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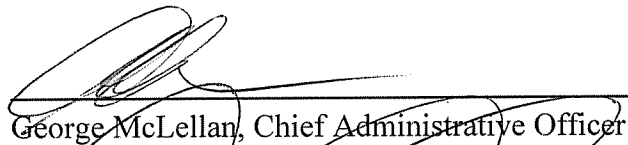


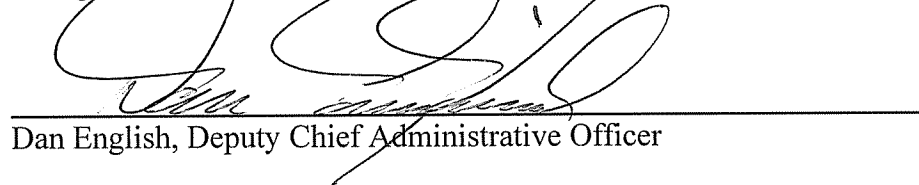
PO Box 1749
Halifax, Nova Scotia
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Regional Council
April 15, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


George McLellan, Chief Administrative Officer


Dan English, Deputy Chief Administrative Officer

DATE: March 28, 2003

SUBJECT: Case 00571: Amendments to the Sackville Municipal Planning Strategy (MPS) and Land Use ByLaw (LUB)

ORIGIN

1. Request from Annapolis Group Inc. to amend the Sackville Municipal Planning Strategy and Land Use Bylaw to enable a church in the BP-1 (Business Park-1) Zone.

RECOMMENDATION

It is recommended that Regional Council:

1. Approve initiation of the process to amend the Sackville Municipal Planning Strategy and Land Use Bylaw to consider permitting Institutional Uses (P-2) within the BP-1 (Business Park-1) Zone.
2. Request staff to follow the public participation program as approved by Council in February 1997.

BACKGROUND

Background Information:

In support of development within the Sackville Business Park, a Business Park Designation is established in the Municipal Planning Strategy for Sackville (see Map 1). The designation constitutes a priority area for industry and business development within Sackville.

A master plan prepared for the Business Park identifies several key areas within the park where general commercial, office and retail uses are to be permitted. These areas are generally located at the Glendale Drive entrance off the Cobequid Road and in the northern portion of the park. In order to project an image of a quality business location for high profile offices, retail trade and service uses, the Land Use By-law establishes a Business Park (BP) Zone with restrictive development standards relating to outdoor storage and display, exterior cladding, landscaping, parking, loading areas and signage. The BP Zone applies to approximately 198 acres (80 hectares) of land within the business park.

The master plan for the business park identifies approximately 51 acres (21 hectares) comprising the remaining area of the park for the future development of light industrial uses. This area is intended to accommodate a broad range of warehousing, wholesaling, transportation and service industries, and other uses typically associated with industrial parks. A second zone, Business Park-1 (BP-1) Zone, has been applied to this area. The BP-1 Zone is generally less restrictive than the BP Zone.

Subject Properties and Proposal:

The Annapolis Group owns 75 acres within the BP-1 zoned portion of the Sackville Business Park intended for future light industrial uses. This land comprises part of a larger parcel that includes an area immediately north which is zoned R-6 (Rural Residential) Zone (see Map 2). The BP-1 zoned portion of these lands is located within the Service Boundary established under the Sackville MPS.

The Annapolis Group has been approached by the Temple Baptist Church Group, to construct a church on the southeast corner of the Annapolis Group lands zoned BP-1. As indicated above, the BP-1 zone does not permit Institutional Uses. Therefore, an amendment to the Sackville Municipal Planning Strategy and Land Use Bylaw to enable denominational institutions and uses to be considered at this location will be required in order to accommodate a church at this location.

