

NORTH WEST PLANNING ADVISORY COMMITTEE

PUBLIC MEETING

JULY 2, 2003

THOSE PRESENT: Ann Merritt, Chair

George Murphy
Roddy Macdonald
Karen Stadnyk
Tony Edwards

ALSO PRESENT:

Thea Langille-Hanna, Planner
Sandra Shute, Legislative Assistant

OTHERS PRESENT:

Councillor Harvey
13 Members of the Public

Regrets:

Gloria Lowther
Jan Gerrow

1. **CALL TO ORDER**

The meeting was called to order by the Chair at 7:00 p.m. in the Charles Fenerty Room, Sackville Library, 636 Sackville Drive, Lower Sackville.

2. **CASE 00571 - AMENDMENTS TO THE SACKVILLE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO CONSIDER PERMITTING INSTITUTIONAL USES (P-2) WITHIN THE BP-1 (BUSINESS PARK-1) ZONE**

A Staff Report dated March 28, 2003 was before the Committee along with a Supplementary Report dated May 20, 2003, both of which had been directed to Regional Council.

Thea Langille-Hanna, Planner advised that the purpose of the meeting was to have an open discussion about a request from Annapolis Group to change the Sackville Municipal Planning Strategy and Land Use By-law in order to have institutional uses permitted in the BP-1 zone. She provided an overview of the area in question with the aid of overheads. As part of her presentation she advised that the area south of Glendale Avenue is zoned Business Park (BP) and generally in provincial ownership with areas leased out. The lands located to the north east of Glendale Avenue and north east of the balance of the Sackville Business Park lands remain in private ownership with the BP-1 zone. This BP-1 zone has been identified in the Sackville Plan as an area for future expansion of the Sackville Business Park. Similar types of land uses have been identified as permitted in this area. She listed the uses for both zones.

Ms. Langille-Hanna further advised that the Municipality has been asked by Annapolis Group to allow Institutional Uses in the BP-1 zone. She listed Institutional Uses and advised that the reason for the request is to allow construction of a church by Temple Baptist Church in the area of Highway 102 and Glendale Avenue located in the BP-1 zone. The proposal is for a fairly large church - 70-80,000 sq. ft. with a seating capacity of close to 1500 - and associated uses such as meeting rooms, gymnasium and a fairly significant parking lot to accommodate the seating capacity.

Further, Ms. Langille-Hanna advised that to date staff has reviewed the proposal and indicated to Regional Council that there is some merit to exploring the request. Regional Council subsequently approved initiation of the process to amend the Sackville Municipal Planning Strategy and Land Use By-law to consider permitting Institutional Uses (P-2) within the BP-1 (Business Park-1) Zone. This Public Meeting was the opportunity to exchange information and hear what concerns the general public has about the proposal.

Ms. Langille-Hanna then outlined a series of questions she asked those in attendance to consider:

- Are Institutional uses a reasonable land use within the Sackville Business Park?
- What are the issues and concerns with having those types of uses in the Sackville Business Park?
- Are some Institutional uses more reasonable than others within the Park and, if so, which ones?
- Is a church okay?
- What are the issues and concerns surrounding a church being proposed in the Sackville Business Park?

The Chair then asked the applicant to provide input.

Mr. Fergus Omond, representing Annapolis Group advised that Annapolis Group approached the province for the province to buy the land to add to the Business Park but the province was not interested. It is Annapolis Group's position that as a private developer, they cannot develop it to compete with the province or Municipality. The only alternative is to dispose of the land. The church would be optimum use of the land. Temple Baptist Church has outgrown its current facilities and this would be an excellent opportunity to develop the land in question with a single user.

The Chair then called for questions from members of the Committee.

George Murphy asked where the church access would be located.

In response, Ms. Langille-Hanna advised that it was proposed to extend Road A and construct a cul-de-sac for future lots around it. The church would access off the end of the cul-de-sac. There would have to be discussions with Traffic Services and Department of Transportation in this regard.

Karen Stadnyk commented that usually concerns with churches from residents were noise and traffic problems but the area in question is not near residential areas. She asked if there was anything significant in the area that could cause traffic problems.

In response, Ms. Langille-Hanna advised an internal review has not taken place as yet; however, prior to Regional Council agreeing to initiate the process, Regional Council requested that staff consult with the Sackville Business Park Committee. A copy of the letter from the Sackville Business Park Management Team was attached to the May 20, 2003 report. The letter indicated a potential conflict with activities that already exist in a business

park and it must be recognized by newcomers to the business park environment. There was a “live and let live” approach to new neighbours.

Ann Merritt asked if the land would be serviced.

