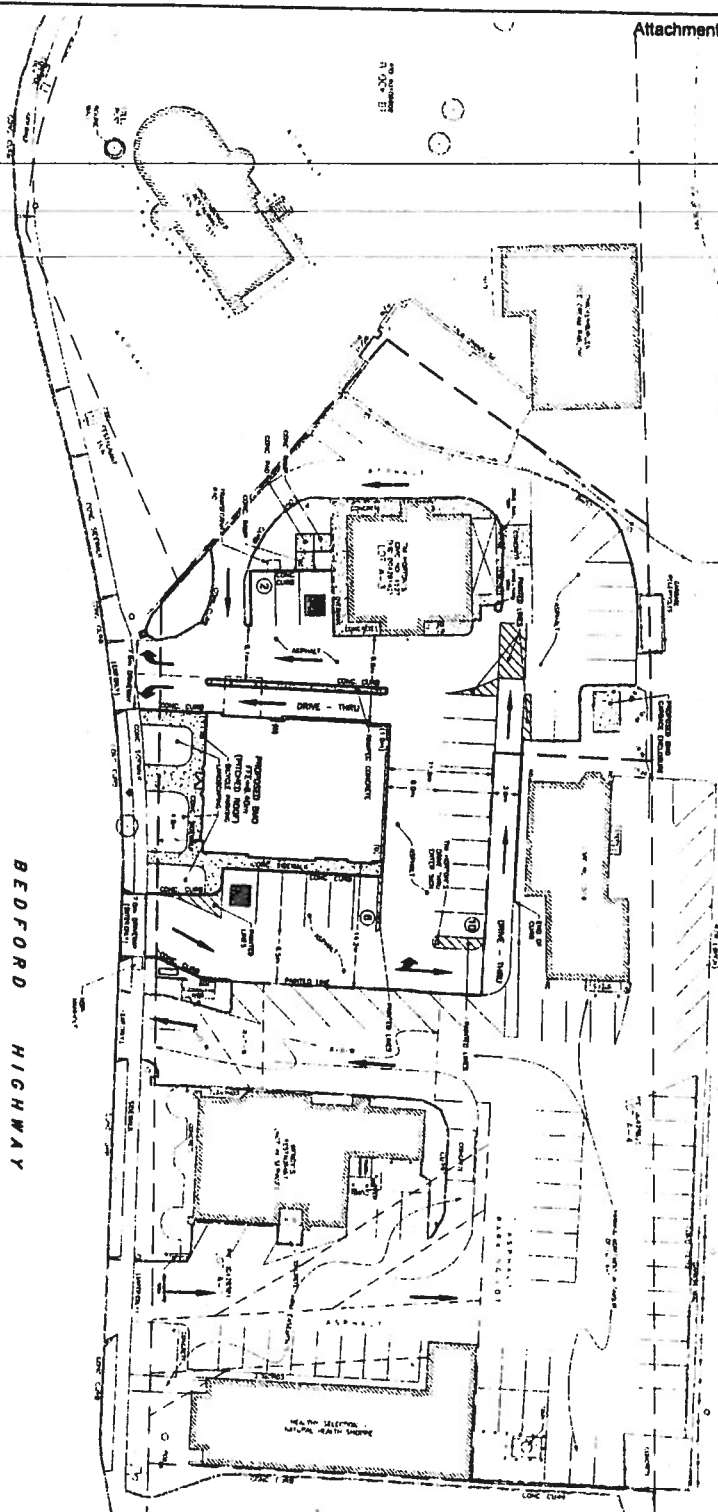
Cathy Mellett
Municipal Clerk

Attachment B
Excerpts of Bedford MPS and Policy Review

Policy Z-3:	
It shall be the policy of Town Council when considering zoning amendments and development agreements [excluding the WFCDD area] with the advice of the Planning Department, to have regard for all other relevant criteria as set out in various policies of this plan as well as the following matters :	
Policy Criteria	Staff Comment
1. <i>That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town By-laws and regulations, and where applicable, Policy R-16 is specifically met;</i>	The proposed amendment and proposal is in conformance with the intent of the Bedford MPS and LUB. Policy R-16 is not applicable to this LUB amendment.
2. <i>That the proposal is compatible with adjacent uses and the existing development form in the neighbourhood in terms of the use, bulk, and scale of the proposal;</i>	The conceptual proposal for the development is consistent with surrounding commercial development along the Bedford Highway and is comparable to the existing uses permitted in the CGB Zone. Any future proposal for Banks and Financial Institutions must meet all applicable requirements of the Bedford LUB.
3. <i>That provisions are made for buffers and/or separations to reduce the impact of the proposed development where incompatibilities with adjacent uses are anticipated;</i>	No incompatibilities with adjacent uses are anticipated. Any proposal for a Bank and Financial Institution in the CGB Zone will be required to meet all applicable provisions of the Bedford LUB, including those related to separation and buffering.
4. <i>That provisions are made for safe access to the project with minimal impact on the adjacent street network;</i>	These provisions are addressed through the HRM Streets By-law.
5. <i>That a written analysis of the proposal is provided by staff which addresses whether the proposal is premature or inappropriate by reason of:</i>	
i) <i>the financial capability of the Town to absorb any capital or operating costs relating to the development;</i>	The subject proposal does not require any capital or operating costs be absorbed by the Municipality.
ii) <i>the adequacy of sewer services within the proposed development and the surrounding area, or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems;</i>	The proposed use can be adequately serviced.
iii) <i>the adequacy of water services for domestic services and fire flows at Insurers Advisory</i>	Halifax Water has reviewed the proposal and concluded that there are adequate water

<p><i>Organization (I.A.O.) levels; the impact on water services of development on adjacent lands is to be considered;</i></p>	<p>services to service the proposed development.</p>
<p><i>iv) precipitating or contributing to a pollution problem in the area relating to emissions to the air or discharge to the ground or water bodies of chemical pollutants;</i></p>	<p>Not applicable</p>