DISCUSSION

Policy Evaluation:

Site specific MPS amendments and policy reviews should generally only be considered where circumstances related to policies of a MPS have changed significantly. At the time the last review of the Sackville MPS was undertaken in 1994, it did not contemplate the development of institutional uses such as churches within the Business Park Designation and the BP-1 Zone. At the same time, however, it may be reasonable to consider institutional uses within portions of the Business Park Designation based on the following:

- the general scope of the Business Park designation and zoning is quite broad and inclusive;
- institutional uses such as churches generally require large areas of land for buildings, parking, etc;
- uses having somewhat similar land use characteristics, such as offices, funeral establishments, daycare facilities, parking lots are permitted within the BP and BP-1 zones;
- many institutional uses, such as denominational institutions, fire and police stations, government offices and public works, hospitals and medical clinics, are compatible with a business park environment; and
- an adequate road network exists to accommodate traffic associated with a church at the proposed location.

Conclusion:

The area in question is situated in close proximity to the intersection of Highway #2 and the Cobequid Road. It has frontage on and visibility from the Cobequid Road. Many of the institutional uses identified in the Sackville Land Use Bylaw require large tracts of land in order to accommodate building size and parking. These uses also generate significant amounts of traffic flow at peak times thereby placing a demand on the existing road network. Therefore, staff is recommending that Regional Council initiate the plan amendment process to consider institutional uses within the Business Park Designation.

BUDGET IMPLICATIONS

There are no budget implications to HRM to initiate the MPS amendment process.

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 initiate the MPS amendment process. This is the staff recommendation.
2. Council may choose not to initiate the MPS amendment process. Council is under no obligation to initiate a process to amend an MPS or to adopt requested amendments.