In response, Ms. Langille-Hanna advised that the parcel for the church in the BP-1 zone is serviced with both municipal water and sanitary sewer. The servicing boundary runs quite close to the line. On the other side of the line, the R-6 zone actually permits Institutional uses as of right; however, that area cannot be serviced.

Roddy Macdonald asked if the church would be leasing the land from Annapolis Group. In response, Ms. Langille-Hanna advised that the land will be sold to the Church. The Church is looking at a very large parcel of land that will extend all the way back to Sucker Brook. What staff is reviewing is whether or not the use can be considered in the BP-1 zone as it is already permitted in the R-6. The remaining three lots off Road A would remain with Annapolis Group.

Tony Edwards asked if there was any possibility of residential locating around the church. In response, Ms. Langille-Hanna advised that Temple Baptist Church has outgrown its present site and is not visible. From a community perspective, it involves more than just Sackville but Bedford, Fall River, Waverley. The location in question allows additional growth if required, visibility and easy access from a major transportation network. In the BP-1 zone, residential is not permitted. In the R-6 adjacent zone, residential is permitted but with on-site services. There was potential for residential development in the back with access to Cobequid Road.

The Chair then called for input from the public.

Mr. Walter Regan, Sackville Rivers Association supported the location for the church. He asked for information on the site.

In response, Ms. Langille-Hanna advised that there would probably be 500 parking spaces. The site was approximately 55 acres but the church would only occupy about 15 acres. A Development Agreement is not proposed at this time.

Mr. Omond further advised that there were no immediate plans for the balance of the land.

Mr. Regan supported tree retention written into a Development Agreement. 500 parking spaces is a huge open space. He supported raised curbs between parking spaces with tree planting.

Ann Merritt asked what would be the process to require a Development Agreement. In response, Ms. Langille-Hanna advised that the type of meeting tonight would bring out issues or concerns. If issues or concerns could be better dealt with by a Development Agreement, staff could recommend writing a site specific policy saying that a church could be permitted on a 15 acre parcel of land and put in a series of criteria and then negotiate a Development Agreement with the applicant. At this time, staff was considering the type of land use in the area. She pointed out that the parcels next door could have a composting facility that could clear every tree, contain all asphalt and not be subject to a Development Agreement.

Mr. Scott Lang, Stonemount Subdivision asked what was the reaction of the Business Park for the proposal for a church. In response, Ms. Langille-Hanna referred to the letter from the Business Park Management Team included in the Staff Report. She provided background information on their response.

Mr. Lang asked if anyone else has expressed interest in establishing a business in that location. In response, Mr. Omond replied no.

Mr. Lang asked why residents of Stonemount Subdivision were not notified. In response, Ms. Langille-Hanna advised that the Municipality was required to place an ad in the paper but also would notify people within 250' in a serviced area and 500' in a non-serviced area. In this case, staff included everyone in the Business Park and some of the properties down Glendale and Cobequid. Staff did not include Stonemount Subdivision because there are 40+ acres between what is being proposed. If Mr. Lang wanted to ensure notification of future meetings, he could leave his name and address after the meeting.

Mr. Lang asked the process from this meeting on. Ms. Langille-Hanna then provided the requested information regarding process, time frame and construction.

Mr. Lang requested that notices be sent to residents of Stonemount Subdivision. Ms. Langille-Hanna advised staff would look at adding the Stonemount area to the notification list for Public Hearing. This could be part of a recommendation from Planning Advisory Committee.

Pastor Leslie Somers, Temple Baptist Church provided information on the meeting with the Sackville Business Park Management Team. The Church is not just a building, but people and there are hundreds of them coming every Sunday. It is not simply a location for a building but a home for many people to be nurtured spiritually.

Ann Merritt asked how Pastor Somers felt about the Church having to put up with noise, traffic, big trucks even on Sundays. In response, Pastor Somers advised they did not have a problem with this because others were there first. There is a four lane highway which would

give a buffer between the church and other properties. The Church deals with the public too and will try to be good neighbours.

Roddy Macdonald asked for input regarding the Church's view of a change being made for the remaining properties abutting Road A as well. In response, Pastor Somers advised that if they had more money, they would buy it all. Even in preliminary discussions with Annapolis Group for purchase of the property, Annapolis knew that the Church would like to have something compatible for the abutting properties but understood it could not dictate.

Mr. Omond advised it is Annapolis Group's application for the Plan Amendment and the position is to amend all the BP-1 lands in the event that prior to the lands being disposed of, the Church can buy the remaining land without any need for another change.

At this point, Ms. Langille-Hanna advised that because the BP-1 zone does not list permitted uses as institutional and, more specifically, a church, staff could look at being very specific by allowing a church or look at broader uses and allow a range of uses.

