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PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

North West Community Council
August 9, 2007

TO: Members of the North West Community Council

SUBMITTED BY:


Ann Merritt, Chair, North West Planning Advisory Committee

DATE: August 1, 2007

SUBJECT: Case 01038: Bedford Land Use By-law Amendment- Veterinary Clinics

ORIGIN

At its August 1, 2007 meeting, The North West Planning Advisory Committee made a recommendation to North West Community Council concerning a Bedford Land Use By-law amendment to Case 01038- veterinary clinics.

RECOMMENDATION

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

- 1. Give First Reading to the proposed amendments to the Bedford land Use By-law to add veterinary Clinics as a permitted use within the CGB (General Business District) Zone, as shown in Attachment "A" if the staff report dated July 10, 2007, and schedule a public hearing; and**
- 2. Approve the proposed amendments to the Bedford Lane Use By-law to allow veterinary clinics in the CGB (General Business District) Zone, as shown in Attachment "A" of the staff report dated July 10, 2007.**

DISCUSSION

See attached staff report dated July 10, 2007.

BUDGET IMPLICATIONS

N/A

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

ATTACHMENTS

Staff Report Dated July 10, 2007

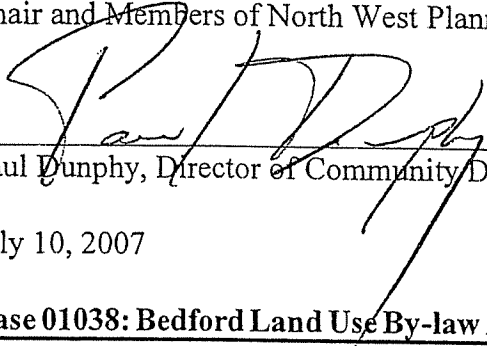
Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208. Report Prepared by: Chrissy White, Legislative Assistant



PO Box 1749
Halifax, Nova Scotia
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North West Planning Advisory Committee
August 1, 2007

TO: Chair and Members of North West Planning Advisory Committee

SUBMITTED BY: 
Paul Dunphy, Director of Community Development

DATE: July 10, 2007

SUBJECT: Case 01038: Bedford Land Use By-law Amendment - Veterinary clinics

ORIGIN

On May 24, 2007, North West Community Council requested staff to initiate the process to permit veterinary clinics as a permitted use within the General Business District (CGB) and Light Industrial (ILI) Zones of the Bedford Land Use By-law (LUB).

RECOMMENDATION

It is recommended that North West Community Council:

1. Give First Reading to the proposed amendments to the Bedford Land Use By-law to add veterinary clinics as a permitted use within the CGB (General Business District) Zone, as shown in Attachment "A", and schedule a public hearing; and
2. Approve the proposed amendments to the Bedford Land Use By-law to allow veterinary clinics in the CGB (General Business District) Zone, as shown in Attachment "A".

BACKGROUND

Veterinary clinics are allowed in the Mainstreet Commercial and Highway Commercial zones of the Bedford LUB, but are not permitted in the industrial and general business zones. North West Community Council was made aware of this after Development Services were unable to issue a permit for a veterinary clinic in the Bedford Industrial Park. Veterinary clinics are defined under the LUB as follows:

“Veterinary clinic means a building or portion thereof, where animals, birds or other livestock kept as domestic pets are examined, treated, groomed, or operated on. Pets are neither kept nor boarded at a veterinary clinic and there are to be no outdoor runs for any animals. Such use shall not be an objectionable use as defined herein.”

The definition of veterinary clinics would preclude accessory uses such as kennels, pet grooming and daycare services.

North West Community Council have requested an amendment to the LUB to permit veterinary clinics in the CGB and ILI zones. To achieve this goal, Council only needs to amend the CGB zone because the ILI zone permits CGB uses. Therefore allowing veterinary clinics in the CGB would indirectly permit them in the ILI zone, in addition to the Shopping Centre (CSC) and Heavy Industrial (IHI) zones.