ATTACHMENTS

Map 1: Generalized Future Land Use Map

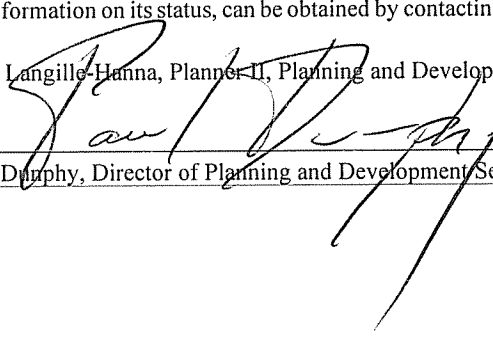
Map 2: Zoning Map

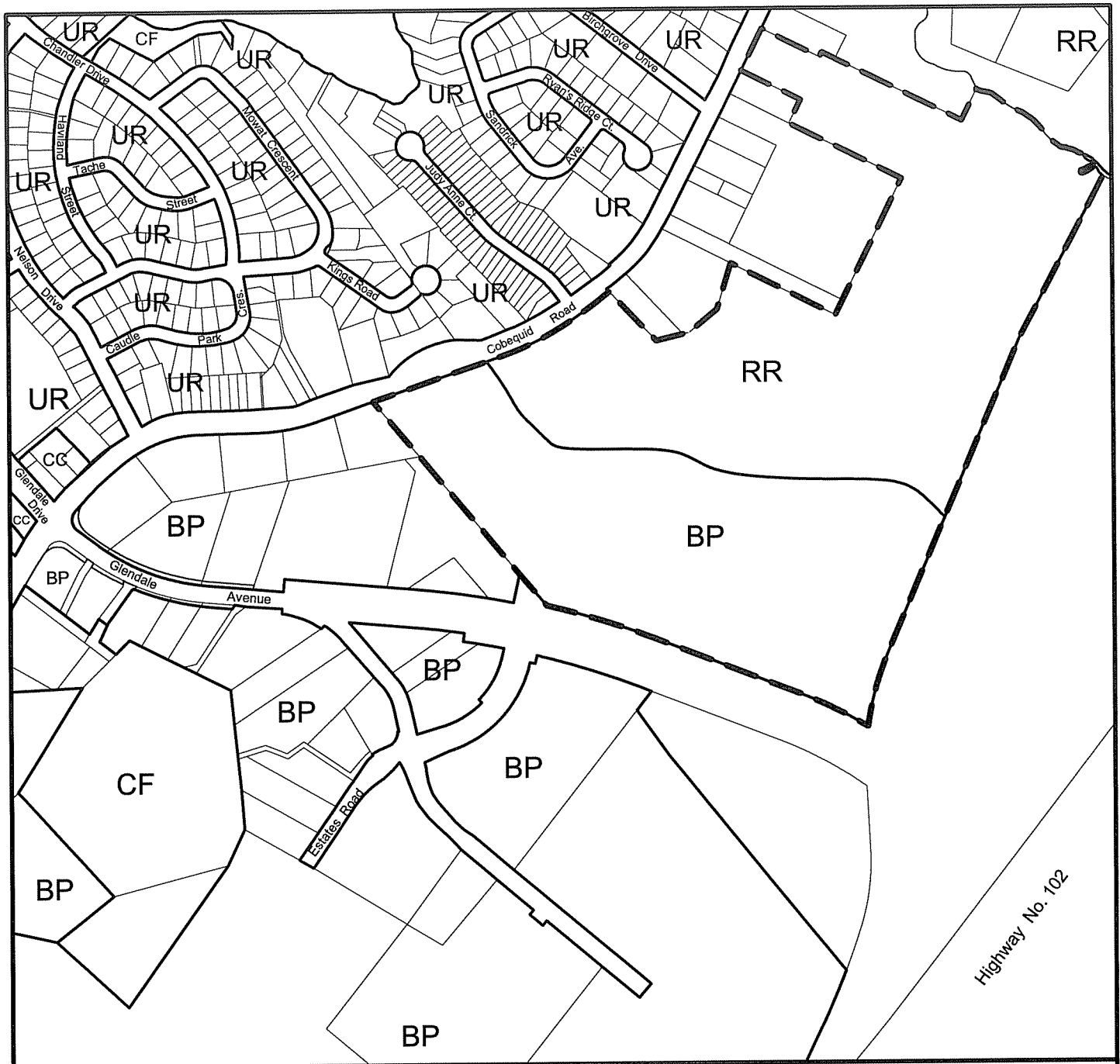
Map 3: Servicing Map

Attachment A: Excerpts of the Sackville Municipal Planning Strategy and Sackville Land Use Bylaw

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: Thea Langille-Hanna, Planner II, Planning and Development Services