<p><i>v) the adequacy of the storm water system with regard to erosion and sedimentation on adjacent and downstream areas (including parklands) and on watercourses;</i></p>	<p>Storm water management and design is to be addressed through the permitting stage of development.</p>
<p><i>vi) the adequacy of school facilities within the Town of Bedford including, but not limited to, classrooms, gymnasiums, libraries, music rooms, etc.;</i> <i>vii) the adequacy of recreational land and/or facilities;</i></p>	<p>Not applicable</p>
<p><i>viii) the adequacy of street networks in, adjacent to, or leading toward the development regarding congestion and traffic hazards and the adequacy of existing and proposed access routes;</i></p>	<p>A traffic impact study was submitted as part of the application which concludes that the proposed development is capable of being designed in a manner that will ensure efficient circulation on site with minimal impact to the traffic on the Bedford Highway. HRM staff have reviewed and concur with the findings of the traffic impact study.</p>
<p><i>ix) impact on public access to rivers, lakes, and Bedford Bay shorelines;</i> <i>x) the presence of significant natural features or historical buildings and sites;</i> <i>xi) creating a scattered development pattern which requires extensions to trunk facilities and public services beyond the Primary Development Boundary;</i> <i>xii) impact on environmentally sensitive areas identified on the Environmentally Sensitive Areas Map; and,</i></p>	<p>Not applicable</p>
<p><i>xiii) suitability of the proposed development's siting plan with regard to the physical characteristics of the site.</i></p>	<p>As proposed, the bank is proposed to be located in the same location as a previous use on the subject site. Suitability of the proposed development will be examined through the development permit application process. Any application for a development permit will need to meet all applicable provisions of the Bedford LUB.</p>

<p>8. <i>In addition to the foregoing, all zoning amendments and development agreements shall be prepared in sufficient details to:</i></p>	
<p>i) <i>provide Council with a clear indication of the nature of the proposed development; and</i></p>	<p>A clear indication of the nature of the proposed development has been provided through this staff report. The proposal is to amend the Bedford LUB to include banks and financial institutions as permitted uses in the CGB Zone. The specific proposal for a bank at 1527 Bedford Highway and association site plan are conceptual. Provided the proposed amendment is approved by Council, the proposal will need to meet all applicable provisions of the Bedford LUB.</p>
<p>ii) <i>permit staff to assess and determine the impact such development would have on the proposed site and the surrounding community.</i></p>	<p>It is the opinion of staff that the proposed use of a bank at 1527 Bedford Highway will have minimal impact on the subject site and surrounding properties.</p>