DISCUSSION

The CGB and CSC zones are applied within the Commercial Designation of the Bedford Municipal Planning Strategy (MPS). The objective of this designation is to provide opportunities for business and commercial uses to serve the community of Bedford (Attachment “B”). The CGB zone was intended to allow for general business operations (such as office buildings, restaurants, retail shops, etc) and was mainly applied to certain commercial properties along the Bedford Highway but also Hammonds Plains Road, Dartmouth Road, and Rocky Lake Drive (Maps 2 &3). The CSC zone allows for shopping centres and general business uses in the area of the Sunnyside and Bedford Place Malls (Attachment “C” & Maps 2&3).

The ILI and IHI zones are applied within the Industrial Designation of the Bedford MPS (Attachment “B” & Maps 1&3). The industrial designation promotes industrial uses such as warehousing, manufacturing and large scale commercial uses (Attachments “C”). These zones are predominantly found in the Atlantic Acres and Bedford Industrial Parks.

The inclusion of veterinary clinics in the above noted zones is anticipated to be compatible with the currently permitted uses for the following reasons:

- (i) the traffic generated would be comparable to uses such as retail stores, convenience outlets and day care facilities, which are allowed under the CGB zone;

- (ii) the restrictive definition of veterinary clinics means that potential nuisance uses such as pet boarding, grooming, kennels and day cares would not be permitted;
- (iii) the veterinary clinic shall be wholly contained within the building which would reduce the impact on the above noted uses; and
- (iv) the CSC, ILI and IHI permit a broad range of commercial and industrial uses and veterinary clinics would have less impact than many of the currently permitted uses such as manufacturing, shopping malls and recycling facilities.

Due to the above noted reasons, staff are recommending that veterinary clinics be permitted in the CGB zone which will also permit clinics within the CSC, ILI and IHI zones.

Public Information Meeting

A public information meeting was held on June 20, 2007. There were no members of the public in attendance. In addition to general advertisement in the newspaper, property owners of CGB, CSC, ILI and IHI zoned properties will receive written notification of the Public Hearing.

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, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

1. Council may choose to approve the proposed amendments to the Bedford Land Use By-law. This is Staff's recommended course of action for the reasons described in this report.
2. Council may choose to refuse the proposed amendment to the Land Use By-law, and in doing so, must provide reasons based on a conflict with MPS policies. This alternative is not recommended as staff are satisfied that the proposed amendment is consistent with the policies and intent of the MPS.

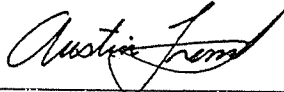
ATTACHMENTS

Map 1:	Zoning Map- Area 1
Map 2:	Zoning Map- Area 2
Map 3:	Zoning Map- Area 3
Attachment A:	Amendments to the Bedford Land Use By-law
Attachment B:	Relevant MPS Policies
Attachment C:	Relevant LUB Sections