Report Approved by: 
Paul Murphy, Director of Planning and Development Services

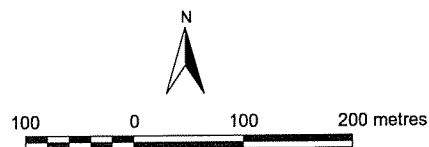


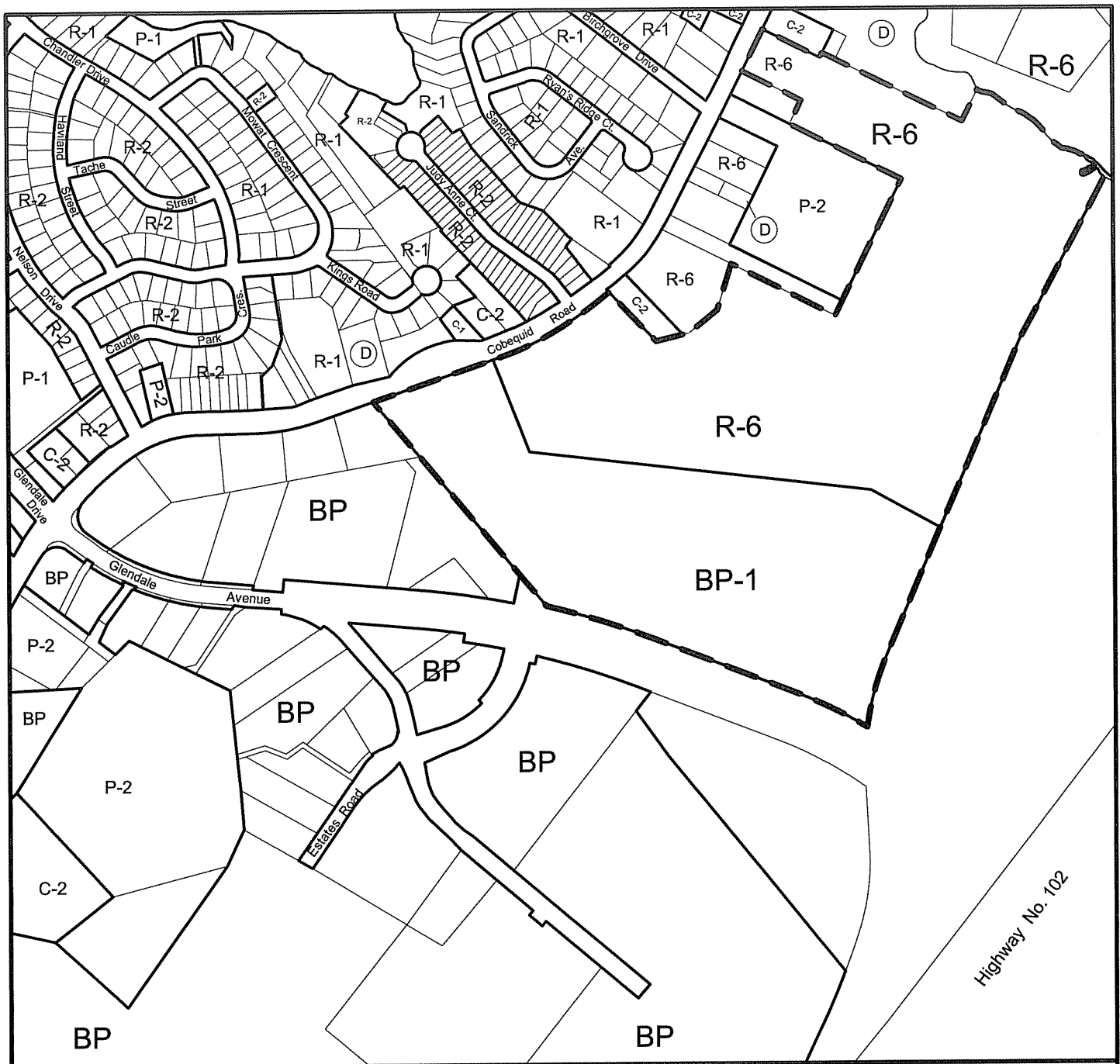
Map 1
Generalized Future Land Use

— — — Subject Property



- | | | | |
|----|----------------------------------|------|--------------------------------|
| UR | Urban Residential Designation | CF | Community Facility Designation |
| RR | Rural Residential Designation | BP | Business Park Designation |
| CC | Community Commercial Designation | BP-1 | Business Park - 1 Designation |



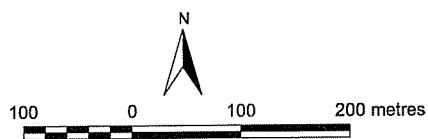


**Map 2
Zoning**

——— Subject Property

- R-1 Single Unit Dwelling Zone
- R-2 Two Unit Dwelling Zone
- R-6 Rural Residential Zone
- C-2 Community Commercial Zone

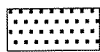
- P-1 Open Space Zone
- P-2 Community Facility Zone
- BP Business Park Zone
- BP-1 Business Park - 1 Zone
- ⓓ Existing Development Agreements








Highway No. 102

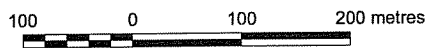
**Map 3
Servicing**



Subject Property

-  **Service Boundary**
-  **Water District Boundary**
-  **Development Boundary**

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES



ATTACHMENT A

Excerpts of the Sackville Municipal Planning Strategy

BUSINESS PARK DESIGNATION

The Halifax-Dartmouth Regional Development Plan targeted the Bedford-Sackville area as a major centre for employment in the commercial sector, the distribution sector and in selective light industries. Although the Plan's objectives were admirable, the development of such an employment base could not occur without direct provincial involvement and funding. The realization of this objective is now being fulfilled with the development by the Nova Scotia Economic Development Corporation of the Sackville Business Park (formerly the Sackville Industrial Park) east of the Cobequid Road. The continued development of this park will create more local employment opportunities, reduce travel times for residents who now commute to work, and create a more favourable tax base which may reduce the tax burden on residential property owners.