Mr. Omond advised that Annapolis Group would prefer to have all the uses permitted in the Institutional on all the land. This would go to the benefit of the Church. If there are choices, they could opt for the more compatible use to the Church. There would be no residential development on the BP-1 lands; they are looking for compatible uses.

Karen Stadnyk asked if entertainment uses in conjunction with a hotel would include adult entertainment. In response, Ms. Langille-Hanna advised the definition of entertainment use in the Land Use By-law. Massage parlour, adult entertainment and cabaret are excluded.

Karen Stadnyk stated she supported the idea of a Development Agreement. In terms of the church being their home and protecting the environment, there is very little opportunity to do this in the community except through a Development Agreement. She acknowledged that the Church could be intending to maintain trees and put in significant landscaping in any event.

Mr. Omond stated that Annapolis Group would not want the remaining lands constrained by a Development Agreement which could make it restrictive on what they could and could not do.

Pastor Glenn Goode, Temple Baptist Church stated he did not understand what was involved in a Development Agreement but did not want to be tied down to an onerous or costly endeavor. They planned on keeping as much landscaping as is there now, given the rugged terrain and did not plan on clear cutting.

George Murphy asked for clarification that the whole property is being sold to the Church, including the R-6 land. In response, Ms. Langille-Hanna indicated the BP-1 area in question as well as the balance of R-6 without the three lots referred to previously. It is as of right to develop residential in R-6 and institutional to build a church. The issue, however, in the R-6 is servicing.

Ms. Langille-Hanna reiterated that the question is whether or not institutional uses should be considered for that portion of the Business Park and is the church a reasonable land use.

Tony Edwards asked the difference between BP-1 and BP. In response, Ms. Langille-Hanna advised that they were pretty much identical except for ownership. She provided further information regarding the Plan Review in 1992.

Pastor Goode noted that the new hospital would be abutting the Business Park and is an Institutional use.

Mr. Scott Lang asked if the Church could go anywhere, not just in the BP-1 zone. In response, Ms. Langille-Hanna advised that today a church is not permitted in the BP-1 zone. It is permitted in the R-6. Temple Baptist Church could come in today and apply for a permit for the church in the R-6 and provide on site services. Staff was questioning whether or not to allow the same use where services are provided, in the BP-1 zone.

Mr. Lang said he felt that a Development Agreement would be beneficial to the community so there would be some concessions to the community such as green space maintained throughout the development.

Ms. Langille-Hanna pointed out, however, that with the existing zoning today there is no green space to be maintained. She asked, therefore, why would the Church be asked to provide additional open space when the other list of land uses would not be subject to that and when some of them would have more impact potentially on the environment than a church might. She added that right now the entire 15 acres could be cleared for a used car lot with asphalt.

Mr. Omond pointed out that the Annapolis Group proposal is for 15 acres. The Church would take two acres, parking would be three acres and at least half would be undeveloped. There was no benefit to clear cutting.

Mr. Sooriyakumaraan, Annapolis Group referred to the By-law re clear cutting, Section 18.3(4) which indicated that for every 400 sq. ft., you have to plant a tree. If you clear cut, you have to replant.

Ms. Langille-Hanna then asked if there was any opposition to allowing Institutional uses in the BP-1 zone. Institutional uses would include a church.

Aside from the question from Mr. Lang as to whether or not there were any precedents in HRM, there was no opposition indicated. Ms. Langille-Hanna agreed to check other Business Parks in terms of use. This information could be included in the Staff Report.

Mr. Walter Regan stated again that he was in favour of a Development Agreement and would like to see an oil grit separator for the parking lot, provision for water retention on site, information on the effect on capacity of the sewage treatment plant in Bedford and which way drainage would go.

Ms. Langille-Hanna agreed to check with staff regarding the sewage treatment plant impact.

Mr. Regan then asked what the plans were for the current site - 1000 Sackville Drive.

Mr. Regan then referred to the capacity for 500 cars and asked if there would be provision for a storage lane at the intersection or lights. In response, Ms. Langille-Hanna advised that preliminary discussions were about traffic lights at Estates Road.

Mr. Regan asked if there would be special provisions for blasting. In response, Ms. Langille-Hanna advised they would be subject to HRM's Blasting By-law.

Mr. Regan also made reference to the ability to have an ice cream parlour and for a walkway or lookoff.

In closing, Ms. Langille-Hanna advised that she got the feeling from the meeting that there was no one who felt strongly about not allowing Institutional uses in the zone. A lot of questions and concerns have been raised. She advised that if there were any further questions or concerns, members of the public could contact her directly. She expected that the internal review by staff would be completed over the summer months.

3. **ADJOURNMENT**

The Chair thanked all those present for attending and providing comments. The meeting adjourned at 8:20 p.m.

Sandra M. Shute

Legislative Assistant