CANADIAN GOVERNMENT RAILWAY

BEDFORD HIGHWAY

LEGEND	
EXISTING	PROPOSED
1. EXISTING BUILDING FOOTPRINT	1. PROPOSED BUILDING FOOTPRINT
2. EXISTING PARKING LOT	2. PROPOSED PARKING LOT
3. EXISTING DRIVEWAY	3. PROPOSED DRIVEWAY
4. EXISTING WALKWAY	4. PROPOSED WALKWAY
5. EXISTING LANDSCAPING	5. PROPOSED LANDSCAPING
6. EXISTING UTILITY LINES	6. PROPOSED UTILITY LINES
7. EXISTING CURB	7. PROPOSED CURB
8. EXISTING DRIVE	8. PROPOSED DRIVE
9. EXISTING SIDEWALK	9. PROPOSED SIDEWALK
10. EXISTING FENCE	10. PROPOSED FENCE
11. EXISTING SIGN	11. PROPOSED SIGN
12. EXISTING TREE	12. PROPOSED TREE
13. EXISTING LIGHT	13. PROPOSED LIGHT
14. EXISTING WALL	14. PROPOSED WALL
15. EXISTING DOOR	15. PROPOSED DOOR
16. EXISTING WINDOW	16. PROPOSED WINDOW
17. EXISTING ROOF	17. PROPOSED ROOF
18. EXISTING TERRACE	18. PROPOSED TERRACE
19. EXISTING PORCH	19. PROPOSED PORCH
20. EXISTING STAIR	20. PROPOSED STAIR
21. EXISTING ELEVATOR	21. PROPOSED ELEVATOR
22. EXISTING ESCAPE ROUTE	22. PROPOSED ESCAPE ROUTE
23. EXISTING FIRE EXTINGUISHER	23. PROPOSED FIRE EXTINGUISHER
24. EXISTING FIRST AID KIT	24. PROPOSED FIRST AID KIT
25. EXISTING SECURITY CAMERA	25. PROPOSED SECURITY CAMERA
26. EXISTING ACCESS CONTROL	26. PROPOSED ACCESS CONTROL
27. EXISTING INTERCOM	27. PROPOSED INTERCOM
28. EXISTING PHONE	28. PROPOSED PHONE
29. EXISTING TV	29. PROPOSED TV
30. EXISTING COMPUTER	30. PROPOSED COMPUTER
31. EXISTING SERVER	31. PROPOSED SERVER
32. EXISTING NETWORK	32. PROPOSED NETWORK
33. EXISTING INTERNET	33. PROPOSED INTERNET
34. EXISTING WIRELESS	34. PROPOSED WIRELESS
35. EXISTING MOBILE	35. PROPOSED MOBILE
36. EXISTING VOIP	36. PROPOSED VOIP
37. EXISTING VIDEO	37. PROPOSED VIDEO
38. EXISTING AUDIO	38. PROPOSED AUDIO
39. EXISTING LIGHTING	39. PROPOSED LIGHTING
40. EXISTING SOUND	40. PROPOSED SOUND
41. EXISTING CLIMATE	41. PROPOSED CLIMATE
42. EXISTING AIR	42. PROPOSED AIR
43. EXISTING WATER	43. PROPOSED WATER
44. EXISTING GAS	44. PROPOSED GAS
45. EXISTING ELECTRIC	45. PROPOSED ELECTRIC
46. EXISTING TELEPHONE	46. PROPOSED TELEPHONE
47. EXISTING CABLE	47. PROPOSED CABLE
48. EXISTING SATELLITE	48. PROPOSED SATELLITE
49. EXISTING RAIN	49. PROPOSED RAIN
50. EXISTING SNOW	50. PROPOSED SNOW
51. EXISTING WIND	51. PROPOSED WIND
52. EXISTING TEMPERATURE	52. PROPOSED TEMPERATURE
53. EXISTING HUMIDITY	53. PROPOSED HUMIDITY
54. EXISTING AIR QUALITY	54. PROPOSED AIR QUALITY
55. EXISTING NOISE	55. PROPOSED NOISE
56. EXISTING VIBRATION	56. PROPOSED VIBRATION
57. EXISTING RADIATION	57. PROPOSED RADIATION
58. EXISTING MAGNETIC	58. PROPOSED MAGNETIC
59. EXISTING ELECTROMAGNETIC	59. PROPOSED ELECTROMAGNETIC
60. EXISTING GRAVITATIONAL	60. PROPOSED GRAVITATIONAL
61. EXISTING STRONG	61. PROPOSED STRONG
62. EXISTING WEAK	62. PROPOSED WEAK
63. EXISTING UNKNOWN	63. PROPOSED UNKNOWN
64. EXISTING OTHER	64. PROPOSED OTHER