The opportunity afforded by the development of the business park must be supported by limiting light industrial and general industrial growth in other parts of the community and by providing opportunities within the park for the establishment of a broader range of commercial services, offices and retail facilities. This will help ensure the viability of the park.

It is recognized that the ability to compete and the overall success of the Sackville Business Park will require aggressive promotion. The attractiveness of the park to investors will also 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, the park must be available to capture a diversity of business, including wholesale and service industries, packaging and transportation firms, research and training facilities and office and retail uses.

Sackville's competitive position not only demands that a wide range of support services be available to park tenants but also necessitates a need to make the most of all business opportunities. To avoid problems of congestion and confused development, and to accomplish the creation of a first quality business park in Sackville, a master plan has been prepared by an independent consultant which identifies specific areas within the park designed to accommodate a full range of light industrial, commercial and office uses. While only one zone will be applied to the entire park area, the master plan for the Sackville Business Park will serve to dictate where individual park uses will be permitted within the business park zone.

BP-1 In support of the Sackville Business Park, it shall be the intention of Council to establish a Business Park Designation as shown on the Map 1 - Generalized Future Land Use. Lands within the designation shall constitute a priority area for industry and business development within the Plan Area.

The master plan which has been developed for the Sackville Business Park identifies several key areas within the park where general commercial, office and retail uses will be permitted. These areas are generally located at the Glendale Drive entrance to the park off Cobequid Road, and on the northern portion of lands within the park. Heightened development standards relating to outdoor storage and display, exterior cladding, landscaping, parking, loading areas and signage will be established in the land

use by-law to project an image of a quality business location suitable for high profile offices, retail trade and service uses.

The master plan identifies the remaining areas within the park for the future development of light industrial uses. These future development areas are intended to accommodate a broad range of warehousing, wholesaling, transportation and service industries, research and training facilities, light manufacturing and processing operations, assembly and recycling facilities, heavy commercial activities, as well as general commercial and office related uses. The Sackville Business Park currently contains a concrete batch plant and a garbage disposal facility. These existing uses are located within the area of the park identified by the master plan for light industrial uses.

BP-2 Within the Business Park Designation, it shall be the intention of Council to establish a business park zone which permits a range of general commercial, office and retail uses and light industrial uses as well as existing concrete batch plants and garbage disposal facilities. The street layout, lot design and location of new commercial, office and retail uses and light industrial uses shall be generally in accordance with the master plan for the Sackville Business Park included as Schedule "B" of the land use by-law.

The movement of vehicular traffic is an important consideration in the design and layout of future roads within the park. In areas of the park identified for light industrial uses, this is especially critical in order to provide efficient vehicle access and expedite the movement of large vehicles. In this regard, consideration shall be given to the design and layout of new roads within the business park as future subdivision occurs.

Business Park Expansion

The 1982 Municipal Development Plan for Sackville recognized the availability of land to the northeast of the Sackville Business Park and identified this area for future park expansion once lands within the existing park had been fully utilized. The Municipal Development Plan did not include this area within the Industrial Designation, but rather included a policy which called for its redesignation when the lands were eventually needed for park expansion.

The development of the Sackville Business Park did not, however, proceed at the rate anticipated in the 1982 Plan. As a result, no additional land to the northeast was ever redesignated and rezoned for new industrial development. However, with the major improvements which are now planned for the regional transportation system, access to the business park will be substantially improved. While the demand for additional industrial lands has not occurred to date, it is anticipated that this will change when the park is directly connected to Highway No. 102 and Highway No. 107 in the near future (see Transportation section).

In the Spring of 1992, the issue of future park expansion received renewed interest when a large residential subdivision was proposed on lands immediately adjacent to the business park. Both residents and elected representatives felt a sense of urgency in halting plans for residential development and placing greater priority on these lands for future commercial and industrial development. It was recognized that if low density residential development was to occur on these lands, an important opportunity for future expansion of the business park and for overall commercial/industrial growth in Sackville would be lost.