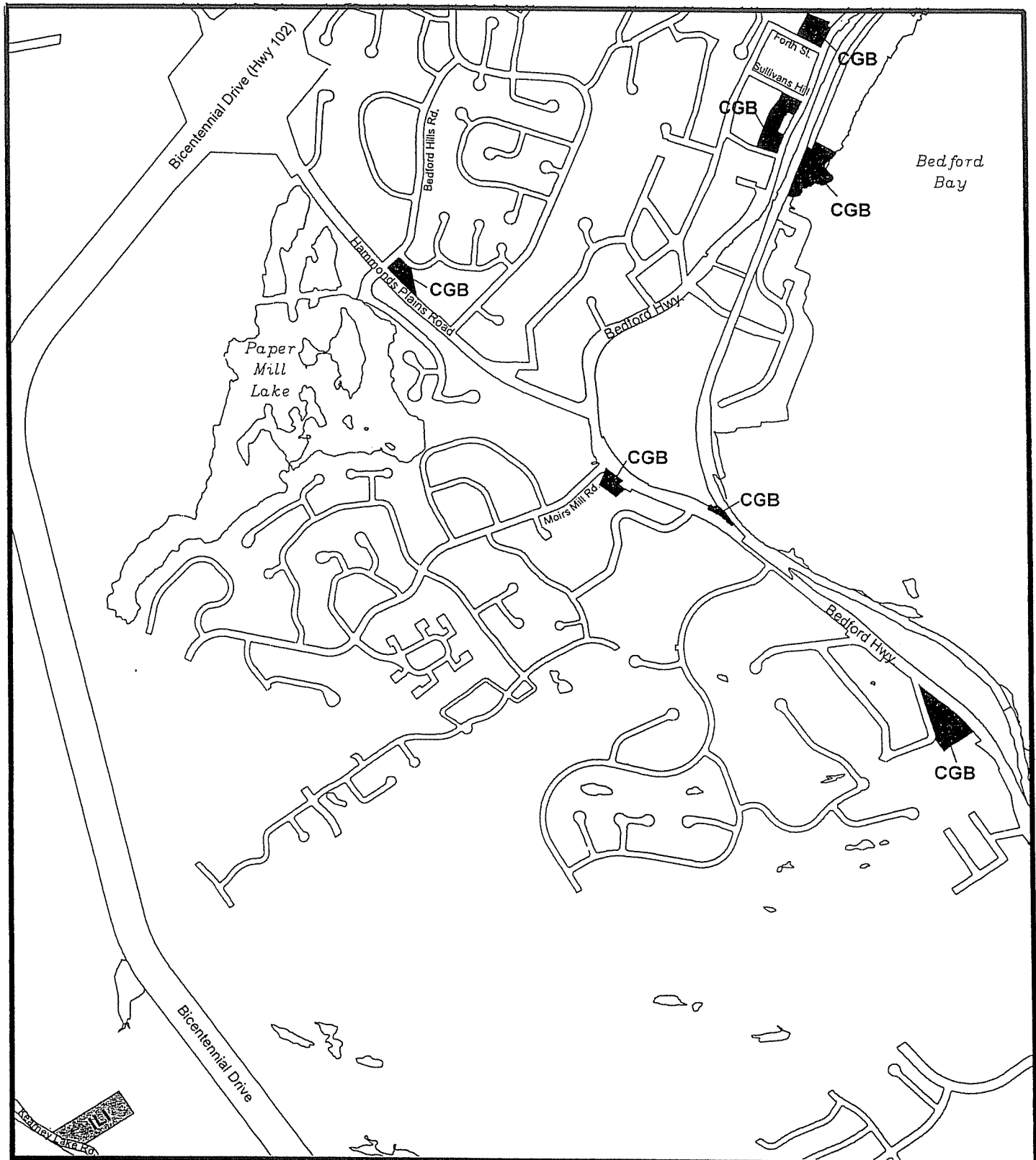
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Leticia Smillie, Planner 1- Planning Applications: Community Development 869-4747

Report Approved by:



Austin French, Manager of Planning Services, 490-6717



Map 2



ILI Zone (Light Industrial Zone)



CGB Zone (General Business District Zone)