PROPOSED BMO BUILDING
BEDFORD, MONA SCOTIA

SITE PLAN
1529/1527 BEDFORD HIGHWAY, LOT A-3

DATE: 12/15/2011	SCALE: 1/8" = 1'-0"	PROJECT: 1529/1527 BEDFORD HIGHWAY, LOT A-3
DRAWN BY: [Name]	CHECKED BY: [Name]	DATE: 12/15/2011
1 OF 7		C1

Attachment D
Excerpts from the Bedford Land Use By-law

PART 12 GENERAL BUSINESS DISTRICT (CGB) ZONE

No development permit shall be issued in a General Business District (CGB) Zone except for one or more of the following uses:

- a) Office Uses
- b) Private Clubs (social)
- c) Full- Service Restaurants
- d) Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)**
- c) Neighbourhood Convenience Stores
- f) General Retail exclusive of mobile home dealerships
- g) Personal and Household Services, exclusive of massage parlours
- h) Commercial Photography
- i) Lounges & Taverns (Taverns not exceeding 1,500 Sq.Ft. gross area)
- j) All Age/Teen Clubs
- k) Hotels, Motels, Cabins, Guest Houses
- l) Recycling depots
- m) Drycleaning Depots
- n) Commercial parking lots
- o) Funeral Homes
- p) Institutional (SI) uses, excluding cemeteries
- q) Ice cream stands (NWCC-July7/05;E-Dec5/05)**
- r) Veterinary clinics (NWCC-Sept 27/07;E-Oct 13/07)**
- s) **Uses accessory to the foregoing uses (NWCC-Sept 27/07;E-Oct 13/07)**

ZONE REQUIREMENTS CGB

In any General Business District (CGB) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	10,000 Sq.Ft.
Minimum Lot Frontage	60 Ft.
Minimum Front Yard	15 Ft.setback
Minimum Rear Yard	0 Ft.; Except 40 Ft. where abutting Residential Zoned property
Minimum Side Yard	0 Ft.; Except 20 Ft. or half the height of the building, whichever greater, where abutting Residential Zoned land
Maximum Height of Building	3 floors above established grade
Units on Lot	0
Lot Coverage	50%
Access	1 driveway access for each 150 feet of lot frontage

Attachment E
Public Information Meeting Minutes

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE NO. 18304 – 1527 Bedford Highway, Bedford

7:05 p.m.
Wednesday, February 27, 2013
Basinview Elementary School, Bedford

STAFF IN

ATTENDANCE: Tyson Simms, Planner, Planning Applications
Nancy Bellefontaine, Planning Controller, Planning Applications
Jennifer Purdy, Planning Controller, Planning Applications
Holly Kent, Planning Technician, Planning Applications

ALSO IN

ATTENDANCE: Councillor Tim Outhit, District 16
Alberto Berardinelli, Forma Designers (Applicant)

PUBLIC IN

ATTENDANCE: 6

The meeting commenced at approximately 7:05 p.m.

Opening remarks/Introductions/Purpose of Meeting

Mr. Tyson Simms introduced himself as the Planner guiding this application through the process. He introduced Holly Kent, Planning Technician, HRM Development Approvals, Nancy Bellefontaine, Planning Controller, HRM Development Approvals (Sackville Office), Jennifer Purdy, Planning Controller, HRM Development Approvals (Dartmouth Office), Councillor Tim Outhit, District 16, and the applicant Alberto Berardinelli from Forma Designers. A representative on behalf of the owner of 1527 Bedford Highway was also in attendance.