Land to the northeast of the Sackville Business Park remains under private ownership. It is felt, however, that a similar approach to that being used in the existing business park would be appropriate for future development. In this regard, approximately sixty-five (65) acres of land to the northeast of the park are included within the Business Park Designation and will be zoned in a manner which is consistent with the objectives of promoting the development of the Business Park. Uses permitted in this area shall be limited to light industrial and office uses and commercial office and retail uses.

BP-3 In support of the continued development and expansion of the Sackville Business Park and further, in support of future industrial/commercial growth in Sackville, it shall be the intention of Council to include lands to the northeast of the Sackville Business Park within the Business Park Designation.

BP-4 With reference to Policy BP-3, it shall be the intention of Council to establish a business park-1 zone which permits light industrial and office uses and commercial office and retail uses. This zone shall be applied to lands to the northeast of the Sackville Business Park.

Excerpts of the Sackville Land Use Bylaw

PART 17: BP (BUSINESS PARK) ZONE

17.1. BP (BUSINESS PARK) USES PERMITTED

No development permit shall be issued in any BP (Business Park) Zone except for the following:

Commercial Office/Retail Uses

Retail stores
Food stores
Service and personal service shops
Commercial shops
Offices including government offices
Banks and financial institutions
Restaurants including drive-in and take-out restaurants
Hotels
Entertainment uses in conjunction with a hotel
Shopping plazas and malls
Theatres
Daycare facilities
Outdoor display in conjunction with permitted commercial office/retail uses © - March 27, 1996 / E - April 20, 1996)

Light Industrial/Office Uses

Warehousing and warehouse sales
Wholesaling and wholesale sales
Service industries
Service shops

Service stations
Industrial training facilities
Research facilities
Postal and commercial courier and distribution facilities
Greenhouses and nurseries
Support services
Machinery sales and services
Vehicles sales
Outdoor display courts
Motels
Cinemas
Restaurants including drive-in and take-out restaurants
Veterinary hospitals and kennels
Commercial recreation uses
Office and retail uses accessory to permitted uses
Light manufacturing operations
Food and beverage processing and packaging
Assembly operations
Recycling depots
Transport facilities and maintenance yards
Local fuel distribution facilities
Automotive repair outlets
Funeral parlours and undertaker establishments
Taxi and bus depots
Parking lots
Existing uses
Any commercial office/retail uses

Composting operations (see section 4.30) (MC-February 26, 1996 / M-March 28, 1996)

Community Uses

Any use permitted in the P-1 (Open Space) Zone

17.2 BP ZONE REQUIREMENTS: COMMERCIAL OFFICE/RETAIL USES

Except as otherwise provided for in this part, where uses are permitted as commercial office/retail uses, in any BP Zone, no development permit shall be issued except in conformity with the following:

| | |
|-----------------------------------|--|
| Minimum Lot Area | 10,000 square feet (929.0 m ²) |
| Minimum Frontage | 100 feet (30.5 m) |
| Minimum Front or Flankage Yard | 30 feet (9.1 m) |

| | |
|---------------------------|-----------------|
| Minimum Rear or Side Yard | 10 feet (3.1 m) |
| Maximum Lot Coverage | 50 percent |

17.3 OTHER REQUIREMENTS: LIGHT INDUSTRIAL/OFFICE USES

Where light industrial/office uses are permitted in any BP Zone, no development permit shall be issued except in conformity with the following:

| | |
|--------------------------------|--|
| Minimum Lot Area | 10,000 square feet (929.0 m ²) |
| Minimum Frontage | 100 feet (30.5 m) |
| Minimum Front or Flankage Yard | 50 feet (15.2 m) |
| Minimum Rear or Side Yard | 15 feet (4.6 m) |
| Maximum Lot Coverage | 50 percent |