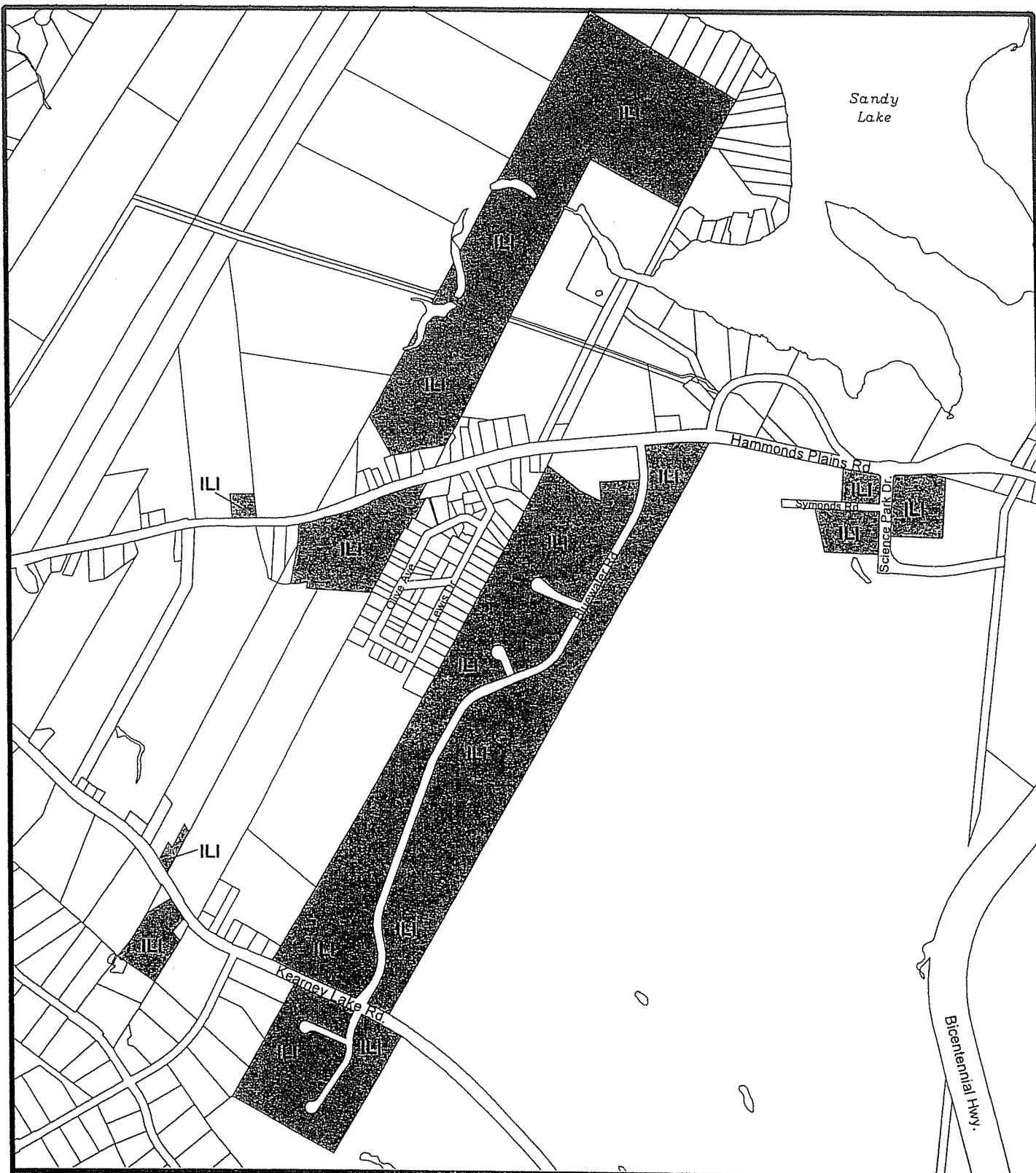
HALIFAX
REGIONAL MUNICIPALITY
Planning Services




June 18, 2007

HRM does not guarantee the accuracy of any base map information on this map.

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Map 1

 ILI Zone (Light Industrial Zone)



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Map 3



ILI Zone (Light Industrial Zone)

IHI Zone (Heavy Industrial Zone)

CHWY_CGB Zone
(Highway Oriented Commercial Zone / General
Business District Zone)

CGB Zone (General Business District Zone)

CSC Zone (Shopping Centre Zone)

200 100 0 200 400 600 800 Meters

HALIFAX
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Planning Services

Attachment A
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 as enacted by the Halifax Regional Municipality 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:

1. Amend Part 12 (CGB Zone) by deleting the text “r) Uses accessory to the foregoing uses” under the list of permitted uses and replacing it with the following:

 “r) Veterinary clinics
 s) Uses accessory to the foregoing uses”

I HEREBY CERTIFY that the amendment 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 _____, 2007

GIVEN under the hands of the Municipal Clerk and Under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2007

Jan Gibson
Municipal Clerk

Attachment B
Relevant MPS Policies

Policy C-3:

It shall be the intention of Town Council to encourage a range of commercial uses sufficient to serve community needs within the Town and surrounding areas through provisions in the Land Use By-law to create the following zones:

- General Business District Zone (CGB) which permits general business uses including, but not limited to, office buildings, retail shops, restaurants, commercial accommodations, drinking establishments, institutional uses [excluding cemeteries], and recycling depots;
- Shopping Centre Zone (CSC) which permits uses including but not limited to shopping centres, retail outlets, restaurants, drinking establishments, CGB Zone uses and recycling depots;

Policy I-2:

It shall be the intention of Town Council to direct and encourage industrial development in areas designated "Industrial" on the Generalized Future Land Use Map. The following industrial zones shall be applied within the Industrial designation:

- a) Light Industrial Zone (ILI) which permits industrial uses, including but not limited to, manufacturing, processing, assembly or warehousing operations, shopping centre commercial uses, commercial uses permitted within the General Business District (CGB) Zone, and utility (SU) uses. Commercial office uses permitted within the GBD Zone shall be permitted by development agreement. Light industrial and permitted commercial uses shall be encouraged to locate in the Atlantic Acres Industrial Park, in immediately adjacent industrial areas, and in the southern portion of the Bedford Industrial Park.
- c) Heavy Industrial (IHI) Zone which permits heavy industrial uses including, but not limited to, manufacturing, railway uses, concrete brick and asphalt plants, recycling facilities, utilities, bulk storage facilities, construction industries, dry cleaning establishments and industrial uses permitted within the ILI Zone.

Attachment C
Relevant LUB sections

Veterinary Clinic - means a building or portion thereof, where animals, birds or other livestock kept as domestic pets are examined, treated, groomed, or operated on. Pets are neither kept nor boarded at a veterinary clinic and there are to be no outdoor runs for any animals. Such use shall not be an objectionable use as defined within the Bedford LUB.

Kennel - means a building or structure where animals, birds, or livestock intended or used as domestic household pets are kept and boarded.

Objectionable Use - means a use, which by its nature or operation, creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

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) Daycare Facilities, Nursery Schools, Early Learning Centres
- e) 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) **Uses accessory to the foregoing uses (NWCC-July7/05;E-Dec5/05)**

PART 13 SHOPPING CENTRE (CSC) ZONE

No Development Permit shall be issued in a Shopping Centre (CSC) Zone except for one or more of the following uses;

- a) Shopping Centres containing any of the following uses;
 - i) Banks and Financial Institutions
 - ii) Offices
 - iii) Dressmaking and Tailoring
 - iv) Medical Clinics
 - v) Movie Theatres
 - vi) Restaurants, Taverns and Lounges
 - vii) All Age/Teen Clubs
 - viii) Billiard/Snooker Club
 - ix) Drycleaning Depots
 - x) Garden Markets
 - xi) Retail Stores
 - xii) Service and Personal Service Shops
 - xiii) Taxi and Bus Stations
 - xiv) Amusement Centre
 - xv) Recycling depots
- b) ~~Uses permitted in the CGB Zone~~
- c) Office towers in excess of the permitted height by development agreement
- d) Uses accessory to the foregoing uses.

PART 17 LIGHT INDUSTRIAL (ILI) ZONE

No development permit shall be issued in a Light Industrial (ILI) Zone except for one or more of the following uses:

- a) warehouses and storage and distribution centres
- b) manufacturing, processing, assembly, recycling, or warehousing operations which are not objectionable uses;
- c) parking and or storage of industrial or heavy commercial vehicles, equipment and similar goods;
- d) trade centres
- e) building supplies sales
- f) auto service and supplies centres/outlets
- g) uses permitted in the Shopping Centre Zone (CSC);
- h) wholesalers
- i) full service and take-out restaurants
- j) furniture stores
- k) ~~uses permitted in the CGB Zone, except office buildings, subject to CGB Zone provisions~~
- l) daycare facilities, nursery schools, early learning centres;
- m) dry cleaning depot

- n) recycling depot
- o) uses permitted in the SU Zone
- p) bingo halls
- q) billiard/snooker club
- r) any uses accessory to the foregoing uses.

PART 19 HEAVY INDUSTRIAL (IH) ZONE

No development permit shall be issued in a Heavy Industrial (IH) Zone except for one or more of the following uses:

- a) warehouse and storage distribution centres;
- b) manufacturing, processing, assembly or warehousing;
- c) railway uses;
- d) parking and/or storage of industrial or heavy commercial vehicles, equipment and similar goods;
- e) trade centres, building supplies sales and wholesalers,
- f) recycling facilities;
- g) construction industries;
- h) concrete, brick and asphalt plants;
- i) utilities
- j) bulk storage facilities
- k) drycleaning establishments;
- l) local solid waste transfer stations
- m) ~~uses permitted in the IH Zone, subject to the IH Zone provisions~~
- n) uses accessory to the foregoing uses.