The purpose of the meeting was to inform the public that HRM has received an application by Forma Designers Inc., on behalf of Micco Companies, to amend the Bedford Land Use By-law to permit banks and financial institutions in the CGB (General Business District) Zone and to consider, specifically, a financial institution at 1527 Bedford Highway, Bedford. Mr. Simms explained that the purpose of the public information meeting is to identify, early in the planning process, that an application has been received. Mr. Simms explained that he would provide a brief presentation of the policy and process after which he would open the floor for discussion, questions, and comments. Mr. Simms also explained that the public information meeting is an information session only and that no decisions would be made at this meeting.

Process and Overview of Application

Mr. Simms reviewed the application process, noting that the public information meeting is an initial step, whereby HRM reviews and identifies the scope of the application and seeks input from the neighborhood. Mr. Simms explained that the next step for HRM staff is to review the application internally and to undertake an evaluation of the existing policies, specifically the Bedford Municipal Planning Strategy (MPS) and the Bedford Land Use By-law (LUB) to ensure that this proposal does not conflict with any existing policy. The application will then be brought forward to the North West Community Council. Council will hold a public hearing at a later date, prior to making a decision on the proposed amendment. If you received a notice regarding this meeting, you will also be advised of any future hearings related to this application. Following Council's decision, there is an appeal period, during which the decision of Council regarding the proposed LUB amendments can be appealed to the Nova Scotia Utility and Review Board.

Presentation of Proposed Amendment

Mr. Simms displayed a map of the subject property in question and explained the size, use and previous uses of the property showing that it sits next to the existing Chicken Burger property. He explained that this property in question currently has a double zone, CGB Zone and Highway Commercial Zone. Mr. Simms also displayed an existing site layout and the proposed location of the new bank. The site is currently home to a Tim Hortons and was previously a gas station. He explained that if the applicant is successful, the applicant would not be required to site the proposed building as shown on the submitted site plan. The developer will have to meet the zone requirements of the LUB. What they are proposing to do is insert banks and financial institutions as a permitted land use within the CGB Zone. If they are successful, they will have to meet all other requirements of that zone, which are staying the same.

Mr. Simms reviewed the existing permitted uses and the proposal to insert banks & financial institutions as an additional permitted use. He displayed a map of Bedford and pointed out other CGB properties. Mr. Simms explained that if the applicant is successful in amending the zone, these provisions will apply to all CGB properties. Therefore, notices were sent to all CGB Zoned property owners because their rights are subject to change if the applicant is successful in amending the zone.

Questions and Answers

John Tolson, Bedford – Mr. Tolson advised that he has a property with the CGB Zone designation and is glad to see that there will be additions to this zoning and spoke in favor of the change.

Councillor Outhit, District 16 – Councillor Outhit advised that he has no problems with this proposal and has not heard anything from his residents.

John Tolson, Bedford – Mr. Tolson asked why the change was needed as you can go down Bedford Highway and there are banks there already? Mr. Simms explained that those banks may be permitted under different zones.

John Tolson, Bedford – Mr. Tolson asked if Mr. Simms could go back to the slide in his presentation that shows the plan of Bedford. He advised that Canada Trust Court is in the same zone, and it is a bank, so asked why we are having this meeting. Mr. Simms explained that the bank may have been put there before the By-law changed in 1996. Mr. Tolson previously owned that property and designed the existing Canada Trust. He agreed that he sold that property before 1996 so it was perhaps grandfathered because it was already there.

Heather Cann, Bedford – Ms. Cann asked which bank is going there? Mr. Simms advised he wasn't sure if it is public knowledge or if it had been disclosed as part of the application as the specific branch of bank is irrelevant. He also noted that the application is public knowledge and that he could check to see if that information has been made public. He advised Ms. Cann to contact him to discuss it further.

Sid Rahey, Bedford – Mr. Rahey asked Mr. Simms if he could return to the slide showing the current uses in the CGB Zone for review by those in attendance. Mr. Simms provided the slide showing the full list of uses for everyone in attendance to review.

Closing Comments

Mr. Simms asked if there were any more questions or comments regarding the application. He also asked that everyone sign the sign-up sheet before leaving the meeting. Mr. Simms thanked everyone for attending and ended the meeting.

Adjournment

The meeting was adjourned at approximately 7:20 p.m.