17.4 OTHER REQUIREMENTS: COMMERCIAL OFFICE/RETAIL USES

- (a) No development permit shall be issued for a commercial office/retail use in any BP Zone except in conformity with Schedule "B" of the land use by-law.
- (b) Where commercial office/retail uses are permitted in any BP Zone, the following shall apply:
 - i) No hotel shall contain fewer than one hundred and twenty-five (125) guest accommodation rooms.
 - ii) No walls of any building shall be erected nearer to Glendale Avenue or any other street than forty (40) feet (12.2 m).
 - iii) The exterior surface of all exterior walls of any building or structure shall consist of one or more of the following materials:
 - glass
 - pre-engineered steel
 - brick
 - cast-in-place concrete
 - precast concrete
 - iv) All yard areas not utilized for parking, manoeuvring aisles, driveways, walkways, loading areas or refuse storage **or for outdoor display areas in conjunction with permitted commercial office/retail uses, © - March 27,**

1996 / E - April 20, 1996) shall be landscaped. For the purposes of this section, landscaping shall mean sod and a minimum of one tree or shrub for each four hundred (400) square feet (37.2 m²) of landscaped area. Tree plantings shall be groups of mixed deciduous and coniferous types, with at least one-third of the trees being coniferous.

- v) Within the front yard setback area, the first six (6) feet (1.8 m) shall be landscaped except for exits and entrances. Where a building is constructed on a corner lot, the first six (6) feet (1.8 m) of the required setback area at the side of the building adjacent to the street shall also be landscaped.
- vi) No landscaping area shall be used for parking or developed in any other manner.
- vii) All landscaping shall be completed within six (6) months of the completion of the building on the lot.
- viii) All landscaping shall be kept neat, tidy and well-trimmed, and generally in such a manner as to be in keeping with the general appearance of the surrounding lands. Any dead or damaged vegetation shall be promptly replaced, repaired or restored.
- ix) No waste material of any kind shall be dumped or spread or allowed to remain on any lot except only clean earth, rocks or gravel used for grading or landscaping purposes.
- x) All parking areas, loading and unloading areas and storage areas shall be hard-surfaced and shall be separated from the landscaped areas by concrete curbing. For hard-surfaced parking lots, one raised landscaped island shall be provided for every twenty-five (25) parking spaces. Each island shall be a minimum of five (5) feet (1.5 m) in width and ninety (90) square feet (8.4 m²) in area. Islands shall be separate from any other landscaped areas.
- (xi) No loading or unloading areas shall be located at the front of any building. Where a building is constructed on a corner lot, no loading or unloading area shall be located at the side of the building adjacent to the street.
- (xii) No outdoor storage shall be permitted.(C - March 27, 1996 / E - April 20, 1996)
- (xiii) No garbage shall be stored outside except in a permanent refuse container. Such a container shall be located in the rear yard and shall be completely, enclosed and screened from view.
- (xiv) No trailer shall be parked or placed on any lot except for loading or unloading purposes.

- (xv) **No outdoor display shall be located within any front yard or exceed fifteen (15) percent of the total lot area. © - March 27, 1996 / E - April 20, 1996)**

17.5 OTHER REQUIREMENTS: COMMUNITY USES

Where open space uses are permitted in any BP Zone, no development permit shall be issued except in accordance with the provisions of Part 19.

17.6 **MASTER PLAN: SACKVILLE BUSINESS PARK**

Notwithstanding the Master Plan: Sackville Business Park, as contained in Schedule "B" of this By-law, the Development Officer may issue a development permit for any use permitted by Section 17.1 where so authorized by the owner or an authorized agent on behalf of the owner of the Business Park. All other provisions of this By-law shall apply. (C-January 9, 1997 / E-February 4, 1997)

PART 18: BP-1 (BUSINESS PARK-1) ZONE

18.1. BP-1 (BUSINESS PARK-1) USES PERMITTED

No development permit shall be issued in any BP-1 (Business Park-1) Zone except for the following:

Commercial Office/Retail Uses

Retail stores
Food stores
Service and personal service shops
Commercial shops
Offices including government offices
Banks and financial institutions
Restaurants including drive-in and take-out restaurants
Hotels
Entertainment uses in conjunction with a hotel
Shopping plazas and malls
Theatres
Daycare facilities

Light Industrial/Office Uses

Warehousing and warehouse sales
Wholesaling and wholesale sales
Service industries
Service shops
Service stations
Industrial training facilities
Research facilities

Postal and commercial courier and distribution facilities
Greenhouses and nurseries
Support services
Machinery sales and services
Vehicles sales
Outdoor display courts
Motels
Cinemas
Restaurants including drive-in and take-out restaurants
Veterinary hospitals and kennels
Commercial recreation uses
Office and retail uses accessory to permitted uses
Light manufacturing operations
Food and beverage processing and packaging
Assembly operations
Recycling depots
Transport facilities and maintenance yards
Local fuel distribution facilities
Automotive repair outlets
Funeral parlours and undertaker establishments
Taxi and bus depots
Parking lots
Existing uses
Any commercial office retail uses
Composting operations (see section 4.30) (MC-February 26, 1996 / M-March 28, 1996)

Open Space Uses

Any use permitted in the P-1 (Open Space) Zone

18.2 BP-1 ZONE REQUIREMENTS

Where light industrial/office uses and commercial office/retail uses are permitted in any BP-1 Zone, no development permit shall be issued except in conformity with the following:

| | |
|-----------------------------------|--|
| Minimum Lot Area | 10,000 square feet (929.0 m ²) |
| Minimum Frontage | 100 feet (30.5 m) |
| Minimum Front or Flankage Yard | 30 feet (15.2 m) |
| Minimum Rear or Side Yard | 15 feet (4.6 m) |
| Maximum Lot Coverage | 50 percent |

18.3 OTHER REQUIREMENTS: COMMERCIAL OFFICE/RETAIL USES AND LIGHT INDUSTRIAL/OFFICE USES

- (a) Where commercial office/retail uses and light industrial/office uses are permitted in any BP-1 Zone, the following shall apply:
- i) No hotel shall contain fewer than one hundred and twenty-five (125) guest accommodation rooms.
 - ii) No walls of any building shall be erected within forty (40) feet (12.2 m) of any public street or road reserve.
 - iii) The exterior surface of all exterior walls of any building or structure shall consist of one or more of the following materials:
 - glass
 - pre-engineered steel
 - brick
 - cast-in-place concrete
 - precast concrete
 - iv) All yard areas not utilized for parking, manoeuvring aisles, driveways, walkways, loading areas or refuse storage shall be landscaped. For the purposes of this section, landscaping shall mean sod and a minimum of one tree or shrub for each four hundred (400) square feet (37.2 m²) of landscaped area. Tree plantings shall be groups of mixed deciduous and coniferous types, with at least one-third of the trees being coniferous.
 - v) Within the front yard setback area, the first six (6) feet (1.8 m) shall be landscaped except for exits and entrances. Where a building is constructed on a corner lot, the first six (6) feet (1.8 m) of the required setback area at the side of the building adjacent to the street shall also be landscaped.
 - vi) No landscaping area shall be used for parking or developer in any other manner.
 - vii) All landscaping shall be completed within six (6) months of the completion of the building on the lot.
 - viii) All landscaping shall be kept neat, tidy and well-trimmed, and generally in such a manner as to be in keeping with the general appearance of the surrounding lands. Any dead or damaged vegetation shall be promptly replaced, repaired or restored.
 - ix) No waste material of any kind shall be dumped or spread or allowed to remain on any lot except only clean earth, rocks or gravel used for grading or landscaping purposes.

- x) All parking areas, loading and unloading areas and storage areas shall be hard-surfaced and shall be separated from the landscaped areas by concrete curbing. For hard-surfaced parking lots, one raised landscaped island shall be provided for every twenty-five (25) parking spaces. Each island shall be a minimum of five (5) feet (1.5 m) in width and ninety (90) square feet (8.4 m²) in area. Islands shall be separate from any other landscaped areas.
- xi) No loading or unloading areas shall be located at the front of any building. Where a building is constructed on a corner lot, no loading or unloading area shall be located at the side of the building adjacent to the street.
- xii) No outdoor storage or display shall be permitted.

18.4 OTHER REQUIREMENTS: OPEN SPACE USES

Where open space uses are permitted in any BP-1 Zone, no development permit shall be issued except in accordance with the provisions of Part 19.